

★ Roll Call Number

10-605

Agenda Item Number

25

Date April 26, 2010

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 15, 2010, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Grand View University to rezone property located in the vicinity of 2901 East 14th Street, 1410 Morton Street, and 2613 Idaho Street, from "R1-60" One-Family Low Density Residential District to "PUD" Planned Unit Development, and property at 1417 Hull Avenue owned by Virginia Plummer from "C-2" General Retail and Highway Oriented Commercial District to "PUD" Planned Unit Development subject to the following:

1. Revision to include proposed conceptual landscaping for surface off-street parking areas and require open space.
2. Revision to indicate removal of existing landscaping for proposed building and parking areas, subject to compliance with tree mitigation requirements as part of any Development Plan.
3. Revision to include a typical landscaped berm profile be provided for required perimeter lot screening in areas that adjoin public streets.
4. Revision to designate a physical restriction method to prevent public access to the proposed emergency and maintenance access drive.
5. Provision of signed architectural elevations for the four-story student housing project and the student center addition.
6. A note indicating that vacation of air rights and detailed architectural design will be necessary as part of a future amendment to the Conceptual Plan for the proposed enclosed pedestrian overpass on East 14th Street.

The subject property is more specifically described as follows:

THE EAST 55 FEET OF THE WEST 105 FEET OF THE NORTH 137.10 FEET OF LOT 7 IN THE PARTITION PLAT OF THE NW ¼ OF THE SW ¼ OF SECTION 25 TOWNSHIP 79 RANGE 24, THE EAST 120 FEET OF THE WEST 225 FEET OF THE NORTH 137.1 FEET OF LOT 7 IN THE PARTITION PLAT OF THE NW ¼ OF THE SW ¼ OF SECTION 25 TOWNSHIP 79 RANGE 24
AND

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LOTS 5 AND 6 OF MILLER'S ADDITION, AN OFFICIAL PLAT, AND LOTS 1-6 AND 17-20 OF WOODS AND BELLS ADDITION, AN OFFICIAL PLAT, AND LOTS 7-9 AND 11-12 OF BALL PARK HEIGHTS, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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

That the meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on May 10, 2010, at which time the City Council will hear both those who oppose and those who favor the proposal.

That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED by Coleman to adopt.

FORM APPROVED:

[Signature of Michael F. Kelley]

Michael F. Kelley Assistant City Attorney

(ZON2010-00038)

*Council Member Mahaffey declares a conflict of interest and abstains from voting.

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, * MAHAFFEY, MEYER, MOORE, and 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.

[Signature of T. M. Franklin] Mayor

[Signature of Diane Rauh] City Clerk