

ORDINANCE NO.13,898

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 2718 Kingman Boulevard from an "R-3" Multiple Family Residential District to a Limited "C-O" Commercial-Residential 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 2718 Kingman Boulevard, more fully described as follows, from an "R-3" Multiple Family Residential District to a Limited "C-O" Commercial-Residential District classification:

West 60.0 feet Lots 273 and 274 and the North 30.0 feet of the West 60.0 feet Lot 275, University Land Company's 1st Addition, 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:

A. The owners hereby acknowledge that the following special limitations apply to all development in the "C-O" Commercial Residential District:

(i)  
No

building shall be altered or reconstructed in such a way so as to appear to be anything but residential in character.

(ii)  
All new construction shall by means of external treatment

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B. Prior to making a determination as to whether any proposed alteration, reconstruction, or new construction on the Property is residential in character, the City of Des Moines may solicit and consider comments from the recognized neighborhood association for the area, if any, and the owners of any immediately 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, and the Acceptance of Rezoning Ordinance signed by all owners of the Property 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. 00-4688), passed by the City Council of said City at a meeting held December 18, 2000, signed by the Mayor on December 18, 2000, and published as provided by law in the Business Record on January 1, 2001. Authorized by Publication Order No. 1519.

Donna Boetel-Baker, CMC/AAE, City Clerk