

★ Roll Call Number

12-0563

Agenda Item Number

48

Date April 9, 2012

WHEREAS, on March 26, 2012, by Roll Call No. 12-0458 it was duly resolved by the City Council, that a public hearing to be held on April 9, 2012, at 5:00 p.m., in the Council Chambers at City Hall, to consider a proposal from Hubbell Realty Company to amend the approved Riverwoods Planned Unit Development PUD and Conceptual Plan for property located in the vicinity of 2210 East Park Avenue to a separate PUD Planned Unit Development named Riverwoods Terrace with a new Conceptual Plan used for the property; and

WHEREAS, due notice of said hearing was published in the Des Moines Register on March 29, 2012, as provided by law, setting forth the time and place for hearing on said proposed amendment to the approved PUD Conceptual Plan; and

WHEREAS, the Plan and Zoning Commission by a vote of 8-0-2 at a public hearing on March 15, 2012 recommended that the separate Riverwoods Terrace PUD and the proposed amendment to the approved PUD Conceptual Plan be approved subject to the following conditions and subject to the Conceptual Plan being first amended as set forth in the attached letter from the Planning Administrator:

1. A standard added that any solid waste collection container shall be within an enclosure constructed of masonry that is architecturally compatible with the primary building and shall have solid steel gates.
2. Provision of street trees along all adjoining street right-of-ways in accordance with standards and spacing for residential districts and the trees will count towards the 50% tax abatement requirement.
3. Addition of a requirement that all building or wall mounted signage shall comply with the "C-1" District standards for assisted living use.
4. Identification of the approximate location of all proposed storm water management facilities to the satisfaction of the Permit and Development Administrator.

WHEREAS, in accordance with the published notice those interested in said 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.

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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 amendments to the approved PUD Conceptual Plan for the property in the vicinity of 2210 East Park Avenue, and more specifically described below, are hereby overruled and the hearing is closed.

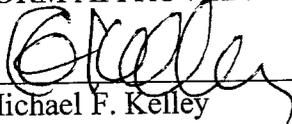
Lot 3, Woods on the River Plat 1, an Official Plat and Outlots Y and Z, Woods on the River Plat 2, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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 Riverwoods Terrace PUD and 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 Meyer to adopt.

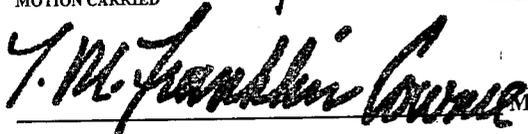
FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

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

MOTION CARRIED

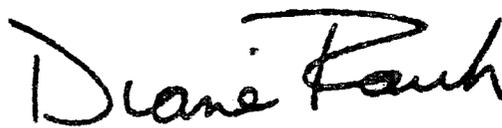
APPROVED


 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.



City Clerk