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Date..... October 23, 2006

WHEREAS, on October 9, 2006, by Roll Call No. 06-1976, it was duly resolved by the City Council, that the City Council consider a proposal from Greg McClenahan, as an officer of Rose of East Des Moines, L.P., to rezone certain property located in the vicinity of 1331 Idaho Street from the "R-2A" General Residential District classification to the "PUD" Planned Unit Development District classification, and to approve the "PUD" Conceptual Plan for the redevelopment of such property with a three-story senior living apartment complex with 64 units and associated off-street parking areas, and that such proposal be set down for hearing on October 23, 2006, 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 October 12, 2006, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and,

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the property located in the vicinity of 1331 Idaho Street, more fully described as follows (the "Property"):

Lot 190, Ashbrook, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

from the "R-2A" General Residential District classification to the "PUD" Planned Unit Development District classification; and,

WHEREAS, the Plan and Zoning Commission has recommended that the proposed rezoning and conceptual plan be approved, subject to the conditions identified 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 rezoning and "PUD" Conceptual Plan are hereby overruled and the hearing is closed.

2. The proposed rezoning and "PUD" Conceptual Plan are hereby found to be in conformance with the Des Moines 2020 Community Character Land Use Plan, subject to the conditions identified below.

(continued)

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3. The revised "PUD" Conceptual Plan for the Property described above which provides for a minimum rear yard setback of 17.5 foot, which is on file in the Community Development Department, is hereby approved, subject to the plan being first amended to require the use of hardi-plank siding.

MOVED by _____ to adopt and approve the rezoning and Conceptual Plan, subject to final passage of the rezoning ordinance.

FORM APPROVED:

Roger K Brown

Roger K. Brown

Assistant City Attorney

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

MOTION CARRIED

APPROVED

_____ 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.

_____ City Clerk