



Roll Call Number

16-1675

Agenda Item Number

67

Date September 26, 2016

RESOLUTION HOLDING HEARING ON CITY-INITIATED REQUEST TO AMEND THE WOODS EDGE "R-6" FINAL DEVELOPMENT PLAN ON PROPERTY LOCATED IN THE 3500 BLOCK OF SOUTHEAST 23RD STREET

WHEREAS, on March 27, 1978, by Ordinance No. 9,380, the City Council approved rezoning of property located in the 3500 block of Southeast 23rd Street to "R-6" Planned Residential Development District and approved the Wood's Edge Preliminary Development Plan, and thereafter approved the Wood's Edge Final Development Plan; and

WHEREAS, on September 12, 2016, by Roll Call No. 16-1522, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on September 1, 2016, its members voted 8-0 in support of a motion to recommend **APPROVAL** of a request from the City of Des Moines (owner), represented by Pam Cooksey (City Engineer), to amend the Woods Edge "R-6" Final Development Plan to reclassify a parcel within the Plan area from public common land to private development in accordance with "R1-80" regulations, to allow for the sale and private redevelopment of said parcel, subject to the conditions set forth in the Plan and Zoning Commission recommendation; and

WHEREAS, the property is legally described as follows:

Lot Z, WOOD'S EDGE PLAT 2, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; and

WHEREAS, on September 12, 2016, by Roll Call No. 16-1522, it was duly resolved by the City Council that the City-initiated request to amend to the Woods Edge "R-6" Final Development Plan, be set down for hearing on September 26, 2016 at 5:00 P.M., in the Council Chamber at the Municipal Service Center; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Final Development Plan; and

WHEREAS, in accordance with said notice, those interested in said proposed amendment to the approved Final Development 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, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment to the Woods Edge "R-6" Final Development Plan with revisions as set forth in the Plan and Zoning Commission recommendation, are hereby overruled, and the hearing is closed.

(continued)

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- 2. The proposed amendment to the Woods Edge "R-6" Final Development Plan, as on file in the Community Development Department, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Plan and is hereby approved, subject to the revisions identified in the communication from the Plan and Zoning Commission received by the City Council by Roll Call No. 16- 1522, and subject to the Community Development Director finding that such revisions have been satisfied by amendments to the Plan.

MOVED BY Moore TO continue to October 24, 2016 at 5:00 p.m.

FORM APPROVED:

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

(01000-78-1.05.5)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY				✓
MOORE	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

T. M. Franklin Cownie
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 Fauh

City Clerk