



Roll Call Number

14-1932

Agenda Item Number

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Date December 22, 2014

RESOLUTION SETTING HEARING ON REQUEST FROM SILVER OAK ENTERPRISES, LLC, REPRESENTED BY CHIP CLASSON (OFFICER), FOR REVIEW AND APPROVAL OF THE 5TH AMENDMENT TO THE CARMAN ESTATES PUD CONCEPTUAL PLAN, 2320 EAST PORTER AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 4, 2014, its members voted 9-1 in support of a motion to recommend **APPROVAL** of a request from Silver Oak Enterprises, LLC, represented by Chip Classon (officer), for review and approval of the 5th Amendment to the Carman Estates PUD Conceptual Plan for property locally known as 2320 East Porter Avenue ("Property"), to more specifically define the development of land previously identified in the Plan for medium density residential (up to 17 units per acre), to allow development of four (4) 3-story, 24-unit multiple family dwellings (96 units total) with drive access from East Porter Avenue, subject to the following revisions:

1. The Development Plan and finalized building elevations shall be reviewed and approved by the Plan and Zoning Commission;
2. East Porter Avenue shall be striped for left and right turning lanes onto Indianola Avenue if determined appropriate by the City Traffic Engineer;
3. Provide locations of all existing and proposed public utilities and easements in place.
4. Provide a discussion of how the proposed amendment area would be serviced by public sanitary sewer;
5. Provide conceptual plantings within the proposed amendment are, with an amount of plant material to reflect minimums applied to "R-3" Districts;
6. Provide a note that requires all future development phases to comply with current Tree Protection and Mitigation Ordinance requirements as part of any Subdivision Plat, Grading Plan, or Development Plan;
7. Provide a note indicating that additional tree landscaping necessary over landscaping minimums for mitigation be prioritized to areas along the public street system where opportunities for successful growth are available subject to approval by the Municipal Arborist;
8. Provide pedestrian routes from the primary entrance of each of the multiple-family buildings to the trail proposed in East Porter Avenue;
9. Revise elevations of the multiple-family buildings to have cement board siding material and shake as well as show the stone material around the entire first floor on all facades. In addition, there shall be elements where the durable stone or masonry veneer material covers projecting elements on all three stories;
10. Revise elevations of the multiple-family buildings to provide of detail on the balconies indicating that the underneath supports shall be architecturally concealed;
11. Provide elevations for the detached garages, to have roofing shingles and stone material wainscot on exterior facing sides to match the multiple-family dwellings and community center; and

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WHEREAS, the Property is legally described as follows:

THE NW 1/4 OF THE SW 1/4, THE SW 1/4 OF THE NW 1/4, THE WEST 20 ACRES OF THE NORTH 30 ACRES OF THE SE 1/4 OF THE NW 1/4, THE SOUTH 309 FEET OF THE WEST 1020 FEET OF THE SE 1/4 OF THE NW 1/4 AND THE NORTH 21 FEET OF THE SOUTH 330 FEET OF THE SE 1/4 OF THE NW 1/4, ALL IN SECTION 25, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5th P.M., DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE W 1/4 CORNER OF SECTION 25, T78N, R24W AND BEING THE CENTERLINE OF INDIANOLA ROAD; THENCE N 00° (DEGREES) 12' (MINUTES) 57" (SECONDS) W ALONG THE WEST LINE OF THE NW 1/4 OF SAID SECTION 25 FOR 1316.06 FEET TO THE NW CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 25 AND BEING THE CENTERLINE OF EASTER LAKE DRIVE; THENCE S 89°53'24" E ALONG THE NORTH LINE OF SAID SW 1/4 OF THE NW 1/4 AND SAID CENTERLINE FOR 1314.43 FEET TO THE NE CORNER OF SAID SW 1/4 OF THE NW 1/4; THENCE CONTINUING S 89°53'24" E ALONG SAID CENTERLINE AND BEING THE NORTH LINE OF THE SE 1/4 OF SAID NW 1/4 FOR 885.00 FEET TO THE NE CORNER OF THE WEST 20 ACRES OF THE NORTH 30 ACRES OF SAID SE 1/4 OF THE NW 1/4; THENCE S 00°06'42" E ALONG THE EAST LINE OF SAID WEST 20 ACRES OF THE NORTH 30 ACRES FOR 983.38 FEET TO THE NORTH LINE OF THE SOUTH 330 FEET OF SAID SE 1/4 OF THE NW 1/4; THENCE S 89°57'38" E ALONG SAID NORTH LINE FOR 446.22 FEET TO THE EAST LINE OF SAID SE 1/4 OF THE NW 1/4; THENCE S 00°06'42" E ALONG SAID EAST LINE FOR 21.00 FEET; THENCE N 89°57'38" W FOR 304.09 FEET TO THE EAST LINE OF THE WEST 1020 FEET OF SAID SE 1/4 OF THE NW 1/4; THENCE S 00°34'06" E ALONG SAID EAST LINE FOR 309.01 FEET TO THE SOUTH LINE OF SAID SE 1/4 OF THE NW 1/4; THENCE N 89°57'35" W ALONG SAID SOUTH LINE FOR 1020.00 FEET TO THE NE CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 25; THENCE S 00°13'52" E ALONG THE EAST LINE OF SAID NW 1/4 OF THE SW 1/4 FOR 1322.02 FEET TO THE SE CORNER OF SAID NW 1/4 OF THE SW 1/4; THENCE N 89°56'59" W ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE SW 1/4 FOR 1319.44 FEET TO THE SW CORNER OF SAID NW 1/4 OF THE SW 1/4 AND BEING THE CENTERLINE OF INDIANOLA ROAD; THENCE N 00°19'33" W ALONG THE WEST LINE OF SAID NW 1/4 OF THE SW 1/4 AND SAID CENTERLINE FOR 1321.81 FEET TO THE POINT-OF-BEGINNING. THIS PARCEL CONTAINS 107.65 ACRES INCLUDING 4.44 ACRES FOR ROADWAY EASEMENT AND IS SUBJECT TO EASEMENTS OF RECORD.

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

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed 5th Amendment to the Carman Estates "PUD" Conceptual Plan is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa, at 5:00 p.m. on January 12, 2015, at which time the City Council will hear both those who oppose and those who favor the proposal.
3. 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:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(ZON2014-00217)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
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