

ORDINANCE NO. 16,361

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 1427 5<sup>th</sup> Avenue from “N5” 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 in the vicinity of 1427 5<sup>th</sup> Avenue from “N5” Neighborhood District to Limited “NX2” Neighborhood Mix District classification:

**LOT 5, BATES ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND LOCALLY KNOWN AS 1427 – 5TH AVE., DES MOINES, IA 50314.**

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 use of the Property for a multiple-household residential use shall be limited to no more than seven (7) dwelling units; and
2. Vehicular access to the Property for a multiple-household residential use shall only be allowed from the alleyway to the east; and
3. Any use of the Property for a multiple-household residential use shall be in accordance with a Site Plan approved pursuant to all applicable standards of Des Moines Municipal Code Chapter 135.

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

Connie Boesen, 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. 24-0772), passed by the City Council of said City at the meeting held on May 20, 2024 and signed by the Mayor on May 20, 2024 and published and provided by law in the Business Record on June 7, 2024. Authorized by Publication Order No. 12667.

Laura Baumgartner, City Clerk