

ORDINANCE NO. 13,563

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 2A-5 of the Municipal Code of the City of Des Moines, 1991, by rezoning and changing the district classification of certain property located in the vicinity of 3300 East Euclid Avenue from an "R-2A" General Residential District, "U-1" Flood Plain District and "C-2" General Retail and Highway Oriented Commercial District classifications to a "PUD" Planned Unit Development 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 2A-5 of the Municipal Code of the City of Des Moines, Iowa, 1991, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 3300 East Euclid Avenue, more fully described as follows:

Tract "1"

All that part of the N.E. 1/4 of the N.E. 1/4 of Section 29, Township 79 North, Range 23 West of the 5th P.M., Des Moines, Polk County, Iowa, which lies South of the South Right-of-Way Line of East Douglas Avenue, as it is presently established, and North of the North Right-of-Way Line of F.M. Hubbell Avenue, as it is presently established. The South Right-of-Way Line of East Douglas Avenue is 20.0 feet South of and parallel with the North Line of the N.E. 1/4 of the N.E. 1/4 of said Section 29. The Northerly Right-of-Way Line of F.M. Hubbell Avenue is described as Beginning at a point of intersection with a line that is 20.0 feet South of the North Line of the N.E. 1/4 of the N.E. 1/4 of said Section 29 with a line that is 35.0 feet normally distant from and Northwesterly of the Center Line of said F.M. Hubbell Avenue; thence Southwesterly, parallel with and 35.0 feet normally distant from and Northwesterly of the Center Line of said F.M. Hubbell Avenue, 369.95 feet, more or less; thence Northwesterly, at right angles to the preceding course, 22.25 feet; thence Southwesterly, in a straight line, 260.91 feet, to a point that is 79.59 feet normally distant from and Northwesterly of the Center Line of said F.M. Hubbell Avenue; thence Northwesterly, at right angles to the center line of said F.M. Hubbell Avenue, 35.41 feet; thence Southwesterly, parallel with and 115.0 feet normally distant from and Northwesterly of the Center Line of said F.M. Hubbell Avenue 169.9 feet, more or less; thence Southwesterly, in a straight line, 41.2 feet, more or less to a point that is on the West Line of the N.E. 1/4 of the N.E. 1/4 of said Section 29, said point being 130.0 feet normally distant from and Northwesterly of the Center Line of said F.M. Hubbell Avenue; thence North, along the West Line of the N.E. 1/4 of the N.E. 1/4 of said Section 29, 400.17 feet, more or less, to a point that is on the South Right-of-Way Line of said East Douglas Avenue, said point being 20.0 feet South of the N.W. Corner of the N.E. 1/4 of the N.E. 1/4 of said Section 29, and to the Point of Beginning, except the East 445.0 feet thereof.

Tract "2"

All that part of the N.W. 1/4 of the N.E. 1/4 of Section 29, Township 79 North, Range 23 West of the 5th P.M., Des Moines, Polk County, Iowa, which lies South of the South Right-of-Way Line of East Douglas Avenue, as it is presently established, and North of the North Right-of-Way Line of F.M. Hubbell Avenue, as it is presently established. The South Right-of-Way Line of East Douglas Avenue is 20.0 feet South of the North Line of the N.W. 1/4 of the N.E. 1/4 of said Section 29, and East of the following described line (said line being the officially adopted East Floodway Line for Four Mile Creek): Commencing at the N.E. Corner of the N.W. 1/4 of the N.E. 1/4 of said Section 29; thence West, along the North Line of the N.W. 1/4 of the N.E. 1/4 of said Section 29, 239.34 feet; thence South 10°(degrees) 11'(minutes) 57"(seconds) West, 20.33 feet, to a point that is on the South Right-of-Way Line of said East Douglas Avenue, and to the Point of Beginning of said described line; thence continuing South 10°11'57" West, 233.82 feet, more or less; thence South 32°20'26" West, 345.96 feet, more or less to a point that is on the North Right-of-Way Line of East Euclid Avenue as it is presently established.

Tract "3"

All that part of the N.W. 1/4 of the N.E. 1/4 of Section 29, Township 79 North, Range 23 West of the 5th P.M., Des Moines, Polk County, Iowa, that lies South of the South Right-of-Way Line of East Douglas Avenue, as it is presently established, and North of the North Right-of-Way Line of East Euclid Avenue, as it is presently established, and East of the East Right-of-Way Line of East 33rd Street, as it is presently established, and West of the West side of Four Mile Creek, as it presently exists, being the officially adopted West floodway Line for Four Mile Creek

from an "R-2A" General Residential District, "U-1" Flood Plain District and "C-2" General Retail and Highway Oriented Commercial District classifications to a "PUD" Planned Unit Development District classification.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown

Assistant City Attorney