

ORDINANCE NO. 16,288

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 in the vicinity of 3001 Southwest 9th Street from “RX1” Mixed-Use District to Limited “MX3” 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 vicinity of 3001 Southwest 9th Street from “RX1” Mixed-Use District to Limited “MX3” Mixed Use District classification, more fully described as follows:

THE NORTH 25 FEET OF LOT 4 AND ALL OF LOT 3, EXCEPT THE EAST 54 FEET OF SAID LOTS 3 AND 4, ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF THE NORTH 25 FEET OF LOT 4, THENCE NORTH ALONG THE WEST LINES OF LOTS 4 AND 3 A DISTANCE OF 60 FEET, THENCE SOUTHEASTERLY TO THE SOUTH LINE OF THE NORTH 25 FEET OF LOT 4 TO A POINT 3.5 FEET EAST OF THE WEST LINE OF LOT 4, THENCE WEST 3.5 FEET TO THE POINT OF BEGINNING AT THE SW CORNER OF THE NORTH 25 FEET OF LOT 4, ALL IN PROCTOR’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. Any use permitted by right or by Conditional Use, as allowed and regulated in the “RX1” Mixed Use District, or,
2. A vehicle detailing business that complies with the supplemental use regulations for the “Vehicle Maintenance and Repair, Minor” use subcategory of the “Vehicle Sales and Service” use category.

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: Chas M. Cahill, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest: I, Laura Baumgartner, 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. 23-1480), passed by the City Council of said City at the meeting held on October 23, 2023 and signed by the Mayor on October 23, 2023 and published and provided by law in the Business Record on November 10, 2023. Authorized by Publication Order No. 12486.

Laura Baumgartner, City Clerk