

ORDINANCE NO. 15,346

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 at 4006 Grand Avenue from the "R-3" Multiple-Family Residential District and "R1-80" One-Family Residential District to Limited "C-0" 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 at 4006 Grand Avenue, legally described as follows, from the "R-3" Multiple-Family Residential District and "R1-80" One-Family Residential District to Limited "C-0" Commercial-Residential District classification:

Lot 1 in BRAY PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, except that portion of said Lot 1 of BRAY PLACE which adjoins Lots 2 and 3 of said BRAY PLACE, bounded as follows: Beginning at a point on the boundary line between said Lots 1 and 3 of BRAY PLACE, thence 3 feet northeasterly at a right angle to the east lot line of Lot 3, thence at a right angle northwesterly on a straight line parallel with the boundary line between said Lots 1 and 3 until said straight line intersects with the west line of said Lot 1, thence south and southeasterly along the boundary line between said Lots 1 and 2 and Lots 1 and 3 to the point of beginning.

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:

- (1) Any future additions, exterior building modifications or site improvements on the Property shall conform to the U.S. Secretary of Interior's Standards for Rehabilitation as approved by the Planning Administrator, and Community Development staff will request courtesy review and comments from the Des Moines Historical Preservation Commission

- prior to issuance of permits;
- (2) Any additions shall be constructed to the rear of the existing primary building on the Property; and
  - (3) Any detached accessory structures or trash enclosures shall be constructed in the rear yard of the Property.

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 Acceptance of Rezoning Ordinance, this ordinance, vicinity map and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED:

Glenna K. Frank, 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. 15-0243), passed by the City Council of said City at a meeting held February 9, 2015 signed by the Mayor on February 9, 2015 and published and provided by law in the Business Record on February 27, 2015. Authorized by Publication Order No. 9166.

Diane Rauh, City Clerk