

Date May 18, 2009

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 5525 SE 14<sup>th</sup> Street from Limited R-3 Multiple-Family Residential District to R-3 Multiple-Family Residential District, removing the limitation of senior residential housing.

which was considered and voted upon under Roll Call No. 09-683 of April 20, 2009, and on May 4, 2009 by Roll Call No. 09-766 was deferred to the May 18<sup>th</sup> Council meeting with directions to the City Manager to facilitate a meeting between Developer, Neighbors and City Departments; again presented.

Moved by \_\_\_\_\_ that this ordinance be considered and given second vote for passage, subject to Developers agreement upon terms set forth in Council Communication No. 09- 349.

(six votes needed to approve rezoning; second of three required readings)

(Council Communication No. 09-349)

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

**CERTIFICATE**

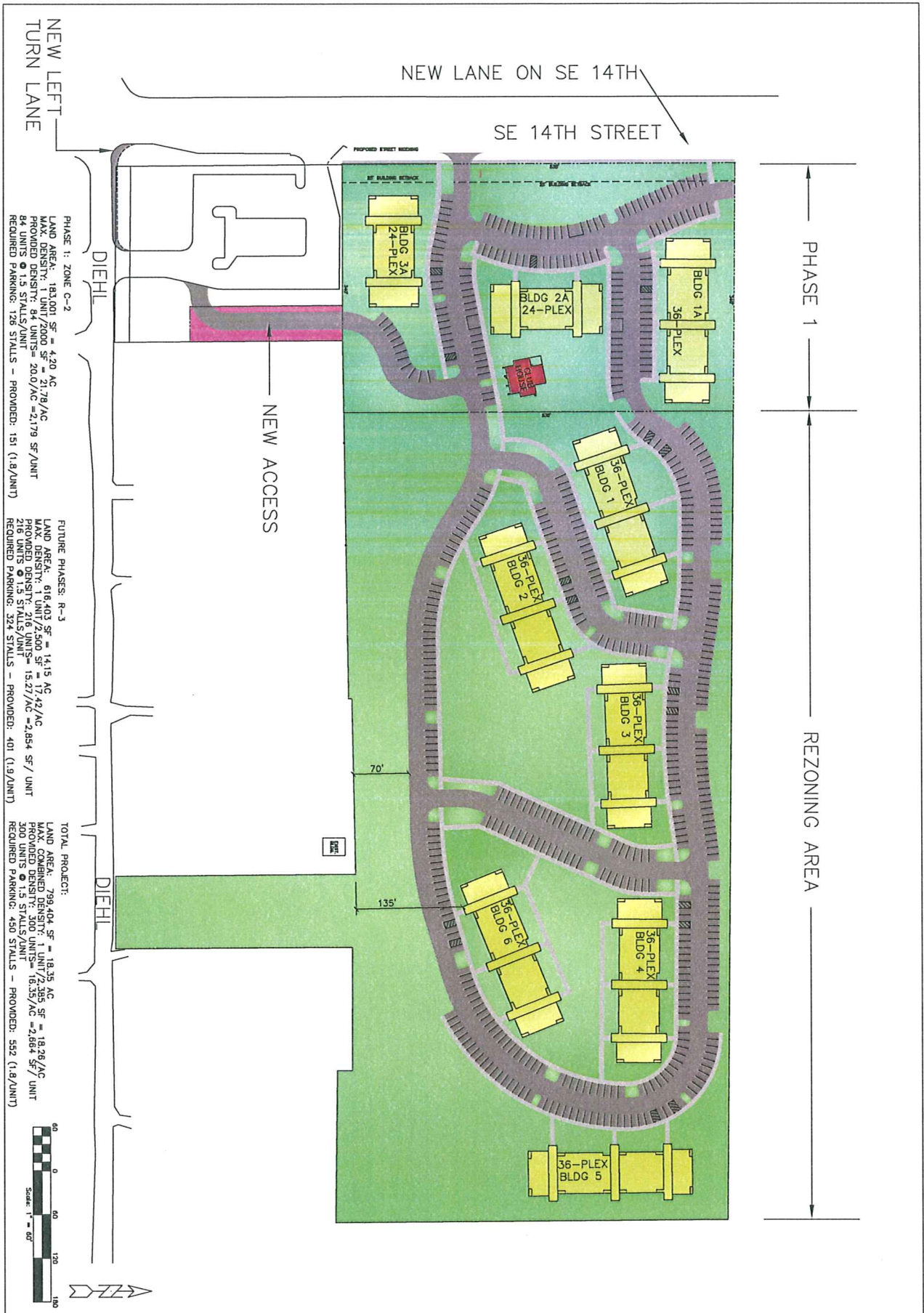
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

