



Roll Call Number

Agenda Item Number

55A

Date June 27, 2022

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 properties located in the vicinity of 1717 East Army Post Road, 1825 East Army Post Road, and 1895 East Army Post Road from "from "EX" Mixed Use District to "I1" Industrial District classification",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage. Seconded by _____.

FORM APPROVED:

(First of three required readings)

/s/ Lisa A. Wieland

Lisa A. Wieland
Assistant City Attorney

(ZONG-2022-000047; ZONG-2022-000045)

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE | | | | |
| BOESEN | | | | |
| GATTO | | | | |
| SHEUMAKER | | | | |
| MANDELBAUM | | | | |
| VOSS | | | | |
| WESTERGAARD | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | | APPROVED | |

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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.

Mayor

Acting City Clerk

55A

Prepared by: Lisa Wieland, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA
50309 515-283-4124

Return Address: City Clerk - City Hall, 400 Robert D. Ray Dr., Des Moines, IA 50309

Title of Document: City of Des Moines, Ordinance No. _____

Grantor/Grantee: City of Des Moines, Iowa

Legal Description: See pages 1 and 2, below.

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 properties located at 1717 East Army Post Road, 1825 East Army Post Road, and 1895 East Army Post Road from “from “EX” Mixed Use District to “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 properties located at 11717 East Army Post Road, 1825 East Army Post Road, and 1895 East Army Post Road from “from “EX” Mixed Use District to “I1” Industrial District classification, more fully described as follows:

The Northeast 1/4 of the Northwest 1/4 of Section 35, Township 78 North, Range

24 West of the 5th P.M., Polk County, Iowa.

AND

The West 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 and the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 35, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa.

AND

The East 1/2 of the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 35, Township 78 North, Range 24 West of the 5th P.M., 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 properties and are binding upon the owners and their successors, heirs, and assigns as follows:

1. All outdoor storage within the site shall comply with Des Moines Municipal Code Section 135-8.2.2; and
2. Any use on the subject site shall be in accordance with 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 properties are located.

FORM APPROVED:

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney