

Date March 14, 2011

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 1910 Cottage Grove Avenue from the NPC, R-HD and R-3 Districts to the PUD Planned Unit Development District classification.

presented.

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

FORM APPROVED:

(First of three required readings)


 Michael F. Kelley
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

 Mayor

CERTIFICATE

I, DIANE RAUH, 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.

 City Clerk

35E

Prepared by: Michael F. Kelley, Assistant City Attorney, 400 Robert D. Ray Drive,
Des Moines, IA 50309 515/283-4124

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 page 1, below.

ORDINANCE NO. _____

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 1910 Cottage Grove Avenue from the NPC, R-HD and R-3 Districts to the 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 134-277 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 1910 Cottage Grove Avenue, more fully described as follows:

1910 COTTAGE GROVE AVENUE
LOT 6, BLOCK E IN KUHN'S ADDITION, DES MOINES, POLK COUNTY, IOWA, LYING EAST OF AND ADJOINING THE EASTERLY RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AS IT IS PRESENTLY ESTABLISHED; AND, LOTS 1 AND 2, BLOCK F, IN SAID KUHN'S ADDITION, LYING SOUTH OF AND ADJOINING THE SOUTHERLY RIGHT-OF-WAY LINE OF COTTAGE GROVE AVENUE AS IT IS PRESENTLY ESTABLISHED; AND, LOT 3, BLOCK F IN SAID KUHN'S ADDITION, LYING SOUTH OF AND ADJOINING THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COTTAGE GROVE AVENUE AND WEST OF ADJOINING

THE WESTERLY RIGHT-OF-WAY LINE OF 19th STREET AS IT IS PRESENTLY ESTABLISHED; AND, THE 19th PLACE VACATED RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOT 6, BLOCK E IN SAID KUHN'S ADDITION; AND, THE NORTH SEVEN FEET CROCKER STREET VACATED RIGHT-OF-WAY LYING SOUTH OF AND ADJOINING LOT 1, BLOCK F IN SAID KUHN'S ADDITION AND LYING SOUTH OF AND ADJOINING THE WEST ONE-HALF OF LOT 2, BLOCK F IN SAID KUHN'S ADDITION, AND THE NORTH SEVEN FEET OF SAID CROCKER STREET LYING WEST OF THE SOUTHERLY EXTENSION OF SAID LOT 1, (0.42 ACRES)

AND,

CROCKER WEST OF 19TH TO BE VACATED AND CONVEYED

CROCKER STREET RIGHT-OF-WAY LYING WEST OF THE NORTHERLY EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF 19th PLACE AS IT IS PRESENTLY ESTABLISHED; NORTH OF AND ADJOINING THE 19th PLACE VACATED RIGHT-OF-WAY LYING EAST OF AND ADJOINING LOT 1, BLOCK B IN LEYNEERS PLAT, DES MOINES, POLK COUNTY, IOWA; NORTH OF AND ADJOINING LOT 1, BLOCK B IN SAID LEYNEERS PLAT; AND EAST OF AND ADJOINING THE EASTERLY RIGHT-OF-WAY LINE OF SAID MARTIN LUTHER KING JR. PARKWAY; (0.15 ACRES)

AND,

1916 CROCKER STREET

THE EAST 43.33 FEET OF LOTS 1 AND 2, BLOCK B IN LEYNEERS PLAT, DES MOINES, POLK COUNTY, IOWA, AND, THE SIXTEEN AND ONE-HALF FEET WIDE 19th PLACE VACATED RIGHT-OF-WAY, LYING EAST OF AND ADJOINING SAID LOTS 1 AND 2, BLOCK B; (0.14 ACRES)

AND,

1918 CROCKER STREET

WEST ONE-HALF OF THE EAST EIGHTY-SIX AND TWO-THIRDS FEET OF LOTS 1 AND 2, BLOCK B IN LEYNEERS PLAT, DES MOINES, POLK COUNTY, IOWA, (0.10 ACRES)

