

ORDINANCE NO. 14,324

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 riverfront area between University Avenue and the confluence of the Des Moines and Raccoon Rivers from the "R1-60" One-Family Low Density Residential District, the "C-2" General Retail and Highway Oriented Commercial District, the "C-3A" Central Business District Support Commercial District, the "C-3R" Central Business District Mixed Residential District, the "C-3" Central Business District Commercial District, the "PUD" Planned Unit Development District, the "M-1" Light Industrial District, the "M-2" Heavy Industrial District, the "U-1" Floodplain District, and the "FW" Floodway District to the "D-R" Downtown Riverfront District classification, and repealing Ordinance 14,294.

WHEREAS, on November 3, 2003, by Roll Call No. 03-2511, after notice and public hearing, the City Council approved the rezoning of the downtown riverfront area between University Avenue and the confluence of the Des Moines and Raccoon Rivers to the "D-R" Downtown Riverfront District, subject to final passage of the rezoning ordinance; and,

WHEREAS, on December 8, 2003, the City Council enacted Ordinance No. 14, 294, rezoning the downtown riverfront area to the "D-R" Downtown Riverfront District; and,

WHEREAS, the legal description used in Ordinance No. 14,294 does not exactly match the map of the area intended to be rezoned; and,

WHEREAS, the City Council desires to correct the legal description used in Ordinance No. 14,294 to match the map of the area intended to be rezoned; NOW THEREFORE,

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 riverfront area between University Avenue and the confluence of the Des Moines and Raccoon Rivers, more fully described as follows, from the "R1-60" One-Family Low Density Residential District, the "C-2" General Retail and Highway Oriented Commercial District, the "C-3A" Central Business District Support Commercial District, the "C-3R" Central Business District Mixed Residential District, the "C-3" Central Business District Commercial District, the "PUD" Planned Unit Development District, the "M-1" Light Industrial District, the "M-2" Heavy Industrial District, the "U-1" Floodplain District, and the "FW" Floodway District to the "D-R" Downtown Riverfront District classification:

Beginning at the Southwest corner of East University Avenue and East 6th Street right-of-way; thence South along the West right-of-way line of East 6th Street, to the North line of

Lot 5, River Hills Plat No. 4, an Official Plat; thence West along the North Line of said Lot 5, to the Northeast corner of Lot 6, of said River Hills Plat No 4; thence South along the East line of said Lot 6, to the Southeast corner of said Lot 6; thence West along the South line of said Lot 6, a distance of 328.82 feet to the Northwest corner of Lot C, of said River Hills Plat No. 4; thence South along the West line of said Lot C, a distance of 16.98 feet to the Southwest corner of said Lot C and being on the South line of said Lot 6; thence West along the South line of said Lot 6, to the northerly extension of the West line of Lot 1, River Hills Plat No. 7, an Official Plat; and being the West line of said River Hills Plat No. 7, thence South along the northerly extension of the West line of said River Hills Plat No 7 and the West line of said River Hills Plat No. 7 to the North right-of-way line of Des Moines, Street; thence East along the North right-of-way line of Des Moines Street to the West right-of-way line of East 4th Street; thence South along the West right-of-way line of East 4th Street and its southerly extension to the North right-of-way line of East Grand Avenue; thence West along the North right-of-way line of East Grand Avenue to the northerly extension of the West right-of-way line of East 2nd Street; thence South along the northerly extension of the West right-of-way line and the West right-of-way line of East 2nd Street to the North right-of-way line of East Locust Street; thence West along the North right-of-way line of East Locust Street to the northerly extension of the West right-of-way line of East 2nd Street, South of East Locust Street; thence South along the northerly extension of the West right-of-way line of East 2nd Street and the West right-of-way line of East 2nd Street and the West right-of-way line of Southeast 2nd Street and its southerly extension to the North right-of-way line of East Vine Street; thence East along the North right-of-way line of East Vine Street and its easterly extension to the West right-of-way line of Southeast 4th Street; thence South along the southerly extension of the West right-of-way line of Southeast 4th Street and the West right-of-way line of Southeast 4th Street to the North right-of-way line of Raccoon Street; thence westerly along the North right-of-way line of Raccoon Street to the East right-of-way line of Southeast 3rd Street and the northerly extension of the East right-of-way line of Southeast 3rd Street; thence southerly along the northerly extension of the East right-of-way line of Southeast 3rd Street and the East right-of-way line of Southeast 3rd Street to the easterly extension of the North right-of-way line of Allen Street; thence West along the easterly extension of the North right-of-way line of Allen Street to the northerly extension of the East right-of-way line of Southeast 2nd Street; thence South along the northerly extension of the East right-of-way line of Southeast 2nd Street and the East right-of-way line and the southerly extension of the East right of way line of Southeast 2nd Street to the South right-of-way line of Scott Avenue; thence westerly along the South right-of-way line of Scott Avenue and its westerly extension and along the South side of the Scott Avenue Bridge, to the intersection of the South Bank of the Raccoon River and the Des Moines River; thence southwesterly along the South Bank of the Raccoon River to the intersection of the southerly extension of the West line of Lot 5, River Point Plat No. 3, an Official Plat; thence northwesterly along the southerly extension of the West line to the South line of said Lot 5, to the Southwest corner of said Lot 5; thence northeasterly along the South line of said Lot 5, and along the South line of Lot B and Lot 6, of said River Point Plat No 3, and its northeasterly extension of the South line of said Lot 6, to the East right-of-way line of Southwest 2nd Street; thence North along the East right-of-way line of Southwest 2nd Street and its northerly extension

and along the East right of way line of 2nd Avenue and its northerly extension to a point being 779.25 feet South of the South right-of-way line of University Avenue; thence East along a line 779.25 feet South of and parallel with the South right-of-way line of University Avenue, 100.0 feet; thence North along a line 100.0 feet East of and parallel with the East right-of-way line of 2nd Avenue, 150.0 feet, being 629.25 feet South of the South right-of-way line of University Avenue; thence East along a line 629.25 feet South of and parallel with the South right-of-way line of University Avenue to the West right-of-way line of Illinois Avenue; thence North along the West right-of-way line of Illinois Avenue to the South right-of-way line of University Avenue; thence East along the South right-of-way line and its easterly extension of University Avenue to the point of beginning. All now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. Ordinance No. 14,294, passed December 8, 2003, is hereby repealed. It is the intent of the Des Moines City Council that this Ordinance correct and replace Ordinance No. 14,294.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 4. 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:

Roger K. Brown, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 04- 624), passed by the City Council of said City at a meeting held March 22, 2004 signed by the Mayor on March 22, 2004 and published as provided by law in the Business Record on April 5, 2004 Authorized by Publication Order No. 4032.

Diane Rauh, City Clerk

