

ORDINANCE NO. 15,978

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 2101 Dixon Street from 'I1' Industrial District to Limited 'I2' Industrial 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 2101 Dixon Street from 'I1' Industrial District to Limited 'I2' Industrial District classification, more fully described as follows:

LOTS 1 THROUGH 8 AND 18 THROUGH 24, BLOCK 22, T.E. BROWN'S OFFICIAL PLAT OF THE NORTHEAST ¼ (EXCEPT THE NORTHEAST 40 ACRES OF THE SAME), SECTION 36, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., AND PART OF VACATED DIXON COURT, AND PART OF VACATED EAST 18TH STREET, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 24; THENCE NORTH 00°02'30" EAST ALONG THE WEST LINE OF SAID LOT 24, A DISTANCE OF 34.28 FEET; THENCE NORTHWESTERLY ALONG A 324.00 FOOT RADIUS CURVE, CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 26°43'43", A CHORD DISTANCE OF 149.78 FEET; A CHORD BEARING OF NORTH 13°15'59" WEST FOR AN ARC DISTANCE OF 151.15 FEET; THENCE NORTH 00°02'30" EAST, 169.88 FEET; THENCE NORTH 89°54'08" EAST ALONG SAID NORTH LINE OF SAID LOT 18 EXTENDED, 149.80 FEET TO THE NORTHEAST CORNER OF SAID LOT 18; THENCE NORTH 00°00'37" WEST ALONG THE WEST LINE OF LOT 8, A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 8; THENCE NORTH 00°54'08" EAST ALONG THE WEST LINE OF SAID VACATED EAST 18TH STREET, 121.00 FEET; THENCE NORTH 89°52'11" EAST, 50.00 FEET TO THE EAST LINE OF SAID VACATED EAST 18TH STREET; THENCE SOUTH 00°03'41" EAST ALONG SAID EAST LINE 279.02 FEET TO THE PRESENT NORTH RIGHT-OF-WAY OF THOMPSON AVENUE; THENCE SOUTH 89°52'11" WEST ALONG THE NORTH RIGHT-OF-WAY

LINE 25.00 FEET; THENCE SOUTH 89°54'08" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, 256.28 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING 108,044 SQUARE FEET OF 2.48 ACRES.

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. Any use of the property shall be limited to those uses permitted in the 'I1' Industrial District and Fabrication and Production, Intensive including the temporary transfer of hazardous materials as may be approved as part of a Conditional Use granted by the Zoning Board of Adjustment; and
2. Any use of the building for Fabrication and Production, Intensive including the temporary transfer of hazardous materials shall be limited to the south 170 feet of the existing building.

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

Ordinance No. 15,978 cont'd

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. 21-0309), passed by the City Council of said City at a meeting held on February 22, 2021 signed by the Mayor on February 22, 2021 and published and provided by law in the Business Record on March 12, 2021. Authorized by Publication Order No. 11396.

P. Kay Cmelik, City Clerk