

Conditional Zoning List

**CITY OF DES MOINES  
ZONING ORDINANCE**

**Conditional Zoning List  
Beginning December 16, 2019**

**List Current as of:**

**January 31, 2025**

**Ordinance 16,425**

January 27, 2025

2625 Cottage Grove Avenue

ZONG-2024-000042

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 2625 Cottage Grove Avenue from “N5” Neighborhood District to Limited “N5-4” Neighborhood 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 2625 Cottage Grove Avenue from “N5” Neighborhood District to Limited “N5-4” Neighborhood District classification, more fully described as follows:

THE WEST 60 FEET OF LOTS 20 AND 21 IN DRAKE UNIVERSITY'S ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT, 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. Any on-site parking shall be paved in accordance with Section 135-6.8.6 of the Des Moines Municipal Code; and
2. Any use of the Property shall be in accordance with all applicable standards of Des Moines Municipal Code Chapter 135.

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.

**Ordinance 16,417**  
January 13, 2025  
Vicinity of 955 24<sup>th</sup> Street  
ZONG-2024-000016

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 955 24th Street from “N5” Neighborhood District to Limited “N5-2” Neighborhood 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 955 24th Street from “N5” Neighborhood District to Limited “N5-2” Neighborhood District classification, more fully described as follows:

THAT PART LYING SOUTHERLY OF THE LINE BEGINNING AT A POINT 124.3 FEET WEST OF THE SE CORNER ON THE SOUTH LINE, THENCE NORTHEASTERLY TO THE NE CORNER OF LOT 9, IRA W. ANDERSONS COTTAGE GROVE ADDITION, INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

A PART OF THE SE¼ OF THE NW¼ OF SECTION 5, T78N, R24W, OF THE 5TH P.M. IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 10 IN IRA W. ANDERSON’S COTTAGE GROVE ADDITION, NOW INCLUDED AND FORMING A PART OF THE CITY OF DES MOINES, 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. Any residential dwelling unit shall be oriented towards 24th Street.
2. Any residential building shall substantially conform to the “Architectural Guidelines for New Construction in Woodland Heights” to the satisfaction of the Planning and Urban Design Administrator.
3. Vehicular access to the site parking shall be provided from 23rd Place. A driveway from 24th Street shall be prohibited.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

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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.

**Ordinance 16,416**

January 13, 2025  
4211 East 38<sup>th</sup> Street  
ZONG-2024-000031

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 38th 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 38th 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

**Ordinance 16,415**

January 13, 2025  
617 Scott Avenue  
ZONG-2024-000026

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 617 Scott Avenue from “DXR” Downtown District to Limited “MX3” 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 617 Scott Avenue from “DXR” Downtown District to Limited “MX3” Mixed Use District classification, more fully described as follows:

EXCEPT THE WEST 50 FEET, LOTS 8, 9 AND 10, BLOCK 54, TOWN OF DE MOINE, AN OFFICIAL PLAT, 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. Permitted uses shall be limited to:
  - a. Vehicle Sales and Service - Vehicle Maintenance/Repair Minor; and
  - b. Any use as permitted in common with and as limited by the DXR District.
2. Any use on the property shall be in accordance with an approved site plan.
3. A site plan for the property shall be submitted no later than April 30, 2025, and the property owner shall obtain approval no later than July 31, 2025.
4. The property shall be brought into conformance with an approved site plan by December 31, 2025.
5. Any future principal building or addition on the site shall conform to the Storefront or General Building Type regulations pursuant to Chapter 135-2.1.

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.

**Ordinance 16,403**  
December 9, 2024  
Vicinity of 629 49<sup>th</sup> Street  
ZONG-2024-000040

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 629 49th Street from “N5-4” Neighborhood District to Limited “NX2” Neighborhood Mix 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 629 49th Street from “N5-4” Neighborhood District to Limited “NX2” Neighborhood Mix District, classification, more fully described as follows:

LOTS 131, 132, 133 AND 134 IN POLK PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

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. The subject property, measuring 0.806 acres, shall contain no more than 21 dwelling units.
2. No building shall exceed 2.5 stories in height.

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.

**Ordinance 16,404**  
December 9, 2024  
1419 Pennsylvania Avenue  
ZONG-2024-000029

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 1419 Pennsylvania Avenue from “N3c” Neighborhood District to Limited “N3c-2” Neighborhood 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 1419 Pennsylvania Avenue from “N3c” Neighborhood District to Limited “N3c-2” Neighborhood District classification, more fully described as follows:

LOT 13 IN CAPITAL PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF 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. The site shall be brought into conformance with the Maximum Impervious Area requirements of Chapter 135 to the satisfaction of the Planning and Design Administrator; and
2. Any driveway in the front yard shall taper to meet the width of the drive approach at the public sidewalk, and in no case shall measure more than 16 feet in width, at any point within the front yard.

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.

**Ordinance 16,391**

October 7, 2024

East Army Post Road between Southeast 45<sup>th</sup> Street and  
Southeast 36<sup>th</sup> Street, and south to East Pine Avenue

ZONG-2024-000027

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 three (3) parcels within the Southeast Industrial Urban Renewal Area, located along East Army Post Road, to the west of Southeast 45<sup>th</sup> Street and to the east of Southeast 36<sup>th</sup> Street, and bounded by East Army Post Road to the north and East Pine Avenue to the south from a “A” Agricultural District and “PUD” Harvest Hills PUD Planned Unit Development 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 three (3) parcels within the Southeast Industrial Urban Renewal Area, located along East Army Post Road, to the west of Southeast 45<sup>th</sup> Street and to the east of Southeast 36<sup>th</sup> Street, and bounded by East Army Post Road to the north and East Pine Avenue to the south from a “A” Agricultural District and “PUD” Harvest Hills PUD Planned Unit Development District to Limited “I1” Industrial District classification, more fully described as follows:

A PART OF THE EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 31, AND A PART OF NORTHWEST QUARTER (NW 1/4) OF SECTION 32, AND A PART OF THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 32, ALL IN TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5<sup>TH</sup> P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF EAST PINE AVENUE AND THE EAST RIGHT OF WAY LNE OF SOUTHEAST 36<sup>TH</sup> STREET; THENCE NORTH ALONG SAID EAST RIGHT OF WAY LINE TO THE SOUTH RIGHT OF WAY LINE OF EAST ARMY POST ROAD; THENCE EAST ALONG SAID SOUTH RIGHT OF WAY LINE TO THE NORTHWEST CORNER OF PARCEL A, SAID PARCEL A SHOWN ON PLAT OF SURVEY RECORDED IN BOOK 8007 PAGE 259 AT THE RECORDER’S OFFICE OF POLK COUNTY, IOWA; THENCE SOUTH ALONG THE WEST LINE OF SAID PARCEL A TO THE SOUTHWEST CORNER OF SAID PARCEL A; THENCE EAST ALONG THE SOUTH LINE OF SAID PARCEL A TO THE WEST RIGHT OF WAY LINE OF SOUTHEAST 45<sup>TH</sup> STREET; THENCE SOUTH ALONG SAID WEST RIGHT OF WAY LINE OF SOUTHEAST 45<sup>TH</sup> STREET TO THE NORTH LINE OF PARCEL D, SAID PARCEL D SHOWN ON PLAT OF SURVEY RECORDED IN BOOK 9085 PAGE 537 AT RECORDER’S OFFICE OF POLK COUNTY, IOWA; THENCE WESTERLY ALONG THE NORTH LINE OF SAID PARCEL D TO THE NORTHWEST CORNER OF SAID PARCEL D; THENCE SOUTH ALONG THE WEST LINE OF SAID PARCEL D TO THE NORTH RIGHT OF WAY LINE OF EAST PINE AVENUE; THENCE WEST ALONG SAID NORTH RIGHT OF WAY

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LINE OF EAST PINE AVENUE TO THE EAST RIGHT OF WAY LINE OF SOUTHEAST 36<sup>TH</sup> STREET AND TO THE POINT OF 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:

The following uses on the property are prohibited:

1. Adult Entertainment
2. Liquor Store
3. Tobacco Store
4. Self-Service Storage
5. Vehicle Sales
6. Vehicle Rental
7. Facilities used solely for Vehicle Maintenance/Repair/Minor
8. Facilities used solely for Vehicle Maintenance Repair/Major
9. Equipment & Materials Storage, Outdoor (as a Principal Use).

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.

**Ordinance 16,385**

September 16, 2024

3001 McKinley Avenue

ZONG-2024-000020

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 3001 McKinley Avenue 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 3001 McKinley Avenue from “EX” Mixed Use District to Limited “I1” Industrial District classification, more fully described as follows:

PARCEL 1:

LOT TEN (10), IN SERENDIPITY PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THAT PART CONVEYED TO THE CITY OF DES MOINES BY WARRANTY DEED RECORDED IN BOOK 8566 AT PAGE 690, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST COMER OF SAID LOT 10; THENCE NORTH 0°11'35" EAST ALONG THE WEST LINE OF SAID LOT 10, A DISTANCE OF 20.17 FEET; THENCE SOUTHEAST ALONG A 772.50 FOOT RADIUS CURVE CONCAVE NORTHEAST WITH A CENTRAL ANGLE OF 8°30'37", A CHORD DISTANCE OF 114.63 FEET, A CHORD BEARING OF SOUTH 85°31'23" EAST, FOR AN ARC DISTANCE OF 114.74 FEET; THENCE SOUTH 89°32'45" EAST, 100.10 FEET; THENCE SOUTH 0°27'15" WEST, 11.62 FEET; THENCE NORTH 89°40'53" WEST ALONG THE SOUTH LINE OF SAID LOT 10, A DISTANCE OF 214.36 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. AND

PARCEL 2:

THE WEST 200 FEET OF LOT ELEVEN (11) (EXCLUDING STREET), IN SERENDIPITY PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. AND

PARCEL 3:

PARCEL "A" OF LOT FOURTEEN {14}, IN SERENDIPITY PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AS SHOWN IN PLAT OF SURVEY RECORDED IN BOOK 8527 AT PAGE 895 IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 195.16 FEET OF THE WEST 200.00 FEET OF LOT 14, SERENDIPITY PLAT TWO, AN AUDITORS PLAT, DES MOINES, POLK COUNTY, IOWA.

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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 Fabrication and Production – General use with outdoor storage; and
2. Any outdoor storage shall only be accessory to a Fabrication and Production – General use, so long as outdoor storage is placed and screened to the satisfaction of the Planning and Design Administrator; and
3. All outdoor refuse and recycling areas shall be located in a position and screened to the satisfaction of the Planning and Design Administrator. Enclosure walls shall extend a minimum of 2 feet above any dumpster.; and
4. Any expansion of use shall require the entire property to be brought into conformance with the Planning and Design Ordinance (Chapter 135 of City Code).
5. Any refuse or recycling container (eg. dumpster) stored outdoors, excluding containers exclusively used for the recycling of glass, shall utilize a lid or cover that secures material within the container.

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.

**Ordinance 16,364**

June 3, 2024

Vicinity of 1201 Euclid Avenue

ZONG-2024-000012

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 1201 Euclid Avenue from “NX1” Neighborhood Mix District to Limited “MX1” 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 1201 Euclid Avenue from “NX1” Neighborhood Mix District to Limited “MX1” Mixed Use District classification, more fully described as follows:

THE SOUTH 49 FEET OF THE WEST 33.22 FEET & THE SOUTH 45 FEET OF THE EAST 27.20 FEET OF LOT 24 BIK IS OAK PARK, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES. POLK COUNTY, IOWA.

ALSO INCLUDING ONTO THE PROPERTY:

PARCEL "A" OF PLAT OF SURVEY RECORDED IN BOOK 14532, PAGE 690, BEING PART OF LOT 24 IN BLOCK 15 IN OAK PARK, AN OFFICIAL PLAT NOT 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. The two parcels that comprise the subject property shall be combined into a single parcel.
2. Any use of the Property shall be in accordance with a Site Plan approved pursuant to all applicable standards of Des Moines Municipal Code Chapter 135.

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.

**Ordinance 16,361**

May 20, 2024  
1427 5<sup>th</sup> Avenue  
ZONG-2024-000009

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 1427 5th Avenue from “N5” Neighborhood District to Limited “NX2” Neighborhood Mix 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 vicinity of 1427 5th Avenue from “N5” Neighborhood District to Limited “NX2” Neighborhood Mix District classification:

LOT 5, BATES ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND LOCALLY KNOWN AS 1427 – 5TH AVE., DES MOINES, IA 50314.

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 multiple-household residential use shall be limited to no more than seven (7) dwelling units; and
2. Vehicular access to the Property for a multiple-household residential use shall only be allowed from the alleyway to the east; and
3. Any use of the Property for a multiple-household residential use shall be in accordance with a Site Plan approved pursuant to all applicable standards of Des Moines Municipal Code Chapter 135.

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.

**Ordinance 16,349**

April 1, 2024

Vicinity of 1806 East Park Avenue

ZONG-2024-000005

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 1806 East Park Avenue from “N3a” Neighborhood 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 vicinity of 1806 East Park Avenue from “N3a” Neighborhood District to Limited “P2” Public, Civic, and Institutional District classification:

THE NORTH 50.00 FEET OF THE SOUTH 200.00 FEET OF THE WEST 234.00 FEET OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 14, TOWNSHIP 778 NORTH, RANGE 24 WEST OF THE 5TH P.M., 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. The subject property shall be combined with the property adjacent to the north in accordance with a Plat of Survey that provides easements for all existing utilities.

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.

**Ordinance 16,347**

April 1, 2024

Vicinity of 1001 Raccoon Street

ZONG-2023-000065

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 1001 Raccoon Street "DXR" Downtown District to Limited "EX" 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 vicinity of 1001 Raccoon Street "DXR" Downtown District to Limited "EX" Mixed-Use District classification:

LOTS 1, 2, AND THE NORTH 36 FEET OF LOT 3, THE NORTH 36 FEET OF LOT 8, AND ALL OF LOT 9 AND 10, BLOCK 1 IN ALLEN'S SECOND ADDITION TO DES MOINES, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, EXCEPT

PART OF LOTS 2 AND 3, BLOCK 1, ALLEN'S SECOND ADDITION

A TRIANGULAR PARCEL IN BLOCK 1, ALLEN'S SECOND ADDITION, BEING A PART OF LOTS 2 AND 3, DESCRIBED AS FOLLOWS: COMMENCING AS A POINT OF REFERENCE AT THE NORTHWEST CORNER OF SAID BLOCK 1; THENCE SOUTH 16° (DEGREES) 00' (MINUTES) 00" (SECONDS) EAST ALONG THE WEST LINE OF SAID BLOCK 1, 82.92 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 67°05'44" EAST, 102.80 FEET; THENCE SOUTH 73°41'08" WEST, 80/.00 FEET TO THE WEST LINE OF SAID LOT 3; THENCE NORTH 16°00'00" WEST ALONG THE WEST LINE OF SAID BLOCK 1, 65.00 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING 2599.96 SQUARE FEET OR 0.060 ACRES.

AND INCLUDING

PART OF NORTH-SOUTH ALLEY IN BLOCK 1, ALLEN'S SECOND ADDITION SOUTH OF RACCOON STREET, BETWEEN SE 10TH STREET AND SE 11TH STREET

THAT PART OF THE NORTH-SOUTH, 20.00 FOOT VACATED ALLEY LYING EAST AND ADJOINING LOTS 1, 2 AND THE NORTH 36.00 FEET OF LOT 3, BLOCK 1, ALLEN'S SECOND ADDITION, AN OFFICIAL PLAT, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH 73° (DEGREES) 38' (MINUTES) 45" (SECONDS) EAST ALONG THE NORTH LINE OF SAID BLOCK 1, 20.00 FEET TO THE NORTHWEST CORNER OF LOT 10 OF SAID BLOCK 1; THENCE SOUTH 15°57'00" EAST ALONG THE EAST LINE OF SAID ALLEY, 148.03 FEET; THENCE SOUTH 73°41'08" WEST, 20.00 FEET TO THE WEST LINE OF SAID ALLEY; THENCE NORTH 15°57'00" WEST ALONG THE WEST LINE OF SAID ALLEY, 148.02 FEET TO THE POINT OF BEGINNING, ALL NOW

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INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING 2960.43 SQUARE FEET OR 0.068 ACRES.

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. Permitted uses shall be limited to the following:
  - a. Uses permitted in the “EX” Mixed-Use District that are allowed by right in the “DXR” Downtown District.
  - b. A use that contains warehouse and office functions.
  - c. Industrial Service, Light.
2. Outdoor storage is prohibited.
3. Parking and vehicular maneuvering areas shall not extend south of the principal building.
4. Any fencing on the property shall be ornamental metal in style. Existing fencing that does not comply shall be removed.
5. The site shall be brought into conformance with all applicable regulations found in the Planning and Design Ordinance (Chapter 135 of City Code).
6. A site plan for the property shall be submitted and shall obtain approval no later than December 31, 2024.
7. All site and building improvements identified in the approved site plan pursuant to condition # 6 shall be completed by June 1, 2025.
8. Foundation plantings shall be provided around the perimeter of the building with additional emphasis on the south façade of the building to the satisfaction of the Planning and Urban Design Administrator.

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.

**Ordinance 16,342**

March 18, 2024

1205 East 33rd Street & 3304 East University Avenue

ZONG-2024-000002

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 1205 East 33rd Street and 3304 East University Avenue from “N3b” Neighborhood District to Limited “CX” 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 vicinity of 1205 East 33rd Street and 3304 East University Avenue from “N3b” Neighborhood District to Limited “CX” Mixed Use District classification:

THE NORTH 37 FEET OF LOTS 5 & 6 IN FAIRVIEW HEIGHTS, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK CO. IA; AND

THE SOUTH 82 FEET OF LOTS 5 & 6 IN FAIRVIEW HEIGHTS, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK CO. IA.

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. Prohibition of the outdoor storage of equipment and materials.
2. Prohibition of bar, liquor store and major vehicle maintenance/repair uses.
3. The retaining wall shall be inspected and repaired to the satisfaction of the City’s Planning and Urban Design Administrator with any site plan.

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.

**Ordinance 16,336**

March 4, 2024

Vicinity of 1475 Hart Avenue

ZONG-2023-000068

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 1475 Hart Avenue from “N1a” Neighborhood District to Limited “EX” 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 vicinity of 1475 Hart Avenue from “N1a” Neighborhood District to Limited “EX” Mixed Use District classification:

LOT 28 (EXCEPT THE EAST 100 FEET THEREOF), LOT 29 AND LOT 30 (EXCEPT THE WEST 30 FEET THEREOF) IN CAPITOL VIEW ACRES, AN OFFICIAL PLAT, 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. No individual storage unit shall be less than 600 square feet in area.

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.

**Ordinance 16,321**

January 22, 2024

Vicinity of 200 Southeast 2<sup>nd</sup> Street

ZONG-2023-000069

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 200 Southeast 2nd Street from Limited “DXR” and Limited “DX1” Downtown Districts 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 vicinity of 200 Southeast 2nd Street from Limited “DXR” and Limited “DX1” Downtown Districts to Limited “P2” Public, Civic, and Institutional District classification:

LOTS 1, 4A AND 4B, THE MARKET DISTRICT FINAL PLAT, AN OFFICIAL PLAT, 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. The maximum height of all building(s) constructed or developed on the property that are located outside the viewshed corridor shown on the Large-Scale Development Plan, which corridor is identified by the viewshed analysis, shall be limited to the height shown on the Large-Scale Development Plan unless relief thereto is granted pursuant to Chapter 135 of the Des Moines Municipal 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.

**Ordinance 16,302**

November 20, 2023

621 Ovid Avenue

ZONG-2023-000055

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 621 Ovid Avenue from “N5” Neighborhood District to Limited “NX2” Neighborhood Mix 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 vicinity of 621 Ovid Avenue from “N5” Neighborhood District to Limited “NX2” Neighborhood Mix District classification, more fully described as follows:

THE EAST 37.5 FEET OF LOT 21, BLOCK 4, OAK PARK, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND ALL DRIVEWAY EASEMENT RIGHTS OVER ADJOINING PROPERTY AS SET FORTH IN EASEMENT RECORDED IN BOOK 4433 PAGE 257 OF THE POLK COUNTY, IOWA RECORDS;

AND

THE EAST 1/2 OF LOT 20 AND THE WEST 121/2 FEET OF LOT 21 IN BLOCK 4 IN OAK PARK, AN OFFICIAL PLAT, 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. No building shall contain more than three (3) dwelling units.

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.

**Ordinance 16,298**

November 6, 2023  
4140 Park Avenue  
ZONG-2023-000052

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 4140 Park Avenue from “RX1” Mixed Use District to Limited “MX3” 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 vicinity of 4140 Park Avenue from “RX1” Mixed Use District to Limited “MX3” Mixed Use District classification, more fully described as follows:

THE NORTH 200 FEET OF THE WEST 173 FEET OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19, TOWNSHIP 78 NORTH, RANGE 24, WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT LEGALLY ESTABLISHED HIGHWAYS

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 as permitted and limited in the “RX1” Mixed Use District.; and/or
2. A “Retail Sales, Limited” or “Fuel Station” use, with sales of alcoholic liquor, wine, and/or beer only so long as the Zoning Board of Adjustment grants any Conditional Use necessary for such use.

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.

**Ordinance 16,291**

October 23, 2023  
6222 Grand Avenue  
ZONG-2023-000047

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 6222 Grand Avenue from “RX1” Mixed Use District and “F” Flood District to Limited “MX2” 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 vicinity of 6222 Grand Avenue from “RX1” Mixed Use District and “F” Flood District to Limited “MX2” Mixed Use District classification, more fully described as follows:

LOTS 1 AND 2, EXCEPT THE NORTH 6 FEET THEREOF, IN MURROWDALE PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT A PART OF LOT 1, MURROWDALE PLAT 2, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, MURROWDALE PLAT 2, AN OFFICIAL PLAT; THENCE NORTH 0° (DEGREES) 01' (MINUTES) 21" (SECONDS) WEST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 214.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0°01'21" WEST ALONG SAID WEST LINE, 4.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF GRAND AVENUE AS PRESENTLY ESTABLISHED; THENCE NORTH 89°59'06" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 185.57 FEET TO THE SOUTHWEST RIGHT-OF-WAY LINE OF THE NORFOLK SOUTHERN RAILWAY; THENCE SOUTH 43°09'43" EAST ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE, 5.48 FEET; THENCE SOUTH 89°59'06" WEST, 189.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.02 ACRES (750 S.F.).

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.

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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.

**Ordinance 16,288**

October 23, 2023

3001 Southwest 9<sup>th</sup> Street

ZONG-2023-000042

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 3001 Southwest 9<sup>th</sup> Street from “RX1” Mixed-Use District to Limited “MX3” 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 vicinity of 3001 Southwest 9th Street from “RX1” Mixed-Use District to Limited “MX3” Mixed Use District classification, more fully described as follows:

THE NORTH 25 FEET OF LOT 4 AND ALL OF LOT 3, EXCEPT THE EAST 54 FEET OF SAID LOTS 3 AND 4, ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF THE NORTH 25 FEET OF LOT 4, THENCE NORTH ALONG THE WEST LINES OF LOTS 4 AND 3 A DISTANCE OF 60 FEET, THENCE SOUTHEASTERLY TO THE SOUTH LINE OF THE NORTH 25 FEET OF LOT 4 TO A POINT 3.5 FEET EAST OF THE WEST LINE OF LOT 4, THENCE WEST 3.5 FEET TO THE POINT OF BEGINNING AT THE SW CORNER OF THE NORTH 25 FEET OF LOT 4, ALL IN PROCTOR’S ADDITION, AN OFFICIAL PLAT, 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. Any use permitted by right or by Conditional Use, as allowed and regulated in the “RX1” Mixed Use District, or,
2. A vehicle detailing business that complies with the supplemental use regulations for the “Vehicle Maintenance and Repair, Minor” use subcategory of the “Vehicle Sales and Service” use category.

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.

**Ordinance 16,286**

October 23, 2023

972 26<sup>th</sup> Street

ZONG-2023-000045

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 972 26<sup>th</sup> Street “N5” Neighborhood District to Limited “N5-2” Neighborhood 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 vicinity of 972 26<sup>th</sup> Street “N5” Neighborhood District to Limited “N5-2” Neighborhood District classification, more fully described as follows:

LOT 238 IN UNIVERSITY LAND COMPANY'S FIRST ADDITION TO THE CITY OF DES MOINES, 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. Any use of the property for a two-household (duplex) residential use shall be subject to the site and the building being brought into conformance with all applicable site and design regulations of Chapter 135 of the Municipal 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.

**Ordinance 16,281**

October 3, 2023  
5631 Francis Avenue  
ZONG-2023-000041

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 5631 Francis Avenue from “N3b” Neighborhood District to Limited “NX2” Neighborhood Mix 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 vicinity of 5631 Francis Avenue from “N3b” Neighborhood District to Limited “NX2” Neighborhood Mix District classification, more fully described as follows:

THE SOUTH 122 FEET OF LOT 1 IN JAN'S PLACE, PLAT NO. 3, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA; ALSO LEGALLY DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, JAN'S PLACE, PLAT NO. 3, THENCE NORTH 122 FEET, THENCE WEST 262.33 FEET, THENCE SOUTH APPROXIMATELY 122 FEET TO THE POINT OF BEGINNING, ALL BEING APPROXIMATE DIMENSIONS AND SUBJECT TO SURVEY.

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 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); and
2. Any parking lot shall provide screening along the west (side) property line to the satisfaction of the City’s Planning and Urban Design Division Administrator.

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.

**Ordinance 16,277**

September 11, 2023

4101 East 42<sup>nd</sup> Street

ZONG-2023-000038

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 4101 East 42nd Street from “P2” Public, Civic, and Institutional to Limited “MX3” 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 vicinity of 4101 East 42nd Street from “P2” Public, Civic, and Institutional to Limited “MX3” Mixed Use District classification, more fully described as follows:

LOTS 49 AND 64 IN CAPITOL HEIGHTS REPLAT, AN OFFICIAL PLAT, 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:

Use of the property shall be limited to the following:

1. Any use as permitted and limited in “P2” Public, Civic, and Institutional District, and/or
2. An Animal Service: Boarding and/or Grooming use, occurring only between the hours of 7:00 AM and 6:00 PM.

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.

**Ordinance 16,270**

August 7, 2023  
3619 5<sup>th</sup> Avenue  
ZONG-2023-000030

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 3619 5<sup>th</sup> Avenue from “N5” Neighborhood District to Limited “MX1” 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 vicinity of 3619 from 5<sup>th</sup> Avenue from “N5” Neighborhood District to Limited “MX1” Mixed Use District classification, more fully described as follows:

LOT 17 IN BLOCK 21 IN HIGHLAND PARK, AN OFFICIAL PLAT, 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. Permitted uses shall be limited to the following:
  - a. Residential uses permitted by the MX1 District, and
  - b. Surface parking accessory to a permitted use on the property to the south.

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.

**Ordinance 16,263**

**April 24, 2023**

2021 Clark Street

ZONG-2023-000014

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 2142 East Market Street from “I1” Industrial 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 vicinity of 2142 East Market Street from “I1” Industrial District to Limited “I2” Industrial District classification:

AN IRREGULAR SHAPED PORTION OF LAND LYING IN PART OF LOTS 21 AND 22 OF BROOKS & COS ADDITION, AN OFFICIAL PLAT AS RECORDED IN BOOK A, PAGE 59 OF THE POLK COUNTY RECORDER; PART OF LOT 1 OF DIAGRAM A DEAN’S ESTATE, AN OFFICIAL PLAT; PART OF LOT 19 OF THE OFFICIAL PLAT OF THE SOUTH 1/2 OF SECTION 1, TOWNSHIP 78 NORTH, RANGE 24 WEST, AS RECORDED IN BOOK B, PAGE 304 OF THE POLK COUNTY RECORDER; AND PART OF LOT 3 OF THE OFFICIAL PLAT OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 78 NORTH, RANGE 24 WEST, AS RECORDED IN BOOK B, PAGE 136 OF THE POLK COUNTY RECORDER, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT AN IRON ROD WITH ORANGE IDENTIFICATION CAP #12265, SAID MONUMENT BEING THE SOUTHWEST CORNER OF THE WEST 653 FEET NORTH OF MARKET STREET, LOT 19 OF THE OFFICIAL PLAT OF THE SOUTH 1/2 OF SECTION 1, TOWNSHIP 78 NORTH, RANGE 24 WEST, AS DESCRIBED IN THE DEED FOUND IN BOOK 16515, PAGE 577 OF THE POLK COUNTY RECORDER (HEREINAFTER REFERRED TO AS “TIMELIS RESTORATIONS PARCEL”); THENCE N00°08'10"E ALONG THE WEST LINE OF SAID TIMELIS RESTORATIONS PARCEL, A DISTANCE OF 238.50 FEET TO THE NORTHWEST CORNER OF SAID TIMELIS RESTORATION PARCEL; THENCE CONTINUING N00°08'10"E ALONG THE EAST LINE OF THE NORTH 300 FEET OF LOT 4 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 78 NORTH, RANGE 24 WEST, AS DESCRIBED IN THE DEED RECORDED IN BOOK 8526, PAGE 577 OF THE POLK COUNTY RECORDER (HEREINAFTER REFERRED TO AS “MCCAUGHEY PARCEL”), TO THE NORTHEAST CORNER OF SAID MCCAUGHEY PARCEL; THENCE N89°42'43"W ALONG THE NORTH LINE OF SAID MCCAUGHEY PARCEL, A DISTANCE OF 138.60 FEET TO THE NORTHWEST CORNER OF SAID MCCAUGHEY PARCEL; THENCE S05°20'49"W ALONG THE WEST LINE OF SAID MCCAUGHEY PARCEL, A DISTANCE OF 245.51 FEET TO THE ORIGINAL NORTH RIGHT-OF-WAY LINE OF MARKET STREET AS DESCRIBED IN THE DEED RECORDED IN BOOK 5469,

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PAGE 452 OF THE POLK COUNTY RECORDER (HEREINAFTER REFERRED TO AS “UNION PACIFIC DEED”); THENCE N89°37'34W ALONG SAID ORIGINAL NORTH RIGHT-OF-WAY LINE OF MARKET STREET, A DISTANCE OF 337.18 FEET TO A POINT BEING ON A LINE TWENTY-FIVE FEET EASTERLY OF AND PARALLEL TO THE CENTERLINE OF THE FORMER ARMSTRONG TIRE & RUBBER COMPANY INDUSTRY LEAD TRACK, AS DESCRIBED IN SAID UNION PACIFIC DEED; THENCE NORTHERLY ALONG A LINE TWENTY-FIVE FEET EASTERLY OF AND PARALLEL TO THE CENTERLINE OF SAID FORMER ARMSTRONG TIRE & RUBBER COMPANY LEAD TRACK TO A LINE TWENTY-FIVE FEET EASTERLY OF AND PARALLEL TO THE CENTERLINE OF THE EXISTING SOUTHEAST WYE TRACK AS DESCRIBED IN SAID UNION PACIFIC DEED, TO A POINT WHICH LIES 581.89 FEET NORTHERLY OF AND NORMALLY DISTANT TO SAID ORIGINAL NORTH LINE OF MARKET STREET; THENCE S73°37'26E, A DISTANCE OF 434.88 FEET; THENCE S86°53'57E, A DISTANCE OF 184.42 FEET; THENCE S81°44'49E, A DISTANCE OF 184.36 FEET; THENCE S69°24'33E, A DISTANCE OF 217.07 FEET; THENCE S35°03'44E, A DISTANCE OF 182.93 FEET; THENCE S07°34'44W, A DISTANCE OF 207.32 FEET TO THE EXISTING NORTH RIGHT-OF-WAY LINE OF MARKET STREET; THENCE S89°46'22W ALONG SAID EXISTING NORTH RIGHT-OF-WAY LINE OF MARKET STREET, A DISTANCE OF 315.36 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 419,887 SQUARE FEET, OR 9.64 ACRES.

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. The property shall be brought into conformance with current City of Des Moines site plan standards; and
2. Any adjoining property used or developed in common with the subject property shall comply with condition #1.

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.

**Ordinance 16,239**

April 24, 2023  
2021 Clark Street  
ZONG-2023-000014

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 2021 Clark Street from “N5” Neighborhood District to Limited “N5-2” Neighborhood 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 vicinity of 2021 Clark Street from “N5” Neighborhood District to Limited “N5-2” Neighborhood District classification:

LOT NINE (9) AND THE WEST HALF OF LOT TEN (10) IN CASES ADDITION TO NORTH DES MOINES, 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. The site shall be brought into conformance with all applicable site regulations of Chapter 135 of the Municipal Code.; and
2. All off-street parking areas shall be paved.

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.

**Ordinance 16,238**

April 24, 2023

1935 East Euclid Avenue

ZONG-2023-000003

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 1935 East Euclid Avenue from “F” Flood District and “I2” Industrial 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 vicinity of 1935 East Euclid Avenue from “F” Flood District and “I2” Industrial District to Limited “I2” Industrial District classification:

PART OF THE E-1/2 OF NE -1/4 OF SECTION 25, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH/ P.M., POLK COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER POINT OF THE RIGHT-OF-WAY OF THE CHICAGO GREAT WESTERN RAILROAD AS NOW LOCATED WHERE IT INTERSECTS THE CENTER LINE OF EUCLID AVENUE AS NOW LOCATED, SAID POINT BEING 663.09 FEET SOUTH AND 74.4 FEET WEST OF THE NE CORNER OF SAID SECTION 25, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH/ P.M.; THENCE SOUTHERLY ALONG THE CENTER LINE OF THE RIGHT-OF-WAY OF THE CHICAGO GREAT WESTERN RAILROAD AS NOW LOCATED ON A 02° 08' CARVE TO THE RIGHT, 555 FEET TO THE POINT OF TANGENT; THENCE ON SAID TANGENT AND ALONG SAID CENTER LINE OF SAID RIGHT OF WAY 285 FEET TO THE POINT OF CURVE THENCE ON A 02° CURVE TO THE LEFT AND ALONG SAID CENTER LINE OF SAID RIGHT OF WAY 792.5 FEET THENCE WEST 100.30 FEET TO THE SHORT LINE RAILROAD AS NOW LOCATED, THENCE NORTHWESTERLY ALONG SAID CENTER LINE OF THE RIGHT-OF-WAY OF THE ST. PAUL AND KANSAS CITY SHORT LINE RAILROAD AS NOW LOCATED ON A 02° CURVE TO THE LEFT, 673 FEET TO THE POINT OF TANGENT; THENCE NORTHWESTERLY ON THE ST. PAUL AND KANSAS CITY SHORT LINE RAILROAD 762 FEET TO A POINT OF CURVE; THENCE NORTHWESTERLY ON A 02° CURVE TO THE ST. PAUL AND KANSAS CITY SHORT LINE RAILROAD, 255 FEET TO A POINT ON THE CENTER LINE OF SAID EUCLID AVENUE, AS NOW LOCATED; THENCE EAST ALONG THE CENTER LINE OF SAID EUCLID AVENUE AS NOW LOCATED 973.40 FEET TO PLACE OF BEGINNING.

SUBJECT TO THE RIGHT OF THE CITY OF DES MOINES TO USE FOR STREET PURPOSES ALL THAT PART OF EUCLID AVENUE LYING 75 FEET SOUTH OF THE CENTER LINE OF SAID EUCLID AVENUE AS NOW ESTABLISHED AND LOCATED, AND EXCEPTING AND RESERVING FROM A TRACT OF REAL ESTATE HEREINABOVE DESCRIBED THE FOLLOWING TWO (2) PARCELS OF LAND:

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1. ALL THAT PART OF THE RIGHT-OF-WAY OF THE CHICAGO GREAT WESTERN RAILROAD COMPANY AS NOW LOCATED AND LYING 50 FEET WESTERLY OF AND ADJOINING THE CENTER LINE OF THE MAIN TRACK OF SAID ST. PAUL AND KANSAS CITY SHORT LINE RAILROAD COMPANY AS HEREINBEFORE DESCRIBED.

2. ALL THAT PART OF THE RIGHT-OF-WAY OF THE ST. PAUL AND KANSAS CITY SHORT LINE RAILROAD COMPANY AS NOW LOCATED AND LYING 50 FEET EASTERLY OF AND ADJOINING THE CENTER LINE OF THE MAIN TRACK OF SAID ST. PAUL AND KANSAS CITY SHORT LINE RAILROAD COMPANY AS HEREINBEFORE DESCRIBED.

EXCEPT PARCEL A:

A PARCEL OF LAND LOCATED IN THE S-1/2 NE-1/4 NE-1/4 OF SECTION 25, T79N, R24W OF THE 5TH P.M., POLK COUNTY, IOWA, LYING ON THE SOUTH SIDE OF PART OF THE FOLLOWING DESCRIBED CENTER LINE OF PRIMARY ROAD NO. U.S.6 AS SHOWN ON OFFICIAL PLANS FOR PROJECT U-206(17).

THE CENTERLINE DESIGNATED BY STATION POINTS 100 FEET APART, NUMBERED CONSECUTIVELY FROM WEST TO EAST, IS DESCRIBED AS FOLLOWS: BEGINNING AT STATION 52+59.5, A POINT ON THE EAST LINE OF SAID S-1/2 NE-1/4 NE-1/4 OF SAID SECTION 25, THENCE WEST 969.5 FEET TO STATION 42+90.

SAID PARCEL IS DESCRIBED AS FOLLOWS: ALL THAT PART OF THE S-1/2 NE-1/4 NE-1/4 OF SAID SECTION 25, LYING NORTHERLY OF A LINE BEGINNING AT A POINT 90 FEET NORMALLY DISTANT AND SOUTHERLY FROM CENTERLINE ON THE EASTERLY RIGHT-OF-WAY LINE OF THE C.R.I. & P.R.R., THENCE TO A POINT 75 FEET NORMALLY DISTANT SOUTHERLY FROM STATION 43+95, SAID POINT BEING ON THE PRESENT SOUTHERLY RIGHT-OF-WAY LINE OF PRIMARY ROAD NO. U.S.6.

SAID PARCEL CONTAINS 0.018 ACRES, MORE OR LESS, EXCLUSIVE OF PRESENT ESTABLISHED RIGHT-OF-WAY.

AND EXCEPT:

A TRACT OF LAND IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M. DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 25, THENCE SOUTH 0°01'01" EAST, 737.47 FEET; THENCE SOUTH 89°53'22" WEST, 135.63 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG A CURVE RIGHT 126.19 FEET WITH A RADIUS OF 2635.90 FEET, CHORD OF 126.18 FEET, AND A CHORD BEARING OF SOUTH 9°10'54" WEST; THENCE NORTH 24°10'52" WEST, 136.38 FEET; THENCE NORTH 89°53'22" EAST, 76.00 FEET ALONG THE EXISTING SOUTH RIGHT-OF-WAY LINE OF EAST EUCLID AVENUE ( HIGHWAY U.S. 6) TO POINT OF BEGINNING ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. AREA BY SURVEY 4795.4 SQ. FEET. RECORDED IN BOOK 7530, PG 792 OF THE POLK COUNTY RECORDERS OFFICE.

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AND EXCEPT:

A PART OF THE FORMER CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY'S RIGHT OF WAY (PREVIOUSLY KNOWN AS THE CHICAGO GREAT WESTERN RAILROAD) LYING NORTH OF EAST HULL AVENUE AND SOUTH OF EAST EUCLID AVENUE, LOCATED IN THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5th P.M., NOW INCLUDE IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE SOUTH 00°01'15" EAST ALONG THE EAST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 737.42 FEET TO A POINT 75.00 FEET SOUTH OF THE CENTERLINE OF EAST EUCLID AVENUE, AS PRESENTLY ESTABLISHED; THENCE SOUTH 89°52'21" WEST ALONG A LINE 75.00 FEET SOUTH OF AND PARALLEL TO SAID CENTERLINE OF EAST EUCLID AVENUE, 135.63 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF SAID FORMER CHICAGO GREAT WESTERN RAILROAD COMPANY RIGHT OF WAY; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY AND ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 2635.90 FEET, WHOSE ARC LENGTH IS 126.32 FEET AND CHORD BEARS SOUTH 09°10'46" WEST, 126.35 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 79°26'52" EAST 50.00 FEET TO A POINT ON THE CENTERLINE OF SAID FORMER RAILROAD RIGHT OF WAY; THENCE SOUTHERLY ALONG SAID FORMER CENTERLINE ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 2685.90 FEET, WHOSE ARC LENGTH IS 90.02 FEET AND WHOSE CHORD BEARS SOUTH 11°30'44" WEST, 90.02 FEET; THENCE NORTH 76°31'37" WEST, 38.15 FEET; THENCE NORTH 14°46'03" EAST 66.29 FEET; THENCE NORTH 24°15'56" WEST, 26.73 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.08 ACRES (3384 SQ.FT.). RECORDED IN BOOK 16041, PG 922 OF THE POLK COUNTY RECORDERS OFFICE.

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. All new buildings, structures and/or equipment shall be located within the footprint of the buildings, structures and/or equipment that existed at the time of this rezoning to the satisfaction of the City's Planning and Urban Design Administrator.; and
2. All development shall comply with floodplain regulations pursuant to Chapter 50 of the City Code.; and
3. 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.

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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.

**Ordinance 16,232**

April 10, 2023

2215 Sunset Road

ZONG-2023-000005

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 2215 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 vicinity of 2215 Sunset Road from “EX” Mixed Use District to Limited “I1” Industrial District classification:

LOTS ONE HUNDRED FORTY-ONE (141) AND ONE HUNDRED FORTY-TWO (142) IN VALLEY GARDENS, AN OFFICIAL PLAT, 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. Use of the property shall be limited to the following:
  - a. Any use as permitted and limited in the “EX” District.
  - b. A Landscaping business.; and
2. Any outdoor storage shall only be accessory to a landscaping business, so long as outdoor storage is placed and screened to the satisfaction of the Planning Administrator.; and  
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.

**Ordinance 16,228**

March 27, 2023

2101 Hull Avenue

ZONG-2023-000012

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 2101 Hull Avenue from “I1” Industrial District and “N3a” Neighborhood 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 vicinity of 2101 Hull Avenue from “I1” Industrial District and “N3a” Neighborhood District to Limited “I1” Industrial District classification:

LOTS 2, 3, AND 4 PERIN PLACE, AN OFFICIAL PLAT, 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. Subject to the prohibition of outdoor storage as a principal or accessory use.

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.

**Ordinance 16,226**

March 6, 2023

4415 Hubbell Avenue

ZONG-2022-000103

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 4415 Hubbell Avenue from “MX3” Mixed-Use District to Limited “CX” 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 vicinity of 4415 Hubbell Avenue from “MX3” Mixed-Use District to Limited “CX” Mixed-Use classification:

LOT 5 IN CAPITOL HEIGHTS, NO. 2, EXCEPT THE NORTHWEST 2.0 FEET (LYING ADJACENT TO AN PARALLEL TO THE SOUTH RIGHT OF WAY LINE OF AVENUE FREDERICK M. HUBBELL), AN OFFICIAL PLAT, IN 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 restricted shall be limited to the following:
  - a. Any use as permitted and limited in “MX3” Mixed-Use District.
  - b. An auto painting use that is fully contained within a building.
2. Prohibition of outdoor storage, pavement or parking within the rear yard.

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.

**Ordinance 16,223**

February 20, 2023

1327 13<sup>th</sup> Street

ZONG-2022-000101

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 1327 13th Street from “N5” Neighborhood District to Limited “NX2” 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 vicinity of 1327 13th Street from “N5” Neighborhood District to Limited “NX2” Mixed Use District classification:

THE NORTH 10 FEET OF LOT 18, ALL OF LOT 19, AND THE SOUTH 9.6 FEET OF LOT 20 IN FIELD'S SUBDIVISION OF WEST HALF OF BLOCK 3 SUMMIT PARK, AN OFFICIAL PLAT, 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) Any use of the Property for a multiple-household residential use shall not exceed six (6) dwelling units; and
- 2) Any use of the Property for a multiple-household residential use shall be in accordance with a Site Plan approved pursuant to all applicable standards of Des Moines Municipal Code Chapter 135; and
- 3) Any use of the Property for a multiple-household residential use shall be in compliance with all applicable Building, Fire, and Rental Codes.

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.

**Ordinance 16,222**

February 20, 2023

2513 Woodland Avenue

ZONG-2022-000100

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 2513 Woodland Avenue from “N5” Neighborhood 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 vicinity of 2513 Woodland Avenue from “N5” Neighborhood District to Limited “RX1” Mixed Use District classification:

THE EAST 37 FEET OF LOT 24 IN WOODLAND PLACE, AN OFFICIAL PLAT, NOW 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) Use of the property shall be limited to the following:
  - a. Any use as a permitted and limited in the “N5” Neighborhood District
  - b. An “Office: Business or Professional” use, per City Code Section 134-3.5.13.A.
- 2) Any future renovation of the existing structure shall be in accordance with the Secretary of the Interior’s Standards for Rehabilitation, to the satisfaction of the City’s Planning and Urban Design Administrator.

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.

**Ordinance 16,220**

February 6, 2023

810 East Euclid Avenue

ZONG-2022-000088

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 at 810 East Euclid Avenue from “N5” Neighborhood District to Limited “MX3” 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 810 East Euclid Avenue from “N5” Neighborhood District to Limited “MX3” Mixed Use District classification, more fully described as follows:

The East 43 feet of Lots Eighty-six (86) and Eighty-seven (87) in CAMPUS PARK, an Official Plat, 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) Provision of a Heavy Buffer between the proposed parking and the west property line of the subject property.
- 2) Provision of a Heavy Buffer between the proposed parking and the north property.
- 3) Any future construction or development of the site shall comply with all applicable site plan and design regulations of the City’s 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.

**Ordinance 16,207**

December 12, 2022

2508 George Flagg Pkwy

ZONG-2022-000091

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 2508 George Flagg Parkway from a “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 2508 George Parkway from a “EX” Mixed Use District to Limited “I1” Industrial District classification, more fully described as follows:

DESCRIPTION FOR AREA OF EX TO BECOME I1:  
(RETRACEMENT SURVEY BOOK 17684, PAGE 706)

LOTS 11-17 IN VALLEY GARDENS, AN OFFICIAL PLAT, 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. Use of the property shall be limited to the following:
  - A. Any use as permitted and limited in the “EX” District.
  - B. Outdoor storage accessory to a use that is permitted in the “EX” District, so long as it is placed and screened to the satisfaction of the Planning Administrator.
2. 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.

**Ordinance 16,186**

October 24, 2022

Vicinity of 1331 East Douglas Avenue  
ZONG-2022-000075

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 1331 East Douglas Avenue from “N3a” Neighborhood District to Limited “RX2” 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 1331 East Douglas Avenue from “N3a” Neighborhood District to Limited “RX2” Mixed Use District classification, more fully described as follows:

THE SOUTH 160.8 FEET OF LOTS 1, 2, 3 AND 4, AND THE WEST 11 FEET OF THE NORTH 145 FEET OF LOT 4, IN ELLEN PLACE, AN OFFICIAL PLAT IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. PARCEL #7924-26-227-011, 7924-26-227-012, 7924-26-227-013 AND 7924-26-227-014.

SUBJECT TO GENERAL TAXES PAYABLE IN FUTURE INSTALLMENTS, AND SUBJECT TO EASEMENT FILED MARCH 7, 1989 IN BOOK 6067 AT PAGE 85 OF THE RECORDS OF 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) There shall be no driveway to the Property from East Douglas Avenue.

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.

**Ordinance 16,184**

October 24, 2022

Vicinity of 1601 Williams Street  
ZONG-2022-000077

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 1601 Williams Street from “F” Flood District and “N3a” Neighborhood District to limited “P1” 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 1601 Williams Street from “F” Flood District and “N3a” Neighborhood District to limited “P1” Public, Civic and Institutional District classification, more fully described as follows:

AN AREA BEING A PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5TH P.M., AND A PART OF ELMWOOD, AN OFFICIAL PLAT, AND A PART OF BROADACRE, AN OFFICIAL PLAT, AND A PART OF REEDBURY, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF REEDBURY PLAZA PLAT NO.2, AN OFFICIAL PLAT; THENCE EAST ALONG THE SOUTH LINE OF SAID REEDBURY PLAZA PLAT NO.2 TO THE EAST LINE OF LOT 11 IN SAID REEDBURY; THENCE SOUTH ALONG SAID EAST LINE OF SAID LOT 11 TO THE SOUTHEAST CORNER OF SAID LOT 11; THENCE CONTINUING SOUTH ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 11 TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M.; THENCE EAST ALONG SAID NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M. TO THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M.; THENCE SOUTH ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M. TO THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M.; THENCE WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M. TO THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M., SAID SOUTHWEST CORNER ALSO BEING THE NORTHWEST CORNER OF SAID BROADACRE; THENCE SOUTH ALONG THE EAST LINE OF BROADACRE TO THE SOUTH LINE OF THE NORTH 5.00 FEET OF LOT 1 IN SAID BROADACRE; THENCE WEST ALONG A LINE THAT IS PARALLEL WITH THE NORTH LINE OF SAID LOT 1 TO THE EAST RIGHT OF WAY LINE OF WILLIAMS STREET; THENCE NORTH/NORTHEAST/NORTH ALONG SAID EAST RIGHT OF WAY LINE OF WILLIAMS STREET AND ALONG THE EASTERLY RIGHT OF WAY LINE OF WILLIAMS COURT AND ALONG THE EAST RIGHT OF WAY LINE OF EAST 42ND STREET TO THE

## Conditional Zoning List

SOUTHWEST CORNER OF OUTLOT Z IN SAID REEDBURY; THENCE EAST ALONG THE SOUTH LINE OF SAID OUTLOT Z TO THE SOUTHEAST CORNER OF SAID OUTLOT Z; THENCE NORTH ALONG THE EAST LINE OF SAID OUTLOT Z TO THE POINT OF 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) that areas within the FEMA 100 Year Floodplain are subject to development restrictions pursuant to the Des Moines Municipal Code Chapter 50 (Floodplains).

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.

**Ordinance 16,181**

October 3, 2022

Vicinity of 4970 Southeast 24th Court  
ZONG-2022-000068

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 4970 Southeast 24th Court from Low Density Residential to Public/Semi-Public and to rezone the Property from “N2b” Neighborhood 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 4970 Southeast 24th Court from Low Density Residential to Public/Semi-Public and to rezone the Property from “N2b” Neighborhood District to Limited “P2” Public, Civic, and Institutional District classification, more fully described as follows:

The North 1/2 of the West 1/2 of the West 1/2 of the NE 1/4 of the NW 1/4; and the North 1/2 of the East 1/2 of the West 1/2 of the NE 1/4 of the NW 1/4 ;and the North 13 Acres of the East 1/2 of the NE 1/4 of the NW 1/4 all in section 25, Township 78 North, Range 24 West of the 5th P.M. Polk County, Iowa except that part beginning at the NW corner of the NE 1/4 of the NW 1/4 of Section 25 , thence South 663 feet; thence East along the South line of the NW 1/4 of the NE 1/4 of the NW 1/4 of section 25, 264.00. feet; thence North 379.0 feet; thence N 88 degrees 54 minutes East, 610.00 feet; thence North 272 feet to the North Line of the NE 1/4 of the NW 1/4 of said section 25; thence West 874.00 feet to the point of 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. The 50.32-foot by 323.44-foot access area to be located between the future cell tower parcels shall remain a part of the larger undeveloped parcel until such time the property is subdivided in accordance with a Large-Scale Development Plan and subdivision plat regulations.
2. An access easement from East Titus Avenue to each of the cell tower parcels shall be provided until such time the access area is dedicated as public right-of-way.
3. Any new development shall be constructed in accordance with an approved Large Scale Development Plan and subdivision plat.

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.

**Ordinance 16,180**

October 3, 2022

4019 & 4021 Ingersoll Avenue

ZONG-2022-000054

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 4019 and 4021 Ingersoll Avenue from “RX2” Mixed-Use District to Limited “RX2” 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 4019 and 4021 Ingersoll Avenue from “RX2” Mixed-Use District to Limited “RX2” Mixed-Use District classification, more fully described as follows:

The East 80 feet of the North 200 feet of the South 217 ½ feet of Lot 7 in Greenwood Park, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County.

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 and assigns as follows:

1. Any future construction on the site shall be in accordance with the “Preservation Brief 14: New Exterior Additions to Historic Buildings” to the satisfaction of the City’s Planning Administrator.

Section 3. This ordinance shall be in full force and effect from and after the later of 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, 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.

**Ordinance 16,169**

August 22, 2022

Vicinity of 20 E. 18th Street

ZONG-2022-000033

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 20 E. 18<sup>th</sup> Street from “I2” Industrial District classification 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 20 E. 18th Street from “N3C” Neighborhood District to “I2” Industrial District classification, more fully described as follows:

ALL PROPERTY DESCRIBED BELOW IS IN THE CITY OF DES MOINES, POLK COUNTY, IOWA.

PARCELS 2018-128 AND 2018-129, BOTH RECORDED IN BOOK 17105, PAGE 811 IN THE OFFICE OF THE POLK COUNTY RECORDER;

AND

PARCEL 2018-130 AS RECORDED IN BOOK 17105, PAGE 817 IN THE OFFICE OF THE POLK COUNTY RECORDER;

AND

LOTS 9 THRU 14, BLOCK 1, I. N. THOMAS SUBDIVISION, AN OFFICIAL PLAT RECORDED IN BOOK B, PAGE 56 IN THE OFFICE OF THE POLK COUNTY RECORDER;

AND

ALL THAT PART OF THE SE. ASTOR STREET PUBLIC ROAD RIGHT-OF-WAY LYING WEST OF AND ADJOINING PARCEL 2018-128 LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE IOWA INTERSTATE RAILROAD AS IT IS PRESENTLY ESTABLISHED;

AND

ALL THAT PART OF THE SE. 16TH STREET PUBLIC ROAD RIGHT-OF-WAY LYING EAST OF AND ADJOINING PARCEL 2018-128 LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE IOWA INTERSTATE RAILROAD AS IT IS PRESENTLY ESTABLISHED;

AND

## Conditional Zoning List

ALL THAT PART OF THE SE. 16TH COURT PUBLIC ROAD RIGHT-OF-WAY LYING EAST OF AND ADJOINING PARCEL 2018-129 LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE IOWA INTERSTATE RAILROAD AS IT IS PRESENTLY ESTABLISHED;

AND

ALL THAT PART OF THE EAST VINE STREET PUBLIC ROAD RIGHT-OF-WAY LYING NORTH OF AND ADJOINING PARCEL 2018-130 LYING WEST OF THE NORTHERLY RIGHT-OF-WAY LINE OF THE IOWA INTERSTATE RAILROAD AS IT IS PRESENTLY ESTABLISHED;

AND

ALL THAT PART OF THE EAST-WEST PUBLIC ALLEY RIGHT-OF-WAY LYING NORTH OF AND ADJOINING LOTS 12 THRU 14 IN BLOCK 1, I. N. THOMAS SUBDIVISION AN OFFICIAL PLAT RECORDED IN BOOK B, PAGE 56 IN THE OFFICE OF THE POLK COUNTY RECORDER.

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 I1 District.
  - b) The storage of empty dumpsters associated with a legally established use located at the property currently addressed as 20 East 18th Street (District/Parcel 040/06209-000-000).
  - c) The parcels currently addressed as 1649 East Court Ave (District/Parcel 040/06218-000-000) and 1708 East Vine Street (District/Parcel 040/06223-000-000), and the intervening alley right-of-way if vacated and assembled into the site, may be used for any use as permitted and limited in the I2 District.
  - d) If vacated and assembled into the site, the East Vine Street right-of-way that adjoins the parcel currently addressed as 20 East 18th Street (District/Parcel 040/06209-000-000) and the parcel currently addressed as 1708 East Vine Street (District/Parcel 040/06223-000-000) may be used for any use as permitted and limited in the I2 District.
- 2) Provision of a 25-foot-wide landscape buffer along the East 16th Court frontage, from the south edge of the East Court Avenue right-of-way to the south edge of the East Vine Street right-of-way, to the satisfaction of the City's Planning and Urban Design Administrator, and provision of fencing that complies with Chapter 135 of the Municipal Code at the 25-foot setback to the satisfaction of the City's Planning and Urban Design Administrator.
- 3) Any use on the property shall be in accordance with an approved site plan.
- 4) A site plan for the property shall be submitted no later than December 31, 2022, and the property owner shall obtain approval no later than March 31, 2023.
- 5) The property shall be brought into conformance with an approved site plan by December 21, 2023.

## Conditional Zoning List

- 6) Failure to comply with these zoning conditions may result in a City-initiated rezoning of the subject property to a less-intensive zoning district.

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.

**Ordinance 16,162**

August 8, 2022

Vicinity of Southwest 56th Street, Southwest McKinley Avenue, and Watrous Avenue  
ZONG-2022-000048

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 SW 56th Street, SW McKinley Avenue and SW Watrous Avenue from “P2” Public, Civic, and Institutional District, “EX” Mixed Use District, and “N2b” Neighborhood District to “N2b” Neighborhood 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 SW 56th Street, SW McKinley Avenue and SW Watrous Avenue from “P2” Public, Civic, and Institutional District, “EX” Mixed Use District, and “N2b” Neighborhood District to “N2b” Neighborhood District classification, more fully described as follows:

ALL PROPERTY DESCRIBED BELOW IS IN THE CITY OF DES MOINES, POLK COUNTY, IOWA.

THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA,

AND

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 23, -EXCEPT THE PROPERTY DESCRIBED IN THE WARRANTY DEED AND RECORDED IN BOOK 15084 PAGE 846 AT THE RECORDER'S OFFICE OF POLK COUNTY, IOWA-. AND

-EXCEPT THE SOUTHWEST 56TH STREET RIGHT OF WAY LYING ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 23, AND LYING WITHIN THE SOUTHEAST 1/4 OF SAID SECTION 23, AND

-EXCEPT THE SOUTHWEST MCKINLEY AVENUE RIGHT OF WAY LYING ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 23, AND LYING WITHIN SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 23, AND

-EXCEPT THE ROAD RIGHT OF WAY ON NORTH SIDE DEEDED TO THE CITY OF DES MOINES AND RECORDED IN BOOK 19151 PAGE 869 AT THE RECORDER'S OFFICE OF 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:

## Conditional Zoning List

- 1) Development of the property for residential use is prohibited in areas subject to limitations of the designated runway protection zone identified in the approved Airport Layout Plan of the Des Moines International Airport as legally described by Des Moines Municipal Code Section 22-5, or as may thereafter be amended. Any such areas shall be identified by the Des Moines International Airport at the time of platting of the property, and, at the time of recording of any Final Subdivision Plat, either (1) dedicated to the City and Airport or encumbered with recording of a “No Build” Easement on the property or (2) platted as an undevelopable Outlot;
- 2) A Land Use Map Amendment will be initiated by the City to remove or modify any Development Control Zone Future Land Use Map designation on other adjacent properties;
- 3) Any new residential development, or alterations or additions to existing residential dwellings in areas identified as having future outdoor sound levels measured between 65 dB and 75 dB must develop to demonstrate a 30 dB reduction within the dwelling through recognized construction methods in the adopted Building Codes;
- 4) Noise and Avigation Easements in a form approved by both the City Attorney and the Des Moines International Airport shall be granted and/or dedicated by the property owner and recorded on all residential lots at the time of recording of any Final Subdivision Plat;
- 5) All development on the property shall connect to public water and sanitary sewer. New private wells and private disposal (septic) systems are prohibited within the property; and
- 6) The owner shall dedicate or deed to the City of Des Moines, at City’s discretion, such right-of-way determined necessary by the City for future realignment of SW 56th Street along the east edge of the property. Such right-of-way dedication or deeding shall occur at no cost to the City and at such time as the property is subdivided so that such future right-of-way is outside of the designated runway protection zone identified in the approved Airport Layout Plan of the Des Moines International Airport as legally described by Des Moines Municipal Code Section 22-5, or as may thereafter be amended. The owner acknowledges that the City may assess adjoining property owners for costs to construct the realignment of SW 56<sup>th</sup> Street.

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.

**Ordinance 16,147**

June 27, 2022

1717 East Army Post Road, 1825 East Army Post Road, and 1895 East Army Post Road  
ZONG-2022-000045

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 properties located at 1717 East Army Post Road, 1825 East Army Post Road, and 1895 East Army Post Road from “from “EX” Mixed Use District to “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 properties located at 11717 East Army Post Road, 1825 East Army Post Road, and 1895 East Army Post Road from “from “EX” Mixed Use District to “I1” Industrial District classification, more fully described as follows:

The Northeast 1/4 of the Northwest 1/4 of Section 35, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa.

AND

The West 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 and the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 35, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa.

AND

The East 1/2 of the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 35, Township 78 North, Range 24 West of the 5th P.M., 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 properties and are binding upon the owners and their successors, heirs, and assigns as follows:

1. All outdoor storage within the site shall comply with Des Moines Municipal Code Section 135-8.2.2; and
2. Any use on the subject site shall be in accordance with an approved site plan.

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 properties are located.

**Ordinance 16,120**

April 4, 2022

3010 Fleur Drive and 3020 Fleur Drive  
ZONG-2022-000052

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 at 3010 Fleur Drive and 3020 Fleur Drive from 'N3a' Neighborhood District to Limited 'NX1' Neighborhood 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 310 Fleur Drive and 3020 Fleur Drive from 'N3a' Neighborhood District to Limited 'NX1' Neighborhood District classification, more fully described as follows:

"LOT 2 (EXCEPT THE EAST 4 FEET) AND THE SOUTH 3 FEET OF THE WEST 193 FEET OF THE EAST 200 FEET OF LOT 1 (EXCEPT THE WEST 4 FEET OF THE EAST 11 FEET OF THE SOUTH 3 FEET) IN WILLOWMERE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

LOT THREE (3) EXCEPT THE EAST 4.00 FEET THEREOF (AS MEASURED PERPENDICULAR TO THE EAST LINE OF LOT 3) IN WILLOWMERE, AN OFFICIAL PLAT, 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. Drive approaches to the site from Fleur Drive are prohibited;
2. No more than 15 household units shall be developed;
3. Any building that does not front Fleur Drive shall not exceed 2 stories in total height;
4. Any building that does not front Fleur Drive shall have a roof form and overall character that is similar to the character of the one household dwellings in the area to the satisfaction of the City's Planning and Urban Design Administrator; and
5. The development shall comply with all stormwater management standards to the satisfaction of the City Engineer.

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.

**Ordinance 16,119**

April 4, 2022

Vicinity of Vandalia Road and SE 33<sup>rd</sup> to SE 40<sup>th</sup> Street  
ZONG-2022-000044

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 generally to the north of Vandalia Road between Southeast 30th Street to the west and the City's corporate limits to the east (GP 7823-08-351-001 (1419 SE 38th St), GP 7823-08-376-001 (1502 SE 42nd St), GP 7823-08-376-002 (1502 SE 42nd St), GP 7823-08-377-001 (1511 SE 42nd St), GP 7823-07-176-001 (800 SE 32nd St)), 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 generally to the north of Vandalia Road between Southeast 30th Street to the west and the City's corporate limits to the east (also known as GP 7823-08-351-001 (1419 SE 38th St), GP 7823-08-376-001 (1502 SE 42nd St), GP 7823-08-376-002 (1502 SE 42nd St), GP 7823-08-377-001 (1511 SE 42nd St), GP 7823-07-176-001 (800 SE 32nd St)) from EX Mixed Use District to Limited I2 Industrial District classification, more fully described as follows:

1. GP 7823-08-351-001 (1419 SE 38th St)  
THE WEST 1/2 OF LOT 13 OF THE OFFICIAL PLAT OF THE S.W. ¼ AND THE S.1/2 OF THE N.W. 1/4 AND THE W. 1/2 OF THE E. 1/2 OF SECTION 8-T78-R23, AN OFFICIAL PLAT, LYING SOUTH OF THE WABASH RAILROAD RIGHT OF WAY, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.
2. GP 7823-08-376-001 (1502 SE 42nd St)  
THE WEST 3 ACRES OF THE EAST 1/2 OF LOT 13 OF THE OFFICIAL PLAT OF THE S.W. ¼ AND THE S.1/2 OF THE N.W. 1/4 AND THE W. 1/2 OF THE E. 1/2 OF SECTION 8-T78-R23, AN OFFICIAL PLAT, LYING SOUTH OF THE WABASH RAILROAD RIGHT OF WAY, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.
3. GP 7823-08-376-002 (1502 SE 42nd St)  
THE NORTH 4 ACRES OF LOT 15 OF THE OFFICIAL PLAT OF THE S.W. ¼ AND THE S.1/2 OF THE N.W. 1/4 AND THE W. 1/2 OF THE E. 1/2 OF SECTION 8-T78-R23, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.
4. GP 7823-08-377-001 (1511 SE 42nd St)  
-EXCEPT THE WEST 24 FEET-, THE NORTH 1.54 ACRES OF LOT 16, AND -EXCEPT THE WEST 24 FEET-, LOT 22, AND -EXCEPT THE WEST 24 FEET-, ALL THAT FRACTIONAL PART OF LOT 13 LYING NORTH AND ADJOINING SAID LOT 22 AND LYING SOUTH OF THE WABASH RAILROAD RIGHT OF WAY, ALL IN THE OFFICIAL PLAT OF THE S.W. ¼ AND THE S.1/2 OF THE N.W. 1/4 AND THE W. 1/2 OF THE E. 1/2 OF SECTION 8-T78-R23, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.
5. GP 7823-07-176-001 (800 SE 32nd St)

## Conditional Zoning List

-EXCEPT THAT PART LYING WITHIN THE 100 YEAR FLOODPLAIN-, THAT PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5TH P.M., WHICH LIES NORTH OF THE WABASH RAILROAD RIGHT OF WAY, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, -EXCEPT THE NORTH 10 ACRES THEREOF, AND -EXCEPT COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 7; THENCE SOUTH ON ASSUMED BEARING OF SOUTH 0°00'00" WEST, 330 FEET TO THE POINT OF BEGINNING; THENCE NORTH 86°52'00" WEST, 1320 FEET; THENCE SOUTH 0°00'00" WEST, 785 FEET; THENCE SOUTH 83°57'00" EAST, 1321.5 FEET; THENCE NORTH 0°00'00" WEST, 848.3 FEET TO THE POINT OF 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 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.
- (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, 2022, on the property shall be prohibited.
- (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.
- (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.
- (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.

**Ordinance 16,116**

April 4, 2022

Vicinity of 2500 Dean Avenue  
ZONG-2022-000006

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 2500 Dean Avenue from N3c-4 Neighborhood District to Limited RX2 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 2500 Dean Avenue from N3c-4 Neighborhood District to Limited RX2 Mixed Use District classification, more fully described as follows:

THE SOUTH 100 FEET OF LOTS 97 AND 99 IN BLOCK 12 IN GRANT PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

AND

LOTS 97 AND 99, BLOCK 12, GRANT PARK, EXCEPT THE SOUTH 100 FEET OF EACH LOT, AND LOTS 101, 103, 105 AND THE WEST ONE-HALF (W 1/2) LOT 107, BLOCK 12, GRANT PARK, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

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 either Household Living use or a Non-Accessory Surface Parking Lot use in accordance with a Conditional Use approval by the Zoning Board of Adjustment.
- (2) Any Non-Accessory Surface Parking Lot use constructed on the Property shall be for customer and employee parking only. Any use of the Property for commercial vehicle parking, loading or unloading, or storage of materials shall be prohibited.
- (3) Any Non-Accessory Surface Parking Lot use shall provide a heavy side and rear landscape buffer, in accordance with Des Moines Municipal Code Chapter 135, Article 7, along its north and east perimeters.
- (4) Any development on the Property shall be in accordance with a Site Plan approved pursuant to all applicable standards of Des Moines Municipal Code Chapter 135.

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.

**Ordinance 16,115**

April 4, 2022

740 18<sup>th</sup> Street

ZONG-2022-000007

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 at 740 18th Street from NX2a Neighborhood Mix District to Limited MX1 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 at 740 18th Street from NX2a Neighborhood Mix District to Limited MX1 Mixed Use District classification, more fully described as follows:

Lots 44 and 45 in T.E. BROWN'S ADDITION TO DES MOINES, an Official Plat, 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) The maximum space allocated within the building on the Property for eating and drinking areas, excluding circulation space, restrooms, and kitchen, shall not exceed 1,650 square feet; and
- (2) The hours of operation of businesses on the Property shall end no later than 10:00 p.m. each Sunday, Monday, Tuesday, Wednesday, and Thursday, and no later than 12:00 a.m. each Friday and Saturday.

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.

**Ordinance 16,111**

March 21, 2022

Vicinity of 514 Foster Drive  
ZONG-2022-000005

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 at 514 Foster Drive from 'P2' Public, Civic and Institutional District to Limited 'N1a' Neighborhood 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 514 Foster Drive from 'P2' Public, Civic and Institutional District to Limited 'N1a' Neighborhood District classification, more fully described as follows:

A PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHEAST CORNER LOT 34, LINDEN HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; THENCE NORTH 87°(DEGREES) 59'(MINUTES) 18"(SECONDS) WEST ALONG THE NORTH LINE OF SAID LOT 34, A DISTANCE OF 250.14 FEET; THENCE NORTH 0°03'50" EAST, 30.02 FEET; THENCE SOUTH 87°59'18" EAST, 250.14 FEET; THENCE SOUTH 0°03'50" WEST, 30.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.17 ACRES (7504 SQ. FT.)

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. A setback with a minimum of 17 feet from the north property line for any primary or accessory building;  
and
2. A setback with minimum of 32 feet from the west property line for any primary or accessory building.

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.

**Ordinance 16,097**

January 10, 2022

3451 Easton Boulevard

ZONG-2021-000042

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 at 3451 Easton Boulevard from N3a 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 3451 Easton Boulevard from N3a Neighborhood District to RX1 Mixed Use District classification, more fully described as follows:

Beginning 1336 feet north of and 173 feet east of the center of Section 32, Township 79 North, Range 23, West of the 5th P.M., Des Moines, Polk County, Iowa, said point being the southeast corner of Lot 1, Douglas Manor Plat No. 1, thence N0°00'E, along the East line of said Plat No. 1, 230.7 feet, thence N72°43'E, along the Southerly line of said Plat No. 1, 800 feet to the Southeast corner of Lot 18 Douglas Manor Plat No. 1, thence Southeasterly along a 6.060 curve to the left to the South line of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of said Section 32, thence west along said South line to the point of beginning.

AND

Beginning at the Northeast corner of Lot 18 Douglas Manor Plat No. 1, thence easterly 100 feet along the South right of way line of Easton Boulevard as it is presently established thence Southerly on a curve 246.2 feet, thence westerly 100 feet, thence northerly on a curve 102.6 feet, thence easterly to the southeast corner of Lot 18 Douglas Manor Plat No. 1, thence northerly to the point of beginning, all located within the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section 32, Township 79 North, Range 23 West of the 5th P.M., 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. Any use of the Property shall be limited to (1) Group Living; or (2) any use permitted by right or by Conditional Use, as allowed and regulated in the N3a Neighborhood District; and
2. The property owner shall provide and maintain a trash receptacle on the Property.

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.

**Ordinance 16,088**

December 20, 2021

4402 Douglas Avenue

ZONG-2021-000039

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 at 4402 Douglas Avenue from 'MX1' Mixed Use District to 'MX3' 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 at 4402 Douglas Avenue from 'MX1' Mixed Use District to 'MX3' Mixed Use District classification, more fully described as follows:

LOT 1, EXCEPT THE WEST 149.8 FEET AND THE NORTH 25 FEET OF LOT 2, EXCEPT THE WEST 149.8 FEET IN PHILPOTT ACRES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

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. That Permitted and Conditional Uses are limited to a restaurant with a drive-through component; and
2. That Permitted and Conditional Uses are limited to those in common with the 'MX1' Mixed Use District and as limited in the 'MX1' Mixed Use District.

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.

**Ordinance 16,076**

November 15, 2021

3206 University Avenue, 1117 33rd Street, and 1119 33rd Street  
ZONG-2021-000023

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 3206 University Avenue from 'N5' Neighborhood District to Limited 'MX3' Mixed Use District classification and 1117 33rd Street and 1119 33rd Street from 'P2' Public, Civic and Institutional District to Limited 'MX3' 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 3206 University Avenue from 'N5' Neighborhood District to Limited 'MX3' Mixed Use District classification and 1117 33rd Street and 1119 33rd Street from 'P2' Public, Civic and Institutional District to Limited 'MX3' Mixed Use District classification, more fully described as follows:

3206 University Avenue

LOT 9 AND THE EAST 30 FEET OF LOT 10 IN LYON'S PARK PLAT NO. 2, AND OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA; EXCEPT FOR PARCEL 'A' OF LOT 10, SAID LYON'S PARK PLAT NO. 2, AS SHOWN IN PLAT OF SURVEY RECORDED IN BOOK 9910, PAGE 813.

AND

LOT 8 IN LYON'S PARK PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA  
PARK PLAT NO. 2, AS SHOWN IN PLAT OF SURVEY RECORDED IN BOOK 10135, PAGE 779.

1117 33rd Street, and 1119 33rd Street

THE EAST HALF OF LOT 3 IN LYON'S PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, TOGETHER WITH THE EASEMENT GRANTED BY THE CITY OF DES MOINES TO THE GRANTOR DATED MARCH 6, 1987 AND RECORDED IN BOOK 5693 PAGE 210 POLK COUNTY, IOWA RECORDER'S OFFICE.

AND

THE EAST 75 FEET OF THE SOUTH 20 FEET OF THE WEST HALF OF LOT 3 IN LYON'S PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA.

AND

LOT 16 IN LYON'S PARK PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA; EXCEPT FOR PARCEL 'A' OF LOT 16, SAID LYON'S AND

## Conditional Zoning List

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. No driveway, ingress-egress, or access to 33rd Street shall be allowed; and
2. The parking lot expansion shall be set back 30 feet from the adjoining parcel to the south and shall be set back an equal distance as the residential home from the street side property line.

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.

**Ordinance 16,049**

October 4, 2021

4131 & 4141 E 14th Street

ZONG-2021-000003

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 4131 and 4141 East 14th Street from 'MX-3' Mixed Use District and 'I1-V' Industrial 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 4131 and 4141 East 14th Street from 'MX-3' Mixed Use District and 'I1-V' Industrial District to Limited 'I1' Industrial District classification, more fully described as follows:

A PARCEL OF LAND IN THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 24, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTH 126.0 FEET OF THE NORTH 331.0 FEET OF THE EAST 249.2 FEET OF THE WEST 282.2 FEET OF THE EAST 115.0 FEET OF THE WEST 148.0 FEET OF THE SOUTH 114.0 FEET OF THE NORTH 445.0 FEET OF SAID NW ¼ OF THE SW ¼ OF SECTION 24, AS SHOWN ON ACQUISITION PLAT, RECORDED IN BOOK 7510 ON PAGE 438, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE W ¼ CORNER OF SAID SECTION 24; THENCE S 0°00'00" E, 205.08 FEET OF THE WEST LINE OF THE SW ¼ OF SAID SECTION 24; THENCE N 89°30'05" E, 51.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 89°30'05" E, 231.35 FEET; THENCE S 00°07'58" W 125.93 FEET; THENCE S 89°20'43" W 134.15 FEET; THENCE S 00°00'00" E, 113.88 FEET; THENCE 89°31'34" W, 101.43 FEET; THENCE N 01°55'32" E, 133.60 FEET; THENCE N 00°00'00" W; 106.63 FEET TO THE POINT OF BEGINNING;

AND

BEGINNING AT A POINT 33 FEET EAST AND 25 FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTHWEST ¼ OF SECTION 24, TOWNSHIP 79 NORTH, RANGE 24, WEST OF THE 5TH P.M.; THENCE EAST ALONG THE SOUTH LINE OF AURORA AVENUE, 249.2 FEET; THENCE SOUTH 180 FEET PARALLEL TO THE EAST LINE OF EAST 14TH STREET; THENCE WEST 249.2 FEET PARALLEL TO THE SOUTH LINE OF AURORA AVENUE; THENCE NORTH 180 FEET TO THE POINT OF BEGINNING, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, SUBJECT TO ROAD EASEMENT.

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:

## Conditional Zoning List

1. That any reuse, construction, or site improvements upon the properties shall be in accordance with a Site Plan that complies with all current regulations, including those pertaining to landscaping and screening

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.

**Ordinance 16,030**

August 9, 2021

2354 East Grand Avenue

ZON2021-00020

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 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 2354 East Grand Avenue from MX1 Mixed Use District to Limited MX3 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 at 2354 East Grand Avenue from MX1 Mixed Use District to Limited MX3 Mixed Use District, more fully described as follows:

Lots 74, 75 and 76 of Central Park, an Official Plat, 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. Any Site shall be brought into full conformance and kept in accordance with an approved Site Plan under requirements as applicable to “MX3” Districts and Workshop/Warehouse Building Type, including landscaping and paving requirements, within one year of the approval of the rezoning.
2. Any buildings on site shall be kept in good repair to the satisfaction of the Zoning Enforcement Officer and Neighborhood Inspections Division Administrator.
3. No unlicensed or inoperable vehicles or vehicles awaiting repair associated with any business on the Property shall be parked or stored on the surrounding public street network.
4. The only uses permitted on the Property shall be the Commercial – Vehicle Sales and Service – Minor Vehicle Maintenance/Repair use and any use permitted in common with the MX1 Mixed Use District.
5. No more than three (3) vehicles per bay may be stored outdoors while awaiting repair or pick-up.
6. No long-term outdoor storage of vehicles beyond 72 hours is allowed.
7. Vehicles awaiting repair or pick-up may not occupy required parking spaces.
8. All vehicles must have current license tags.
9. Outdoor storage of junk, debris, tires or vehicle parts is prohibited.
10. All repairs must occur within a completely enclosed building.

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.

**Ordinance 16,021**

June 28, 2021  
1235 43<sup>rd</sup> Street  
ZON2021-00049

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 1235 43rd Street from ‘N5’ Neighborhood District to ‘N5-2’ Neighborhood 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 1235 43rd Street from ‘N5’ Neighborhood District to ‘N5-2’ Neighborhood District classification, more fully described as follows:  
LOT 67 IN ERNHURST, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY

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. The site plan must come back to the Commission for review and approval.

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..

**Ordinance 16,020**

June 28, 2021

Vicinity of 2525 Grand Avenue  
ZON2021-00048

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 2525 Grand Avenue from 'RX2' Mixed Use District to Limited 'MX3' 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 2525 Grand Avenue from 'RX2' Mixed Use District to Limited 'MX3' Mixed Use District classification, more fully described as follows:

LOTS 8 AND 10 IN J. BAMPF PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THE SOUTH 32.5 FEET OF THE EASTERNMOST 120.3 FEET MEASURED ON THE SOUTH LINE THEREOF, OF LOT 8 IN J. BAMPF PLACE.

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) That Permitted and Conditional Uses shall be limited as follows:
  - a. Any use as permitted and limited in the 'RX2' District, or
  - b. A Bar use associated with a Hotel use.

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.

**Ordinance 16,019**

June 28, 2021

2453 East Grand Avenue  
ZON2021-00023

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 2453 East Grand Avenue from ‘N3c’ Neighborhood 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 2453 East Grand Avenue from ‘N3c’ Neighborhood District to Limited ‘RX1’ Mixed Use District classification, more fully described as follows:

THE EAST 55 FEET OF LOT 1 IN CENTRAL PARK, AN OFFICIAL PLAT, AND THE WEST 15 FEET OF LOT A IN WM. T. SMITH’S GRAND AVENUE ADDITION TO GRANT PARK, AN OFFICIAL PLAT, 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. The Site shall be brought into full conformance and kept in accordance with an approved Site Plan under requirements as applicable to “RX1” Districts and either the Commercial Cottage or General Building type, including landscaping and paving requirements, within one (1) year of the approval of the rezoning;
2. Any buildings on site shall be kept in good repair to the satisfaction of the Zoning Enforcement Officer and Neighborhood Inspections Division Administrator; and
3. The number of Household Living Units on the property shall not exceed three (3) units.

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.

**Ordinance 16,015**

June 14, 2021

6000 Southeast 14<sup>th</sup> Street

ZON2021-00030

**(Replaces Ordinance 15,929)**

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 at 6000 Southeast 14th Street and 5911 and 5917 Southeast 8th Street from Limited CX-V Mixed Use District to revised Limited CX-V 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 at 6000 Southeast 14th Street and 5911 and 5917 Southeast 8th Street from Limited CX-V Mixed Use District to revised Limited CX-V Mixed Use District classification, more fully described as follows:

6000 SE 14th Street, 5911 SE 8th Street, and 5917 SE 8th Street:

THE SOUTH HALF (S ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 27, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA.

EXCEPT:

PARCEL "C" IN THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., ALL BEING IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 27; THENCE SOUTH 00°00'00" EAST, ALONG THE EAST LINE OF SAID SECTION 27, A DISTANCE OF 834.66 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 60.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY (R.O.W.) LINE OF S.E. 14TH STREET (U.S. HIGHWAY 69), SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE SOUTH 00°00'00" EAST, ALONG SAID WESTERLY R.O.W. LINE OF S.E. 14TH STREET, A DISTANCE OF 127.14 FEET; THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 266.56 FEET; THENCE NORTH 40°37'26" WEST, A DISTANCE OF 54.49 FEET; THENCE NORTH 23°55'15" EAST, A DISTANCE OF 93.84 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 263.99 FEET, TO A POINT ON THE SAID WESTERLY R.O.W. LINE OF S.E. 14TH STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING, CONTAINING 36,035 SQUARE FEET, MORE OR LESS; RECORDED IN POLK COUNTY BOOK 10068 AT PAGE 308.

AND

PARCEL "F" IN THE SOUTH ½ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 27, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M. POLK COUNTY, IOWA, AS DESCRIBED ON THE AMENDED PLAT OF SURVEY RECORDED JUNE 16, 2006 IN BOOK 11704, PAGE 659 IN THE OFFICE OF THE POLK COUNTY RECORDER.

## Conditional Zoning List

AND

LOTS 5, 6 AND SOUTH 150 FEET OF WEST 88.4 FEET OF LOT 7, BOWLARAMA PLACE, ACCORDING TO THE PLAT THEREOF; AND ALSO NORTH HALF OF THE NORTHEAST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  ( $N\frac{1}{2}$  OF  $NE\frac{1}{4}$  OF  $SE\frac{1}{4}$ ) OF SECTION 27, TOWNSHIP 78, RANGE 24 WEST OF THE 5TH PRINCIPAL MERIDIAN, EXCEPT THE EAST 661.4 FEET AND EXCEPT THE NORTH 505.7 FEET THEREOF, POLK COUNTY, IOWA.

AND

LOTS 10, 11, 12 IN JORDAN PLACE, PLAT 3, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPTING THE SOUTHERN 145 FEET OF THE WESTERN 85 FEET THEREOF.

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 and the purchaser of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

1. The development shall be carried out in accordance with the Large-Scale Development Plan presented to the Plan and Zoning Commission on May 6, 2021.
2. No outdoor storage of merchandise in the outdoor display area of the property shall be stacked higher than the perimeter fencing.
3. Any new external lighting on the property shall have a maximum height of 14 feet in height and shall be down-directed cut-off fixtures.
4. Any use of the property for a bar or a liquor store shall be prohibited.
5. Any commercial use of the property shall be in conformance with an approved site plan that demonstrates that the entire site is in conformance with the current landscaping standards contained in City Code Chapter 135, including any relief approved pursuant to the Type 1 and/or Type 2 design alternative process. (This includes providing 8 evergreen trees and 4 overstory trees per 100 lineal feet along the north property line.)
6. Any commercial expansion on the property shall be subject to the entire commercial development being brought into conformance with the current storm water management requirements.
7. All necessary permits shall be obtained for the construction of any building or wall upon the property.
8. Prior to issuance of the Certificate of Occupancy for any commercial use of the property, the professional who signed the site plan shall submit a letter to the City's Planning Administrator, certifying that the property has been improved in substantial conformance with the approved site plan.

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.

**Ordinance 16,012**

May 24, 2021  
2723 41<sup>st</sup> Place  
ZON2021-00018

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 at 2723 41st Place from N4 Neighborhood District to Limited MX3 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 2723 41st Place from N4 Neighborhood District to Limited MX3 Mixed-Use District classification, more fully described as follows:

LOT B OF GRASSMERE NO. 2, AN OFFICIAL PLAT, 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 and the purchaser of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

- 1) The only Permitted and Conditional Uses shall be sales of packaged alcoholic liquor subject to approval of a Conditional Use by Zoning Board of Adjustment and those Permitted and Conditional Uses in common with the “MX1” Mixed Use District and as limited in the “MX1” Mixed Use District.
- 2) Accessory structures shall be limited to Drive-Through Facility and those permitted in the MX1 Mixed Use District per Table 135-2.22-1.
- 3) Commercial truck traffic is prohibited from using 41st Place to enter or exit the site.
- 4) Parking shall not extend further west than the west façade of the house on the adjoining lot to the south.
- 5) Private traffic signage and markings shall be installed that would prohibit drivers from making a left turn movement from the site access onto 41st Place. These traffic control devices would use signs stating, “No Left Turn” in word and/or graphic form and pavement markings directing exiting drivers and vehicles from the parking lot to only make a right turn onto 41st Place to discourage left turns from the parking lot onto 41st Place. The traffic signage and pavement markings shall conform to the Manual on Uniform Traffic Control Devices and be maintained by the parking lot owner for the life of the certificate of occupancy.

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.

**Ordinance 16,010**

May 10, 2021

Vicinity of 1111 East Army Post Road  
ZON2021-00029

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 at 1111 East Army Post Road from CX Mixed Use District to Limited RX2 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 1111 East Army Post Road from CX Mixed Use District to Limited RX2 Mixed Use District classification, more fully described as follows:

An irregular shaped portion of Lot 12, Southridge Plat No. 2, an Official Plat, Des Moines, Polk County, Iowa, more particularly described as follows: Commencing at the southwest corner of said Lot 12; thence N00°42'50"W along the west line of said Lot 12, a distance of 94.00 feet; thence N90°00'00"E, a distance of 51.00 feet to the point of beginning; thence N00°42'50"W parallel with and 51.00 feet east of the west line of said Lot 12, a distance of 436.65 feet; thence N89°17'10"E, a distance of 455.20 feet; thence S00°10'24"W, a distance of 185.00 feet; thence S89°17'10"W, a distance of 43.00 feet; thence S00°10'24"W, a distance of 256.75 feet; thence N90°00'00"W, a distance of 405.39 feet to the point of beginning.

Subject to and together with any and all easements and restrictions of record.

Containing 187,488 Square Feet (4.30 Acres)

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 and the purchaser of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

1. Any Household Living use of the Property shall be limited to senior (age 55+) residents.

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.

**Ordinance 16,007**

April 19, 2021

1440 & 1444 Capitol Avenue

ZON2021-00019

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 at 1440 & 1444 Capitol Avenue from 'NX3' 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 1440 & 1444 Capitol Avenue from 'NX3' Neighborhood Mix District to Limited 'RX1' Mixed Use classification, more fully described as follows:

LOTS 4 AND 5, BLOCK 41 STEWART'S ADDITION, AN OFFICIAL PLAT, 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. that the only permitted uses are the uses permitted in common between the 'NX1' and 'RX1' Districts and accessory offsite parking for the use at 1451 Grand Avenue, for the above-stated purpose.

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.

**Ordinance 15,993**

March 22, 2021

2510 Ingersoll Avenue

ZON2020-00166

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 at 2510 Ingersoll Avenue from MX2' Mixed Use District to Limited 'MX3' 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 2510 Ingersoll Avenue from MX2' Mixed Use District to Limited 'MX3' Mixed Use District classification, more fully described as follows:

LOT 4 OF J BAMPF PLACE, AN OFFICIAL PLAT, 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. That Permitted and Conditional Uses are limited to a restaurant with a drive-through component and to those in common with the 'MX2' Mixed Use District and as limited in the 'MX2' Mixed Use District.

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.

**Ordinance 15,980**

February 22, 2021  
4207 Hubbell Avenue  
ZON2020-00164

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 at 4207 Hubbell Avenue from 'MX3' Mixed Use District to 'CX' 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 4207 Hubbell Avenue from 'MX3' Mixed Use District to 'CX' Mixed Use District classification, more fully described as follows:

LOT 14 EXCEPT THE NW 2 FEET, AND WESTERLY 1/2 OF LOT 15, AND EASTERLY 1/2 OF LOT 15 EXCEPT THE NW 2 FEET, AND ALL OF LOT 16, AND LOT 17 EXCEPT THE NW 2 FEET, AND LOT 18 EXCEPT THE NW 184.1 FEET, ALL IN CAPITOL HEIGHTS REPLAT, AN OFFICIAL PLAT, 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. That any permitted accessory outside storage occur outside of the front yard or street side yards of the site.

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.

**Ordinance 15,979**

February 22, 2021

1503 5<sup>th</sup> Avenue

ZON2020-00164

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 at 1503 5th Avenue from 'N5' Neighborhood District to 'N5-2' Neighborhood 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 1503 5th Avenue from 'N5' Neighborhood District to 'N5-2' Neighborhood District classification, more fully described as follows:

LOT 14 AND THE SOUTH ½ OF LOT 15 IN BATES ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, 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. Vehicular access to on-site parking shall be provided from the alley. A driveway to the street is prohibited; and

2. The site shall be brought into conformance with the Maximum Impervious Area requirements of Chapter 135 to the satisfaction of the Planning Administrator.

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.

**Ordinance 15,978**

February 22, 2021  
2101 Dixon Street  
ZON2020-00156

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 at 2101 Dixon Street from 'I1' Industrial 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 2101 Dixon Street from 'I1' Industrial District to Limited 'I2' Industrial District classification, more fully described as follows:

LOTS 1 THROUGH 8 AND 18 THROUGH 24, BLOCK 22, T.E. BROWN'S OFFICIAL PLAT OF THE NORTHEAST ¼ (EXCEPT THE NORTHEAST 40 ACRES OF THE SAME), SECTION 36, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., AND PART OF VACATED DIXON COURT, AND PART OF VACATED EAST 18TH STREET, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 24; THENCE NORTH 00°02'30" EAST ALONG THE WEST LINE OF SAID LOT 24, A DISTANCE OF 34.28 FEET; THENCE NORTHWESTERLY ALONG A 324.00 FOOT RADIUS CURVE, CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 26°43'43", A CHORD DISTANCE OF 149.78 FEET; A CHORD BEARING OF NORTH 13°15'59" WEST FOR AN ARC DISTANCE OF 151.15 FEET; THENCE NORTH 00°02'30" EAST, 169.88 FEET; THENCE NORTH 89°54'08" EAST ALONG SAID NORTH LINE OF SAID LOT 18 EXTENDED, 149.80 FEET TO THE NORTHEAST CORNER OF SAID LOT 18; THENCE NORTH 00°00'37" WEST ALONG THE WEST LINE OF LOT 8, A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 8; THENCE NORTH 00°54'08" EAST ALONG THE WEST LINE OF SAID VACATED EAST 18TH STREET, 121.00 FEET; THENCE NORTH 89°52'11" EAST, 50.00 FEET TO THE EAST LINE OF SAID VACATED EAST 18TH STREET; THENCE SOUTH 00°03'41" EAST ALONG SAID EAST LINE 279.02 FEET TO THE PRESENT NORTH RIGHT-OF-WAY OF THOMPSON AVENUE; THENCE SOUTH 89°52'11" WEST ALONG THE NORTH RIGHT-OF-WAY LINE 25.00 FEET; THENCE SOUTH 89°54'08" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, 256.28 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING 108,044 SQUARE FEET OF 2.48 ACRES.

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 shall be limited to those uses permitted in the 'I1' Industrial District and Fabrication and Production, Intensive including the temporary transfer of hazardous materials as may be approved as part of a Conditional Use granted by the Zoning Board of Adjustment; and

## Conditional Zoning List

2. Any use of the building for Fabrication and Production, Intensive including the temporary transfer of hazardous materials shall be limited to the south 170 feet of the existing building.

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.

**Ordinance 15,973**

February 8, 2021

3900 SE 34<sup>th</sup> Street

ZON2020-00153

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 at 3900 SE 34th Street from 'F' Flood District to 'N2b' Neighborhood 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 3900 SE 34th Street from a 'F' Flood District to 'N2b' Neighborhood District classification, more fully described as follows:

A PART OF LOT 30, LAKEWOOD COVE PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 30; THENCE NORTH 87°40'40" WEST ALONG THE SOUTH LINE OF SAID LOT 30, A DISTANCE OF 300.11 FEET; THENCE NORTH 00°44'19" EAST, 262.00 FEET; THENCE SOUTH 89°15'41" EAST, 44.57 FEET; THENCE SOUTH 35°05'58" EAST, 111.74 FEET; THENCE SOUTH 00°00'00" WEST, 82.00 FEET; THENCE SOUTH 90°00'00" EAST, 50.00 FEET; THENCE SOUTH 65°00'00" EAST, 50.00 FEET; THENCE SOUTH 90°00'00" EAST, 15.00 FEET; THENCE NORTH 49°01'08" EAST, 41.04 FEET; THENCE SOUTH 87°40'40" EAST, 47.76 FEET TO THE EAST LINE OF SAID LOT 30; THENCE SOUTH 00°44'19" WEST ALONG SAID EAST LINE OF SAID LOT 30, A DISTANCE OF 104.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.00 ACRES (43,560 S.F.).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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 site modification, filling and permitting of development must have an approved Conditional Letter of Map Revisions (CLOMR-F) from the Federal government. Upon completion of any permitted development, the owner shall obtain a formal Letter of Map Revisions based on Fill (LOMR-F) that would provide the as-built conditions;
2. Any site modification, filling and permitting shall be subject to the requirements of Chapter 50 of the City Code for floodplain development; and
3. Any removal of trees for any development of the property shall comply with tree mitigation requirements as applicable to a commercial Site Plan or Subdivision approval.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

## Conditional Zoning List

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.

**Ordinance 15,971**

January 25, 2021

601 Army Post Road and 6302 Southwest 6th Street  
ZON2020-00152

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 at 601 Army Post Road and 6302 Southwest 6th Street from ‘N3a’ Neighborhood District and ‘MX2’ Mixed Use District to ‘MX3’ 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 601 Army Post Road and 6302 Southwest 6th Street from ‘N3a’ Neighborhood District and ‘MX2’ Mixed Use District to ‘MX3’ Mixed Use District classification, more fully described as follows:

LOTS THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), SEVENTEEN (17), EIGHTEEN (18), NINETEEN (19) AND TWENTY (20) IN BLOCK 6 OF PORTER’S REPLAT, AN OFFICIAL PLAT, 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. Permitted uses shall be limited to those uses allowed in common with the “MX2” District, and Boarding uses as defined by the Animal Service Use Category; and
2. Accessory structures shall be limited to those permitted in the “MX2” Mixed Use District per Table 135-2.22-1.

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.

**Ordinance 15,970**

January 25, 2021

3104 East Court Avenue

ZON2020-00150

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 at 3104 East Court Avenue from 'N5' Neighborhood District to '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 3104 East Court Avenue from 'N5' Neighborhood District to 'I1' Industrial District classification, more fully described as follows:

THE WEST 419.4 FEET OF LOT TWO (2) OF THE OFFICIAL PLAT OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 6, TOWNSHIP 78 NORTH, RANGE 23, WEST OF THE 5TH P.M., 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. That there shall be no residential use upon the Property.

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.

**Ordinance 15,961**

December 21, 2020

Market District east of Southeast 2<sup>nd</sup> Street  
ZON2020-00085

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 east of Southeast 2nd Street in the area of the Historical East Village of east downtown Des Moines known as the Market District from DX2 Downtown District and/or P2 Public, Civic and Institutional District to Limited DX1 Downtown 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 east of Southeast 2nd Street in the area of the Historical East Village of east downtown Des Moines known as the Market District from DX2 Downtown District and/or P2 Public, Civic and Institutional District to Limited DX1 Downtown District classification:

BLOCKS 5, 6, K, L, AND M, AND A PART OF BLOCKS 7(or Q) AND N, AND PART OF VACATED STREET RIGHT OF WAYS ADJOINING SAID BLOCKS, ALL IN SCOTT AND DEAN'S ADDITION, AN OFFICIAL PLAT, AND BLOCKS 30 AND 31, AND A PART OF BLOCKS 17 AND 44, AND THE NORTH HALF OF MARKET SQUARE, AND PART OF VACATED STREET RIGHT OF WAYS ADJOINING SAID BLOCKS, ALL IN TOWN OF DE MOINE, AN OFFICIAL PLAT; ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:  
BEGINNING AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF VACATED SOUTHEAST 2ND STREET AND THE NORTH RIGHT OF WAY LINE OF EAST MARTIN LUTHER KING JR PARKWAY; THENCE NORTH ALONG SAID WEST RIGHT OF WAY TO A LINE ON SAID WEST RIGHT OF WAY LINE THAT IS 26 FEET SOUTH OF AND PARALLEL WITH THE SOUTH RIGHT OF WAY LINE OF VACATED EAST VINE STREET; THENCE EAST ALONG SAID LINE THAT IS 26 SOUTH OF AND PARALLEL WITH SAID SOUTH RIGHT OF WAY LINE OF VACATED EAST VINE STREET TO THE EAST RIGHT OF WAY LINE OF VACATED SOUTHEAST 2ND STREET; THENCE NORTH ALONG SAID EAST RIGHT OF WAY LINE TO SAID SOUTH RIGHT OF WAY LINE OF EAST VINE STREET; THENCE EAST ALONG SAID SOUTH RIGHT OF WAY LINE TO THE EAST RIGHT OF WAY LINE OF SOUTHEAST 3RD STREET; THENCE SOUTH ALONG SAID EAST RIGHT OF WAY LINE OF SOUTHEAST 3RD STREET TO THE SOUTHWEST CORNER OF BLOCK 4 IN SAID TOWN OF DE MOINE; THENCE CONTINUING SOUTH ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID BLOCK 4, A DISTANCE OF 16 FEET; THENCE EAST ALONG A LINE THAT IS 16 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 4 TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 4; THENCE NORTH ALONG SAID SOUTHERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 4 AND ALONG SAID EAST LINE OF SAID BLOCK 4 TO WESTERLY EXTENSION OF THE NORTH LINE OF LOT 3 IN SAID BLOCK 17; THENCE EAST ALONG SAID WESTERLY EXTENSION AND ALONG SAID NORTH LINE OF SAID LOT 3 AND ALONG THE EASTERLY EXTENSION OF SAID NORTH LINE OF SAID LOT 3 TO THE NORTHWEST CORNER OF LOT 8 IN SAID BLOCK 17; THENCE CONTINUING EAST ALONG THE NORTH LINE OF SAID LOT 8 TO THE WEST LINE OF THE EAST 129 FEET OF LOTS 9 AND 10 IN SAID BLOCK 17; THENCE NORTH ALONG

## Conditional Zoning List

SAID WEST LINE OF THE EAST 129 FEET OF SAID LOTS 9 AND 10 TO SAID SOUTH RIGHT OF WAY LINE OF EAST VINE STREET; THENCE EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF EAST VINE STREET TO THE WEST RIGHT OF WAY LINE OF SOUTHEAST 6TH STREET; THENCE SOUTH ALONG SAID WEST RIGHT OF WAY LINE OF SOUTHEAST 6TH STREET TO THE SOUTH RIGHT OF WAY LINE OF EAST MARKET STREET; THENCE WEST ALONG SAID SOUTH RIGHT OF WAY LINE OF EAST MARKET STREET TO THE EAST RIGHT OF WAY LINE OF SOUTHEAST 5TH STREET; THENCE SOUTH ALONG SAID EAST RIGHT OF WAY LINE OF SOUTHEAST 5TH STREET TO SAID NORTH RIGHT OF WAY LINE OF EAST MARTIN LUTHER KING JR PARKWAY; THENCE WEST ALONG SAID NORTH RIGHT OF WAY LINE OF MARTIN LUTHER KING JR PARKWAY TO THE POINT OF BEGINNING

AND

VIEWSHED CORRIDOR (HEIGHT LIMITATIONS):

DESCRIPTION J:

A part of Blocks 3, 4, 5, 7, 8, and 10, that part of East Elm Street, East Market Street, East Vine Street, Southeast 2nd Street, SE Third Street, SE 4th Street, and SE 5th Street, all in The Market District, an Official Plat now included in and forming a part of the City of Des Moines, and a part of Lot 8, Block 4, Scott and Dean's Addition, an Official Plat now included in and forming a part of the City of Des Moines, and a part of Lots 1 and 2, Block 17, Town of De Moine, an Official Plat now included in and forming a part of the City of Des Moines, also known as a part of Lots 1-8 and part of vacated alleys, Block 5, Lots 1, 7, and 8 and part of vacated alleys, Block L, Lots 1-3 and 7-10 and part of vacated alleys, Block M, Scott and Dean's Addition, an Official Plat now included in and forming a part of the City of Des Moines, and a part of Lots 1-10 and part of vacated alleys, Block 17, Lots 1 and 2, Block 30, and a part of the North Half of Market Square, Town of De Moine, an Official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa is described as follows:

Beginning at the southeast corner of Block 1, The Market District, said point designated as Point A; thence North 15 degrees 05 minutes 34 seconds West, along the east line of said Block 1, also being the west line of said Block 4, a distance of 195.45 feet to a point designated as Point B; thence North 37 degrees 56 minutes 05 seconds East, 1299.80 feet, said point designated as Point D; thence North 74 degrees 40 minutes 51 seconds East, a distance of 454.68 feet to a point on the west line of SE 6th Street, said point designated as Point E; thence South 15 degrees 03 minutes 59 seconds East on said west line, a distance of 6.22 feet to a point designated as Point F; thence South 41 degrees 07 minutes 29 seconds West, 1771.96 feet to a point on the south line of Lot 2, of said Block 4, said point designated as Point G; thence North 64 degrees 54 minutes 07 seconds West, along said south line, a distance of 15.95 feet to a point designated as Point H; thence North 89 degrees 49 minutes 59 seconds West, along a south line of said Lot 2, a distance of 8.46 feet to the Point of Beginning.

Area contains 346,552 square feet.

The above described area is constrained vertically below a flat plane with NAVD88 datum elevations as follows:

Point A - 855.85' (feet)

Point B - 859.11' (feet)

Point D - 895.93' (feet)

Point E - 909.27' (feet)

Point F - 909.26' (feet)

Point G - 856.15' (feet)

Point H - 856.01' (feet)

## Conditional Zoning List

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 passage of this ordinance by the City upon its property, and by execution of an Acceptance of Rezoning Ordinance by the proposed successor in interest to the property, and are binding upon the owners and their successors, heirs, and assigns as follows:

- (1) The maximum height of all building(s) constructed or developed on the Property that are located outside the viewshed corridor, which corridor is identified by the viewshed analysis presented to the Plan and Zoning Commission and legally described below, shall be limited to the height shown on the Large-Scale Development Plan unless relief thereto is granted pursuant to Chapter 135 of the Des Moines Municipal Code.

Section 3. The City of Des Moines, as current owner of the Property or portions thereof, hereby agrees to and accepts the above-stated rezoning conditions on the Property.

Section 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 5. 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.

**Ordinance 15,960**

December 21, 2020

Market District west of Southeast 2<sup>nd</sup> Street  
ZON2020-00085

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 west of Southeast 2nd Street in the area of the Historical East Village of east downtown Des Moines known as the Market District from DX2 Downtown District to Limited DXR Downtown 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 west of Southeast 2nd Street in the area of the Historical East Village of east downtown Des Moines known as the Market District from DX2 Downtown District to Limited DXR Downtown District classification:

BLOCKS B AND C AND A PART OF BLOCK A, AND PART OF VACATED STREET RIGHT OF WAYS ADJOINING SAID BLOCKS, ALL IN SCOTT AND DEAN'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF VACATED SOUTHEAST 2ND STREET AND THE NORTH RIGHT OF WAY LINE OF EAST MARTIN LUTHER KING JR PARKWAY; THENCE WEST ALONG SAID NORTH RIGHT OF WAY LINE OF EAST MARTIN LUTHER KING JR PARKWAY TO THE EAST RIGHT OF WAY LINE OF VACATED SOUTHEAST 1ST STREET; THENCE NORTH ALONG SAID EAST RIGHT OF WAY TO THE SOUTH RIGHT OF WAY OF VACATED EAST ELM STREET; THENCE WEST ALONG SAID SOUTH RIGHT OF WAY LINE TO A LINE THAT IS 35 FEET EAST OF AND PARALLEL WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF BLOCK S IN SAID SCOTT AND DEAN'S ADDITION; THENCE NORTH ALONG SAID PARALLEL LINE TO THE NORTH RIGHT OF WAY LINE OF EAST ELM STREET; THENCE WEST ALONG SAID NORTH RIGHT OF WAY LINE OF EAST ELM STREET TO A LINE THAT IS 25 FEET EAST OF AND PARALLEL WITH SAID EAST LINE OF SAID BLOCK S; THENCE NORTH ALONG SAID LINE BEING 25 FEET EAST OF AND PARALLEL WITH SAID EAST LINE OF SAID BLOCK S, A DISTANCE OF 25 FEET; THENCE WEST ALONG A LINE THAT IS PARALLEL WITH SAID NORTH RIGHT OF WAY LINE OF EAST ELM STREET TO SAID EAST LINE OF SAID BLOCK S; THENCE NORTH ALONG SAID EAST LINE TO A LINE THAT IS 416 FEET SOUTH OF AND PARALLEL WITH THE SOUTH RIGHT OF WAY LINE OF VACATED EAST VINE STREET; THENCE EAST ALONG SAID LINE THAT IS 416 FEET SOUTH OF AND PARALLEL WITH THE SOUTH RIGHT OF WAY LINE OF VACATED EAST VINE STREET, A DISTANCE OF 25 FEET; THENCE NORTH ALONG A LINE THAT IS PARALLEL WITH THE WEST RIGHT OF WAY LINE OF VACATED SOUTHEAST 1ST STREET TO A LINE THAT IS 50 FEET SOUTH OF AND PARALLEL WITH SAID SOUTH RIGHT OF WAY LINE OF VACATED EAST VINE STREET; THENCE EAST ALONG SAID LINE THAT IS 50 FEET SOUTH OF AND PARALLEL WITH SAID SOUTH RIGHT OF WAY LINE OF VACATED EAST VINE STREET TO THE EAST RIGHT OF WAY LINE OF VACATED SOUTHEAST 1ST STREET; THENCE SOUTH ALONG SAID EAST RIGHT OF WAY LINE OF VACATED SOUTHEAST 1ST STREET TO THE SOUTH LINE OF THE

## Conditional Zoning List

NORTH 60 FEET OF SAID BLOCK C; THENCE EAST ALONG SAID SOUTH LINE TO SAID WEST RIGHT OF WAY LINE OF VACATED 2ND STREET; THENCE SOUTH ALONG SAID WEST RIGHT OF WAY LINE OF VACATED 2ND STREET TO THE POINT OF BEGINNING.

AND

VIEWSHED CORRIDOR (HEIGHT LIMITATIONS):

A part of Block 1, The Market District, an Official Plat now included in and forming a part of the City of Des Moines, also known as a part of Lots 8-12 and part of vacated alleys, Block A, Scott and Dean's Addition, an Official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa is described as follows:

Beginning at the southeast corner of said Block 1, said point designated as Point A; thence North 15 degrees 05 minutes 34 seconds West, along the east line of said Block 1, a distance of 195.45 feet to a point designated as Point B; thence South 37 degrees 56 minutes 05 seconds West, 238.53 feet to a point on the south line of said Block 1, said point designated as Point C; thence South 89 degrees 49 minutes 59 seconds East, along said south line, a distance of 197.53 feet to the Point of Beginning.

The above described area is constrained vertically below a flat plane with NAVD88 datum elevations as follows:

Point A - 855.85' (feet)

Point B - 859.11' (feet)

Point C - 851.97' (feet)

Area contains 18,623 square feet.

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 passage of this ordinance by the City upon its property, and by execution of an Acceptance of Rezoning Ordinance by the proposed successor in interest to the property, and are binding upon the owners and their successors, heirs, and assigns as follows:

- (1) The maximum height of all building(s) constructed or developed on the Property that are located outside the viewshed corridor, which corridor is identified by the viewshed analysis presented to the Plan and Zoning Commission and legally described below, shall be limited to the height shown on the Large-Scale Development Plan unless relief thereto is granted pursuant to Chapter 135 of the Des Moines Municipal Code.

Section 3. The City of Des Moines, as current owner of the Property or portions thereof, hereby agrees to and accepts the above-stated rezoning conditions on the Property.

Section 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 5. 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.

**Ordinance 15,955**

December 21, 2020

1210 and 1220 Army Post Road  
ZON2020-00120

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 at 1210 and 1220 Army Post Road from RX1 Neighborhood Mix District to Limited MX3 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 at 1210 and 1220 Army Post Road from RX1 Neighborhood Mix District to Limited MX3 Mixed Use District classification:

LOTS 1, 2, 3, AND 392, DAVID MCKEE PLACE, AN OFFICIAL PLAT RECORDED IN BOOK "H" PAGE 16 AT THE POLK COUNTY RECORDER'S OFFICE, EXCEPTING THEREFROM THE NORTH 10 FEET FROM SAID LOTS 1, 2, 3 AND 392 AND FURTHER EXCEPTING THE SOUTH 109 FEET OF SAID LOT 392, 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 for 1210 and 1220 Army Post Road 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) The following uses shall be prohibited on the Property:
  - a. Animal Boarding.
  - b. Bar.
  - c. Bail Bonds.
  - d. Delayed Deposit Service.
  - e. Pawnbroker.
  - f. Sign, General Advertising (billboard).
  - g. Vehicle Sales & Service Category, including Fuel Station, Vehicle Sales, Vehicle Rental, and Vehicle Maintenance/Repair, Minor.
  - h. Any use that involves the sale or service of alcoholic liquor, wine, and/or beer.
- (2) Any commercial use on the Property shall be in accordance with all Site Plan and Building Code requirements, including issuance of all necessary permits by the City's Permit & Development Center.
- (3) No commercial use of the Property shall commence until a Certificate of Occupancy for such use has been issued by the City's Permit & Development Center.

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.

**Ordinance 15,952**

December 7, 2020

1100 East Marion Street  
ZON2020-00128

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 at 1100 East Marion Street from N3a Neighborhood District to Limited NX2 Neighborhood Mix 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 at 1100 East Marion Street from N3a Neighborhood District to Limited NX2 Neighborhood Mix District classification:

LOT 39, ROSE HILL MANOR PLAT 1, AN OFFICIAL PLAT, 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 for 1100 East Marion Street 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 group living use of the Property shall be limited to the Freedom House group living use, in form as described in the rezoning application.

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.

**Ordinance 15,948**

November 23, 2020  
2025 Grand Avenue  
ZON2020-00088

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 at 2025 East Grand Avenue from "RX1" Mixed Use District to "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 at 2025 East Grand Avenue from "RX1" Mixed Use District to "I1" Industrial District classification:

LOTS 6 THROUGH 10 IN BLOCK 23 OF SUNNYSIDE ADDITION, AN OFFICIAL PLAT, 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. The site shall be brought into conformance with the currently landscaping standards with any site plan.

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.

**Ordinance 15,946**

November 23, 2020  
2716 Beaver Avenue  
ZON2020-00118

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 at 2716 Beaver Avenue from 'MXI' Mixed Use District to 'MX3' 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 at 2716 Beaver Avenue from 'MXI' Mixed Use District to 'MX3' Mixed Use District classification:

LOTS 29, 30 AND 31 AND THE NORTH HALF OF LOT 32 IN GRASSMERE, AN OFFICIAL PLAT, INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; AND

LOT "A" IN GRASSMERE NO. 2, AN OFFICIAL PLAT, 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. The only Permitted and Conditional Uses shall be sales of packaged alcoholic liquor subject to approval of a Conditional Use by the Zoning Board of Adjustment and those Permitted and Conditional Uses in common with the "MXI" Mixed Use District and as limited in the "MXI" Mixed Use District; and
2. Accessory structures shall be limited to Drive-Through Facility and those permitted in the "MXI" Mixed Use District per Table 135-2.22-1.

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.

**Ordinance 15,941**

November 9, 2020

3121 Forest Avenue

ZON2020-00109

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 at 3121 Forest Avenue from a MX1 Mixed Use District to Limited MX3 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 at 3121 Forest Avenue from a MX1 Mixed Use District to Limited MX3 Mixed Use District classification:

LOTS 13,14 AND 15 OF BLOCK 7 IN MERRITT & FISCHERS PARK, AN OFFICIAL PLAT, 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 for 3121 Forest Avenue 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) The only Permitted and Conditional Uses on the Property shall be sales of packaged alcoholic liquor following and subject to approval of a Conditional Use by the Zoning Board of Adjustment, and those Permitted and Conditional Uses in common with and as limited by the MX1 Mixed Use District.
- (2) Accessory structures located on the Property shall be limited to those permitted in the MX1 Mixed Use District in accordance with Des Moines Municipal Code Chapter 135, Table 135-2.22-1.

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.

**Ordinance 15,937**

October 19, 2020

2110 Wakonda View Drive  
ZON2020-00100

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 at 2110 Wakonda View Drive from a "MX2" Mixed-Use District to "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 at 2110 Wakonda View Drive from a "MX2" Mixed-Use District to "I1" Industrial District classification:

THE EAST ½ HALF OF LOT 30 AND THE WEST 30 FEET OF LOT 31, WAKONDA KNOLLS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

Section 2. That this ordinance and the zoning for 2110 Wakonda View Drive 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. Permitted uses shall be limited to those uses allowed in common with eh "MX3" District, and a plumbing and mechanical shop use.
2. Outdoor storage of material and equipment is prohibited except as an accessory use to a plumbing and mechanical shop.
3. Any storage of material permitted by condition #2 shall be located directly south of the building in a 12-foot by 30-foot area with screen walls on three sides as identified on an approved Site Plan. Material in this area shall be stacked no higher than 6-feet above grade.
4. Any storage of equipment permitted by condition #2 shall be limited to trailers stored within the south 60 feet of the property.

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.

**Ordinance 15,931**

October 5, 2020

1537 Army Post Road

ZON2020-00081

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 at 1537 Army Post Road from RX1 Mixed Use District to Limited MX3 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 at 1537 Army Post Road from RX1 Mixed Use District to Limited MX3 Mixed Use District classification:

That part of Lots 41 and 42 Geil Place Plat Three Geil Place Plat Three, an Official Plat, now included in and forming a part of the City of Des Moines, Iowa described as follows: The West 12.5 feet of the South 104.24 feet of lot 41 and the West 105.5 feet of Lot 42 (except the North 10 feet of the East 45 feet thereof) and except the South 10 feet of Lots 41 and 42 acquired by the State of Iowa for the widening of Army Post Road, Highway No. 29.

Also a perpetual easement in common with others for motor vehicle and foot travel, including the right to pave all or any part thereof, over a triangular parcel of land in said Lots 41 and 42, described as follows: Beginning at a point which is 10 feet north of the southeast corner of lot 41, thence West 25 feet, then North 40 feet, thence in a Southeasterly direction to the point of 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 of the Property shall be limited to Vehicle Sales and Service: Vehicle Maintenance/Repair, Minor, or any use permitted by right or by Conditional Use as allowed and regulated in the RX1 Mixed Use District.

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.

**REPLACED BY ORDINANCE 16,015**

**Ordinance 15,929**

October 5, 2020

6000 Southeast 14<sup>th</sup> Street; 5907, 5911 & 5917 Southeast 8th Street; and 801 Hart Avenue  
ZON2020-00084

~~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 at 6000 Southeast 14th Street from MX-V Mixed Use District to CX-V Mixed Use District and the property locally known as 5907, 5911 & 5917 Southeast 8th Street, and 801 Hart from N3a—Neighborhood District to CX-V 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 at 6000 Southeast 14th Street from MX-V Mixed Use District to CX-V Mixed Use District and the property locally known as 5907, 5911 & 5917 Southeast 8th Street, and 801 Hart from N3a—Neighborhood District to CX-V Mixed Use District classification:~~

~~PARCEL 1 (6000 SOUTHEAST 14TH STREET):~~

~~THE SOUTH HALF (S ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 27, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA.~~

~~EXCEPT:~~

~~PARCEL "C" IN THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., ALL BEING IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 27; THENCE SOUTH 00°00'00" EAST, ALONG THE EAST LINE OF SAID SECTION 27, A DISTANCE OF 834.66 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 60.00 FEET, TO A POINT ON THE WESTERLY RIGHT OF WAY (R.O.W.) LINE OF S.E. 14TH STREET (U.S. HIGHWAY 69), SAID POINT ALSO BEING THE POINT OF BEGINNING;~~

~~THENCE SOUTH 00°00'00" EAST, ALONG SAID WESTERLY R.O.W. LINE OF S.E. 14TH STREET, A DISTANCE OF 127.14 FEET;  
THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 266.56 FEET;  
THENCE NORTH 40°37'26" WEST, A DISTANCE OF 54.49 FEET;  
THENCE NORTH 23°55'15" EAST, A DISTANCE OF 93.84 FEET;  
THENCE NORTH 90°00'00" EAST, A DISTANCE OF 263.99 FEET, TO A POINT ON THE SAID WESTERLY R.O.W. LINE OF S.E. 14TH STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING, CONTAINING 36,035 SQUARE FEET, MORE OR LESS; RECORDED IN POLK COUNTY BOOK 10068 AT PAGE 308.~~

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AND

~~PARCEL "F" IN THE SOUTH ½ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 27, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M. POLK COUNTY, IOWA, AS DESCRIBED ON THE AMENDED PLAT OF SURVEY RECORDED JUNE 16, 2006 IN BOOK 11704, PAGE 659 IN THE OFFICE OF THE POLK COUNTY RECORDER.~~

~~PARCEL 2 (6000 SOUTHEAST 14TH STREET):~~

~~LOTS 5, 6 AND SOUTH 150 FEET OF WEST 88.4 FEET OF LOT 7, BOWLARAMA PLACE, ACCORDING TO THE PLAT THEREOF; AND ALSO NORTH HALF OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ (N½ OF NE¼ OF SE¼) OF SECTION 27, TOWNSHIP 78, RANGE 24 WEST OF THE 5TH PRINCIPAL MERIDIAN, EXCEPT THE EAST 661.4 FEET AND EXCEPT THE NORTH 505.7 FEET THEREOF, POLK COUNTY, IOWA.~~

~~5907 SE 8TH STREET:~~

~~LOT 9 AND THE SOUTH 6.5 FEET OF LOT 8 IN JORDAN PLACE PLAT 3, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.~~

~~5911 SE 8TH STREET:~~

~~LOT 10 IN JORDAN PLACE PLAT 3, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.~~

~~5917 SE 8TH STREET:~~

~~LOT 11 IN JORDAN PLACE PLAT 3, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.~~

~~801 HART AVENUE:~~

~~LOT 12 IN JORDAN PLACE PLAT 3, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.~~

~~Section 2. That this ordinance and the zoning for 6000 Southeast 14th Street, 5907, 5911 & 5917 Southeast 8th Street, and 801 Hart Avenue 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. That the development shall be carried out in accordance with the Large-scale development plan presented to the Plan and Zoning Commission;~~
- ~~2. That no outdoor storage of merchandise in the outdoor display area of the Property shall be stacked higher than the perimeter fencing;~~
- ~~3. Any external lighting on the Property shall have a maximum height of 14 feet in height and shall be down directed cut-off fixtures;~~
- ~~4. Any use of the Property for a bar or a liquor store shall be prohibited;~~
- ~~5. Any commercial use of the Property shall be in conformance with an approved site plan that demonstrates that the entire site is in conformance with the current landscaping standards contained in~~

## Conditional Zoning List

~~City Code Chapter 135. (This includes providing 8 evergreen trees and 4 overstory trees per 100 lineal feet along the north property line.)~~

- ~~6. Any commercial expansion on the Property shall be subject to the entire commercial development being brought into conformance with the current storm water management requirements;~~
- ~~7. All necessary permits shall be obtained for the construction of any building or wall upon the Property;~~
- ~~8. Prior to issuance of the Certificate of Occupancy for any commercial use of the Property, the professional who signed the site plan shall submit a letter to the City's Planning Administrator, certifying that the Property has been improved in substantial conformance with the approved site plan; and~~

~~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.~~

Conditional Zoning List

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**Ordinance 15,916**

August 17, 2020

1437 East 4<sup>th</sup> Street & 1518 Idaho Street, and 1421, 1427, & 1433 East 14<sup>th</sup> Street  
ZON2020-00073

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 at 1437 East 14th Street and 1518 Idaho Street from "N3c" Neighborhood District and "RX-1" Mixed Use District Limited "MX3-V" Mixed Use District classification to allow continuation of the existing car wash defined as Vehicle sales and Service, Vehicle Maintenance/Repair, Minor, as a use permitted by right, and to rezone property located at 1421, 1427, and 1433 East 14th Street from "NX1" Neighborhood Mix District to "RX1" Mixed Use District, to allow reuse and/or redevelopment of the property for Mixed Use 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 at 1437 East 14th Street and 1518 Idaho Street from "N3c" Neighborhood District and "RX-1" Mixed Use District Limited "MX3-V" Mixed Use District classification to allow continuation of the existing car wash defined as Vehicle sales and Service, Vehicle Maintenance/Repair, Minor, as a use permitted by right, and to rezone property located at 1421, 1427, and 1433 East 14th Street from "NX1" Neighborhood Mix District to "RX1" Mixed Use District, to allow reuse and/or redevelopment of the property for Mixed Use classification:

- A. PROPERTY TO BE REZONED LIMITED MX3-V (1437 EAST14TH STREET, 1518 IDAHO STREET AND VACATED ALLEY).

PARCEL 2017-22 AND PARCEL 2017-23 OF LOTS 224 AND 235 AND OF VACATED NORTH/SOUTH ALLEY BETWEEN SAID LOTS AND OF ABANDONED CHICAGO & NORTHWESTERN RAILWAY RIGHT-OF-WAY NORTH OF LOT 235 AND OF SAID VACATED ALLEY, ALL IN ASHBROOK, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AS SHOWN IN A PLAT OF SURVEY RECORDED IN BOOK 16415, PAGE 458 IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA.

THE VACATED SOUTH 20 FEET OF 235, ASHBROOK, AN OFFICIAL PLAT, AND THE VACATED NORTH-SOUTH ALLEY LYING EAST OF AND ADJOINING THE VACATED SOUTH 20 FEET OF SAID LOT 235, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 3,568 SQUARE FEET.

- B. PROPERTY TO BE REZONED TO RX1 (1433, 1427, AND 1421 EAST 14TH STREET)

LOTS 236, 237, 238, AND 239 IN ASHBROOK, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

Section 2. That this ordinance and the zoning for 1437 East 14th Street and 1518 Idaho Street granted by the terms hereof are subject to the following imposed additional conditions which have been agreed to and accepted

## Conditional Zoning List

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) Allowing a Vehicle Sales and Service, Vehicle Maintenance/Repair, Minor use limited to personal vehicle washing only with either self-service or automatic equipment within the “MX3-V” Mixed Use District Portion; and
- (2) All other uses permitted by right or by Conditional Use in the “MX3-V” Mixed Use District shall only be those uses allowed in common with and as limited in the “RX1” Mixed Use District;

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.

**Ordinance 15,913**

August 5, 2020  
7601 Fleur Drive  
ZON2020-00060

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 at 7601 Fleur Drive from P-1 Public, Civic and Institutional District to Limited P-2 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 at 7601 Fleur Drive from P-1 Public, Civic and Institutional District to Limited P-2 Public, Civic and Institutional District classification:

Area is comprised of two out of three tracts from 2007 ALTA survey:

**TRACT 1:**

BEGINNING AT A POINT ON THE WEST LINE OF THE SOUTHEAST ¼ OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5th P.M., POLK COUNTY, IOWA, SAID POINT BEING 640.77 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SOUTHEAST ¼; THENCE NORTH 0 DEGREES 00 MINUTES WEST 165.00 FEET ALONG THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 32, THENCE NORTH 89 DEGREES 34 MINUTES 58 SECONDS EAST 660.79 FEET; THENCE NORTH 0 DEGREES 09 MINUTES 53 SECONDS WEST 13.00 FEET; THENCE NORTH 89 DEGREES 34 MINUTES 58 SECONDS EAST 656.32 FEET TO THE EAST LINE OF THE WEST ½ OF THE SOUTHEAST ¼ OF SAID SECTION 32; THENCE SOUTH 0 DEGREES 12 MINUTES EAST 178.00 FEET ALONG SAID EAST LINE; THENCE SOUTH 89 DEGREES 34 MINUTES 58 SECONDS WEST 1,317.09 FEET TO THE POINT OF BEGINNING.

**TRACT 3:**

BEGINNING AT A POINT ON THE WEST LINE OF THE SOUTHEAST ¼ OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5th P.M., POLK COUNTY, IOWA, SAID POINT BEING 805.77 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHEAST ¼ OF SAID SECTION 32; THENCE NORTH 0 DEGREES 00 MINUTES WEST 996.69 FEET TO THE NORTHWEST CORNER OF THE SOUTH 55 ACRES OF THE WEST ½ OF THE SOUTHEAST ¼ OF SAID SECTION 32; THENCE SOUTH 89 DEGREES 47 MINUTES 37 SECONDS EAST 657.93 FEET; ALONG THE NORTH LINE OF SAID SOUTH 55 ACRES; THENCE SOUTH 0 DEGREES 09 MINUTES 53 SECONDS EAST 989.53 FEET; THENCE SOUTH 89 DEGREES 34 MINUTES 58 SECONDS WEST 660.79 FEET TO THE POINT OF BEGINNING.

and

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST ¼ OF SECTION 32; TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5th P.M., POLK COUNTY, IOWA, THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS WEST 1,802.46 FEET TO THE NORTHWEST CORNER OF THE SOUTH 55 ACRES OF THE WEST ½ OF THE SOUTHEAST ¼ OF SAID

## Conditional Zoning List

SECTION 32, THENCE SOUTH 89 DEGREES 47 MINUTES 37 SECONDS EAST 657.93 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 47 MINUTES 37 SECONDS EAST 659.09 FEET TO THE NORTHEAST CORNER OF SAID SOUTH 55 ACRES; THENCE SOUTH 0 DEGREES 12 MINUTES 00 SECONDS EAST 969.36 FEET ALONG THE EAST LINE OF SAID SOUTH 55 ACRES; THENCE SOUTH 89 DEGREES 34 MINUTES 58 SECONDS WEST 656.32 FEET; THENCE NORTH 0 DEGREES 09 MINUTES 53 SECONDS WEST 976.53 FEET TO THE POINT OF 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) Compliance with all supplemental use regulations in Des Moines Municipal Code Chapter 134, Section 134-3.4.3.B for any expansion of a non-City-owned cemetery and conditional use approval thereof by the Zoning Board of Adjustment.

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.

**Ordinance 15,912**

August 5, 2020

3104 Indianola Avenue

ZON2020-00061

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 at 3104 Indianola Avenue from N3a Neighborhood District to Limited MX3 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 at 3104 Indianola Avenue from N3a Neighborhood District to Limited MX3 Mixed Use District classification:

LOTS 50, 51, 52, AND 53, BLOCK B, JEFFERSON HEIGHTS NO. 2, AN OFFICIAL PLAT AND LOT 72, JEFFERSON HEIGHTS REPLAT, AN OFFICIAL PLAT ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA EXCEPT:

AN IRREGULAR PARCEL IN LOT 72, JEFFERSON HEIGHTS REPLAT, AN OFFICIAL PLAT, AND IN LOTS 52 AND 53, BLOCK B, JEFFERSON HEIGHTS NO. 2, AN OFFICIAL PLAT, DESCRIBED AS FOLLOWS: COMMENCING ON THE NORTHWEST LINE OF LOT 70, JEFFERSON HEIGHTS REPLAT, 5.0 FEET SOUTHWEST OF THE NORTHWEST COMER OF LOT 70; THENCE SOUTHEASTERLY, ALONG A LINE PARALLEL TO THE NORTHEAST LOT LINE 21.0 FEET TO THE POINT OF CURVATURE OF A HORIZONTAL CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 1355.8 FEET; THENCE CONTINUING ALONG THE CURVE TO THE SOUTHEAST LINE OF LOT 71, JEFFERSON HEIGHTS REPLAT, BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE CURVE 342.25 FEET TO A POINT 21.0 FEET NORMALLY DISTANT FROM THE EAST LINE OF LOT 53; THENCE SOUTHEAST, ALONG A LINE PARALLEL TO THE EAST LINE OF LOT 53, 32.43 FEET; THENCE SOUTHWEST, TO THE SOUTH LINE OF LOT 53, 46.5 FEET WEST OF THE SOUTHEAST CORNER OF LOT 53; THENCE EAST ALONG THE SOUTH LOT LINE TO THE SOUTHEAST CORNER OF LOT 53; THENCE NORTHWEST, ALONG THE EAST AND NORTHEAST LINES OF LOTS 53, 52 AND 72, TO THE NORTHWEST CORNER OF LOT 72; THENCE SOUTHWEST, ALONG THE NORTHWEST LINE OF LOT 72, 5.6 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA;

AND

PARCEL "D" AS RECORDED IN A PLAT OF SURVEY IN BOOK 14618 ON PAGE 578 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA;

AND

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EXCEPT PARCEL "B" AND PARCEL "C" AS RECORDED IN A PLAT OF SURVEY IN BOOK 14618 ON PAGE 578 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA.

SUBJECT TO AND TOGETHER WITH EASEMENTS, RESTRICTIONS, COVENANTS, AND RESERVATIONS OF RECORD.

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) Allowing a Vehicle Sales and Service, Vehicle Maintenance/Repair, Minor use limited to personal vehicle washing only with either self-service or automatic equipment.
- (2) All other uses permitted by right or by conditional use shall only be those uses allowed in common with and as limited in the RX1 Mixed Use District.

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.

**Ordinance 15,908**

July 13, 2020

3116 Victoria Drive

ZON2020-00052

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 at 3116 Victoria Drive from the N3b Neighborhood District to Limited N3b-2 Neighborhood 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 at 3116 Victoria Drive from the N3b Neighborhood District to Limited N3b-2 Neighborhood District classification:

LOT 100 IN VAN SLYKE & DORSEY'S LINNWOOD PARK; AN OFFICIAL PLAT AND LOT 1 IN LINNWOOD PARK PLAT 2, AN OFFICIAL PLAT, ALL NOW INCLUDED IN 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) Any two-household use shall be in conformance with the provisions applicable for either a House B or House C building type as set forth in Chapter 135 of the Des Moines Municipal 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.

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**Ordinance 15,900**

June 8, 2020

901 Southeast 7th Street, 709 Vale Street and 714 Vale Street  
ZON2020-00025

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 at 901 Southeast 7th Street and 709 and 714 Vale Street from N3c Neighborhood District to Limited NX2 Neighborhood Mix 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 901 Southeast 7th Street and 709 and 714 Vale Street, more fully described as follows, from N3c Neighborhood District to Limited NX2 Neighborhood Mix District classification:

Lots 1, 2, 9 and 10, Block 70, TOWN OF DEMOINE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa; And The vacated North/South alley right-of-way adjoining Lots 1, 2, 9 and 10, Block 70, TOWN OF DEMOINE, an Official Plat, 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) Any development that provides three (3) or more attached household units or three (3) or more households per lot shall utilize the adjoining public alley for vehicular access.
- (2) Any development that utilizes the adjoining alley shall improve the alley to the satisfaction of the City Engineer.

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.

**Ordinance 15,892**

May 4, 2020

6011 & 6015 Grand Avenue  
ZON2020-00005

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 of the 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 6011 and 6015 Grand Avenue from the RX1 Mixed Use District to MX1 Limited 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 6011 and 6015 Grand Avenue, more fully described as follows, from the from the RX1 Mixed Use District to Limited MX1 Mixed Use District classification:

21-2020-4.01 AND ZON2020-00005 (6011 AND 6015 GRAND AVENUE)

A PARCEL OF LAND IN LOTS 25, 26, 27, 28, 36, 37, 38, 39, 40, 41, 42, & LOT 'F', GRAND AVENUE WATERBURY, AN OFFICIAL PLAT RECORDED IN BOOK 'J', PAGE 103 AT THE POLK COUNTY RECORDER'S OFFICE, CITY OF DES MOINES, POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF LOT 36, OF SAID GRAND AVENUE WATERBURY, THENCE S89°55'50"E, 147.29 FEET TO A POINT; THENCE S00°06'11"E, 165.18 FEET TO A POINT; THENCE N89°52'14"E, 44.19 FEET TO A POINT; THENCE S00°06'55"E, 59.89 FEET TO A POINT; THENCE S89°59'51"E, 104.00 FEET TO A POINT; THENCE S00°06'55"E, 113.24 FEET TO A POINT; THENCE S53°06'27"W, 4.99 FEET TO A POINT; THENCE N89°58'15"W, 288.40 FEET TO A POINT; THENCE N53°05'42"W, 5.00 FEET TO A POINT; THENCE N00°02'46"E, 338.24 FEET TO THE POINT OF BEGINNING WITH ALL CONTAINING 1.61 ACRES MORE OF LESS.

EXCEPT

BEGINNING AT THE NW CORNER OF SAID LOT 36; THENCE S89°55'50"E, 53.79 FEET TO A POINT; THENCE S70°24'21"E, 35.17 FEET TO A POINT; THENCE S39°42'13"E, 24.39 FEET TO A POINT; S78°29'52"E, 11.60 FEET TO A POINT; THENCE S05°31'17"E, 68.31 FEET TO A POINT; THENCE S48°08'43"E, 36.34 FEET TO A POINT; THENCE S00°06'11"E, 34.96 FEET TO A POINT; THENCE N78°32'29"W, 13.54 FEET TO A POINT; THENCE N47°44'55"W, 31.28 FEET TO A POINT; THENCE S65°31'18"W, 16.28 FEET TO A POINT; THENCE S02°48'29"W, 28.00 FEET TO A POINT; THENCE S18°33'20"E, 26.17 FEET TO A POINT; THENCE S84°51'11"E, 10.31 FEET TO A POINT; THENCE N64°38'21"E, 18.97 FEET TO A POINT; THENCE S47°56'46"E, 17.86 FEET TO A POINT; THENCE S16°27'07"E, 11.67 FEET TO A POINT; THENCE S63°11'34"W, 14.76 FEET TO A POINT; THENCE S32°00'59"W, 14.30 FEET TO A POINT; THENCE S16°56'25"E, 25.94 FEET TO A POINT; THENCE N70°01'42"E, 16.50 FEET TO A POINT; THENCE S41°24'45"E, 9.66 FEET TO A POINT; THENCE S05°28'38"E, 18.25 FEET TO

## Conditional Zoning List

A POINT; THENCE S03°23'05"W, 21.59 FEET TO A POINT; THENCE S49°43'57"W, 30.20 FEET TO A POINT; THENCE S59°23'59"W, 20.14 FEET TO A POINT; THENCE S88°12'58"W, 23.73 FEET TO A POINT; THENCE S20°02'34"E, 9.46 FEET TO A POINT; THENCE N89°58'15"W, 92.33 FEET TO A POINT; THENCE N53°05'42"W, 5.00 FEET TO A POINT; THENCE N00°02'46"E, 338.24 FEET TO THE POINT OF BEGINNING WITH ALL CONTAINING 0.98 ACRES MORE OR LESS.

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:

- (a) Any assembly of persons shall be limited to 300 persons or less at one time; and
- (b) The assembly uses allowed at the Property shall be limited to events, such as, wedding ceremonies and receptions, celebrations of life, graduation receptions, baby showers, engagement parties, anniversary celebrations, birthday parties, reunions, fundraisers, charity events, galas, silent and live auctions, corporate events, holiday parties, neighborhood meetings and gatherings, chamber events, festivals, cultural celebrations, food and beverage tastings, pop-up food and beverage events, community engagement events, cooking classes, religious ceremonies and services, political events, speaking engagements, business meetings, networking sessions, team building events, workshops, conferences, school dances, trivia night, fraternity and sorority socials, art shows, exhibitions, performance art, guided dance, yoga and meditation, television, movie and sports screenings, book club meetings, book and poetry readings, music recitals, and similar events. Live music shall be permitted to accompany the assembly uses allowed on the Property, but concerts where live music performed for profit is the main event shall not be permitted; and
- (c) The hours of operation shall be limited as follows:
  - Sunday through Thursday: 8:00 a.m. – 10:00 p.m., and
  - Friday and Saturday: 8:00 a.m. – midnight.

Notwithstanding the foregoing, the hours of operation for Public Holidays (defined below) and the day preceding Public Holidays shall be limited as follows:  
8:00 a.m. – midnight.

“Public Holiday” as used herein includes: New Year’s Day, Birthday of Martin Luther King Jr., Memorial Day (the last Monday in May), Independence Day (July 4), Labor Day (the first Monday in September), Veterans Day (November 11), Thanksgiving (the fourth Thursday in November), and Christmas Day (December 25).

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.

**Ordinance 15,872**

March 9, 2020  
1415 21<sup>st</sup> Street  
ZON2020-00006

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 1415 21st Street from N5 Neighborhood 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 1415 21st Street, more fully described as follows, from N5 Neighborhood District to Limited RX1 Mixed Use District classification:

LOT 9 IN WILLIAMS ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT, 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) Any use of the property shall be limited to the following:
  - a. Any use as allowed in the “N5” District Household Living;
  - b. “Commercial Service, Consumer Maintenance and Repair use (printing business)”;
  - c. “Assembly & Entertainment, Small”, if a Conditional Use for such is granted by the Zoning Board of Adjustment; or
  - d. “Assembly – Public, Civic and Institutional” if a Conditional Use for such is granted by the Zoning Board of Adjustment.
- (2) Any development shall comply with all applicable site plan requirements of the City, including but not limited to stormwater management, landscaping, and screening from adjoining residential properties, parking and paving requirements, traffic and transportation requirements, and grading requirements.

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.

Conditional Zoning List

2

**Ordinance 15,864**

February 10, 2020

Vicinity of 3104 Southwest 9<sup>th</sup> Street  
ZON2019-00240

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 3104 Southwest 9th Street from the RX1 Mixed Use District to Limited MX1 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 3104 Southwest 9th Street, more fully described as follows, from the RX1 Mixed Use District to Limited MX1 Mixed Use District classification:

THE NORTH 121 FEET OF THE EAST 125 FEET OF LOT 1 IN SOUTHGATE AND PARCEL "B" OF THE PLAT OF SURVEY FILED IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA ON JANUARY 16, 2003, AND RECORDED IN BOOK 9578 PAGE 185, BEING A PART OF LOT 1 IN SOUTHGATE, AN OFFICIAL PLAT, 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) Use of the Property shall be limited to any use as permitted in the "RX1" District or a Sports and Recreation, Private/Participant, indoor use
- 2) Any sale or service of alcoholic liquor, wine, and/or beer on the Property shall be prohibited.

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.

Conditional Zoning List

1

**Ordinance 15,863**

February 10, 2020

Vicinity of 905 & 909 East 27<sup>th</sup> Street and 916 & 917 East 27<sup>th</sup> Court

ZON2019-00238

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 905 and 909 East 27th Street and 916 and 917 East 27th Court from the N3c Neighborhood District to Limited MX3 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 905 and 909 East 27th Street and 916 and 917 East 27th Court, more fully described as follows, from the N3c Neighborhood District to Limited MX3 Mixed Use District classification:

LOT 5 ( EXCEPT THAT PART THEREOF DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 5; THENCE NORTHERLY ON THE WEST LINE OF LOT 5 TO THE NORTHWEST CORNER THEREOF; THENCE EASTERLY 5 FEET ON THE NORTH LINE OF SAID LOT 5; THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING) AND LOTS 6, 27 AND 28 IN BLOCK 3, AND LOT 3 IN BLOCK 4, ALL IN FARWELL PLACE, AN OFFICIAL PLAT, 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) Any expansion of the existing business, or any future development upon the Property, shall be in accordance with a Site Plan as approved by the City's Permit and Development Center; and
- 2) Any outdoor storage on that portion of the Property known as 909 East 27th Street (Lot 5 of Block 3 of Farwell Place) shall comply with the Variance granted by the Zoning Board of Adjustment on November 28, 2012 by Docket ZON2012-00130.

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.