

ORDINANCE NO. 13,675

AN ORDINANCE to amend the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, as heretofore amended, by repealing subparagraph (s) of paragraph (2) of subsection (A) of Section 2A-16 thereof, and enacting a new subparagraph (s) of paragraph (2) of subsection (A) of Section 2A-16, to permit gas stations designed to permit simultaneous fueling of up to 8 vehicles to be located within the "C-1" zoned areas along Army Post Road between Fleur Drive and Indianola Road.

BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, as restated by the Ninth Supplement thereto adopted June 16, 1997, by Resolution and Roll Call No. 97-2094, and further amended by Ordinance No. 13,627 passed August 3, 1998, and Ordinance No. 13,626 passed August 3, 1998, be and is hereby amended by repealing subparagraph (s) of paragraph (2) of subsection (A) of Section 2A-16 thereof, and enacting a new subparagraph (s) of paragraph (2) of subsection (A) of Section 2A-16, to permit gas stations designed to permit simultaneous fueling of up to 8 vehicles to be located within the "C-1" zoned areas along Army Post Road between Fleur Drive and Indianola Road, as follows:

2A-16. "C-1" DISTRICT REGULATIONS. (NEIGHBORHOOD RETAIL COMMERCIAL DISTRICTS).

Statement of Intent. The "C-1" District is intended to provide for the convenience shopping of persons living in neighborhood residential areas and for general uses and activities of a retail and personal service character. Only those uses are permitted which are necessary to satisfy the local needs which occur so frequently as to require commercial facilities in proximity to residential areas. In addition, low-intensity business and professional offices are permitted.

(A) Principal Permitted Uses. Only the uses of structures or land listed in this section shall be permitted in the "C-1" District.

(1) Any use permitted in the "C-0" and "R-4" Districts.

(2) Retail business or service establishments such as the following:

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(s) Gas stations, including minor automobile repairs as accessory but not principal use, provided the design of the site permits no more than six (6) vehicles to be fueled at a time. Gas stations on the following streets only may designed to permit up to eight (8) vehicles to be fueled at a time:

Army Post Road and East Army Post Road from Fleur Drive to Indianola Road.

Douglas Avenue from west City boundary to Martin Luther King Jr. Parkway.

Euclid Avenue from Martin Luther King Jr. Parkway to Hubbell Avenue.

Hickman Road from west City boundary to 56th Street.

Hubbell Avenue from Euclid Avenue northeast to City boundary.

Martin Luther King Jr. Parkway from Ingersoll Avenue to Euclid Avenue.

Merle Hay Road from Hickman Road to north City boundary.

East University Avenue from E. 14th Street to east City boundary.

2nd Avenue from Euclid Avenue to north City boundary.

Southeast and East 14th Streets.

63rd Street from south City limits to Hickman Road.

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Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Roger K. Brown

Assistant City Attorney