

★ **Roll Call Number**

Agenda Item Number

642

September 10, 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 4680 NE 23rd Avenue (also known as Easton Blvd) from the "A-1" Agricultural District 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

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

64C

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. _____
 Grantor/Grantee: City of Des Moines, Iowa
 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 4680 NE 23rd Avenue (also known as Easton Blvd) from the "A-1" Agricultural 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 4680 NE 23rd Avenue (also known as Easton Blvd), more fully described as follows:

A part of the West Half of the Southwest Quarter of Section 27 and a part of the East Half of the East Half of the Southeast Quarter of Section 28, all in Township 79 North, Range 23 West of the 5th P.M., all now included in and forming a part of the City of Des Moines, Polk County, Iowa, and more particularly described as follows:

Beginning at the Northeast corner of Four Mile Plat No. 2, an Official Plat; thence North 89°45'40" East along the North line of said Southeast Quarter of Section 28, a distance of 650.34 feet to the East Quarter corner of said Section 28; thence South 89°57'21" East along the North line of said Southwest Quarter of Section 27, a distance of 1323.88 to the

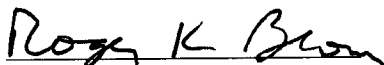
Northwest corner of Tract "A" in Lot 1 of the Plat of Stephen Harvey Estates in the East Half of the Southwest Quarter as shown on the Plat of Survey recorded in Book 5735, Page 973; thence South 00°18'37" West along the West line of said Tract "A", a distance of 2118.66 feet to a line 533 feet North of, and parallel with, the South line of said Southwest Quarter of Section 27; thence North 89°49'09" West along a line 533 feet North of, and parallel with, the South line of said Southwest Quarter of Section 27, a distance of 452.38 feet; thence South 00°03'18" West, 443.00 feet; thence North 89°49'09" West, 861.95 feet to the West line of said Section 28; thence South 89°59'27" West, 64.00 feet; thence North 00°03'08" East along a line 64 feet West of, and parallel with, the East line of said Southeast Quarter of Section 28, a distance of 241.00 feet; thence South 89°59'27" West along a line 331 feet North of, and parallel with, the South line of said Southeast Quarter of Section 28, a distance of 200.00 feet; thence South 00°03'08" West along a line 264 feet West of, and parallel with, the East line of said Southeast Quarter of Section 28, a distance of 331.00 feet to the South line of said Southeast Quarter of Section 28; thence South 89°59'27" West along said South line, 394.75 feet to the Southeast corner of Four Mile Plat No. 2, an Official Plat; thence North 00°14'05" East along the East line of said Four Mile Plat No. 2, a distance of 2645.93 feet to the Point of Beginning and containing 111.00 acres more or less.

from the "A-1" Agricultural 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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Request from HDR Land Development, LLC (purchaser) represented by Matt DeMey (agent) to rezone property located at 4680 NE 23 rd Avenue and approve a PUD Conceptual Plan. The subject property is owned by Richard N. Downs.			File # ZON2007-00035		
Description of Action	Rezone subject property from "A-1" Agricultural District to "PUD" Planned Unit Development and approve a PUD Conceptual Plan for "The Woods of Copper Creek" for approximately 71 acres for 60' wide lot single-family residential development, approximately 22 acres of 70' wide lot single-family development, and approximately 18 acres for medium-density multiple-family residential development to be defined with a future amendment.				
2020 Community Character Plan	Low-Density Residential and Not Designated.				
Horizon 2025 Transportation Plan	No Planned Improvements.				
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	2	3	0	<20%	
Plan and Zoning Commission Action	Approval	10-0	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

HDR Land Development LLC - 4680 NE 23rd Avenue

ZON2007-00035

