



Roll Call Number

Agenda Item Number

32

Date December 7, 2020

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 2421 Forest Avenue from a "PUD" Planned Unit Development District, "RX1" Mixed Use District, and "N5" Neighborhood District to "P2" Public, Institutional and Civic District classification, and by amending the area of the Drake University Recreation PUD Conceptual Plan by removing 2.84 acres thereof.

which was considered and voted upon under Roll Call No. 20- 1964 of November 23, 2020; again presented.

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

(Second of three required readings)

(ZON2020-00119)

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

CERTIFICATE

I, P. Kay Cmelik, 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

Prepared by: Judy K. Parks-Kruse, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA
50309 Phone: 515/283-4533
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 134-1.10 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 2421 Forest Avenue from a "PUD" Planned Unit Development District, "RX1" Mixed Use District, and "N5" Neighborhood District to "P2" Public, Institutional and Civic District classification, and by amending the area of the Drake University Recreation PUD Conceptual Plan by removing 2.84 acres thereof.

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 2421 Forest Avenue, more fully described as follows:

REZONING TO "P2" AREA

ALL OF LOTS 10, 11, 12, 13, 14, 15, 16, 17, AND 18, AND A PORTION OF LOTS 19 AND 20, ALL IN SMITH'S 4TH ADDITION TO UNIVERSITY PLACE, AN OFFICIAL PLAT; ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND A PORTION OF LOTS 9, 10, 11, AND 12 ALL IN SMITH'S 2ND ADDITION TO

UNIVERSITY PLACE, AN OFFICIAL PLAT; VACATED 25TH STREET LYING NORTH OF FOREST AVENUE AND SOUTH OF CLARK STREET AND THE VACATED NORTH-SOUTH ALLEY CENTERED BETWEEN AND PARALLEL WITH 24TH STREET AND 25TH STREET LYING NORTH OF FOREST AVENUE AND SOUTH OF CLARK STREET, ALL IN DES MOINES, POLK COUNTY, IOWA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 10 IN SAID SMITH'S 4TH ADDITION TO UNIVERSITY PLACE, SAID POINT BEING THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF CLARK STREET AND THE WEST RIGHT OF WAY LINE OF 24TH STREET AS THEY ARE PRESENTLY ESTABLISHED; THENCE S00°14'02"W ALONG THE WEST RIGHT OF WAY LINE OF SAID 24TH STREET, A DISTANCE OF 474.86 FEET TO THE SOUTHEAST CORNER OF LOT 4 IN SAID SMITH'S 2ND ADDITION TO UNIVERSITY PLACE AND TO THE NORTH RIGHT OF WAY LINE OF FOREST AVENUE AS IT IS PRESENTLY ESTABLISHED; THENCE S89°46'19"W ALONG THE NORTH RIGHT OF WAY LINE OF SAID FOREST AVENUE, A DISTANCE OF 397.45 FEET; THENCE N00°20'40"W, A DISTANCE OF 312.44 FEET; THENCE N89°41'59"W, A DISTANCE OF 63.73 FEET TO THE WEST LINE OF LOT 19 IN SAID SMITH'S 4TH ADDITION TO UNIVERSITY PLACE; THENCE N00°18'01"E ALONG THE WEST LINE OF LOTS 19, 18, 17, AND 16 IN SAID SMITH'S 4TH ADDITION TO UNIVERSITY PLACE, A DISTANCE OF 161.64 FEET TO THE NORTHWEST CORNER OF SAID LOT 16 AND TO THE SOUTH RIGHT OF WAY LINE OF SAID CLARK STREET; THENCE N89°44'59"E ALONG THE SOUTH RIGHT OF WAY LINE OF SAID CLARK STREET, A DISTANCE OF 464.15 FEET TO THE POINT OF BEGINNING. CONTAINING 200,008 SQUARE FEET.

from a "PUD" Planned Unit Development District, "RX1" Mixed Use District, and "N5" Neighborhood District to "P2" Public, Institutional and Civic District classification.

