



**Roll Call Number**

**Agenda Item Number**

35A

**Date** January 13, 2025

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 4211 East 38<sup>th</sup> Street from "N2a" Neighborhood District and "F" Flood 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/ Chas M. Cahill

Chas M. Cahill  
Assistant City Attorney

(ZONG-2024-000031)(COMP-2024-000027)

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

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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 Drive, 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.

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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 4211 East 38<sup>th</sup> Street from “N2a” Neighborhood District and “F” Flood 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 of 4211 East 38<sup>th</sup> Street from “N2a” Neighborhood District and “F” Flood District to Limited “P2” Public, Civic, and Institutional District classification, more fully described as follows:

**LOT 11 AND THAT PART OF LOT "B" DESCRIBED AS LYING WEST OF A LINE PROJECTED DUE NORTH OF NORTHEAST CORNER OF SAID LOT 11 AND EAST OF A LINE PROJECTED DUE NORTH OF NORTHEAST CORNER OF LOT 10, ALL IN OFFICIAL PLAT, OF NORTHWEST 1/4 OF SECTION 21,**

**TOWNSHIP 79, RANGE 23, WEST OF THE 5TH P.M., IOWA,; EXCEPT BEGINNING AT NW CORNER OF SAID LOT 11, THENCE NORTHEASTERLY ALONG LOT LINE OF SAID LOT 11, 260 FEET, THENCE EASTERLY ALONG NORTH LINE SAID LOT 11, 299.5 FEET, THENCE SOUTH 187 FEET, THENCE WEST 545 FEET TO WEST LINE SAID LOT 11, THENCE NORTH ALONG WEST LINE SAID LOT11, 100 FEET TO 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. Any use upon the property shall comply with Chapter 50 of the Municipal Code relating to Floodplains, so long as any portion of the subject property is within a FEMA designated floodplain.

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/ Chas M. Cahill  
Chas M. Cahill  
Assistant City Attorney