

ORDINANCE NO. 13,596

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 2A-5 of the Municipal Code of the City of Des Moines, 1991, by rezoning and changing the district classification of certain property located in the vicinity of 1571 E. McKinley Avenue from an "R1-80" One Family 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 2A-5 of the Municipal Code of the City of Des Moines, Iowa, 1991, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 1571 E. McKinley Avenue, more fully described as follows, from an "R1-80" One Family Residential District to a Limited "C-2" General Retail and Highway Oriented Commercial District classification:

East 207.0 feet of the West 225.5 feet of the North 430.0 feet of the West 10 Acres of Lot 2, all South of E. McKinley Avenue right-of-way, in the Official Plat of the Northwest Quarter of Section 26, Township 78 North, Range 24 West of the 5th P.M., all now included in and forming a part of the City of Des Moines, Polk County, Iowa, (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. Only the uses of structures or land listed below shall be permitted upon the Property:

1. Any use allowed in the "R1-60" One Family, Low Density Residential District.

2. A storage lot for automobiles and pickups, subject to the following additional requirements:

a) There shall be no direct access to the Property from McKinley Avenue. Access to the Property shall be provided through the adjoining land to the west.

b) The lot shall have a dust free surface.

c) A 25 foot wide landscaped setback shall be provided adjacent to the north and east boundaries of the Property.

B. There shall be no extension of parking onto any of the adjoining residentially zoned land to serve any commercial use upon the Property.

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 this ordinance and proof of publication thereof, and the original of the Acceptance of Rezoning Ordinance to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown

Assistant City Attorney