

Date..... April 10, 2006

(alternate resolution)

RESOLUTION APPROVING PROPOSED AMENDMENT TO THE PUD CONCEPTUAL PLAN FOR AIRPORT CROSSROADS

WHEREAS, on March 20, 2006, by Roll Call No. 06-531, it was duly resolved by the City Council, that the City Council consider a proposal submitted by Michael Barnes, as President of Fleur Properties, LLC, to amend the approved "PUD" Conceptual Plan titled "Airport Crossroads Conceptual Plan" for property it owns west of Fleur Drive and north of County Line Road, to permit the use of shadow effect asphalt shingles on buildings within the development, and that such proposal be set down for hearing on April 10, at 5:00 P.M., in the Council Chambers at City Hall; and,

WHEREAS, due notice of said hearing was published in the Des Moines Register on March 30, 2006, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and,

WHEREAS, the Plan and Zoning Commission has recommended that the proposed amendment to the approved "PUD" Conceptual Plan be denied for the reasons set forth in the attached letter from the Planning Administrator; 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, statements of interested persons and arguments of counsel, the objections to said proposed amendment to the approved "PUD" Conceptual Plan titled "Airport Crossroads Conceptual Plan" for the property located west of Fleur Drive and north of County Line Road, and more specifically described below, are hereby overruled and the hearing is closed:

Airport Crossroads Subdivision, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. The proposed amendment is hereby found to be in conformance with the Des Moines 2020 Community Character Land Use Plan.

3. The approved "PUD" Conceptual Plan titled "Airport Crossroads Conceptual Plan" for the Property described above, which is on file in the Community Development Department, is hereby amended to permit the use of shadow effect asphalt shingles on buildings within the development.


(continued)

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4. The City Council hereby finds that the use of shadow effect asphalt shingles on buildings will not adversely impact the high standard of exterior materials and appearance sought to be obtained by the original design requirements.

MOVED by _____ to adopt.

FORM APPROVED:



Roger K. Brown
 Assistant City Attorney
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NOTE: Six affirmative votes required to approve the PUD conceptual plan amendment due to the Plan and Zoning Commission's recommendation for denial. Des Moines Municipal Code §134-700.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
VLASSIS				
TOTAL				

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.

MOTION CARRIED

APPROVED

.....Mayor

 City Clerk