

ORDINANCE NO. 16,433

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 1424 Army Post Road 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 in the vicinity of 1424 Army Post Road from “RX1” Mixed Use District to Limited “MX3” Mixed Use District classification, more fully described as follows:

**THE WEST 101 FEET OF THE EAST 396 FEET OF THE SOUTH 141 FEET OF THE NORTH 183 FEET OF THE EAST 12 ACRES OF THE NE 1/ 4 OF THE NE 1/ 4 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., 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. Permitted uses shall be limited to:
  - a. Vehicle Sales and Service - Vehicle Rental; and
  - b. Any use as permitted in common with and as limited by the “RX1” District.
2. Any use on the property shall be in accordance with an approved site plan pursuant to Chapter 135 of the Municipal Code.
3. Any vehicle for lease, sale or hire shall be stored or displayed in the rear portion of the subject property as shown on an approved site plan.

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. 25-0215), passed by the City Council of said City at the meeting held on February 10, 2025 and signed by the Mayor on February 10, 2025 and published and provided by law in the Business Record on February 28, 2025. Authorized by Publication Order No. 12918.

Laura Baumgartner, City Clerk