

Date May 7, 2007

WHEREAS, on April 23, 2007, by Roll Call No. 07- 755, it was duly resolved by the City Council, that the City Council consider a proposal from Tai Village, Inc., represented by Siang Bacht, Secretary, to rezone certain property it owns in the vicinity of 4200 Martin Luther King Jr. Parkway from the "R1-60" One-Family Low-Density Residential District and "U-1" Floodplain District classification to the "PUD" Planned Unit Development District classification, and to approve an amended "PUD" Conceptual Plan for the property described below together with additional land extending to the north and west, and that such proposal be set down for hearing on May 7, 2007, at 5:00 P.M., in the Council Chambers at City Hall; and,

WHEREAS, due notice of said hearing was published in the Des Moines Register on April 26, 2007, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and,

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the property located in the vicinity of 4200 Martin Luther King Jr. Parkway, more fully described as follows (the "Property"):

All of Lot 12 of Carmel Heights Plat No. 5, being an Official Plat, and a part of the abandoned Des Moines and Central Iowa Railroad Right-of-Way in the South 1/2 of the Northeast 1/4 of the Southwest 1/4, all in Section 21, Township 79 North, Range 24 West of the 5th P.M. in the City of Des Moines, Polk County, Iowa and described as follows:

Commencing at the South 1/4 corner of said Section 21; Thence North 0°02'03" East along the East line of said Southwest 1/4, a distance of 1994.43 Feet; Thence North 89°31'53" West, 721.39 Feet to a point on the West Right-of-Way line of said abandoned Des Moines and Central Iowa Railroad and to the point of beginning; Thence South 6°51'12" West, 226.71 Feet to the Southeast corner of said Lot 12; Thence Northerly along the West line of said Lot 12 and along a curve concave Westerly whose radius is 194.00 Feet, whose arc length is 116.39 Feet and whose chord bears North 23°40'38" West, 114.65 Feet; Thence North 41°41'40" West continuing along said West line, 130.48 Feet to the Northwest corner of said Lot 12; Thence North 78°06'31" East along the North line of said Lot 12, a distance of 111.98 Feet to the Northeast corner thereof; thence South 89°31'53" East along said West Right-of-Way line of the abandoned Des Moines and Central Iowa Railroad, 50.31 Feet to the point of beginning, 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 and "U-1" Floodplain District classification to the "PUD" Planned Unit Development District classification; and,

WHEREAS, the proposed amended "PUD" Conceptual Plan entitled Tai Village at Sawyer's Landing provides for the development of approximately 84 acres with a village for the Tai Dam cultural community to include 12 units of single-family housing, a Tai cultural palace, a Tai museum, sustainable agricultural gardens, an ancestral shrine, Native American meditation area, and a network of trails with shelters at various activity nodes; and,

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Date..... May 21, 2007

WHEREAS, the Plan and Zoning Commission has recommended that the proposed rezoning and the amended "PUD" conceptual plan be approved, subject to the conditions identified in the attached letter from the Planning Administrator; and,

WHEREAS, in accordance with said notice those interested in said proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to said proposed rezoning and "PUD" Conceptual Plan are hereby overruled and the hearing is closed.

2. The proposed rezoning and "PUD" Conceptual Plan are hereby found to be in conformance with the Des Moines 2020 Community Character Land Use Plan, subject to the conditions identified below.

3. The "PUD" Conceptual Plan for the Property described above, which is on file in the Community Development Department, is hereby approved, subject to the plan being first amended to satisfy the following conditions, and subject to the Community Development Director finding that such conditions have been satisfied by the amendments to the plan:

- a) Addition of a note requiring that any off-street parking area constructed shall provide landscaping in accordance with provisions as applicable to institutional uses in the "R1" Districts.
- b) Addition of a note that all trails and building facilities to be granted access by members of the public or by the Tai Dam residential community as a whole shall be in compliance with the intent of the Americans with Disabilities Act.
- c) Addition of a note indicating that all fencing surrounding the site shall be black-coated chain link not to exceed 8' in height. One hundred percent opaque wood screen fencing up to 6 feet in height is permitted around off-street parking areas to meet buffer yard requirements.
- d) No access easement to the Sawyer's Landing trail connection is required in any future plat.

★ Roll Call Number

Agenda Item Number

60

Date..... May 7, 2007

MOVED by \_\_\_\_\_ to adopt and approve the rezoning and Conceptual Plan, subject to final passage of the rezoning ordinance.

FORM APPROVED:

*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				
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







# TAI VILLAGE AT SAWYER'S LANDING

## PUD CONCEPT PLAN AMENDMENT - PHASE 2

### SNYDER & ASSOCIATES

2727 S.W. SNYDER BLVD.  
ANN ARBOR, MI 48106  
616-964-2000

715-242-6516  
1715-242-6516  
2515-242-6516  
2515-242-6516

10700 W. WISCONSIN AVE.  
ST. LOUIS, MO 63123  
314-286-8222

DES MOINES, IOWA

Project No: 107-0192  
Contract No: 03-07-07  
Scale: 1" = 200'

Author: EDC  
Checked By: EDC  
Date: 11/11/07

NO.	DATE	REVISION



