



Roll Call Number

Agenda Item Number

61A

Date October 3, 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 property located in the vicinity 4970 Southeast 24th Court from Low Density Residential to Public/Semi-Public and to rezone the Property from "N2b" Neighborhood District to Limited "P2" Public, Civic, and Institutional District classification",

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney

(ZONG-2022-000068)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

CERTIFICATE

I, LAURA BAUMGARTNER, 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

City Clerk

61A

Prepared by: Gary D. Goudeock, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309 515-283-4543
 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 property located in the vicinity of 4970 Southeast 24th Court from Low Density Residential to Public/Semi-Public and to rezone the Property from “N2b” Neighborhood 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 4970 Southeast 24th Court from Low Density Residential to Public/Semi-Public and to rezone the Property from “N2b” Neighborhood District to Limited “P2” Public, Civic, and Institutional District classification, more fully described as follows:

The North 1/2 of the West 1/2 of the West 1/2 of the NE 1/4 of the NW 1/4; and the North 1/2 of

the East 1/2 of the West 1/2 of the NE 1/4 of the NW 1/4 ;and the North 13 Acres of the East 1/2 of the NE 1/4 of the NW 1/4 all in section 25, Township 78 North, Range 24 West of the 5th P.M. Polk County, Iowa except that part beginning at the NW corner of the NE 1/4 of the NW 1/4 of Section 25 , thence South 663 feet; thence East along the South line of the NW 1/4 of the NE 1/4 of the NW 1/4 of section 25, 264.00. feet; thence North 379.0 feet; thence N 88 degrees 54 minutes East, 610.00 feet; thence North 272 feet to the North Line of the NE 1/4 of the NW 1/4 of said section 25; thence West 874.00 feet to the point of 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. The 50.32-foot by 323.44-foot access area to be located between the future cell tower parcels shall remain a part of the larger undeveloped parcel until such time the property is subdivided in accordance with a Large-Scale Development Plan and subdivision plat regulations.
2. An access easement from East Titus Avenue to each of the cell tower parcels shall be provided until such time the access area is dedicated as public right-of-way.
3. Any new development shall be constructed in accordance with an approved Large Scale Development Plan and subdivision plat.

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:

/s/ Gary D. Goudelock
Gary D. Goudelock
Assistant City Attorney