

ORDINANCE NO. 15,045

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 1938 Southeast 6th Street from the C-1A Neighborhood Commercial Reuse District classification to a Limited NPC Neighborhood Pedestrian 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 1938 Southeast 6th Street, more fully described as follows, from C-1A Neighborhood Commercial Reuse District classification to a Limited NPC Neighborhood Pedestrian Commercial District classification:

Lot 3, South of Hillside Avenue, Sevastopol, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

Section 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 the owner of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

- (1) Prohibition of the following uses:
 - a) billiard parlor/game room
 - b) communication tower/antenna (unless as an extension of 20 feet or less from the structure),
 - c) financial service centers that provide check cashing and loans secured by post dated checks or payroll guarantee as their primary activity,
 - d) gas stations/convenience stores,
 - e) off-premises advertising signs,
 - f) package goods stores for the sale of alcoholic beverages, and
 - g) taverns and nightclubs,
 - h) tattoo parlor

(2) Any trash enclosure on site shall conform to the standards of the Zoning Ordinance and be comprised of durable materials that compliment the principal building with steel gates.

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

Section 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. 11-1599), passed by the City Council of said City at a meeting held September 12, 2011 signed by the Mayor on September 12, 2011 and published as provided by law in the Business Record on September 30, 2011. Authorized by Publication Order No. 7755.

Diane Rauh, City Clerk