

DOCUMENT NO. 516
RECORDING FEE 8.50

ORDINANCE NO. 52-77

AN ORDINANCE PASSED IN ACCORDANCE WITH CHAPTER 32, AS AMENDED, OF THE MUNICIPAL CODE OF CEDAR RAPIDS, IOWA, BEING THE ZONING ORDINANCE, CHANGING THE ZONING DISTRICT AS SHOWN ON THE "DISTRICT MAP" ON THE PROPERTY MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 1. That in accordance with Chapter 32, as amended, of the Municipal Code of Cedar Rapids, Iowa, being the Zoning Ordinance, that the property described as:

Description of Parcel in the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 9, Township 82 North, Range 7 West of the 5th P.M., Cedar Rapids, Linn County, Iowa, lying between the North line of the Miller Avenue S.W. extension and the Southerly line of Ramp "F" Iowa State Highway Commission Project No. 1-380-6 (22) 258-01-57.

Commencing at the W 1/4 corner of Section 9-82-7, Cedar Rapids, Linn County, Iowa; thence East along the North line of the SW 1/4 of said Section 9, a distance of 1747.2 feet; thence N 3° 34 1/2' E, 10.3 feet; thence N 89° 59 1/2' E, 1123.0 feet; thence N 89° 35 1/2' E, 2448.0 feet to the centerline of Bowling Street S.W.; thence S 2° 07 1/2' E, along the said centerline, 732.6 feet; thence N 77° 49 1/2' W, 41.28 feet to the point of beginning on the West line of Bowling Street and the Southerly line of Ramp 'F'; thence N 77° 49 1/2' W along the Southerly line of Ramp 'F', 1322 feet more or less to the West line of the NE 1/4 SE 1/4 of said Section 9; thence South along the said West line, 360 feet more or less to the North line of said Miller Avenue; thence N. 89° 11' E along the said North line, 52 feet more or less to the point of curvature of a 7679.4 foot radius curve, concave Southerly; thence Easterly along the arc or said curve, 323.69 feet; thence S 38° 24' E, 914.92 feet to the West line of Bowling Street; thence N 2° 07 1/2' W along the said West line, 111.51 feet to the point of beginning, excepting therefrom the W'ly 300 feet of the above described property.

The North line of the SW 1/4 of Section 9-82-7 is assumed to bear East and West.

located at Kirkwood Boulevard and Highway 30 SW now zoned R-2 Single-Family District, as shown on the "District Map", be rezoned and changed to B-2 Commercial District, and that the property be used for such purposes as outlined in B-2 Commercial Districts as defined in Chapter 32 of the Municipal Code, City of Cedar Rapids, Iowa.

Section 2. That this Ordinance and the zoning granted by the terms hereof are subject to the following conditions which shall be agreed to and accepted in writing by the owners and be binding upon the owners, successors, and assigns, as follows:

- a) The developer shall control erosion by such methods as seeding with an approved seeding mixture, sodding, earth dikes, sediment basins to trap runoff water, or other controls as deemed necessary by the City Engineer or his duly authorized representative.

- b) That a Site Development Plan be submitted to and approved by the City Engineer or his duly authorized representative, prior to the issuance of a building permit, showing the following items:
 - 1) Existing and proposed contours
 - 2) Existing and proposed utilities
 - 3) Proposed development plan
 - 4) Drainage plan and facilities
- c) That within six months after the issuance of an occupancy permit all drives and parking areas shall be constructed and maintained with an asphaltic concrete, concrete, or brick surfacing.
- d) That development of said property shall be in accord with a Site Development Plan to be approved by the City Planning Commission and City Council. No building permits shall be obtained or issued prior to such approval. All improvements indicated on the Site Development Plan shall be constructed at the cost of the developer and in accordance with City specifications unless otherwise noted on the Site Development Plan.
- e) That a petition be submitted to the City Council by the current owner of the property, prior to the final zoning, requesting that sidewalk be installed along Kirkwood Boulevard and Miller Avenue S.W., adjacent to said property. The City Engineering Department shall furnish the petition form.
- f) That all lighting provided to illuminate parking areas shall be directed away from adjacent residential areas.
- g) That the sanitary sewer service for this area shall be taken from the 8 inch sanitary sewer stubs in Miller Avenue SW
- h) That the minimum foundation opening be set at elevation 111.5 feet, City datum.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 4. That the petitioners shall be required to pay the City Clerk all costs connected with this Ordinance.

Introduced this 1st day of June, 1977.

Passed this 22nd day of June, 1977.

Attest:

Luis M. Keller, City Clerk

[Signature] Mayor

ACCEPTANCE OF PROVISIONS OF ORDINANCE NO. 52-77

The undersigned hereby accept all the terms and conditions of Ordinance No. 52-77, and agree that the same shall be binding upon undersigned, successors, heirs, and assigns.

Dated this 14th day of June, 1977.

NORDSTROM DEVELOPMENT COMPANY

by: William D. Nordstrom
William D Nordstrom

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STATE OF IOWA)
LINN COUNTY) SS.

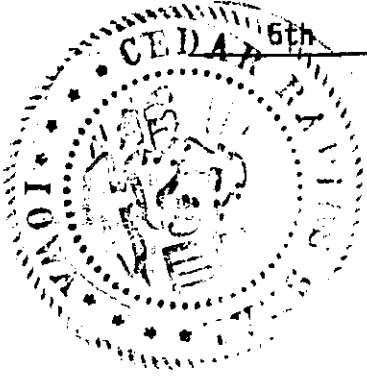
I, Lois M. Keller, City Clerk of the City of Cedar Rapids, Iowa, County and State aforesaid, do hereby certify that the foregoing is a true copy of:

Ordinance No. 52-77 passed by the City Council on June 22, 1977

FILED
E. F. KANE
COUNTY RECORDER
JUL 6 PM 2 42
LINN COUNTY, IOWA

as full and complete as the same is of record and on file in my office.

WITNESS my hand and the seal of said City this 6th day of July, 1977



Lois M. Keller
City Clerk

