



Roll Call Number

Agenda Item Number

47A

Date October 24, 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 in the vicinity of 1601 Williams Street from "F" Flood District and "N3a" Neighborhood District to limited "P1" Public, Civic and Institutional District classification",

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Gary D. Goudelock Jr.

Gary D. Goudelock Jr.
Assistant City Attorney

(ZONG-2022-000067 & ZONG-2022-000077)

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

CERTIFICATE

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

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

Mayor

City Clerk

Prepared by: Gary D. Goudelock, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309 515-283-4543
 Return Address: City Clerk - City Hall, 400 Robert D. Ray Dr., Des Moines, IA 50309
 Title of Document: City of Des Moines, Ordinance No. _____
 Grantor/Grantee: City of Des Moines, Iowa
 Legal Description: See pages 1 and 2, below.

ORDINANCE NO. _____

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

FORM APPROVED:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney