



**Roll Call Number**

**Agenda Item Number**

44 A

**Date** March 24, 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 1111 Southeast 30<sup>th</sup> Street from “from “EX” Mixed Use District to Limited “I2” Industrial 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-2024-000030) (COMP-2024-000045)

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

44A

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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 page 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 1111 Southeast 30<sup>th</sup> Street from “from “EX” Mixed Use District to Limited “I2” 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 property located in the vicinity of 1111 Southeast 30<sup>th</sup> Street from “from “EX” Mixed Use District to Limited “I2” Industrial District classification, more fully described as follows:

**THE PART OF THE EAST ONE-HALF (E½) OF THE NORTHWEST QUARTER (NW¼) OF SECTION 7, TOWNSHIP 78 NORTH, RANGE 23, WEST OF THE 5<sup>TH</sup> P.M., WHICH LIES SOUTH OF THE WABASH RAILROAD RIGHT-OF-WAY, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, AND ALL THAT PART OF WEST FRACTIONAL ONE-HALF (½) OF NORTHWEST QUARTER (NW¼) OF SECTION 7, TOWNSHIP 78, RANGE 23 WEST 5<sup>TH</sup> P.M., LYING SOUTH OF RIGHT-OF-WAY OF THE WABASH**

**RAILROAD AND FORMERLY COMPRISING ALL OF BLOCKS 11, 12, 13, 15, 16, 17 AND 18 AND STREETS AND ALLEYS OF MANUFACTURER'S ADDITION, IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, LOCALLY KNOWN AS 1111 S.E. 30<sup>TH</sup> STREET.**

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 of the Property for a "Fabrication and Production, Intensive" use (as defined by Des Moines Municipal Code Section 134-3.6.1.D) shall be prohibited.; and
2. Any new "Junk or Salvage Yard" use, or expansion of any existing "Junk or Salvage Yard" use that was considered to be legal nonconforming as of January 1, 2025, on the Property shall be prohibited.; and
3. Within 12 months following the completion of the adjoining Southeast Connector or East Martin Luther King, Jr. Parkway roadway, any outdoor storage of junk or inoperable vehicles on the Property shall be screened by a solid opaque fence and gates, at least eight feet in height and of uniform design and color, that is maintained in good repair.; and
4. Junk and salvage materials on the Property may not be stacked higher than the perimeter fence within 75 feet of the fence and may not be stacked higher than 25 feet anywhere on the site.; and
5. No driveway, ingress-egress, or access from the Property to the Southeast Connector or East Martin Luther King, Jr. Parkway shall be allowed.

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