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Return Address: City Clerk - City Hall, 400 Robert D. Ray Drive, Des Moines, IA 50309
Title of Document: City of Des Moines, Ordinance No. 15,863
Grantor/Grantee: City of Des Moines, Iowa
Legal Description: See page 1, below.

ORDINANCE NO. 15,863

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 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 905 and 909 East 27th Street and 916 and 917 East 27th Court from the N3c Neighborhood District to Limited MX3 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 134-1.10 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 905 and 909 East 27th Street and 916 and 917 East 27th Court, more fully described as follows, from the N3c Neighborhood District to Limited MX3 Mixed Use District classification:

LOT 5 (EXCEPT THAT PART THEREOF DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 5; THENCE NORTHERLY ON THE WEST LINE OF LOT 5 TO THE NORTHWEST CORNER THEREOF; THENCE EASTERLY 5 FEET ON THE NORTH LINE OF SAID LOT 5; THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING) AND LOTS 6, 27 AND 28 IN BLOCK 3, AND LOT 3 IN BLOCK 4, ALL IN FARWELL 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) Any expansion of the existing business, or any future development upon the Property, shall be in accordance with a Site Plan as approved by the City's Permit and Development Center; and
- 2) Any outdoor storage on that portion of the Property known as 909 East 27th Street (Lot 5 of Block 3 of Farwell Place) shall comply with the Variance granted by the Zoning Board of Adjustment on November 28, 2012 by Docket ZON2012-00130.

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, P. Kay Cmelik, 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. 20- 0276), passed by the City Council of said City at a meeting held February 10, 2020 signed by the Mayor on February 10, 2020 and published and provided by law in the Business Record on February 28, 2020. Authorized by Publication Order No. 11056.

P. Kay Cmelik, City Clerk