

ORDINANCE NO. 14,898

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 6120 Douglas Avenue from R1-60 One-Family Low-Density Residential District to a C-2 General Retail and Highway Oriented Commercial District classification.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 6120 Douglas Avenue, more fully described as follows, from R1-60 One-Family Low-Density Residential District to a C-2 General Retail and Highway Oriented Commercial District classification:

All Lot 87 and the North 19 feet of Lot 88, Clover Acres, AN OFFICIAL PLAT all now included in and forming a part of the City of Des Moines, IN POLK COUNTY, IOWA.

Sec. 2. That this ordinance and the zoning granted by the terms hereof are subject to the following imposed additional conditions which have been agreed to and accepted by execution of an Acceptance of Rezoning Ordinance by all owners of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

1. Prohibit use of the property for the following:
  - a. Adult entertainment business.
  - b. Vehicle display.
  - c. Off-premises advertising signs.
  - d. Package goods stores for sale of liquor.
  - e. Taverns/nightclubs.
  - f. Pawn shops.
  - g. Financial service centers that provide check cashing and loans secured by post dated checks or payroll guarantee as their primary activity.

- h. Communication towers.
- 2. Any commercial building along with any associated gas canopy supports, and utility/trash enclosures shall be required to be constructed primarily of brick, masonry block or stone on all exterior walls.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 4. The City Clerk is hereby authorized and directed to cause a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, and proof of publication of this ordinance, to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:

Michael F. Kelley, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 09- 1871), passed by the City Council of said City at a meeting held October 12, 2009 signed by the Mayor on October 12, 2009 and published as provided by law in the Business Record on October 26, 2009. Authorized by Publication Order No. 6859.

Diane Rauh, City Clerk