

ORDINANCE NO. 13,791

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 4807 S.E. 14th Street 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 4807 S.E. 14th Street, 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:

The North 340.0 feet of the South 701.24 feet of the East 268.96 feet of the West 1028.96 feet of Lots 1 and 2, Official Plat of the Northwest 1/4, 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 (herein referred to as 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.The following uses of structures and land SHALL NOT be permitted upon the Property:

(1)The display of motor vehicles for sale or rental.

(2)Used car sales lot.

(3)Off-premises advertising signs.

B.Any development of the Property shall incorporate provisions for cross circulation of traffic between the adjoining properties to the North and South to allow for access to S.E. McKinley Avenue, in a manner to be determined at the time of site plan approval.

C.A fifty (50) foot building setback shall be observed along the East boundary of the Property until such time, if ever, that the adjoining land to

the East is no longer residentially zoned. A ten (10) foot wide landscaped screen shall be developed in such setback within six months after the adjoining land to the East is developed for residential use, if ever.

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 to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

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Attest:

I, Donna Boetel-Baker, 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. 00-496), passed by the City Council of said City at a meeting held February 21, 2000, signed by the Mayor on February 21, 2000, and published as provided by law in the Business Record on March 6, 2000. Authorized by Publication Order No.6417.

Donna Boetel-Baker, CMC/AAE, City Clerk