

ORDINANCE NO. 14,713

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 1900 SE 6th Street from a Limited "R-3" Multiple-Family Residential District to an amended Limited "R-3" Multiple-Family 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 in the vicinity of 1900 SE 6th Street, more fully described as follows, from a Limited "R-3" Multiple-Family Residential District to an amended Limited "R-3" Multiple-Family Residential District classification:

That part of Lot 3, in Sevastopol, an Official Plat, lying North of E. Hillside Avenue, except Beginning at the southeast corner, thence northwesterly 159.66 feet along the North right-of-way line of E. Hillside Avenue, thence North 61.80 feet, thence East 57 feet, thence northeasterly 142.28 feet, thence East 50 feet to the West right-of-way line of SE 6th Street, thence South 234.05 feet along the West right-of-way line of SE 6th Street to Point of Beginning; and, all Lots 1, 2, 3, Boyd's Place, an Official Plat; and, except Beginning at the Southwest corner, thence North 140 feet, thence East 160 feet, thence South 176.75 feet, thence northwesterly to the Point of Beginning, Lot 25, Official Plat West ½ South of the Des Moines River, of Section 10, Township 78 North, Range 24 West of the 5th P.M., 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:

- A. Any multiple-family residential use of the Property shall be limited to housing that qualifies as housing for older persons under the limitations and restrictions applicable to such housing under federal, state and local law.
- B. Any buildings constructed upon the Property shall conform with the following standards:
 - 1) The buildings shall be located between the predominant off-street parking areas and the adjoining public street.
 - 2) The buildings shall not exceed 3 stories in height.
 - 3) The sufficiency of the building setback from the north line of the Property shall be specifically addressed in the site plan review process.
- C. The screening and landscaping along the north line of the Property shall be subject to specific review and approval in the site plan review process.
- D. The stormwater detention standards for any development of the property shall be based upon a hydrological analysis for the Property and the adjoining area.

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

Sec. 4. The City Clerk is hereby authorized and directed to cause a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, and proof of publication of this ordinance, to be properly filed in the office of the Polk County Recorder.

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. 07-1985), passed by the City Council of said City at a meeting held October 8, 2007 signed by the Mayor on October 8, 2007 and published as provided by law in the Business Record on October 22, 2007, Authorized by Publication Order No. 5873.

Diane Rauh, City Clerk