



**Roll Call Number**

**Agenda Item Number**

46 A

**Date** October 4, 2021

An Ordinance entitled, "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 4131 and 4141 East 14<sup>th</sup> Street from 'MX3-V' Mixed Use District and 'I1-V' Industrial District to Limited 'I1' Industrial District classification",

presented.

Moved by \_\_\_\_\_ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

  
\_\_\_\_\_  
Judy K. Parks-Kruse  
Assistant City Attorney

(ZONG-2021-0000019)  
(ZONG-2021-0000003)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
City Clerk

46A

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Prepared by: Judy K. Parks-Kruse, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309 515/283-4533  
 Return Address: City Clerk - City Hall, 400 Robert D. Ray Drive, Des Moines, IA 50309  
 Title of Document: City of Des Moines, Ordinance No. \_\_\_\_\_  
 Grantor/Grantee: City of Des Moines, Iowa  
 Legal Description: See page 1 and 2, below.

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ORDINANCE NO. \_\_\_\_\_

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 4131 and 4141 East 14<sup>th</sup> Street from ‘MX3-V’ Mixed Use District and ‘I1-V’ Industrial District to Limited ‘I1’ 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 in the vicinity of 4131 and 4141 East 14<sup>th</sup> Street from ‘MX3-V’ Mixed Use District and ‘I1-V’ Industrial District to Limited ‘I1’ Industrial District classification, more fully described as follows:

A PARCEL OF LAND IN THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 24, TOWNSHIP 79 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 DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTH 126.0 FEET OF THE NORTH

331.0 FEET OF THE EAST 249.2 FEET OF THE WEST 282.2 FEET OF THE EAST 115.0 FEET OF THE WEST 148.0 FEET OF THE SOUTH 114.0 FEET OF THE NORTH 445.0 FEET OF SAID NW ¼ OF THE SW ¼ OF SECTION 24, AS SHOWN ON ACQUISITION PLAT, RECORDED IN BOOK 7510 ON PAGE 438, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE W ¼ CORNER OF SAID SECTION 24; THENCE S 0°00'00" E, 205.08 FEET OF THE WEST LINE OF THE SW ¼ OF SAID SECTION 24; THENCE N 89°30'05" E, 51.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 89°30'05" E, 231.35 FEET; THENCE S 00°07'58" W 125.93 FEET; THENCE S 89°20'43" W 134.15 FEET; THENCE S 00°00'00" E, 113.88 FEET; THENCE 89°31'34" W, 101.43 FEET; THENCE N 01°55'32" E, 133.60 FEET; THENCE N 00°00'00" W; 106.63 FEET TO THE POINT OF BEGINNING;

AND

BEGINNING AT A POINT 33 FEET EAST AND 25 FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTHWEST ¼ OF SECTION 24, TOWNSHIP 79 NORTH, RANGE 24, WEST OF THE 5TH P.M.; THENCE EAST ALONG THE SOUTH LINE OF AURORA AVENUE, 249.2 FEET; THENCE SOUTH 180 FEET PARALLEL TO THE EAST LINE OF EAST 14TH STREET; THENCE WEST 249.2 FEET PARALLEL TO THE SOUTH LINE OF AURORA AVENUE; THENCE NORTH 180 FEET TO THE POINT OF BEGINNING, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, SUBJECT TO ROAD EASEMENT.

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 any reuse, construction, or site improvements upon the properties shall be in accordance with a Site Plan that complies with all current regulations, including those pertaining to landscaping and screening

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:

  
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Judy K. Parks-Kruse  
Assistant City Attorney