

ORDINANCE NO. 14,672

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 4100 E. 16th Street from the "M-1" Light Industrial 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 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 4100 E. 16th Street, more fully described as follows, from the "M-1" Light Industrial District to a Limited "M-2" Heavy Industrial District classification:

The East 452.0 feet (except the East 20.0 feet for street), of the North 1/2 of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 24, Township 79 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 (hereinafter 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:

The following uses of structures and land shall be prohibited upon the Property:

- a. Abattoirs, slaughter houses and stockyards;
- b. Cement, lime, gypsum, and plaster of Paris manufacture;
- c. Explosive storage;
- d. Garbage, offal or dead animal reduction or dumping;
- e. Junk yard and salvage yard, however, this shall not prohibit the use of the property as a towing and storage yard for motor vehicles and trailers provided there is no salvaging, stacking or crushing of vehicles on the property;
- f. Sand and gravel pits; and
- g. Solid waste transfer station.

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 a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, and proof of publication of this ordinance, to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, 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. 07-1335), passed by the City Council of said City at a meeting held July 9, 2007 signed by the Mayor on July 9, 2007 and published as provided by law in the Business Record on July 23, 2007, Authorized by Publication Order No. 5730.

Diane Rauh, City Clerk