



Roll Call Number

Agenda Item Number

46C

Date April 8, 2013

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 2303 Merle Hay Road from the R1-60 One-Family Low-Density Residential District and C-1 Neighborhood Retail Commercial District to PUD Planned Unit Development District classification",

presented.

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

FORM APPROVED:

(First of three required readings)

Michael F. Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

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.

MOTION CARRIED APPROVED

Mayor

City Clerk

Prepared by: Michael F. Kelley, Assistant City Attorney, 400 Robert D. Ray Drive,
Des Moines, IA 50309 515/283-4124
Return Address: City Clerk - City Hall, 400 Robert D. Ray Dr., 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 2303 Merle Hay Road from the R1-60 One-Family Low-Density Residential District and C-1 Neighborhood Retail Commercial District to PUD Planned Unit Development 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 134-277 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 2303 Merle Hay Road, more fully described as follows:

LOTS 2, 3, 4, 5, 6, 7, 8 AND 9 IN NEIMAN PLACE, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA,
AND,
AN IRREGULAR SHAPED PORTION OF LOTS 10, 17, 18, 19, 20, 21 AND A IN SAID NEIMAN PLACE,
MORE ACCURATELY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 89°(DEGREES) 36' (MINUTES) 00" (SECONDS) EAST ALONG THE NORTH LINE OF SAID LOT 2 AND ALONG THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 250.00 FEET TO THE EAST LINE OF SAID LOT 21; THENCE SOUTH 00°17'15" WEST ALONG THE EAST LINE OF SAID LOT 21, A DISTANCE OF 100.00 FEET TO THE NORTH LINE SAID LOT A; THENCE SOUTH 89°36'00" EAST ALONG THE NORTH LINE OF SAID LOT A, A DISTANCE OF 11.66 FEET; THENCE SOUTH 00°15'00" WEST, A DISTANCE OF 50.00 FEET TO THE NORTH LINE OF SAID LOT 17; THENCE SOUTH 89°36'00" EAST ALONG THE NORTH LINE OF SAID LOT 17, A DISTANCE OF 38.24 FEET TO THE NORTHEAST CORNER OF SAID LOT 17; THENCE SOUTH 00°12'25" WEST ALONG THE EAST LINE OF SAID LOT 17, A DISTANCE OF 99.89 FEET; THENCE NORTH 89°36'15" WEST, A DISTANCE OF 112.79; THENCE SOUTH 00°26'54" WEST, A DISTANCE OF 189.61 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HICKMAN ROAD AS IT IS PRESENTLY ESTABLISHED, SAID POINT BEING 10.50 FEET NORTH OF THE SOUTH LINE OF SAID LOT 10; THENCE NORTH 89°36'15" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID HICKMAN ROAD, A DISTANCE OF 36.41 FEET TO THE EAST LINE OF SAID LOT 9; THENCE SOUTH 00°17'15" WEST ALONG THE EAST LINE OF SAID LOT 9, A DISTANCE OF 3.50 FEET; THENCE NORTH 89°36'15" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID HICKMAN ROAD, A DISTANCE OF 132.00 FEET; THENCE NORTH 44°39'30" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID HICKMAN ROAD, A DISTANCE OF 25.48 FEET TO THE WEST LINE OF SAID LOT 7 AND TO THE EAST RIGHT-OF-WAY LINE OF MERLE HAY ROAD AS IT IS PRESENTLY ESTABLISHED; THENCE NORTH 00°17'15" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID MERLE HAY ROAD, A DISTANCE OF 425.02 FEET TO THE POINT OF BEGINNING.


SAID TRACT OF LAND CONTAINS 2.38 ACRES

from the R1-60 One-Family Low-Density Residential District and C-1 Neighborhood Retail Commercial District to the PUD Planned Unit Development District classification.

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

Sec. 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 Polk County Recorder.

FORM APPROVED:



Michael F. Kelley
Assistant City Attorney