AND,

1920 CROCKER STREET

THE WEST FOURTY THREE AND ONE THIRD FEET OF LOTS 1 AND 2, BLOCK B IN LEYNEERS PLAT, DES MOINES, POLK COUNTY, IOWA, LYING EAST OF AND ADJOINING THE EASTERLY RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AS IT IS PRESENTLY ESTABLISHED; (0.10 ACRES)

AND,

1919 LEYNER STREET

THE EAST 43.33 FEET OF LOTS 4 AND 5, BLOCK B IN LEYNER'S PLAT, DES MOINES, POLK COUNTY, IOWA, AND, THE SIXTEEN AND ONE-HALF FEET WIDE 19th PLACE VACATED RIGHT-OF-WAY, LYING EAST OF AND ADJOINING SAID LOTS 4 AND 5, BLOCK B; (0.14 ACRES)

AND,

NON-ADDRESSED PARCEL OF BENNETT PROPERTY MANAGEMENT, LLC

LOT 3, BLOCK B IN LEYNER'S PLAT, DES MOINES, POLK COUNTY, IOWA, AND, THE SIXTEEN AND ONE-HALF FEET WIDE 19th PLACE VACATED RIGHT-OF-WAY, LYING EAST OF AND ADJOINING SAID LOT 3, BLOCK B; (0.14 ACRES)

AND,

(NORTH SOUTH ALLEY FROM LEYNER)

THE NORTH-SOUTH ALLEY IN BLOCK B, IN SAID LEYNER'S PLAT, LYING WEST OF

AND ADJOINING LOTS 1, 2, 3, 4, AND 5, BLOCK B IN SAID LEYNER'S PLAT AND EAST

OF AND ADJOINING THE EASTERLY RIGHT-OF-WAY LINE OF SAID MARTIN LUTHER

KING JR. PARKWAY, (0.05 ACRES)

AND,

(CITY DISPOSITION PARCEL 7)

LOTS 6, 7, 8, 9, AND 10. BLOCK B IN SAID LEYNER'S PLAT, LYING EAST OF AND ADJOINING THE EASTERLY RIGHT-OF-WAY LINE OF SAID MARTIN LUTHER KING JR. PARKWAY; (0.37 ACRES)

AND,

(846 19th STREET)

LOT 1, BLOCK A IN LEYNER'S PLAT, DES MOINES, POLK COUNTY, IOWA, EXCEPT THE EAST TWELVE FEET THEREOF; AND, THE TWELVE FEET WIDE 19th PLACE VACATED RIGHT-OF-WAY, LYING WEST OF AND ADJOINING SAID LOT 1, BLOCK A; IN SAID LEYNER'S PLAT; (0.15 ACRES)

AND,

(834 19th STREET)

LOTS 2, 3, AND 4, BLOCK A IN LEYNER'S PLAT, EXCEPT THE EAST TWELVE FEET THEREOF; AND, THE TWELVE FEET WIDE 19th PLACE VACATED RIGHT-OF-WAY, LYING WEST OF AND ADJOINING SAID LOTS 2, 3, AND 4, BLOCK A; (0.45 ACRES)

AND,

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**(19TH PLACE RIGHT OF WAY – ACREAGE NOT INCLUDED IN REQUIRED PUD
ACREAGE CALCULATION)**

THE 19th PLACE RIGHT-OF-WAY, LYING NORTH OF AND ADJOINING THE NORTH RIGHT-OF-WAY LINE OF LEYNER STREET AS IT IS PRESENTLY ESTABLISHED AND SOUTH OF AND ADJOINING THE SOUTH RIGHT-OF-WAY LINE OF SAID CROCKER STREET (0.37 ACRES).

SAID TRACT OF LAND CONTAINS A TOTAL OF 2.43 ACRES LESS MORE OR LESS from the NPC, R-HD and R-3 Districts to the PUD Planned Unit Development District classification.

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

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:



Michael F. Kelley
Assistant City Attorney