

ORDINANCE NO. 14,801

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 1233 7th Street from the "R-3" Multiple-Family Residential District to a Limited "R-3" Multiple-Family Residential District classification.

WHEREAS, a public hearing was held before the Des Moines City Council on September 22, 2008, to consider a City Council initiated proposal at the request of the River Bend Neighborhood Association to rezone a substantial portion of the River Bend Neighborhood from the "R-3" Multiple-Family Residential District to the "R1-60" One-Family, Low-Density Residential District; and,

WHEREAS, at the conclusion of the public hearing and after considering the statements and other information presented regarding the proposed rezoning, the City Council adopted Resolution and Roll Call No. 08-1693 directing that the proposed rezoning be amended to cause the property at 1233 7th Street to be instead be rezoned to a Limited "R-3" District as herein provided; and,

WHEREAS, the rezoning of 1233 7th Street as herein provided is a lesser change than originally proposed in the published notice for the public hearing; NOW THEREFORE

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 1233 7th Street, more fully described as follows, from the "R-3" Multiple-Family Residential District to a Limited "R-3" Multiple-Family Residential District classification:

Lot 9, Grand Park, 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:

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

- 1) Any use as allowed in and subject to the limitations in the "R1-60" One-Family, Low-Density Residential District; and,
- 2 Two-family residential dwellings.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 4. 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. 08-1791), passed by the City Council of said City at a meeting held October 13, 2008 signed by the Mayor on October 13, 2008 and published as provided by law in the Business Record on October 27, 2008. Authorized by Publication Order No. 6359.

Diane Rauh, City Clerk

