

★ **Roll Call Number**

Agenda Item Number

34

Date December 3, 2012

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 amending the approved Luther Park PUD Planned Unit Development Conceptual Plan for property located in the vicinity of 2906 East 16th Street to allow construction of a one-story addition for 10 memory care residential units to the west side of the Gardens assisted living facility along Hull Avenue",

which was considered and voted upon under Roll Call No. 12- 1802 of November 19, 2012; again presented.

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

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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

Prepared by: Michael F. Kelley, Assistant City Attorney, 400 Robert D. Ray Drive,
Des Moines, IA 50309 515/283-4124

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 page 1, below.

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 amending the approved Luther Park PUD Planned Unit Development Conceptual Plan for property located in the vicinity of 2906 East 16th Street to allow construction of a one-story addition for 10 memory care residential units to the west side of the Gardens assisted living facility along Hull Avenue.

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 amending the approved Luther Park PUD Planned Unit Development Conceptual Plan for property located in the vicinity of 2906 East 16th Street, more fully described as follows:

A TRACT OF LAND IN THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., FURTHER DESCRIBED AS:

LOTS 1 THROUGH 6, AMOS PLACE, AN OFFICIAL PLAT; AND THE NORTH 635.0 FEET OF LOT 1, PARTITION PLAT OF NORTHEAST 1/4 OF SOUTHWEST 1/4 OF SAID SECTION 25; AND THE EAST 50.0 FEET OF THE SOUTH 150.0 FEET OF THE

NORTH 175.0 FEET OF LOT 11, OF SAID PARTITION PLAT, AND LOTS 1 THROUGH 15, MECHANIC ADDITION, AN OFFICIAL PLAT; AND THE 8.5 FOOT VACATED NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING OF SAID LOT 1 THROUGH 15, (EXCEPT THE WEST 1/2 OF VACATED ALLEY LYING WEST OF THE SOUTH 13.39 FEET OF SAID LOT 13, AND THE WEST 1/2 OF VACATED ALLEY LYING WEST OF SAID LOT 14 & 15,) AND LOTS 5,6 AND 7, LINDQUIST PLACE REPLAT, AN OFFICIAL PLAT, AND THE 8.0 FOOT VACATED NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING EAST OF AND ADJOINING SAID LOTS 5,6, AND 7, AND A TRIANGULAR PIECE BEGINNING AT THE SW CORNER OF LOT 4, LINDQUIST PLACE REPLAT; THENCE EAST 27.0 FEET ALONG SAID LOT LINE; THENCE NORTHWESTERLY TO A POINT 1.5 FEET NORTH OF SAID CORNER; THENCE SOUTH 1.5 FEET TO THE POINT OF BEGINNING, AND THE 50.0 FOOT RIGHT-OF-WAY LYING WEST OF AND ADJOINING SAID LOTS 5,6,& 7, AND ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA


to allow construction of a one-story addition for 10 memory care residential units to the west side of the Gardens assisted living facility along Hull Avenue subject to the following conditions:

- a. The PUD Conceptual Plan shall be revised to show the proposed plantings and landscaping requirements as applicable to R-3 Districts for the reconfigured off-street parking and the perimeter area along Hull Avenue.
- b. Revise the architectural elevations to provide for stone material at the lower edge of the entire north and west facades at the foundation of the proposed addition.

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:



Michael F. Kelley
Assistant City Attorney