

ORDINANCE NO. 14,696

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 707 - 8th Street from the "C-2" General Retail and Highway Oriented Commercial District to a Limited "C-3" Central Business District 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 707 - 8th Street, more fully described as follows, from the "C-2" General Retail and Highway Oriented Commercial District to a Limited "C-3" Central Business District Commercial District classification:

Intervening vacated alley and Lots 1 through 10, Block Q, Grimmel Addition, an Official Plat; and, the East ½ of 8th Street lying West of and adjoining said Lots 6-10, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (hereinafter referred to as 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 (exclusive of the City of Des Moines) and are binding upon the owners and their successors, heirs, and assigns as follows:

Any parking garage on the Property shall be constructed with a design and architecture that allows the at-grade level of the parking garage to be converted for commercial use.

Sec. 3. The City of Des Moines, as owner of a portion of the Property described above,

hereby consents to the imposition of the foregoing conditions, to be binding upon the City, its successors and assigns.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 5. 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:

Roger K. Brown, 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. 07-1657), passed by the City Council of said City at a meeting held August 20, 2007 signed by the Mayor on August 20, 2007 and published as provided by law in the Business Record on September 3, 2007, Authorized by Publication Order No. 5855.

Diane Rauh, City Clerk