



**Roll Call Number**

21-0195

**Agenda Item Number**

27

**Date** February 8, 2021

**RESOLUTION SETTING HEARING ON REQUEST FROM JERRY’S HOMES, INC. FOR APPROVAL OF A 2<sup>ND</sup> AMENDMENT TO THE PEARL LAKE PUD CONCEPTUAL PLAN TO ALLOW REVISION OF THE STREET LAYOUT, CHANGE THE PROPERTY ON THE EAST ARMY POST ROAD FRONTAGE TO LARGE-LOT ONE HOUSEHOLD LOTS, AND TO REDUCE THE MINIMUM LOT SIZES FOR PROPERTY LOCATED AT 3009 EAST PAYTON AVENUE AND IN THE VICINITY OF THE 3001 BLOCK OF EAST PAYTON AVENUE**

**WHEREAS**, on January 21, 2021, the City Plan and Zoning Commission voted 14-0 to **APPROVE** a request from Jerry’s Homes, Inc. (owner), represented by Jay Cowan (officer), to review and approve a 2<sup>nd</sup> Amendment to the Pearl Lake PUD Conceptual Plan on the property located at 3009 East Payton Avenue and in the vicinity of the 3100 block of East Payton Avenue (“Property”) to allow revision to the street layout, change the property on the East Army Post Road frontage to large-lot One Household lots from previously approved Townhomes, and reduce the minimum lot sizes for specified lots to have a minimum 70-foot width and minimum 9,600-square foot area. Additional property is owned by Janet Bainter and City of Des Moines; and

**WHEREAS**, the Property is legally described as follows:

THE SOUTHWEST FRACTIONAL ¼ OF THE SOUTHWEST ¼ OF SECTION 30, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5<sup>TH</sup> P.M., CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINS 37.200 ACRES.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed 2<sup>nd</sup> Amendment to the Pearl Lake PUD Conceptual Plan is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at 5:00 p.m. on February 22, 2021, 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.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code. The City Clerk is instructed to provide this notice including information about participation in the electronic meeting as indicated above.

★ Roll Call Number

21-0195

Agenda Item Number

27

Date February 8, 2021

MOVED BY Gatto TO ADOPT.

FORM APPROVED: Judy K. Parks-Kruse

Judy K. Parks-Kruse  
Assistant City Attorney (ZON2020-00160)

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

MOTION CARRIED

APPROVED

J. M. Franklin 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