



Roll Call Number

21-0044

Agenda Item Number

35

Date January 11, 2021

RESOLUTION HOLDING HEARING ON REQUEST FROM SITWELL, LLC FOR APPROVAL OF PUD FINAL DEVELOPMENT PLAN "THE VILLAGE AT GRAY'S LAKE LOT 6" FOR PROPERTY AT 2688 SOUTHWEST 23RD STREET

WHEREAS, on December 21, 2020, by Roll Call No. 20-2110, the City Council received a communication from the City Plan and Zoning Commission advising that the Commission voted 12-0 to APPROVE a request from Sitwell, LLC (owner), represented by Daniel Kelley (officer), to approve the PUD Final Development Plan "The Village at Gray's Lake Lot 6" on property located at 2688 Southwest 23rd Street ("Property") to allow for reuse of the existing 2-story, 10,816 square foot classroom building on the former American Institute of Business campus for commercial office space, subject to compliance with all administrative review comments; and

WHEREAS, the Property is legally described as follows:

LOT 6, THE VILLAGE AT GRAY'S LAKE PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; and

WHEREAS, on December 21, 2020, by Roll Call No. 20-2110, it was duly resolved by the City Council that the request for approval of the PUD Final Development Plan be set down for hearing on January 11, 2021, at 5:00 p.m., by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location; 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 Final Development Plan; and

WHEREAS, in accordance with said notice, those interested in said proposed PUD Final Development Plan, 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 PUD Final Development Plan "The Village at Gray's Lake Lot 6" are hereby overruled, and the hearing is closed.
2. The proposed PUD Final Development Plan "Village at Gray's Lake Lot 6", as on file in the Community Development Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved, subject to revision and conditions stated above.

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MOVED BY Mandelbaum TO ADOPT.

FORM APPROVED:

/s/ Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(10-2021-7.20)

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | ✓ | | | |
| GRAY | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 7 | | | |

MOTION CARRIED

APPROVED

J. M. Frankhu Cownie
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