

ORDINANCE NO. 14,786

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 1057 5th Avenue, Des Moines, Iowa, from the “C-O” Commercial Residential District to “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 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 1057 5th Avenue, Des Moines, Iowa, more fully described as follows, from the “C-O” Commercial Residential District to “C-1” Neighborhood Retail Commercial District classification:

Lot 4, Blk D, River Hills Plat 1, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

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. The property may only be used for the following:
 - 1) Any use as permitted in the “C-O” Commercial Residential District; or
 - 2) Medical clinics, medical offices, or other ancillary uses that are customary to the support of a regional hospital medical center
- B. Architectural character for any building constructed shall be compatible with the surrounding institutional buildings as determined by the Planning Director.

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:

Michael F. Kelley, Assistant City Attorney

Mayor T.M. Franklin Cownie,

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. 08-1254), passed by the City Council of said City at a meeting held July 14, 2008 signed by the Mayor on July 14, 2008 and published as provided by law in the Business Record on July 28, 2008. Authorized by Publication Order No.6094.

Diane Rauh, City Clerk