

ORDINANCE NO. 13,853

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 905 to 917 8th Street from an "R-4" Multiple Family Residential District to a Limited "C-3A" Central Business District Support 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 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 905 to 917 8th Street, more fully described as follows, from an "R-4" Multiple Family Residential District to a Limited "C-3A" Central Business District Support Commercial District classification:

Lots 10, 11 and 12 and the South 1/2 of Lot 13, Geo. Sneer's Subdivision of Division Four of Grimmel's Addition to Fort Des Moines, an Official Plat, and the North/South alley lying East of and adjoining said Lots 10, 11, 12 and lying East of and adjoining the South 1/2 of said Lot 13, 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:

A. Any building hereafter constructed upon the Property for a commercial use shall be two-stores or higher, or give the appearance of having two stories. Architectural elements such as wall height and window usage shall imply a building taller than one story. The building elevation shall be subject to review and approval by the Planning Director as part of the site plan approval process to verify that this condition is satisfied.

B. There shall be no extension of parking onto any

adjoining residentially zoned  
land to serve any commercial  
use on the Property.

Sec. 3. The City of Des Moines hereby consents to the imposition of the above conditions upon the alley right-of-way owned by it.

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 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

Preston Daniels, Mayor

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. 00-3377), passed by the City Council of said City at a meeting held August 7, 2000, signed by the Mayor on August 7, 2000, and published as provided by law in the Business Record on August 21, 2000. Authorized by Publication Order No. 2031.

Donna Boetel-Baker, CMC/AAE, City Clerk