

ORDINANCE NO. 15,766

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 2017 Capitol Avenue from the “R1-60” One-Family Low-Density Residential District to Limited “M-1” Light Industrial 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 2017 Capitol Avenue, more fully described as follows, from the “R1-60” One-Family Low-Density Residential District to Limited “M-1” Light Industrial District classification:

LOTS 112 AND 113 TIMMONS PLACE, AN OFFICIAL PLAT, 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) No buildings shall be constructed on the Property.
- (2) Off-street parking, outside storage of trailers and equipment, or open space shall be the only permitted uses of the Property.
- (3) Any off-street parking area on the Property shall be paved and maintained with a Portland Cement Concrete or Hot Mix Asphalt material.

- (4) Any outside storage on the Property not used for off-street parking shall be either paved or surfaced and maintained with a Recycled Asphalt Product to ensure a dust free surface.
- (5) Any use of the Property shall be in accordance with a Site Plan as approved by the Permit and Development Center including landscaping and buffering as applicable to “C-2” Districts.
- (6) Outdoor storage and off-street parking are prohibited within 25 feet of the eastern lot line of the Property.

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

Section 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. 19-0592), passed by the City Council of said City at a meeting held April 8, 2019 signed by the Mayor on April 8, 2019 and published and provided by law in the Business Record on April 26, 2019. Authorized by Publication Order No. 10638.

Diane Rauh, City Clerk