

★ Roll Call Number
11-0833

Agenda Item Number
55

Date May 9, 2011

WHEREAS, on April 25, 2011 by Roll Call No. 11-0681, the City Council duly resolved that a public hearing be held on May 9, 2011, at 5:00 p.m., in Council Chambers at City Hall, to consider a proposal from Wesley Retirement Services, Inc. to amend the approved Wesley Acres PUD Planned Unit Development Conceptual Plan for property located in the vicinity of 3520 Grand Avenue to add 66 additional parking spaces in scattered locations throughout the campus and to construct a 4,650 square foot one-story addition to the north side John Stoddard Health Center building, subject to administrative review of the final PUD Conceptual Plan documents; and,

WHEREAS, due notice of said hearing was published in the Des Moines Register on April 28, 2011, as provided by law, setting forth the time and place for hearing on the proposed amendment to the approved PUD Conceptual Plan; and,

WHEREAS, the Plan and Zoning Commission has recommended that the proposed amendment to the approved PUD Conceptual Plan be approved, subject to the conceptual plan being first amended as set forth in the attached letter from the Planning Administrator; and,

WHEREAS, in accordance with the published notice those interested in the proposed amendment to the approved PUD Conceptual Plan, 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 the proposed amendments to the approved PUD Conceptual Plan for the property in the vicinity of 3520 Grand Avenue, and more specifically described below, are hereby overruled and the hearing is closed.

Lot 1 Official Plat of Lot 5 of Pierce's Subdivision of the North 1/2 of the Northeast 1/4 of Section 7, Township 78, Range 24 West of the 5th P.M and Lots 3 and 4 of the Official Plat of Lots 1 through 24 of Section 7, Township 78, Range 24 West of the 5th P.M, except that part described as follows:

Commencing at the Northeast corner of said Lot 1; thence South 0° (Degrees) $09'$ (Minutes) $57''$ (Seconds) East along the Easterly line of said Lot 1, a distance of 617.54 feet; thence South $89^{\circ} 45' 23''$ East along the Northerly line of said Lot 1, a distance of 165.15 feet; thence South $0^{\circ} 04' 49''$ East along the East line of said Lot 1, a distance of 333.0 feet to the Point of Beginning; thence South $0^{\circ} 04' 49''$ East

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along the East line of said Lot 1, a distance of 325.15 feet to the Southeast corner of said Lot 1; thence North 89° 26' 27" West along the South line of said Lot 1, a distance of 263.37 feet; thence North 0° 15' 28" West, 259.0 feet; thence North 45° 00' 00" East 91.12 feet; thence North 89° 45' 23" East, 199.64 feet to the Point of Beginning; and that part of the South 200.0 feet of the North 540.0 feet of Lot 5 (except the West 33 feet thereof) of the Official Plat Lots 1 through 24 of Section 7, Township 78 North, Range 24, West of the 5th P.M.; and all of Lot 1 in Portland Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. The proposed amended PUD Conceptual Plan is hereby found to be in conformance with the Des Moines 2020 Community Character Land Use Plan, subject to the conditions identified below.

3. The amended 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 conditions recommended by the Plan and Zoning Commission as set forth in the attached letter from the Planning Administrator, and subject to approval of such amendments by the Community Development Director.

MOVED by Hensley to adopt.


FORM APPROVED:


Michael F. Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED


T. M. Franklin
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.


Diane Rauh
City Clerk