

ORDINANCE NO. 15,087

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 properties located in the vicinity of 2919 East 14th Street and 1517 Hull Avenue from the C-2 General Retail and Highway-Oriented Commercial District and R1-60 One-Family Low-Density Residential to PUD Planned Unit Development classification and approval of an amendment to the PUD Concept Plan.

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 properties located in the vicinity of 2919 East 14th Street and 1517 Hull Avenue, more fully described as follows:

To be rezoned from C-2 to PUD:

(Except beginning at Northwest corner Lot 11, thence East 51.24 feet, thence Southwest 32.97 feet, thence Southwest 22.72 feet, thence North 17.4 feet to Point of Beginning) Lots 9, 10, and 11, Miller's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

To be rezoned from R1-60 to PUD:

West 50 feet, East 100 feet, South 150, North 175 feet, Lot 11, Partition Plat, Northwest ¼, Southwest ¼, Section 25, Township 79 North, Range 24 West of the 5th P.M., an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Amended PUD with above parcels included:

(Except the West 33 feet) Lots 4, 5, 6, and (Except the West 33 feet) the West 258.0 feet of the North 137.1 feet of Lot 7 and (Except the South 25 feet of the East 463.4 feet) the East 463.4 feet of Lot 7 and (Except the North 25 feet) Lots 8, 9 and 10 and (Except the North 25 feet and Except the East 50 feet of the South 150 feet of the North 175 feet) Lot 11 and (Except the South 25 feet) the South 1/2 of Lot 12 all within the Partition Plat of the Northwest 1/4 Southwest 1/4 of Section 25, Township 79 North, Range 24 West of the 5th P.M., an Official Plat and (Except the South 25.0 feet and Except the East 75.0 feet of the North 125.0 feet of the South 150.0 feet) the South 1/2 of Lot 1 of the Partition Plat of the

Northeast 1/4 Southwest 1/4 of Section 25, Township 79 North, Range 24 West of the 5th P.M., an Official Plat and (Except the South 125.0 feet of the West 1/2 of vacated North/South alley Right-Of-Way lying East of and adjoining the South 1/2 of said Lot 1) the West 1/2 of the vacated North/South alley Right-Of-Way lying East of and adjoining the South 1/2 of said Lot 1; and the South 418.25 feet of Lot 12, Scrogg's Acres, an Official Plat; and Lots 1 through 20, Woods and Bells Addition, an Official Plat, and that part of vacated East/West Right-Of-Way of Boyd Street lying East of E. 14th Street, and Lots 7, 8, 9, 10, 11, 12, 13, 14, and the vacated Right-Of-Way of street Lot A (Morton Ave.) and Lot B (Idaho St.) lying East of the West line of said Lot 10 extended North to the South line of said Lot 12 of Ball Park Heights, an Official Plat, and (Except beginning at Northwest corner Lot 11, thence East 51.24 feet, thence Southwest 32.97 feet, thence Southwest 22.72 feet, thence North 17.4 feet to Point of Beginning) Lots 1 through 11 of Miller's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa,

Section 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 subject to the following conditions which have been agreed to and accepted by execution of an Acceptance of Rezoning Ordinance in writing by all owners of the property and are binding upon the owners and their successors, heirs and assigns as follows:

- a) The Conceptual Plan shall be revised to demonstrate additional landscape islands within the proposed parking lot expansion.
- b) The elevations shall be revised so that the entire first floor of the 4-story building addition is sided with brick veneer.

Sec. 3. This ordinance shall be in full force and effect from and after the later of 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 Acceptance of Rezoning Ordinance, the vicinity map, this ordinance, 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

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. 12-0345), passed by the City Council of said City at a meeting held February 27, 2012 signed by the Mayor on February 27, 2012 and published as provided by law in the Business Record on March 16, 2012. Authorized by Publication Order No. 7795.

Diane Rauh, City Clerk