

★ **Roll Call Number**

Agenda Item Number

67C

Date February 12, 2007

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 3930 SE 72nd Avenue from the "A-1" Agricultural District it will automatically receive upon annexation, to the "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)

*Roger K. Brown*  
 Roger K. Brown  
 Assistant City Attorney  
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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLISSIS				
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

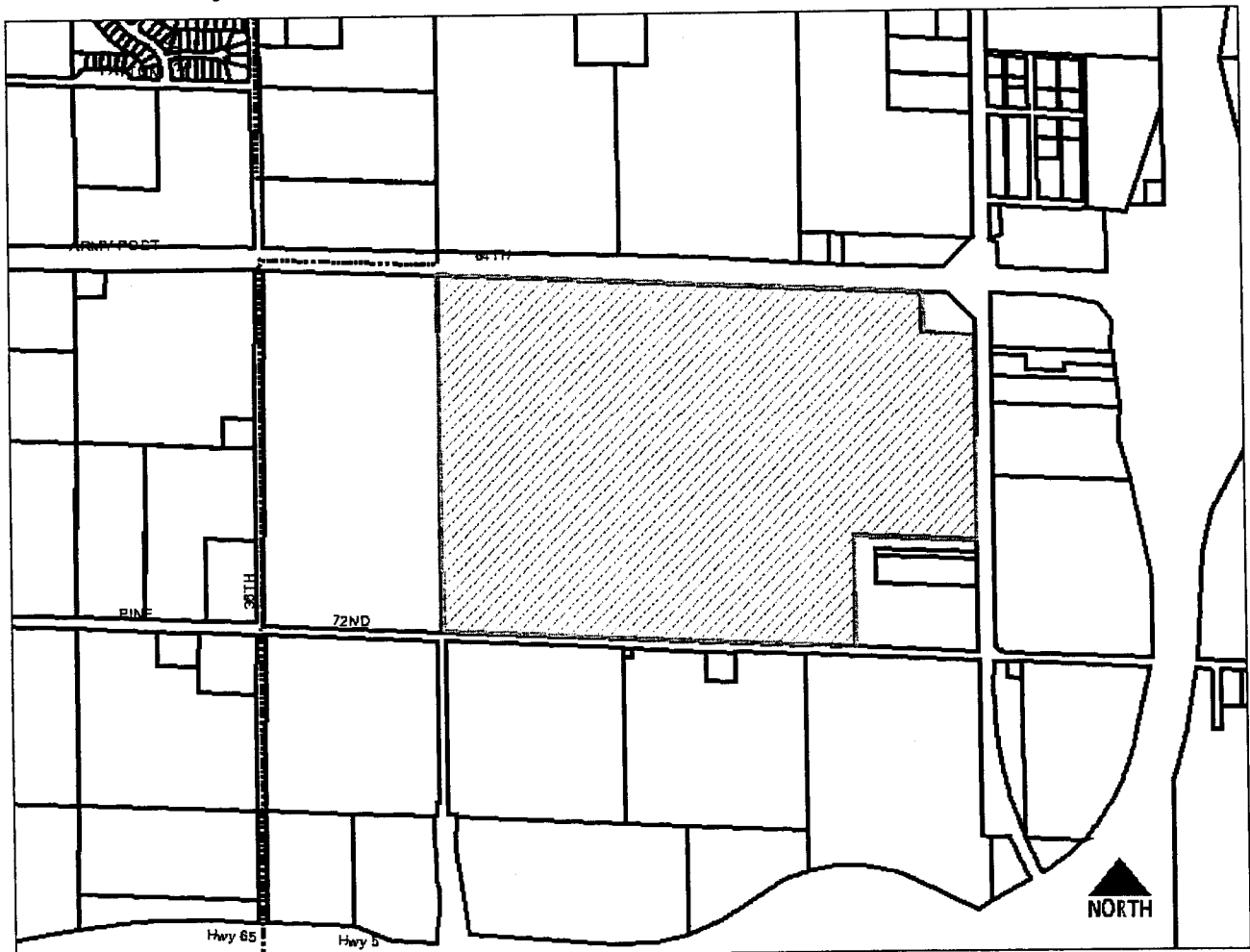
\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk

Request from Mid-America Group (purchaser) represented by Theresa Wahlert (officer) to rezone proposed for voluntary annexation located at 3930 SE 72 <sup>nd</sup> Avenue in Polk County. Subject property is owned by NW 77 JV represented by Al Rivers (officer).		File # <b>ZON2006-00178</b>		
<b>Description of Action</b>	Rezone property from "A-1" Agricultural District to "PUD" Planned Unit Development along with a Conceptual Plan for "Harvest Hills" to include development of approximately 217 acres of agricultural land for 37.8 acres of general retail and highway oriented commercial development, 37.7 acres of high-density multiple-family residential development, 61.3 acres of 70' wide lot single-family residential development, 21.4 acres of 60' wide lot single-family residential development, 40.5 acres of 50' wide lot single-family residential development, and 13.7 acres for school use.			
<b>2020 Community Character Plan</b>	Agricultural.			
<b>Horizon 2025 Transportation Plan</b>	Widen Army Post Road from 2 lane undivided to 4 lane undivided from SE 14 <sup>th</sup> Street to SE 45 <sup>th</sup> Street.			
<b>Current Zoning District</b>	"A-1" Agricultural District.			
<b>Proposed Zoning District</b>	"PUD" Planned Unit Development District.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	8	0	0	<20%
<b>Plan and Zoning Commission Action</b>	<b>Approval</b>	<b>10-1</b>	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No
				X

Mid-America Group and NW77 JV Partnership - 3930 SE 72nd Avenue

ZON2006-00178



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Prepared by: Roger K. Brown, Assist City Attorney, 400 Robert Ray Dr., Des Moines, IA 50309  
515/283-4541  
Return Address: City Clerk - City Hall, 400 Robert Ray Dr., Des Moines, IA 50309  
Title of Document: City of Des Moines, Ordinance No. \_\_\_\_\_  
Legal Description: See below on this page.

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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 3930 SE 72nd Avenue from the "A-1" Agricultural District it will automatically receive upon annexation, to the "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 3930 SE 72nd Avenue, more fully described as follows:

The Northwest 1/4 and a part of the West 1/2 of the Northeast 1/4 of Section 32, Township 78 North, Range 23 West of the 5<sup>th</sup> P.M., Polk County, Iowa all of which being more particularly described as Parcel "E", as shown by the Plat of Survey Recorded on January 17, 2002, in Book 9085, at Page 537, on the office of the Polk County Recorder.

from the "A-1" Agricultural District it will automatically receive upon annexation, to the "PUD"

ORDINANCE No. \_\_\_\_\_

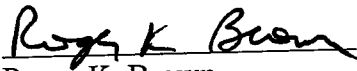
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Planned Unit Development District classification.

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:



Roger K. Brown

Assistant City Attorney

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