

ORDINANCE NO. 14,729

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 renewing and extending the "S-O" Study Overlay District within the estimated Four Mile Creek floodplain between Hull Avenue and Easton Boulevard.

WHEREAS, by Ordinance No. 13,962 passed June 18, 2001, the estimated Four Mile Creek floodplain between Hull Avenue and Easton Boulevard was placed within the "S-O" Study Overlay District to limit and restrict development until the actual boundaries of the flood plain could be determined; and,

WHEREAS, the Corps of Engineers has undertaken an engineering study of the Four Mile Creek basis for the purpose of establishing new boundaries for the Four Mile Creek floodway and floodplain; and,

WHEREAS, the preliminary results of that engineering study indicate that the new boundaries of the Four Mile Creek floodway and floodplain will be expanded to encompass substantial portions of the property described below; NOW THEREFORE,

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 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, be and the same is hereby amended by renewing and extending the "S-O" Study Overlay District classification on the following property:

Lots 481 and 482, Lots 488 through 490, Lots 531 through 533, Lots 539 through 541, Lots 582, 583 and 584, Lots 586 through 593, Lots 629 through 650, Lots 677 through 684, Lots 686 through 689, Lots 693 and 694, Lots 697 through 713, and the North 25.0 feet of Lot 740, and all of Lots 741 through 749, Lots 768 through 788, Lots 792 through 819, Lots 822 through 836, Lots 848 through 862, and the South 25.0 feet of Lot 866, and all of Lots 867, 868 and 869, and Lots 881 through 885, Four Mile Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

AND, the South 25.0 feet of Lot 740 and all of Lots 739, 738, 737, 736, 789, 790 and 791, Four Mile Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law. This ordinance and the imposition of the "S-O" Study Overlay District classification upon the property described above shall expire on December 31, 2010, or such earlier time as may be provided by a subsequent ordinance.

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

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 07-5889), passed by the City Council of said City at a meeting held December 3, 2007 signed by the Mayor on December 3, 2007 and published as provided by law in the Business Record on December 17, 2007, Authorized by Publication Order No. 5889.

Diane Rauh, City Clerk