

ORDINANCE NO. 15,086

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 2814 Southeast 14th Street to remove the VDL Vehicle Display Lot Overlay 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 2814 Southeast 14th Street, more fully described as follows, to remove the VDL Vehicle Display Lot Overlay District classification:

(Except East 29.36 feet on North line and East 23.78 on South Line of Lots 27 and 28) and (Except Triangular piece measuring North 10 feet on West Line and West 100 feet on North Line of Lot 28) Lots 27 and 28, Oak Hill, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Section 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. Any future use of the site for a vehicle display lot shall be in accordance with a Site Plan under the design guidelines for vehicle display lots as approved by the Plan & Zoning Commission and shall adhere to all landscaping and setback requirements.
- b. The number of vehicles for display shall be limited to no more than 30, with all required minimum off-street parking spaces provided.

- c. Any vehicle display lot shall be limited to one (1) freestanding sign along the Southeast 14th Street frontage, with no freestanding sign along King Avenue.
- d. Any outdoor trash collection container shall be within an enclosure constructed with concrete block or masonry materials and 100% opaque steel gates. It shall not be located within any required setbacks.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 4. 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:

Michael F. Kelley, 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. 12-0342), passed by the City Council of said City at a meeting held February 27, 2012 signed by the Mayor on February 27, 2012 and published as provided by law in the Business Record on March 16, 2012. Authorized by Publication Order No. 7794.

Diane Rauh, City Clerk