



Roll Call Number

16-1898

Agenda Item Number

17

Date November 7, 2016

RESOLUTION SETTING HEARING ON REQUEST FROM GALWAY HOMES, INC. TO REZONE PROPERTY LOCATED AT 335 FOREST AVENUE AND 1427 ARLINGTON AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 6, 2016, its members voted 12-0 in support of a motion to recommend APPROVAL of a request by Galway Homes, Inc. (owner), represented by James Postma (officer), to rezone property located at 335 Forest Avenue and 1427 Arlington Avenue (collectively "Property") from "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development, and to approve the viathree35 "PUD" Conceptual Plan allowing demolition of an existing one-story, 6-unit multiple-family dwelling and redevelopment with up to 24 units within six 3-story row townhomes served by a private drive accessing both Forest Avenue and Orchard Avenue, subject to the revisions to the PUD Conceptual Plan set forth in the Plan and Zoning Commission recommendation; and

WHEREAS, the Property to be rezoned and within the PUD Conceptual Plan is legally described as follows:

The West 303.18 feet of Lot 53 (Except the North 180 feet of the South 250 feet of the West 50 feet and Except the East 5 feet of the South 148.5 feet of the West 303.19 feet thereof), in the Official Plat of GOVERNMENT LOT 3 and the Southeast Quarter of Section 34, Township 79 North, Range 24 West of the 5th P.M., now included in and forming a part of the City of Des Moines, Polk County, Iowa

And

Lots 81 and 82 of BATES 2ND ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa,

Containing 2.249 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 and approval of the viathree35 "PUD" Conceptual Plan are to be considered shall be held at the Richard A. Clark Municipal Service Center (MSC), located at 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa, at 5:00 p.m. on November 21, 2016, at which time the City Council will hear both those who oppose and those who favor the proposals.



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- 3. That the City Clerk is hereby authorized and directed to cause notice of said proposals 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

(ZON2016-00179)

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