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 Date..... April 23, 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",

which was considered and voted upon under Roll Call No. 07-282 of February 12, 2007; again presented.

MOVED by _____ that this ordinance be considered and given second vote for passage.

(Second of three required readings)

Tracking Notes:
 On February 26, 2007, by Roll Call No. 07-398 deferred to March 26, 2007
 On March 26, 2007, by Roll Call No. 07-583 deferred to April 23, 2007
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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLAISIS				
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.

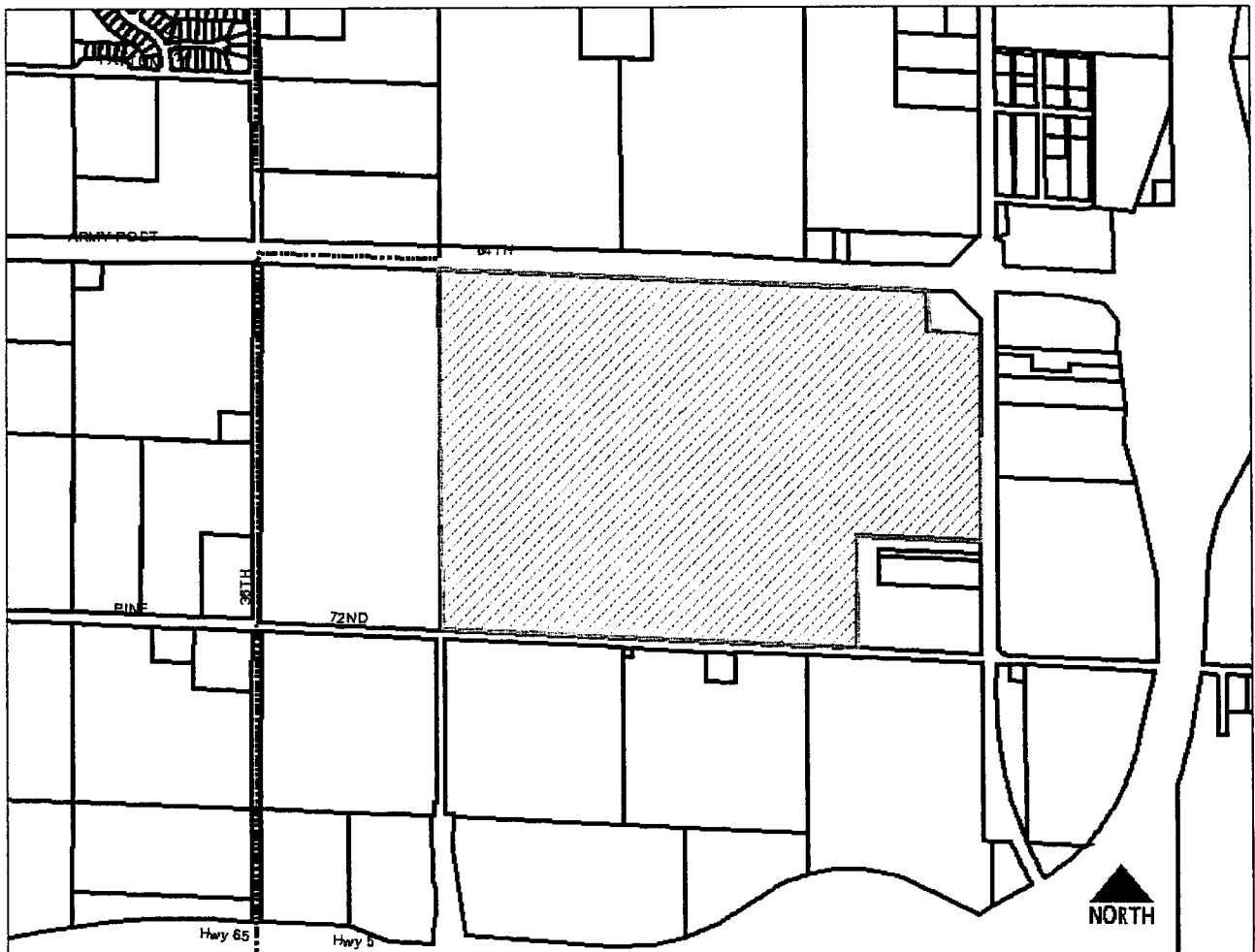
 City Clerk

54B

Request from Mid-America Group (purchaser) represented by Theresa Wahlert (officer) to rezone proposed for voluntary annexation located at 3930 SE 72 nd Avenue in Polk County. Subject property is owned by NW 77 JV represented by AI Rivers (officer).			File # ZON2006-00178	
Description of Action	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.			
2020 Community Character Plan	Agricultural.			
Horizon 2025 Transportation Plan	Widen Army Post Road from 2 lane undivided to 4 lane undivided from SE 14 th Street to SE 45 th Street.			
Current Zoning District	"A-1" Agricultural District.			
Proposed Zoning District	"PUD" Planned Unit Development District.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	8	0	0	<20%
Plan and Zoning Commission Action	Approval	10-1	Required 6/7 Vote of the City Council	Yes
	Denial			No

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

ZON2006-00178



F.U. 4-23
54B

★ Roll Call Number

07-583

Agenda Item Number

4/B

March 26, 2007

Date

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",

which was considered and voted upon under Roll Call No. 07-282 of February 12, 2007; again presented.

MOVED by Meyer to defer second consideration to the April 23, 2007, City Council meeting.

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

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

Y. M. Franklin Couese

Mayor

Diane Rauh

City Clerk

54B

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.

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 5th 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.

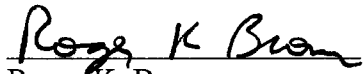
from the "A-1" Agricultural District it will automatically receive upon annexation, to the "PUD"

Planned Unit Development District classification.

Sec. 2. This ordinance shall be in full force and effect from and after the later of its publication or the effective date of the annexation of the above described property into the City of Des Moines.

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:

Handwritten signature in cursive script that reads "Roger K. Brown".

Roger K. Brown

Assistant City Attorney

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