

★ Roll Call Number

12-0886

Agenda Item Number

24

Date June 11, 2012

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 17, 2012, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a City Council initiated request to rezone property in the vicinity of 1540 Scott Avenue from M-2 Heavy Industrial District to PUD Planned Unit Development.

The subject properties are more specifically described as follows:

A PORTION OF LOTS 23, 24, 51, 60, 61, 82, 93, 94, AND 107, AND ALL OF LOTS 25 THRU 50, 62 THRU 81, 95 THRU 106 AND A PORTION OF VACATED ALLEY ADJOINING LOTS 102 THRU 107, VACATED SOUTHEAST 15TH COURT, VACATED ALLEY ADJOINING LOTS 61 THRU 72, VACATED ASTOR STREET, VACATED ALLEY ADJOINING LOTS 38 THRU 51, COTTAGE ADDITION, AN OFFICIAL PLAT; AND ALL OF LOTS 4 THRU 23, AND A PORTION OF LOTS 3 AND 24, AND A PORTION OF THE VACATED ALLEY ADJOINING LOTS 3 THRU 13, GEO GARVER'S SUB-DIVISION OF LOTS 1 & 2 OF OFFICIAL PLAT OF LOT 47 OF BROOKS & COS ADD TO DES MOINES, AN OFFICIAL PLAT; AND ALL OF LOT 3 OF THE OFFICIAL PLAT OF LOT 46 OF BROOKS & COS ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT; AND A PORTION OF VACATED SOUTHEAST 16TH STREET, AND A PORTION OF VACATED SOUTHEAST 16TH COURT, AND A PORTION OF VACATED RAILROAD RIGHT OF WAY, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF REFERENCE BEING THE SOUTHWEST CORNER OF EAST 15TH STREET AND THE FORMER CHICAGO BURLINGTON AND QUINCY RAILROAD RIGHT OF WAY; THENCE NORTH 00°(DEGREES)03'(MINUTES)46"(SECONDS) EAST, 228.66 FEET ON THE WEST RIGHT OF WAY LINE OF SOUTHEAST 15TH STREET; THENCE SOUTH 89°56'14" EAST, 80.00 FEET TO THE EAST LINE OF SOUTHEAST 15TH STREET RIGHT OF WAY AND THE POINT OF BEGINNING; THENCE NORTH 83°07'17" EAST, 536.46 FEET; THENCE 586.46 FEET ON A 4884.98 FOOT RADIUS CURVE TO THE RIGHT WITH A CHORD LENGTH OF 586.11 FEET AND BEARS NORTH 86°33'39" EAST; THENCE NORTH 90°00'00" EAST, 37.57 FEET TO THE EASTERLY LINE OF THE VACATED RAILROAD RIGHT OF WAY; THENCE 456.56 FEET ON A 984.83 FOOT RADIUS CURVE TO THE RIGHT WITH A CHORD LENGTH OF 452.48 FEET AND BEARS SOUTH 11°30'34" EAST ON SAID EASTERLY RIGHT OF WAY LINE TO THE NORTH LINE OF SCOTT STREET RIGHT OF WAY; THENCE NORTH 89°47'31" WEST, 736.56 FEET ON SAID NORTH RIGHT OF WAY LINE TO THE NORTHERLY LINE OF FORMER CHICAGO, BURLINGTON AND

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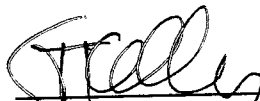
QUINCY RAILROAD; THENCE NORTH 69°38'46" WEST, 542.91 FEET ON SAID NORTHERLY LINE TO THE EAST LINE OF SOUTHEAST 15TH STREET RIGHT OF WAY; THENCE NORTH 00°03'46" EAST, 152.47 FEET ON SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING, CONTAINING 10.26 ACRES MORE OR LESS;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on June 25, 2012, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

FORM APPROVED:

MOVED by Hensley to adopt.

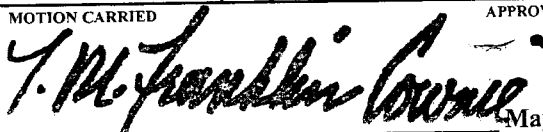

Michael F. Kelley
Assistant City Attorney

(ZON2012-00063)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	<input checked="" type="checkbox"/>			
COLEMAN	<input checked="" type="checkbox"/>			
GRIESS	<input checked="" type="checkbox"/>			
HENSLEY	<input checked="" type="checkbox"/>			
MAHAFFEY	<input checked="" type="checkbox"/>			
MEYER	<input checked="" type="checkbox"/>			
MOORE	<input checked="" type="checkbox"/>			
TOTAL	7			

MOTION CARRIED

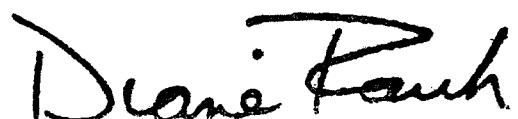
APPROVED


T. M. Franklin
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