

ORDINANCE NO. 14,020

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 714 Scott Avenue from the "R-2A" General Residential District to a 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 714 Scott Avenue, more fully described as follows, from the "R-2A" General Residential District to a Limited "M-1" Light Industrial District classification:

West 37.5 feet of Lot 6 and all of Lot 10, Block 48, Town of De Moine, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (herein 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. A four foot high opaque screen shall be provided and maintained along the west line of the Property, except such screen shall be three feet high with the front yard areas along Scott Avenue and Allen Street.

B. Overstory trees shall be planted and maintained along the west line of those portions of the Property across the alley from a residential use. The trees shall be planted no more than thirty feet apart.

C. The conditions in paragraphs A. and B. above shall be satisfied by the later of June 1, 2002, or prior to any industrial use

of the adjoining portion of
the Property.

D. The following uses of land
and structures shall NOT be
permitted upon the Property:

- 1) Coalyard, coke yard or woodyard.
- 2) Concrete mixing or concrete product manufacturer.
- 3) Sawmill, planing mill, including manufacture of wood products.
- 4) Tire vulcanizing, retreading and recapping.
- 5) Any use involving the outside storage of materials or equipment (but licensed motor vehicles may be parked outside).

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 Acceptance of Rezoning Ordinance signed by all owners of the Property to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Preston Daniels, Mayor

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. 01-3468), passed by the City Council of said City at a meeting held November 19, 2001, signed by the Mayor on November 19, 2001, and published as provided by law in the Business Record on December 3, 2001. Authorized by Publication Order No. 3027.

Donna Boetel-Baker, MMC City Clerk