

ORDINANCE NO. 16,281

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 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 5631 Francis Avenue from “N3b” Neighborhood District to Limited “NX2” Neighborhood Mix 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 134-1.10 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 vicinity of 5631 Francis Avenue from “N3b” Neighborhood District to Limited “NX2” Neighborhood Mix District classification, more fully described as follows:

THE SOUTH 122 FEET OF LOT 1 IN JAN'S PLACE, PLAT NO. 3, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA; ALSO LEGALLY DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, JAN'S PLACE, PLAT NO. 3, THENCE NORTH 122 FEET, THENCE WEST 262.33 FEET, THENCE SOUTH APPROXIMATELY 122 FEET TO THE POINT OF BEGINNING, ALL BEING APPROXIMATE DIMENSIONS AND SUBJECT TO SURVEY.

Section 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 construction or development of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code); and
2. Any parking lot shall provide screening along the west (side) property line to the satisfaction of the City's Planning and Urban Design Division Administrator.

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

Section 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: Chas M. Cahill, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest: I, Laura Baumgartner, 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. 23-1374), passed by the City Council of said City at the meeting held on October 2, 2023 and signed by the Mayor on October 2, 2023 and published and provided by law in the Business Record on October 20, 2023. Authorized by Publication Order No. 12416.

Laura Baumgartner, City Clerk