

ORDINANCE NO. 13,752

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 2713 Martin Luther King Jr. Parkway from an "M-3" Limited Industrial District classification 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 2713 Martin Luther King Jr. Parkway, more fully described as follows, from an "M-3" Limited Industrial District classification to a Limited "C-2" General Retail and Highway Oriented Commercial District classification:

The East 100.0 feet of the West 107.0 feet of Lot 3, LAMBERT PLACE, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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 conditions shall be satisfied prior to commencement of use of any part of the Property for the display or sale of motor vehicles:

1)The entire area upon the Property used for parking, loading and vehicle storage shall be paved.

2)Any use of the Property for motor vehicle display or sales shall comply with the requirements applicable to the creation of a new automobile display or sales operation under the "C-2" District regulations, including landscape setbacks and wheel barriers were necessary.

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. 99- 2982), passed by the City Council of said City at a meeting held September 27, 1999, signed by the Mayor on September 27, 1999, and published as provided by law in the Business Record on October 11, 1999. Authorized by Publication Order No. 6289.

Donna Boetel-Baker, CMC/AAE, City Clerk