



Roll Call Number

Agenda Item Number

50A

Date May 19, 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 2606 Sunset Road from "EX" Mixed Use District to Limited "I1" 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-2024-000041) (COMP-2024-000026)

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

50A

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, 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 2606 Sunset Road from "EX" Mixed Use District to Limited "I1" 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 2606 Sunset Road from "EX" Mixed Use District to Limited "I1" Industrial District classification, more fully described as follows:

**LOTS 83 THROUGH 93, AND THE WEST 10' OF LOT 94, VALLEY GARDENS,
AN OFFICIAL PLAT RECORDED IN BOOK F, PAGE 97, CITY OF DES
MOINES, POLK COUNTY, IOWA.**

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. Use of the property shall be limited to the following:
 - A. Any use as permitted and limited in the “EX” District.
 - B. A processing and cold storage business.
2. Any outdoor storage shall only be accessory to a processing and cold storage business, so long as outdoor storage is placed and screened to the satisfaction of the Planning and Urban Design Administrator.
3. Any future building or building addition shall not exceed the height permitted by the Chapter 135 building type regulations associated with the “EX” district. Any request for a Design Alternative regarding building height, including a Type 1 Design Alternative, shall be considered by the Plan and Zoning Commission.
4. Any future construction or development of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code).

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