



Roll Call Number

15-0738

Agenda Item Number

14

Date May 4, 2015

RESOLUTION SETTING DATE OF HEARING ON REQUEST FROM BROADLAWNS MEDICAL CENTER TO REZONE PROPERTY LOCATED AT 1801 HICKMAN ROAD FROM "C-0" COMMERCIAL RESIDENTIAL DISTRICT, "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, AND "FW" FLOODWAY DISTRICT TO "PUD" PLANNED UNIT DEVELOPMENT DISTRICT

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 16, 2015, its members voted 8-0-1 in support of a motion to recommend **APPROVAL** of a request from the Board of Trustees of Broadlawns Medical Center (owner), represented by Jody Jenner (officer), to rezone property locally known as 1801 Hickman Road ("Property") from "C-0" Commercial Residential District, "R-3" Multiple Family Residential District, and "FW" Floodway District to "PUD" Planned Unit Development District to allow construction of a 20,000 square-foot medical clinic and two (2) 15-unit, 3-story multiple-family dwellings for on-campus housing for physicians in residency, and to recommend approval of the proposed "PUD" Conceptual Plan, on file with the Community Development Department, with revisions as set forth in the Commission's recommendation; and

WHEREAS, the Property is legally described as follows:

THAT PART OF THE NORTH 650.00 FEET OF THE SOUTH 700.00 FEET OF LOTS 13 AND 14 IN THE OFFICIAL PLAT OF GOVERNMENT LOTS 4 AND 5 IN SECTION 27, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH PM., DES MOINES, POLK COUNTY, IOWA; AND A PORTION OF LOT 17, AND EXCEPT THE SOUTH 50.00 FEET, LOTS 18 AND 19 ALL IN THE OFFICIAL PLAT OF THE EAST 1/2 OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, AND GOVERNMENT LOTS 3, 4, 5 AND 6 IN SECTION 28, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., DES MOINES, POLK COUNTY, IOWA; ALL OF WHICH IS MORE ACCURATELY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 27, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., DES MOINES, POLK COUNTY, IOWA, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 14 IN THE OFFICIAL PLAT OF GOVERNMENT LOTS 4 AND 5 IN SECTION 27, TOWNSHIP 79 NORTH, RANGE 24 WEST, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SECTION 28, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., DES MOINES, POLK COUNTY, IOWA, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 18 IN THE OFFICIAL PLAT OF THE EAST 1/2 OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND GOVERNMENT LOTS 3, 4, 5 AND 6 IN SECTION 28, TOWNSHIP 79 NORTH, RANGE 24 WEST; THENCE NORTH 01°00'42" WEST ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 27, SAID LINE BEING THE WEST LINE OF SAID LOT 14, SAID LINE ALSO BEING THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 28, SAID LINE BEING THE EAST LINE OF SAID LOT 18, 50.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF HICKMAN ROAD. AS IT IS PRESENTLY ESTABLISHED, AND TO THE POINT OF BEGINNING; THENCE NORTH 89°47'17" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID HICKMAN ROAD, PARALLEL WITH AND 50.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 28, SAID LINE BEING PARALLEL WITH AND 50.00 FEET NORTH OF THE SOUTH LINE OF LOTS 18 AND 19, ALL IN SAID OFFICIAL PLAT OF THE EAST 1/2 OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND GOVERNMENT LOTS 3, 4, 5, AND 6 IN SECTION 28, TOWNSHIP 79 NORTH, RANGE 24 WEST, A DISTANCE OF 571.97 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 19.82 FEET; THENCE NORTH 17°56'16" EAST, A DISTANCE OF 162.19 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 170.90 FEET; THENCE NORTH 20°17'17" EAST, 118.19 FEET; THENCE SOUTH 77°10'14" EAST, 111.36 FEET;

(continued)

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THENCE NORTH 27°26'02" EAST, A DISTANCE OF 121.43 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 1046.04 FEET TO A POINT ON THE EAST LINE OF SAID LOT 13; THENCE SOUTH 01°00'55" EAST ALONG THE EAST LINE OF SAID LOT 13, A DISTANCE OF 545.08 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID HICKMAN ROAD, SAID POINT BEING 50.00 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 13, SAID POINT ALSO BEING 50.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 27; THENCE NORTH 89°41'37" WEST, PARALLEL WITH AND 50.00 FEET NORTH OF THE SOUTH LINE OF SAID LOTS 13 AND 14, SAID LINE ALSO BEING THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 27, A DISTANCE OF 739.20 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

SAID TRACT OF LAND CONTAINS 15.301 ACRES MORE OR LESS.

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 rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa, at 5:00 p.m. on May 18, 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.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

MOVED BY Coleman TO ADOPT. and set the Hearing for June 8, 2015 at 5:00 PM; refer to the City Manager to set up a joint meeting with the Broadlawns Board of Trustees.

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL (7).

MOTION CARRIED APPROVED

T. M. Franklin Council 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