

ORDINANCE NO. 15,192

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 3911 Southwest 9th Street and 3915 Southwest 9th Street from the R1-60 One-Family Low-Density Residential District, to a Limited C-1 Neighborhood Retail 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 3911 Southwest 9th Street and 3915 Southwest 9th Street, more fully described as follows, from the R1-60 One-Family Low-Density Residential District, to a Limited C-1 Neighborhood Retail Commercial District classification:

The East 150.31 feet of Lot 47, Bloomfield Place, 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) Any commercial site development shall be located away from existing residential uses to the extent feasible, given existing topography, by minimizing parking setbacks along the public street sides and reducing on-site maneuvering aisles to the extent possible while still providing adequate maneuvering for delivery trucks.
- (2) Provision of 75% brick, stone, or masonry block material within the first floor on all four exterior walls of any commercial building.

- (3) Any freestanding sign shall be a monument sign.
- (4) A sidewalk connection be provided from the public sidewalk to the store entrance.
- (5) Use of any retaining walls shall be minimized.
- (6) Any Site Plan for development of the property shall be reviewed by the P&Z.

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. 13-0919), passed by the City Council of said City at a meeting held June 10, 2013 signed by the Mayor on June 10, 2013 and published and provided by law in the Business Record on June 28, 2013. Authorized by Publication Order No.8600.

Diane Rauh, City Clerk