

★ **Roll Call Number**

**Agenda Item Number**

39C

Date March 26, 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 3001 Beaver Avenue from the "R1-60" One-Family Low-Density Residential District to the "PUD" Planned Unit Development District classification",

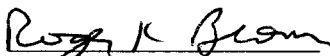
presented.

MOVED by \_\_\_\_\_ that this ordinance be considered and given first vote for passage.

**NOTE:** Six affirmative votes are required to approve the rezoning and "PUD" Conceptual Plan because of a sufficient protest by the adjoining property owners.

FORM APPROVED:

(First of three required readings)

  
 Roger K. Brown  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....  
 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.

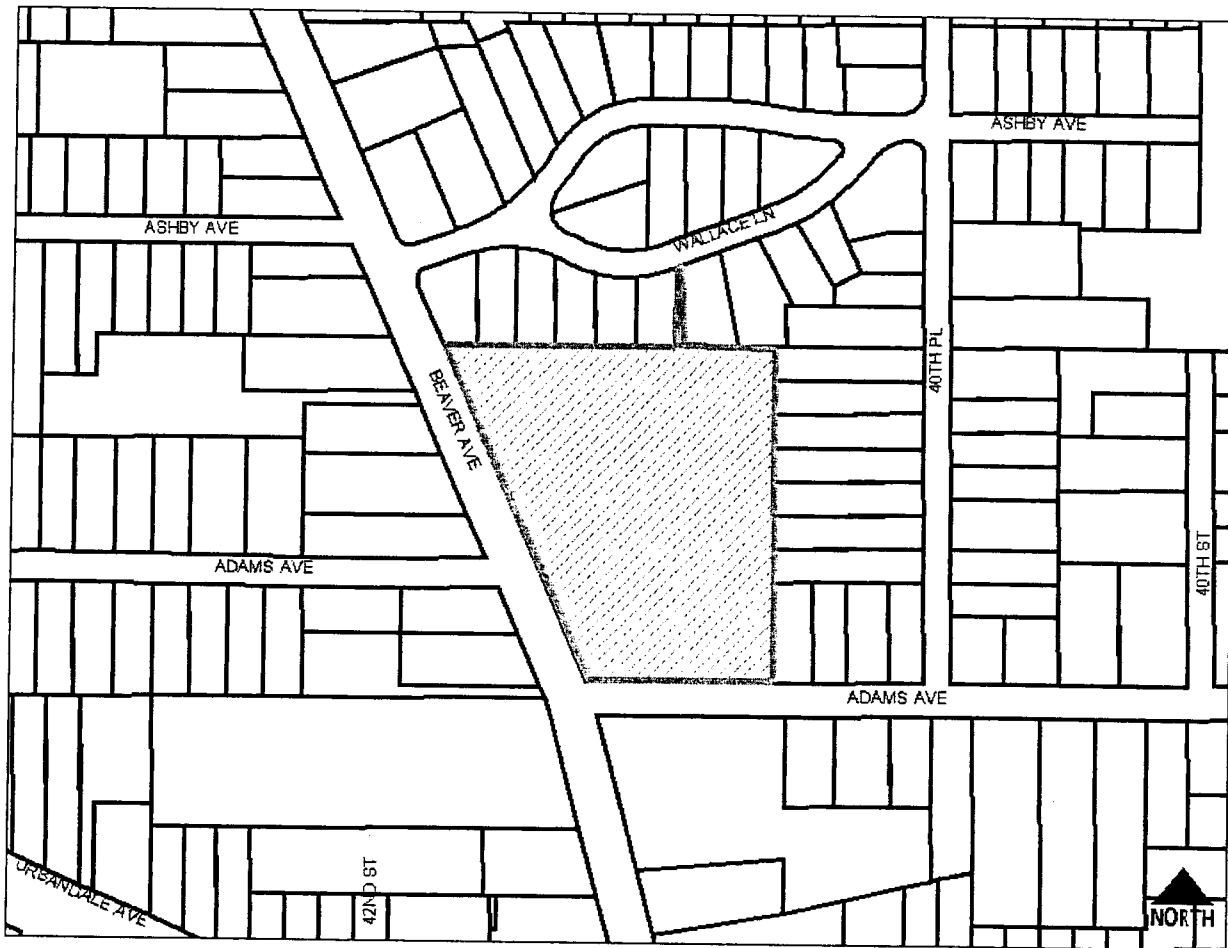
\_\_\_\_\_  
 City Clerk

39C

Request from Rice Development Partners, LLC (purchaser) represented by Adam Van Dyke (Agent) regarding property located at 3001 Beaver Avenue. Subject property is owned by the Des Moines Public Schools.				File #	
				ZON2006-00190	
<b>Description of Action</b>		Rezone property from "R1-60" One-Family Low Density Residential District to "PUD" Planned Unit Development District for a mix of bi-attached single-family dwellings, row house dwellings and mixed use commercial/office residential.			
<b>2020 Community Character Plan</b>		Low-Density Residential, Public & Semi-Public			
<b>Horizon 2025 Transportation Plan</b>		No Planned Improvements			
<b>Current Zoning District</b>		"R1-60" One-Family Low-Density Residential 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		2	29	0	>20%
<b>Plan and Zoning Commission Action</b>	<b>Approval</b>	<b>See letter</b>	<b>Required 6/7 Vote of the City Council</b>	<b>Yes</b>	<b>X</b>
	<b>Denial</b>			<b>No</b>	

Rice Development Partners - 3001 Beaver Avenue

ZON2006-00190



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Prepared by: Roger K. Brown, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309 515/283-4541  
 Return Address: City Clerk - City Hall, 400 Robert D. 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 3001 Beaver Avenue from the "R1-60" One-Family Low-Density Residential District 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 3001 Beaver Avenue, more fully described as follows:

The West 5 acres of Lot 5 of the Official Plat of the South 1/2 of the Northwest 1/4 of Section 29, Township 79 North, Range 24 West of the 5th P.M.; and, Lot C, Ashby Manor, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

from the "R1-60" One-Family Low-Density Residential 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:



Roger K. Brown

Assistant City Attorney

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