

ORDINANCE NO. 14,373

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 818 and 840 Polk Boulevard from the "R1-80" One Family Residential District to a Limited "PUD" Planned Unit Development 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 in the vicinity of 818 and 840 Polk Boulevard from the "R1-80" One Family Residential District to a Limited "PUD" Planned Unit Development District classification:

Lot 26, Official Replat of the NE 1/4 of Section 1, Township 78 North, Range 25 West of the 5th P.M. (except the North 44.15 feet of said Lot 26 and except that portion of said Lot 26 deeded to the State of Iowa for highway purposes), all now included in and forming a part of the City of Des Moines, Polk County, Iowa (hereinafter referred to as 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:

The "PUD" Development Plan for any redevelopment of the Property shall be subject to review and approval by the City Plan and Zoning Commission in accordance with the procedures and standards established for the review of a decision of the Planning Director denying the "PUD" Preliminary Plan.

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

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. 04-2065), passed by the City Council of said City at a meeting held September 27, 2004 signed by the Mayor on September 27, 2004 and published as provided by law in the Business Record on October 11, 2004 Authorized by Publication Order No.4381.

Diane Rauh, City Clerk