

12-0459

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Date March 26, 2012

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 15, 2012, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Wesley Retirement Services, Inc. (owner) represented by Shareen Anderson (officer) for an amendment to the Wesley Acres PUD Conceptual Plan for property located at 3520 Grand Avenue, to allow beer and wine sales for on-site consumption as part of the food service for residents as a permitted use, to make revisions to the allowed signage program to accommodate new branding, and to define the permitted exterior design for a 5,470-square foot adult daycare building addition subject to the following:

1. Compliance with administrative review comments of final PUD Conceptual Plan documents.
2. Limitation of the beer and wine sales to the Grand Dining Center, with access restricted to residents, employees, and their guests only. Consumption and sales shall not occur and closer than 900 feet to any daycare or preschool use within the property.
3. Issuance of sign permits for all the installed signs described on the amendment and provision of a key in the Conceptual Plan to show location of each separate sign in the sign plan to a location on the site along with details of external illumination. A note should be included that no external illumination of any sign shall be directed onto any adjoining residential property.

The subject properties are more specifically described as follows:

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° 45' 23" East along the Northerly line of said Lot 1, a distance of 165.15 feet; thence South 0° 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° 04' 49" East 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

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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.

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

1. 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 April 9, 2012, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. 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 Hensley to adopt.

FORM APPROVED:

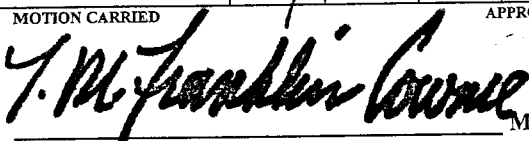

 Michael F. Kelley
 Assistant City Attorney

(ZON2012-000020)

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

MOTION CARRIED

APPROVED


 J. 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