



Roll Call Number

21-1599

Agenda Item Number

50

Date October 18, 2021

**RESOLUTION HOLDING HEARING ON REQUEST FROM KENYON HILL RIDGE, LLC
FOR THE 1ST AMENDMENT TO THE RUBY ROSE RIDGE PUD CONCEPTUAL PLAN FOR
PROPERTY LOCATED IN THE VICINITY OF 2401 EAST 50TH COURT**

WHEREAS, on October 4, 2021, by Roll Call No. 21-1478, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on September 16, 2021, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Kenyon Hill Ridge LLC (owner), represented by Dean Quirk (officer), for the 1st Amendment to the Ruby Rose Ridge Planned Unit Development (PUD) Conceptual Plan for property located in the vicinity of 2401 East 50th Court (“Property”), to allow development of a 6.27-acre portion of the Property “Area C” with approximately 65 housing units within approximately 11 row house residential structures, subject to the following revisions:

1. Replacement of the proposed maximum building coverage standard for Area C with a statement indicating that building coverage and impervious area maximums shall be regulated by the applicable rowhouse standards found in Chapter 135: Planning and Design Ordinance.
2. Provision of a note that states foundation plantings shall be provided for each rowhouse unit.
3. Provision of a note that states that Area C shall be landscaped to meet and/or exceed the applicable landscaping standards found in Chapter 135: Planning and Design Ordinance.
4. Provision of a note that states that the developer is responsible for all costs and connection fees associated with the sanitary sewer connections and all costs associated with constructing the necessary water connections.
5. Provision of a note that states all utilities shall be provided underground, where reasonably practicable, in accordance with Chapter 135: Planning and Design Ordinance.
6. Provision of a note that states sidewalk shall be provided along East 50th Court and Northeast 23rd Avenue (Easton Boulevard) including the frontage along the adjoining outlot and Lot 1.
7. Provision of a note that states fencing within Area C shall comply with the applicable standards found in Chapter 135: Planning and Design Ordinance, with any permitted chain link fencing being limited to black vinyl clad.
8. Provision of a note that states that trash and recycling for Area C shall be residential roll outs in nature and shall be located within a setback or on a street-facing façade.
9. Provision of a note that states mechanical, meters, transformers or similar items shall be screened and shall not be located on a street-facing façade.
10. The front façade of any rowhome constructed on Lots 51-65 shall be oriented towards East 50th Court. These units shall utilize a rear loaded garage design. Each unit shall have a direct sidewalk connection to the public sidewalk along East 50th Court.
11. Provision of a note that states each rowhouse shall have an attached garage.
12. Provision of a note that states any building constructed in Area C shall comply with the applicable architectural design standards found in Chapter 135: Planning and Design Ordinance; and

WHEREAS, the Property is legally described as follows:

LOT 1, LOT 2, AND OUTLET B in RUBY ROSE RIDGE PLAT 1, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; and



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WHEREAS, on October 4, 2021, by Roll Call No. 21-1478, it was duly resolved by the City Council that the request to approve a 1st Amendment to the Ruby Rose Ridge PUD Conceptual Plan be set down for hearing on October 18, 2021 at 5:00 P.M., in the Council Chambers; 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 PUD Conceptual Plan amendment; and

WHEREAS, in accordance with said notice, those interested in said proposed PUD Conceptual Plan amendment 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 1st Amendment to the Ruby Rose ridge Planned Unit Development (PUD) Conceptual Plan are hereby overruled, and the hearing is closed.
2. The proposed 1st Amendment to the Ruby Rose Ridge Planned Unit Development (PUD) Conceptual Plan, as on file in the Development Services Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved.

MOVED BY Westergaard TO ADOPT.

FORM APPROVED:

Judy K. Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

(ZON2021-000016)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		
<u>T. M. Frankhu Cowme</u> Mayor				

CERTIFICATE

I, P. Kay Cmelik, 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.

P. Kay Cmelik

City Clerk