

ORDINANCE NO. 15,264

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 403 SE 8th Street from the "R-2A" General Residential District to a Limited "C-3B" Central Business Mixed Use 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 403 SE 8th Street, more fully described as follows, from the R-2A" General Residential District to a Limited "C-3B" Central Business Mixed Use District classification:

Lot 1, Block 40 of TOWN OF DE MOINE, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (herein the "Property").

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:

- A. The following uses of land and structures shall be prohibited on the Property
1. Assembly and packaging of small components from previously prepared materials.
  2. Auction businesses.
  3. Delayed deposit services businesses, and financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles.
  4. Lumberyards, retail and wholesale.
  5. Machine shops.
  6. Liquor stores and freestanding package goods stores for the sale of alcoholic beverages.
  7. Pawnbrokers.
  8. Printing, publishing houses and lithographing shops.
  9. Plumbing and heating shops.
  10. Miniwarehouse uses.

- 11. Freestanding taverns and night clubs.
- 12. Warehousing.
- B. Any development or site modifications shall be in accordance with a Site Plan that satisfies the design guidelines for the "C-3B" District and the Downtown Overlay District.
- C. Provision of wrought iron fencing along the Southeast 8th Street and Raccoon Street frontages for any auto-dominant uses including, but not limited to, a surface parking lot for vehicles.

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:

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.

14- 0419), passed by the City Council of said City at a meeting held March 10, 2014 signed by the Mayor on March 10, 2014 and published and provided by law in the Business Record on March 28, 2014. Authorized by Publication Order No. 8772.

Diane Rauh, City Clerk