



Roll Call Number

Agenda Item Number

43 A

Date April 1, 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 3121 Ingersoll Avenue and 3111 Ingersoll Avenue from Low Density Residential to Low-Medium Density Residential; to rezone the Property from Neighborhood Mixed Use and Low Density Residential within a Community Node to Community Mixed Use within a Community Node; to rezone the northwest portion of the site from "RX1" Mixed Use District to "MX2" Mixed Use District, and rezone the northernmost parcel from "N5" Neighborhood District to "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/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(ZONG-2023-000076) (COMP-2024-000001)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
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

43A

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 2 and 3, 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 3121 Ingersoll Avenue and 3111 Ingersoll Avenue from Low Density Residential to Low-Medium Density Residential; to rezone the Property from Neighborhood Mixed Use and Low Density Residential within a Community Node to Community Mixed Use within a Community Node; to rezone the northwest portion of the site from "RX1" Mixed Use District to "MX2" Mixed Use District, and rezone the northernmost parcel from "N5" Neighborhood District to "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 3121 Ingersoll Avenue and 3111 Ingersoll Avenue from Low Density Residential to Low-Medium Density Residential; to rezone the Property from Neighborhood Mixed Use and

Low Density Residential within a Community Node to Community Mixed Use within a Community Node; to rezone the northwest portion of the site from "RX1" Mixed Use District to "MX2" Mixed Use District, and rezone the northernmost parcel from "N5" Neighborhood District to "RX1" Mixed Use District classification, more fully described as follows:

ZONING RX1

LOT 4, BLOCK 1, GARVER PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA.

ZONING MX2

THE SOUTH 174 FEET OF LOT 1, A PART OF LOTS 5 THROUGH 8, AND A PART OF LOTS 11 AND 12, ALL BEING IN BLOCK 1, GARVER PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE SOUTH 89°18'03" EAST ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 40.27 FEET; THENCE SOUTH 00°41'40" WEST, 135.41 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 27.00 FEET, WHOSE ARC LENGTH IS 21.53 FEET AND WHOSE CHORD BEARS SOUTH 22°09'10" EAST, 20.97 FEET; THENCE SOUTH 45°00'00" EAST, 44.72 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 27.00 FEET, WHOSE ARC LENGTH IS 20.92 FEET AND WHOSE CHORD BEARS SOUTH 67°11'41" EAST, 20.40 FEET; THENCE SOUTH 89°23'22" EAST, 56.88 FEET TO THE EAST LINE OF SAID LOT 8; THENCE SOUTH 00°30'14" WEST ALONG SAID EAST LINE, 40.95 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8; THENCE SOUTH 89°38'58" WEST ALONG THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 158.38 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE NORTH 01°11'09" EAST ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 9.27 FEET; THENCE NORTH 89°48'02" WEST, 75.15 FEET TO THE EAST LINE OF SAID LOT 12; THENCE SOUTH 00°28'40" WEST ALONG SAID EAST LINE, 5.60 FEET; THENCE NORTH 89°48'00" WEST, 72.80 FEET TO THE WEST LINE OF SAID LOT 12; THENCE NORTH 00°26'40" EAST ALONG THE WEST LINE OF SAID LOT 12 AND THE WEST LINE OF SAID LOT 1, A DISTANCE OF 170.36 FEET TO THE SOUTHEAST CORNER OF LOT 10, HORTONDALE, AN OFFICIAL PLAT; THENCE NORTH 00°24'47" EAST ALONG SAID WEST LINE OF LOT 1, A DISTANCE OF 63.34 FEET TO THE NORTH LINE OF SAID SOUTH 174 FEET OF LOT 1; THENCE SOUTH 89°17'58" EAST ALONG SAID NORTH LINE, 151.67 FEET TO THE POINT OF

BEGINNING AND CONTAINING 1.15 ACRES (50,299 SQUARE FEET).

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