

Date May 10, 2010

WHEREAS, on April 26, 2010, by Roll Call No. 10-605, the City Council duly resolved to consider a proposal from Grand View University to rezone certain property located in the vicinity of 2901 East 14th Street, 1410 Morton Street, 2613 Idaho Street and 1417 Hull Avenue from the R1-60 and C-2 District classifications to the PUD Planned Unit Development District classification, and to approve the proposed PUD Conceptual Plan for such property, and that such proposal be set down for hearing on May 10, 2010, 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 29, 2010, 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 2901 East 14th Street, 1410 Morton Street, 2613 Idaho Street and 1417 Hull Avenue, more fully described as follows (the "Property"):

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

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.

from the R1-60 and C-2 District classifications to the PUD Planned Unit Development District classification; and,

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

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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:

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.

(Continued on Page 3)

★ Roll Call Number
10.742

Agenda Item Number
50

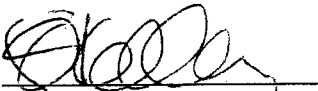
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5. Provision of signed architectural elevations for the four-story student housing project and the student center addition.
6. A note indicating that vacation of air rights and detailed architectural design will be necessary as part of a future amendment to the Conceptual Plan for the proposed enclosed pedestrian overpass on East 14th Street.

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

FORM APPROVED:


Michael F. Kelley
Assistant City Attorney

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
* MAHAFFEY				
MEYER	✓			
MOORE	✓			
TOTAL	6			

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.

MOTION CARRIED APPROVED
T. M. Franklin Cownie
Mayor

Diane Rauh
City Clerk