\_\_\_\_\_ Mayor

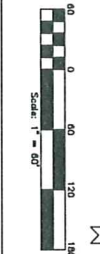
\_\_\_\_\_ City Clerk



PHASE 1: ZONE C-2  
 LAND AREA: 18,301 SF = 4.20 AC  
 MAX. DENSITY: 1 UNIT/2,500 SF = 17.42/AC  
 PROVIDED DENSITY: 84 UNITS = 20.0/AC = 21.79 SF/UNIT  
 84 UNITS @ 1.5 STALLS/UNIT  
 REQUIRED PARKING: 126 STALLS - PROVIDED: 151 (1.8/UNIT)

FUTURE PHASES: R-3  
 LAND AREA: 616,403 SF = 14.15 AC  
 MAX. DENSITY: 1 UNIT/2,500 SF = 17.42/AC  
 PROVIDED DENSITY: 216 UNITS = 15.27/AC = 2,854 SF/UNIT  
 300 UNITS @ 1.5 STALLS/UNIT  
 REQUIRED PARKING: 324 STALLS - PROVIDED: 401 (1.9/UNIT)

TOTAL PROJECT:  
 LAND AREA: 799,404 SF = 18.35 AC  
 MAX. DENSITY: 1 UNIT/2,500 SF = 17.42/AC  
 PROVIDED DENSITY: 300 UNITS = 18.26 SF/UNIT  
 300 UNITS @ 1.5 STALLS/UNIT  
 REQUIRED PARKING: 450 STALLS - PROVIDED: 592 (1.9/UNIT)



<p><b>ERG</b>                  Engineering Resource Group, Inc.                  Engineers and Surveyors                  2415 GRAND AVENUE                  DES MOINES, IOWA 50312                  (515) 286-4223</p>				<p><b>MELBOURNE APARTMENT CONCEPT PLAN</b></p>				<p>LOCATION:</p>		<p>SCALE: 1" = 60'</p>		<p>DESIGNED BY: DJS</p>		<p>DRAWN BY: PJV</p>	
NO.	REVISION	DATE	BY	FOR:											
						<p>FIELD BOOK:</p>		<p>DESIGNED BY: DJS</p>		<p>CHECKED BY: DJS</p>		<p>DATE: 05/12/06</p>			
								<p>SHEET 1 OF 1</p>				<p>FILE NO.: 8107</p>			

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09-766

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 5525 SE 14<sup>th</sup> Street from Limited R-3 Multiple-Family Residential District to R-3 Multiple-Family Residential District, removing the limitation of senior residential housing.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 5525 SE 14<sup>th</sup> Street, more fully described as follows, from Limited R-3 Multiple-Family Residential District to R-3 Multiple-Family Residential District, removing the limitation of senior residential housing:


Except the West 400 feet, and except the East 510 feet of the South 538.64 feet, and Except the South 4.5 feet of the East 240.75 feet of the West 1033.5 feet - the South 25 acres of Lot 5, Official Plat of the Northwest Quarter of Section 26, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M.; and, except the West 30 feet and except the East 10.2 feet - Lot 7, Capitol View Acres, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 3. The City Clerk is hereby authorized and directed to cause a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, and proof of publication of this ordinance, to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:



Michael F. Kelley  
Assistant City Attorney

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Request from Hubbell Realty Company (developer) represented by Steve Niebuhr (officer) to rezone property located at 5525 Southeast 14 <sup>th</sup> Street. The subject property is owned by Donald White, Jr.			File # ZON2008-00191		
<b>Description of Action</b>	Rezone property from Limited "R-3" Multiple-Family Residential District to "R-3" Multiple-Family Residential District, removing the limitation of senior residential housing on multiple-family dwellings and allow for up to 240 multiple-family residential dwellings.				
<b>2020 Community Character Plan</b>	Medium-Density Residential				
<b>Horizon 2025 Transportation Plan</b>	No Planned Improvements				
<b>Current Zoning District</b>	Limited "R-3" Multiple-Family Residential District				
<b>Proposed Zoning District</b>	"R-3" Multiple-Family Residential District				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	3	7		>20%	
Outside Area					
<b>Plan and Zoning Commission Action</b>	Approval		<b>Required 6/7 Vote of the City Council</b>	Yes	X
	Failed	5-5		No	

Hubbell Realty Company - 5525 SE 14th Street

ZON2008-00191

