

ORDINANCE NO. 14,266

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 2124 Des Moines Street from the "R1-60" One Family, Low Density Residential District to a Limited "R-2A" General 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 2124 Des Moines Street, more fully described as follows, from the "R1-60" One Family, Low Density Residential District to a Limited "R-2A" General Residential District classification:

A parcel of land in Block 19, Sunnyside Addition, an Official Plat, City of Des Moines, Polk County, Iowa, that is more particularly described as follows: Commencing as a point of reference at the Northeast corner of Parcel "C" in said Sunnyside Addition; thence North 89° (degrees) 47' (minutes) 23" (seconds), East 240.00 feet along the North line of said Block 19 to the Point of Beginning; thence North 89°47'23" East, 186.35 feet along said North line to a point on the West right-of-way line of East 22<sup>nd</sup> Street; thence South 00°20'44" West, 254.34 feet along said West right-of-way line to a point on the South line of said Block 19; thence South 90°00'00" West, 186.17 feet along said South line to a point; thence North 00°23'14" West, 253.65 feet to the Point of Beginning and containing 1.086 acres more or less (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:

Only the following uses of structures and land shall be permitted upon the Property:

- a) Any use allowed in and as limited in the "R1-60" One Family, Low Density Residential District.
- b) A multiple family dwelling containing not more than 12 units for senior living constructed and maintained in substantial compliance with the conceptual site layout and building elevations submitted by Community Housing Development Corporation in support of its application for rezoning, which layout and elevations

are on file in the Community Development Department of the City of Des Moines.

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 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 County Recorder of the county in which the Property is located.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Preston A. Daniels, 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. 03-1907), passed by the City Council of said City at a meeting held August 11, 2003 signed by the Mayor on August 11, 2003 and published as provided by law in the Business Record on August 25, 2003 Authorized by Publication Order No. 3873.

Diane Rauh, City Clerk