

ORDINANCE NO. 13,664

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 2901 Maury Street from an "R-3" Multiple Family Residential District to a Limited "M-2" Heavy 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 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 2901 Maury Street, more fully described as follows, from an "R-3" Multiple Family Residential District to a Limited "M-2" Heavy Industrial District classification:

Except the North 5.0 feet, and except the South 494.0 feet and the East 343.45 feet, Lot 5, FREDREGILL PLACE, an Official Plat, 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 100 foot setback shall be observed from all portions of the western boundary of the Property which adjoin a residential use or vacant land zoned to a residential district classification. Within such 100 foot setback, the Property shall be used only as permitted in the "R-3" Multiple Family Residential District.

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