

ORDINANCE NO. 14,864

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 south of Atkins Street between 18th and 19th Streets, from the "R-3" Multiple-Family Residential District to a Limited "NPC" Neighborhood Pedestrian 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 south of Atkins Street between 18th and 19th Streets, more fully described as follows, from the "R-3" Multiple-Family Residential District to a Limited "NPC" Neighborhood Pedestrian Commercial District classification:

The South 10.0 feet of Lot 5; all Lots 6 and 7; the vacated South 10 feet of Lot 42; all of the vacated North/South alley right-of-way lying East of and adjoining Lots 36, 37 and 38; and, the West 1/2 of the vacated North/South alley right-of-way lying East of and adjoining Lots 39, 40 and 41, and lying East of and adjoining the South 20.0 feet of Lot 42, all in Butler's Addition, 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. The use of the Property shall be restricted to single-family, two-family or multiple-family residential uses and accessory uses customarily incidental and subordinate to such principal uses.

B. A minimum of one (1) off-street parking space shall be provided for each dwelling unit upon the property.

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. 09-1135), passed by the City Council of said City at a meeting held June 22, 2009 signed by the Mayor on June 22, 2009 and published as provided by law in the Business Record on July 6, 2009. Authorized by Publication Order No. 6622.

Diane Rauh, City Clerk