



Roll Call Number

Agenda Item Number

42A

Date November 20, 2023

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 of 3312 8th Street and 3400 8th Street from "N5" Neighborhood District and "NX1" Neighborhood Mix District to "NX2" Neighborhood Mix 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/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(ZONG-2023-000058)(COMP-2023-000036)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
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

42A

Prepared by: Chas M. Cahill, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309 Phone: 515-283-4533
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 page 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 3312 8th Street and 3400 8th Street from “N5” Neighborhood District and “NX1” Neighborhood Mix District to “NX2” Neighborhood Mix 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 3312 8th Street and 3400 8th Street from “N5” Neighborhood District and “NX1” Neighborhood Mix District to “NX2” Neighborhood Mix District classification, more fully described as follows:

3400 8th Street:

A RECTANGULAR SHAPED TRACT OF LAND THAT IS LOCATED IN LOTS 1 AND 2, BLOCK 18, OAK PARK, DES MOINES, POLK COUNTY, IOWA, AND LOT 1, MANN'S FOURTH ADDITION TO LAKE PARK, DES MOINES, POLK COUNTY, IOWA, AND ALL THAT PORTION OF THE 50.0 FEET WIDE DES MOINES BELT LINE RAILROAD LYING WEST OF AND ADJACENT TO LOT 1, IN SAID MANN'S FOURTH ADDITION TO LAKE PARK, AND A PORTION OF LOTS 1 AND 2, BLOCK 1, WHITE'S RIVERVIEW ADDITION, DES MOINES, POLK COUNTY, IOWA, LYING WEST OF AND ADJACENT TO SAID DES MOINES BELT LINE RAILROAD, ALL OF WHICH IS MORE ACCURATELY DESCRIBED AS FOLLOWS: BEGINNING AT THE N.E. CORNER OF LOT 1, BLOCK 18, OAK PARK, DES MOINES, POLK COUNTY, IOWA, THENCE S 0DEG 00' W, ALONG THE EAST LINE OF SAID LOT 1 AND ALSO ALONG THE EAST LINE OF LOT 1, MANN'S FOURTH ADDITION TO LAKE PARK, DES MOINES, POLK COUNTY, IOWA, 328.0 FEET TO THE S.E. CORNER OF LOT 1, IN SAID MANN'S FOURTH ADDITION TO LAKE PARK, THENCE N 89DEG 58 ½' W, ALONG THE SOUTH LINE OF LOT 1, IN SAID MANN'S FOURTH ADDITION TO LAKE PARK, AND ALONG THE SOUTH LINE OF LOT 1, MANN'S FOURTH ADDITION TO LAKE PARK, EXTENDED TO THE WEST, 200.0 FEET, THENCE N 0DEG 00' E, ALONG THE WEST LINE OF LOT 2, BLOCK 18, OAK PARK, AS IT IS EXTENDED TO THE SOUTH AND ALSO ALONG THE WEST LINE OF LOT 2, BLOCK 18, IN SAID OAK PARK, 328.0 FEET TO THE N.W. CORNER OF LOT 2, BLOCK 18, IN SAID OAK PARK, THENCE S 89DEG 58 ½' E, ALONG THE NORTH LINES OF LOTS 2 AND 1, BLOCK 18, IN OAK PARK, 200.0 FEET, TO THE POINT OF BEGINNING, EXCEPT THE NORTH 0.20 FEET THEREOF AND EXCEPT THE SOUTH 0.61 FEET OF THE EAST 22.10 FEET THEREOF. SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 1.505 ACRES, MORE OR LESS.

3312 8TH Street:

LOTS TWO (2) AND THREE (3) AND THE 50 FEET IMMEDIATELY WEST OF AND ADJACENT TO SAID LOTS 2 AND 3 IN MANN'S FOURTH ADDITION TO LAKE PARK, AN OFFICIAL PLAT, (ALSO DESCRIBED AS L.M. MANN'S FOURTH ADDITION TO LAKE PARK, AN OFFICIAL PLAT), NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.33 ACRES (14,175 SQUARE FEET).

Section 2. This ordinance shall be in full force and effect from and after the later of its

passage and publication as provided by law.

Section 3. That the City Clerk is hereby authorized and directed to cause certified copies of the vicinity map, this ordinance, 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/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney