



Roll Call Number

Agenda Item Number

46(A)

Date January 10, 2022

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 3451 Easton Boulevard from N3a Neighborhood District to RX1 Mixed Use District classification",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

(ZONG2021-000045; ZONG-2021-000042)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309
 Phone: 515/283-4530
 Return Address: City Clerk - City Hall, 400 Robert D. Ray Drive, Des Moines, IA 50309
 Title of Document: City of Des Moines, Ordinance No. _____
 Grantor/Grantee: City of Des Moines, Iowa
 Legal Description: See page 1 and 2, below.

ORDINANCE NO. _____

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located 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.

FORM APPROVED:

/s/ Glenna K. Frank

Glenna K. Frank
Assistant City Attorney