

Date November 23, 2015

An Ordinance entitled, "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 3422 Beaver Avenue from the "C-1" Neighborhood Retail Commercial District and "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development classification",

which was considered and voted upon under Roll Call No. 15- 1907 of November 9, 2015; again presented.

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

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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

★ Roll Call Number

15-1907

Agenda Item Number

49C

Date November 9, 2015

An Ordinance entitled, "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 3422 Beaver Avenue from the "C-1" Neighborhood Retail Commercial District and "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development classification",

presented.

Moved by Gray that this ordinance be considered and given first vote for passage, and direct the City Clerk to place both second and final consideration on the November 23rd City Council agenda.

FORM APPROVED:

(First of three required readings)

Glenna K. Frank

Glenna K. Frank
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Council 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.

Diane Rauh

City Clerk

Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309
 Phone: 515/283-4130
 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, 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 3422 Beaver Avenue from the "C-1" Neighborhood Retail Commercial District and "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development 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 3422 Beaver Avenue, more fully described as follows, from the "C-1" Neighborhood Retail Commercial District and "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development classification:

LOT 20 AND PART OF LOTS 21 AND 22, PHILPOTT ACRES, AN OFFICIAL PLAT AND PART OF LOTS 4, 5 AND 6, CORRECTED PLAT OF ROSELAND ACRES, AN OFFICIAL PLAT ALL NOW IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

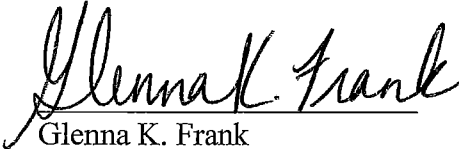
BEGINNING AT THE NORTHEAST CORNER OF LOT 11, BOESEN GARDENS, AN OFFICIAL PLAT; THENCE NORTH 89°36'41" EAST, 295.21 FEET TO A POINT BEING ON

THE NORTH LINE OF SAID LOT 20, PHILPOTT ACRES; THENCE SOUTH 00°10'09" WEST, 187.08 FEET; THENCE NORTH 89°35'09" EAST, 204.37 FEET TO THE EASTERLY LINE OF SAID CORRECTED PLAT OF ROSELAND ACRES; THENCE SOUTH 21°51'24" EAST ALONG SAID EASTERLY LINE, 228.66 FEET TO THE NORTHEAST CORNER OF CONKLING PLACE, AN OFFICIAL PLAT; THENCE SOUTH 89°41'06" WEST ALONG THE NORTH LINE OF SAID CONKLING PLACE, 343.04 FEET TO THE NORTHWEST CORNER OF SAID CONKLING PLACE; THENCE NORTH 00°26'38" EAST, 9.83 FEET; THENCE SOUTH 89°39'49" WEST, 134.00 FEET; THENCE SOUTH 00°15'41" EAST, 3.20 FEET; THENCE SOUTH 89°42'34" WEST, 105.88 FEET TO THE SOUTHEAST CORNER OF LOT 12, BOESEN GARDENS, AN OFFICIAL PLAT; THENCE NORTH 00°17'45" WEST, 125.80 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 20.03 FEET AND WHOSE CHORD BEARS SOUTH 65°05'33" EAST, 19.50 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 50.00 FEET, WHOSE ARC LENGTH IS 241.19 FEET AND WHOSE CHORD BEARS NORTH 00°19'59" WEST, 66.67 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 21.03 FEET AND WHOSE CHORD BEARS SOUTH 65°34'19" WEST, 20.41 FEET TO THE SOUTHEAST CORNER OF LOT 11, BOESEN GARDENS; THENCE NORTH 00°20'57" WEST ALONG THE EAST LINE OF SAID LOT 11, A DISTANCE OF 124.80 FEET; THENCE SOUTH 86°37'22" EAST ALONG SAID EAST LINE, 1.75 FEET; THENCE NORTH 00°13'37" WEST ALONG SAID EAST LINE, 91.90 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.67 ACRES (159,853 SQUARE FEET).

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

Section 3. That the City Clerk is hereby authorized and directed to cause certified copies of 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:



Glenna K. Frank
Assistant City Attorney