

★ Roll Call Number

Agenda Item Number

539

Date..... October 8, 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 1900 SE 6th Street from a Limited "R-3" Multiple-Family Residential District to an amended Limited "R-3" Multiple-Family Residential 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				
VLASSIS				
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.

City Clerk

MOTION CARRIED

APPROVED

.....
Mayor

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 1900 SE 6th Street from a Limited "R-3" Multiple-Family Residential District to an amended Limited "R-3" Multiple-Family Residential 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 1900 SE 6th Street, more fully described as follows, from a Limited "R-3" Multiple-Family Residential District to an amended Limited "R-3" Multiple-Family Residential District classification:

That part of Lot 3, in Sevastopol, an Official Plat, lying North of E. Hillside Avenue, except Beginning at the southeast corner, thence northwesterly 159.66 feet along the North right-of-way line of E. Hillside Avenue, thence North 61.80 feet, thence East 57 feet, thence northeasterly 142.28 feet, thence East 50 feet to the West right-of-way line of SE 6th Street, thence South 234.05 feet along the West right-of-way line of SE 6th Street to Point of Beginning; and, all Lots 1, 2, 3, Boyd's Place, an Official Plat; and, except Beginning at the Southwest corner, thence North 140 feet, thence East 160 feet, thence South 176.75 feet, thence northwesterly to the Point of Beginning, Lot 25, Official Plat West ½ South of the Des Moines River, of Section 10, Township 78 North, Range 24 West of the 5th P.M., all now included in and forming a part of the City of Des Moines, Polk County, Iowa (hereinafter referred to as the "Property").

Sec. 2. That this ordinance and the zoning granted by the terms hereof are subject to the following imposed additional conditions which have been agreed to and accepted by execution of an Acceptance of Rezoning Ordinance by all owners of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

- A. Any multiple-family residential use of the Property shall be limited to housing that qualifies as housing for older persons under the limitations and restrictions applicable to such housing under federal, state and local law.
- B. Any buildings constructed upon the Property shall conform with the following standards:
 - 1) The buildings shall be located between the predominant off-street parking areas and the adjoining public street.
 - 2) The buildings shall not exceed 3 stories in height.
 - 3) The sufficiency of the building setback from the north line of the Property shall be specifically addressed in the site plan review process.
- C. The screening and landscaping along the north line of the Property shall be subject to specific review and approval in the site plan review process.
- D. The stormwater detention standards for any development of the property shall be based upon a hydrological analysis for the Property and the adjoining area.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 4. The City Clerk is hereby authorized and directed to cause a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, 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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530

Request from Curly Top, LLC (purchaser) represented by John Mauro (officer) to rezone property located at 1900 SE 6 th Street. The subject property is owned by the South Des Moines Little League, Inc.			File # ZON2007-00162	
Description of Action	Rezone Property from Limited "R-3" Multiple-Family Residential District to "R-3" Multiple-Family Residential District, to remove the existing condition requiring a Planned Unit Development to allow up to 80 units of senior apartments.			
2020 Community Character Plan	Low/Medium Density Residential.			
Horizon 2025 Transportation Plan	SE 6 th Street from Maury Street to Indianola Avenue to widen from 2-lane undivided to 3-lane undivided.			
Current Zoning District	Limited "R-3" Multiple-Family Residential District.			
Proposed Zoning District	"R-3" Multiple-Family Residential District.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	1	6	0	<20%
Plan and Zoning Commission Action	Approval	11-0	Required 6/7 Vote of the City Council	Yes
	Denial			No

Curly Top, LLC - 1900 SE 6th Street

ZON2007-00162