Section 2. 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 changing the described area of the Drake University Recreation PUD Conceptual Plan, located in the vicinity of 2421 Forest Avenue, by removing 2.84 acres thereof, with the new area of said PUD more fully described as follows:

AMENDED "PUD" ZONING AREA FOR DRAKE UNIVERSITY
RECREATION PUD

LOTS 21 THRU 35, INCLUSIVE IN SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, LOTS 13 THROUGH 21, INCLUSIVE, IN SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

THE WEST 63.25 FEET OF LOTS 9 AND 10, AND THE WEST 63.25 FEET OF THE NORTH 39.33 FEET OF LOT 11, AND THE WEST 61.25 FEET OF LOT 12 AND THE WEST 61.25 FEET OF THE SOUTH 20.67 FEET OF LOT 11, IN SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

THE WEST 63.25 FEET OF LOT 20 AND THE WEST 63.25 FEET OF THE SOUTH 29.02 FEET OF LOT 19, IN SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOT 21 IN SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 31, 32, 33, 34, AND 35 IN SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 13, 14, 15, AND 16 IN SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 21, 22, 23, 24, AND EAST OF AND ADJACENT TO THE SOUTH 40.65 FEET OF LOT 25 IN SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, PLATTED RIGHT-OF-WAY FOR 26TH STREET LYING EAST OF AND ADJACENT TO LOTS 17, 18, 19, AND 20 IN SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED RIGHT-OF-WAY FOR 26TH STREET LYING EAST OF AND ADJACENT TO LOTS 26, 27, 28, 29, AND 30 IN SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PUBLIC RIGHT-OF-WAY FOR CLARK STREET LYING NORTH OF AND ADJACENT TO THE FOLLOWING DESCRIBED LINE; BEGINNING AT THE NW. CORNER OF LOT 35 IN SMITH'S FOURTH ADDITION TO

UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; THENCE EAST ALONG THE NORTH LINE OF LOTS 35, 26, 25, 16, AND 15 IN SAID SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, A DISTANCE OF 775.5 FEET MORE OR LESS TO A POINT THAT IS 57.5 FEET EAST OF THE NW. CORNER OF SAID LOT 15 AND TO THE END OF SAID LINE;

LOTS 13 THRU 27, INCLUSIVE, LOTS 34 THRU 57, INCLUSIVE, LOTS 61 THRU 69, INCLUSIVE, LOTS 71, 72, 73 AND THE SOUTH 10.0 FEET OF LOT 12, ALL IN HARRISON PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

LOT 30, EXCEPT THE SOUTH 25.0 FEET OF THE EAST 70.9 FEET, THEREOF, IN CURTIS' BLUFF PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, THE WEST 57.5 FEET OF LOT 29 IN CURTIS' BLUFF PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 13, 14, 15 AND THE SOUTH 10.0 FEET OF LOT 12 IN HARRISON PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED RIGHT-OF-WAY FOR 26TH STREET LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 16 THRU 27, INCLUSIVE, HARRISON PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 34 THRU 45, INCLUSIVE, HARRISON PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED RIGHT-OF-WAY FOR 25TH STREET LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 46 THRU 60, INCLUSIVE, HARRISON PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

LOTS 1 THRU 10, INCLUSIVE IN SMITH'S ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, LOTS 45 THRU 55 INCLUSIVE IN UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, THE NORTH 39.00 FEET OF LOT 44 AND THE NORTH 10.00 FEET OF LOT 56, ALL IN UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 6 THRU 10, INCLUSIVE, IN SMITH'S ADDITION TO


UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 50 THRU 55, INCLUSIVE, IN SMITH'S ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF THE NORTH 10.00 FEET OF LOT 56 IN UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PUBLIC RIGHT-OF-WAY OF 25TH STREET AND FOREST AVENUE DESCRIBED AS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 12 IN SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; THENCE EAST TO THE SOUTHWEST CORNER OF LOT 5 IN SAID SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, THENCE SOUTH TO THE NORTHWEST CORNER OF LOT 10 IN SMITH'S ADDITION TO IN UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; THENCE SOUTH TO THE SOUTHWEST CORNER OF SAID LOT 10; THENCE WESTERLY TO THE SOUTHEAST CORNER OF LOT 77 IN UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; THENCE NORTH TO THE NORTHEAST CORNER OF SAID LOT 77; THENCE NORTHERLY TO THE SOUTHEAST CORNER OF SAID LOT 12 AND TO THE POINT OF BEGINNING.

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 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:



Judy K. Parks-Kruse
Assistant City Attorney