

ORDINANCE NO. 15,234

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 property located in the vicinity of 2679 Maury 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 2679 Maury 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:

All Lots 1 through 10, and all Lots 36 through 46, and vacated North/South alley right-of-way East of and adjoining said Lots 36 through 46, Block 8, Larison 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) Prohibit the use of the property for automotive and motorcycle accessory and parts stores, bakeries, furniture stores, gas stations, household appliance sales and repair, locker plants, lawn mower repair shops, multiple-family residential and upholstery shops.
- (2) Vehicular driveway access for any commercial or office use may only be from Maury Street.

- (3) Any reuse of the property for commercial use shall be subject to all Building Codes and must demonstrate the required certificate of occupancy from the Permit and Development Center. It shall also be subject to approval of a Site Plan under current regulations by the Permit and Development Center.

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:

Roger K. Brown, 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. 13-1756), passed by the City Council of said City at a meeting held November 4, 2013 signed by the Mayor on November 4, 2013 and published and provided by law in the Business Record on November 22, 2013. Authorized by Publication Order No. 8643.

Diane Rauh, City Clerk