

ORDINANCE NO. 16,416

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 4211 East 38th Street from “N2a” Neighborhood District and “F” Flood District to Limited “P2” Public, Civic, and Institutional 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 in the vicinity of 4211 East 38th Street from “N2a” Neighborhood District and “F” Flood District to Limited “P2” Public, Civic, and Institutional District classification, more fully described as follows:

LOT 11 AND THAT PART OF LOT "B" DESCRIBED AS LYING WEST OF A LINE PROJECTED DUE NORTH OF NORTHEAST CORNER OF SAID LOT 11 AND EAST OF A LINE PROJECTED DUE NORTH OF NORTHEAST CORNER OF LOT 10, ALL IN OFFICIAL PLAT, OF NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 79, RANGE 23, WEST OF THE 5TH P.M., IOWA.; EXCEPT BEGINNING AT NW CORNER OF SAID LOT 11, THENCE NORTHEASTERLY ALONG LOT LINE OF SAID LOT 11, 260 FEET, THENCE EASTERLY ALONG NORTH LINE SAID LOT 11, 299.5 FEET, THENCE SOUTH 187 FEET, THENCE WEST 545 FEET TO WEST LINE SAID LOT 11, THENCE NORTH ALONG WEST LINE SAID LOT11, 100 FEET TO BEGINNING.

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 upon the property shall comply with Chapter 50 of the Municipal Code relating to Floodplains, so long as any portion of the subject property is within a FEMA designated floodplain.

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

Connie Boesen, 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. 25-0051), passed by the City Council of said City at the meeting held on January 13, 2025 and signed by the Mayor on January 13, 2025 and published and provided by law in the Business Record on January 31, 2025. Authorized by Publication Order No. 12883.

Laura Baumgartner, City Clerk