

ORDINANCE NO. 15,185

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 1734 East University Avenue and 1213 East 17th Court from the C-2 General Retail and Highway Oriented Commercial District to the Limited 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 1734 East University Avenue and 1213 East 17th Court, more fully described as follows, from the C-2 General Retail and Highway Oriented Commercial District to the Limited C-2 General Retail and Highway Oriented Commercial District classification:

(except beginning at the Southwest corner of Lot 18; thence East 125.03 feet to the Southeast corner of Lot 18; thence North 10.18 feet; thence Southwest 125.29 feet; thence South 2.05 feet to Point of Beginning) Lots 18, 19, and 20, Block 8, Stalford & Dixons Addition, 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 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 adult business, taverns and nightclubs, liquor stores, off-premises advertising signs, or delayed deposit services and pawn brokerages.
- 2) Any reuse of the property for a use not permitted in "C-1" shall require a Site Plan as approved by the Permit and Development Center that is in conformance with current design guidelines and landscaping.

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. 13-0738), passed by the City Council of said City at a meeting held May 6, 2013 signed by the Mayor on May 6, 2013 and published and provided by law in the Business Record on May 24, 2013. Authorized by Publication Order No. 8243.

Diane Rauh, City Clerk