



Roll Call Number

Agenda Item Number

41A

Date August 5, 2024

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 205 University Avenue from "MX2" Mixed Use District to "MX3" Mixed Use 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-2024-000014) (COMP-2024-000011)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
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

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 205 University Avenue from “MX2” Mixed Use District to “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 205 University Avenue from “MX2” Mixed Use District to “MX3” Mixed Use District classification, more fully described as follows:

LOT 131, EXCEPT THE EAST FIVE FEET (5) THEREOF, AND ALL OF LOT 130 IN RUTHERFURD HEIGHTS, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA; AND

LOT 132, (EXCEPT THE EAST 5 FEET THEREOF) IN RUTHERFURD HEIGHTS,

NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA; AND

LOT 133 AND THE NORTH ONE-HALF OF LOT 134 IN RUTHERFURD HEIGHTS, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA (EXCEPT THE EAST FIVE FEET THEREOF).

EXCEPT

THAT PART OF LOTS 130 THROUGH 134, RUTHERFURD HEIGHTS, AN OFFICIAL PLAT, DESCRIBED AS FOLLOWS: BEGINNING IN THE NORTHEAST CORNER OF SAID LOT 130, THENCE SOUTH 0° (DEGREES) 00' (MINUTES) 00" (SECONDS) EAST ALONG THE EAST LINE OF SAID LOT 130, A DISTANCE OF 49.93 FEET; THENCE NORTH 89°28'20" WEST ALONG THE SOUTH LINE OF SAID LOT 130, A DISTANCE OF 5.00 FEET; THENCE SOUTH 0°00'00" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF 2ND AVENUE, A DISTANCE OF 174.76 FEET; THENCE NORTH 89°31'33" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF UNIVERSITY AVENUE, A DISTANCE OF 20.50 FEET; THENCE NORTH 45°12'13" EAST, A DISTANCE OF 14.09 FEET; THENCE NORTH 0°00'00" EAST, A DISTANCE OF 84.28 FEET; THENCE NORTH 2°17'26" EAST, A DISTANCE OF 50.04 FEET; THENCE NORTH 0°00'00" EAST, A DISTANCE OF 80.39 FEET; THENCE SOUTH 89°27'28" EAST ALONG THE NORTH LINE OF SAID LOT 130, A DISTANCE OF 13.50 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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