

ORDINANCE NO. 15,591

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 3917 Mahaska Avenue from the “R1-60” One-Family Low-Density Residential District to a 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 3917 Mahaska Avenue, more fully described as follows, from the “R1-60” One-Family Low-Density Residential District to a Limited “C-2” General Retail and Highway-Oriented Commercial District classification:

Lots 101, 102, and 103 in BROADACRE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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:

- (1) Only the uses of structures or land listed below shall be permitted upon the Property:
 - a. Any use allowed in the “R1-60” One-Family Low-Density Residential District.
 - b. Mini-warehouse self-storage complex.
- (2) A development of the Property for use as a mini-warehouse self-storage complex shall comply with the following additional requirements:
 - a. Any side of buildings facing Mahaska Avenue and East University Avenue shall be of masonry material.
 - b. The remaining sides of any building shall be in earth-tone colors.
 - c. No storage units shall have doors facing towards Mahaska Avenue.
 - d. No storage units within the westernmost building on the site shall

- e. be constructed with doors facing toward the west.
- e. No storage units within the easternmost building on the site shall have doors facing toward the east.
- f. Any exterior lighting fixtures free standing or building mounted shall be shielded so as not to illuminate onto adjoining residential properties.
- g. There shall be no signs other than internal directional signs on the Property.
- h. A minimum 50-foot wide building setback shall be maintained along the northern boundary of the Property adjoining Mahaska Avenue. The setback area shall be landscaped in accordance with a plan approved by the Planning Administrator.
- i. A minimum 25-foot foot wide building setback shall be maintained along the eastern boundary of the Property. The setback area shall be landscaped in accordance with a plan approved by the Planning Administrator.
- j. The hours of operation shall be limited to 6:00 AM to 10:00 PM.
- k. No surface water shall be released onto any adjoining residential property.
- l. Release the easement on Robert Anderson's property at 1232 E. 40th Street.
- m. No exterior lighting shall be placed on building faces that do not directly abut a drive.
- n. All buildings on the Property shall be one-story buildings, and shall not exceed 16 feet in height.
- o. The cumulative area of all buildings on the Property shall not exceed 38,000 square feet; and

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

Sec. 4. That the City Clerk is hereby authorized and directed to cause certified copies of the Acceptance of Rezoning Ordinance, this ordinance, vicinity map and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED:

Glenna K. Frank, 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. 17-1117), passed by the City Council of said City at a meeting held June 26, 2017 signed by the Mayor on June 26, 2017 and published and provided by law in the Business Record on July 14, 2017. Authorized by Publication Order No. 9996.

Diane Rauh, City Clerk