

 **Roll Call Number**

Agenda Item Number

47A

Date October 4, 2021

An Ordinance entitled, "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 at 2540 East Euclid Avenue from 'MX3' Mixed Use District to 'CX' Mixed Use District classification",

presented.

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

FORM APPROVED:

(First of three required readings)



 Judy K. Parks-Kruse
 Assistant City Attorney

(ZON2021-000005)

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 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 and 2, 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 at 2540 East Euclid Avenue from ‘MX3’ Mixed Use District to ‘CX’ Mixed Use 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 134-1.10 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 2540 East Euclid Avenue from ‘MX3’ Mixed Use District to ‘CX’ Mixed Use District classification, more fully described as follows:

A PARCEL OF LAND IN THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30. TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF DOUGLAS HILL MANOR, AN OFFICIAL PLAT, THENCE S 89°58'50" E, 460.42 FEET ALONG THE SOUTH LINE

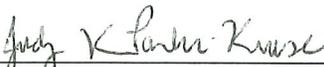
OF SAID PLAT TO A POINT; THENCE S00°00'00" E, 111.31 FEET TO A POINT; THENCE S 90°00'00" E, 247.96 FEET TO A POINT; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 172.50 FEET AND A CHORD BEARING OF N 18°03'15" W, AN ARC LENGTH OF 115.91 FEET TO A POINT OF TANGENCY; THENCE N 00°54'41" W, 1.119 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF EAST 26TH STREET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 152.31 FEET AND A CHORD BEARING OF S 23°24'41" E, AN ARC LENGTH OF 119.63 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT OF TANGENCY; THENCE S 45°54'41" E, 27.03 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 102.31 FEET, AN ARC LENGTH OF 80.36 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT OF TANGENCY; THENCE S 00°54'41" E, 238.72 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST EUCLID AVENUE; THENCE N 90°00'00" W, 668.33 FEET ALONG SAID NORTH RIGHT OF WAY LINE TO A POINT; THENCE N 00°42'20" W, 199.93 FEET TO A POINT; THENCE S 89°57'30" W, 99.96 FEET TO A POINT ON THE EAST LINE OF SAID LOT 9, DOUGLAS ACRES PLAT 7, AN OFFICIAL PLAT; THENCE N 00°40'50" W, 238.58 FEET ALONG THE EAST LINE OF LOT 9 AND LOT 21 OF SAID PLAT TO THE POINT OF BEGINNING AND CONTAINING 6.463 ACRES MORE OR LESS; AND

BEGINNING AT THE SOUTHEAST CORNER OF LOT 11, DOUGLAS HILL MANOR, AN OFFICIAL PLAT; THENCE S00°54'41"E, 3.10 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 172.50 FEET, AN ARC LENGTH OF 115.91 FEET TO A POINT; THENCE S90°00'00"W, 247.96 FEET TO A POINT; THENCE N00°00'00"W, 111.31 FEET TO A POINT ON THE SOUTH LINE OF SAID PLAT; THENCE S89°58'50"E, 212.66 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING AND CONTAINING 0.570 ACRES MORE OR LESS.

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

Section 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 County Recorder of the county in which the subject property is located.

FORM APPROVED:



 Judy K. Parks-Kruse
 Assistant City Attorney