

ORDINANCE NO. 13,789

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 2A-5 of the Municipal Code of the City of Des Moines, 1991, by rezoning and changing the district classification of certain property located in the vicinity of 2927 Brattleboro Avenue from an "R-3" Multiple Family Residential District to a Limited "C-1" Neighborhood Retail 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 2A-5 of the Municipal Code of the City of Des Moines, Iowa, 1991, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 2927 Brattleboro Avenue, more fully described as follows, from an "R-3" Multiple Family Residential District to a Limited "C-1" Neighborhood Retail Commercial District classification:

Lot 32, Kingman Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (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:

A. Any commercial use of the Property shall be as part of a larger commercial development with frontage upon University Avenue.

B. There shall be no direct vehicular access between the Property and Brattleboro Avenue.

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 this ordinance and proof of publication thereof to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown

Assistant City Attorney

Attest:

I, Donna Boetel-Baker, 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. 00-360 ), passed by the City Council of said City at a meeting held February 7, 2000, signed by the Mayor on February 7, 2000, and published as provided by law in the Business Record on February 21 2000. Authorized by Publication Order No. 6400.

Donna Boetel-Baker, CMC/AAE, City Clerk