

ORDINANCE NO. 16,007

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located at 1440 & 1444 Capitol Avenue from 'NX3' Neighborhood Mix District to Limited 'RX1' Mixed Use 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 134-1.10 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 1440 & 1444 Capitol Avenue from 'NX3' Neighborhood Mix District to Limited 'RX1' Mixed Use classification, more fully described as follows:

LOTS 4 AND 5, BLOCK 41 STEWART'S ADDITION, AN OFFICIAL PLAT,  
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 binding upon the owners and their successors, heirs, and assigns as follows:

1. that the only permitted uses are the uses permitted in common between the 'NX1' and 'RX1' Districts and accessory offsite parking for the use at 1451 Grand Avenue, for the above-stated purpose.

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

Section 4. That the City Clerk is hereby authorized and directed to cause certified copies of the Acceptance of Rezoning Ordinance, this ordinance, vicinity map and proof of publication

of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED:

Judy K. Parks-Kruse  
Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest: I, P. Kay Cmelik, 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. 21-0648), passed by the City Council of said City at a meeting held on April 19, 2021 and signed by the Mayor on April 19, 2021 and published and provided by law in the Business Record on May 7, 2021. Authorized by Publication Order No. 11,488.

P. Kay Cmelik, City Clerk