



Roll Call Number

Agenda Item Number

31A

Date January 26, 2026

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 4540 Lower Beaver Road from "NX2" Neighborhood Mix District to Limited "RX1" 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/ Emily A. Duffy

Emily A. Duffy

Assistant City Attorney

(ZONG-2025-000035) (COMP-2025-000027)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
BARRON				
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: Emily A. Duffy, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309
Phone: 515-283-4124

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.

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 4540 Lower Beaver Road from "NX2" Neighborhood Mix District to Limited "RX1" 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 4540 Lower Beaver Road from "NX2" Neighborhood Mix District to Limited "RX1" Mixed-Use District classification, more fully described as follows:

Part of the Southwest 1/4 of the Northeast 1/4 of Section 20, Township 79, Range 14, West of the 5th P.M., described as follows: Beginning at the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 20, thence East 654.3 feet thence South 1°46' East, 454.1 feet parallel and 33 feet distant from the center of Lower Beaver Road to the point of beginning; thence South 90°00' West 32.0 feet to P.C. of 14°54' curve to left; thence along said 14°54' curve to left a distance of 88.4 feet; thence South 1046' East, 140 feet

parallel to Lower Beaver Road; thence South 90°00' East, 120 feet to a point 33 feet from center line of Lower Beaver Road, thence North 1°46' West, 150 feet to point of beginning; all now included in and forming a part of the 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. Overgrowth and weeds shall be removed from the property prior to the property being occupied for commercial use to the satisfaction of the Planning and Urban Design Administrator, and the property shall be maintained in that state.

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/ Emily A. Duffy

Emily A. Duffy
Assistant City Attorney