



Roll Call Number

17-0901

Agenda Item Number

55

Date May 22, 2017

RESOLUTION CONTINUING HEARING ON REQUEST FROM HDR LAND DEVELOPMENT, LLC TO REZONE PROPERTY IN THE VICINITY OF 4896 EASTON BOULEVARD

WHEREAS, on May 8, 2017, by Roll Call No. 17-0763, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on April 20, 2017, its members voted 12-0 in support of a motion to recommend APPROVAL of a request from HDR Land Development, LLC (developer), represented by Larry Handley, to rezone real property in the vicinity of 4896 Easton Boulevard ("Rezoned Property") from "A-1" Agricultural District to "PUD" Planned Unit Development District, and for approval of a 2nd Amendment to the Woods at Copper Creek PUD Conceptual Plan to add approximately 38.68 acres to the east of the existing development, for a total of 151.78 acres (collectively "PUD Conceptual Plan Property"), subject to revisions to the 2nd Amendment to the PUD Conceptual Plan as set forth in the Commission's communication; and

WHEREAS, on May 8, 2017, by Roll Call No. 17-0763, it was duly resolved by the City Council that the application from HDR Land Development, LLC to rezone the Rezoned Property and to approve the 2nd Amendment to the Woods at Copper Creek PUD Conceptual Plan for the PUD Conceptual Plan Property, be set down for hearing on May 22, 2017 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 amendments to the Zoning Ordinance and to the PUD Conceptual Plan; and

WHEREAS, thereafter the applicant indicated that it intends to provide approximately 130 additional lots for single-family residential that would each be a minimum of 60 feet wide, rather than a minimum of 70 feet wide as presented in all notices to the public and at the Plan and Zoning Commission hearing; and

WHEREAS, the applicant and City staff have agreed that the hearing should be continued in order to resubmit the request for rezoning and for approval of the 2nd Amendment to the PUD Conceptual Plan to the Plan and Zoning Commission on June 15, 2017, and to republish notice of the hearing to correctly identify that the lots will be a minimum of 60 feet wide rather than a minimum of 70 feet wide, and thus City staff recommends a continuation of the public hearing to the June 26, 2017 Council meeting.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that

- 1. The public hearing regarding rezoning of the Property from "A-1" Agricultural District to "PUD" Planned Unit Development District, and for approval of a 2nd Amendment to the Woods at Copper Creek PUD Conceptual Plan, is hereby opened and continued to June 26, 2017 at 5:00 p.m. at the



Roll Call Number

17-0901

Agenda Item Number

55

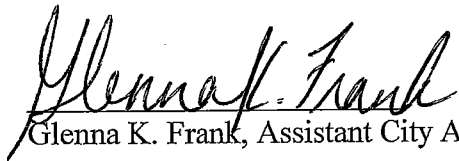
Date May 22, 2017

Richard A. Clark Municipal Service Center (MSC), located at 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa.

- 2. That the City Clerk is hereby authorized and directed to cause notice of said proposals in the accompanying corrected 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 41.4 of the Iowa Code.

MOVED BY Westergaard TO ADOPT.

FORM APPROVED:

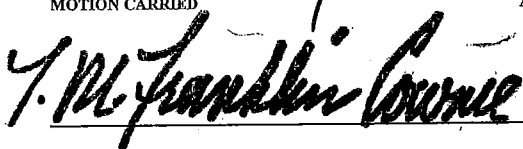

 Glenna K. Frank, Assistant City Attorney

(ZON2017-00036)

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