

ORDINANCE NO. 13,847

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 1527 - 2nd Place from an "R1-60" One Family, Low Density 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 1527 - 2nd Place, more fully described as follows, from an "R1-60" One Family, Low Density Residential District to a Limited "M-1" Light Industrial District classification:

Lots 21, 22, 23, 24, 25 and the South 1/2 of Lot 26; all the North/South alley lying East of and adjoining said Lots 21, 22, 23 and 24; the West 1/2 of the North/South alley lying East of and adjoining said Lot 25; and, the West 1/2 of the North/South alley lying East of and adjoining the South 1/2 of Lot 26, all in Marshall's Second Addition, 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:

A. Only the following uses of land and structures shall be permitted upon the Property:

1. Any use permitted in the "C-O" Commercial-Residential District.

2. Office buildings not to exceed 30,000 square feet gross floor area.

3. Parking lots for temporary placement of motor vehicles while the driver is engaged in some other activity, but not including a storage lot.

4. Contractor's equipment storage yard or plant, or rental of equipment commonly used by contractors..

5. Express hauling and storage yards.

B. By December 31, 2001, the Property, exclusive of Lot 21, shall be developed and landscaped in accordance with an approved site plan, which shall be in substantial compliance with the preliminary site plan of the Property prepared by Charles J. Bishop, P.E. for Commonwealth Electric Company dated June 16, 2000, with the following amendments and changes:

1. No vehicle turn-around is required at the end of the North/South alley.

2. All uses, including off-street parking, shall be set back at least 25 feet from 2nd Place and screened by a six foot tall opaque screen.

C. Storage of vehicles, containers, and materials in excess of ten foot in height must be set back at least 50 feet from the 2nd Place right-of-way line, and at least 25 feet from any residentially zoned property to the north or south.

A. There shall be no extension of parking to serve any use on the Property, exclusive of Lot 21, into any adjoining residentially zoned land.

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

Christine Hensley, Mayor Pro Tem

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. 00-3235), passed by the City Council of said City at a meeting held July 24, 2000, signed by the Mayor Pro Tem on July 24, 2000, and published as provided by law in the Business Record on August 7, 2000. Authorized by Publication Order No.2010.

Donna Boetel-Baker, CMC/AAE, City Clerk