

ORDINANCE NO. 14,504

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 1700 E. Aurora Avenue from a Limited "M-2" Heavy Industrial District to an amended 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 1700 E. Aurora Avenue, more fully described as follows, from a Limited "M-2" Heavy Industrial District to an amended Limited "M-2" Heavy Industrial District classification:

Except the South 550.0 feet and except the East 100.0 feet as measured on the E. Aurora Avenue frontage, Lot 1, Ford Industrial Park, 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:

The following uses of structures and land shall not be permitted upon the Property:

- a. Abattoirs and slaughter houses or stockyards.
- b. Cement, lime, gypsum, or plaster of Paris manufacture.
- c. Explosive storage.
- d. Garbage, offal or dead animal reduction or dumping.
- e. Junk yard or 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 or gravel pits.

g. Solid waste transfer station.

Sec. 3. It is intended that the exclusion of the balance of Lot 1, Ford Industrial Park, from the Property hereby rezoned shall not operate to prohibit the use of a driveway across the balance of said Lot 1 for vehicular access to towing and storage yard upon the Property described above.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 5. That the City Clerk is hereby authorized and directed to cause certified copies of the vicinity map, this ordinance, proof of publication of this ordinance, and the Acceptance of Rezoning Ordinance signed by all owners of the Property, 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. 05-2488), passed by the City Council of said City at a meeting held October 10, 2005 signed by the Mayor on October 10, 2005 and published as provided by law in the Business Record on October 24, 2005 Authorized by Publication Order No. 4963.

Diane Rauh, City Clerk

