



**Roll Call Number**

21-0933

**Agenda Item Number**

76

**Date** June 14, 2021      **Reconvened on** June 16, 2021

**RESOLUTION HOLDING HEARING ON REQUEST FROM WESLEY RETIREMENT SERVICES, INC. FOR APPROVAL OF PUD FINAL DEVELOPMENT PLAN “WESLEY ACRE – SITE IMPROVEMENT PLAN” FOR PROPERTY AT 3520 GRAND AVENUE AND 401 37<sup>TH</sup> STREET**

**WHEREAS**, on May 24, 2021, by Roll Call No. 21-0777, the City Council received a communication from the City of Des Moines Plan and Zoning Commission advising that on May 6, 2021, the Commission voted 12-0 to **APPROVE** a request from Wesley Retirement Services, Inc. (owner), represented by Rob Kretzinger (officer), to approve the PUD Final Development Plan “Wesley Acre – Site Improvement Plan” on property located at 3520 Grand Avenue and 401 37<sup>th</sup> Street (collectively “Property”) to allow the construction of building additions and site revisions that are allowed by the recently approved amendment to the Wesley Acres Legacy PUD Conceptual Plan, including building additions for the north and west entries with reconfiguration of the adjacent parking lot areas including extension of parking to the north toward Grand Avenue, a building addition for swimming pool and auditorium use on the west, a terrace/pond landscape feature in the north side of the Property, and renovation of the central courtyard area, subject to compliance with all administrative review comments; and

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

LOT 1 OFFICIAL PLAT OF LOT 5 OF PIERCE'S SUBDIVISION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 78, RANGE 24 WEST OF THE 5TH P.M. AND LOTS 3 AND 4 OF THE OFFICIAL PLAT OF LOTS 1 THROUGH 24 OF SECTION 7, TOWNSHIP 78, RANGE 24 WEST OF THE 5TH P.M., EXCEPT THAT PART AS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00° (DEGREES) 09' (MINUTES) 57" (SECONDS) EAST ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 617.54 FEET; THENCE SOUTH 89°45'23" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 165.15 FEET; THENCE SOUTH 00°04'49" EAST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 333.0 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°04'49" EAST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 325.15 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 89°26'27" WEST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 263.37 FEET; THENCE NORTH 00°15'28" WEST, 259.0 FEET; THENCE NORTH 45°00'00" EAST 91.12 FEET; THENCE NORTH 89°45'23" EAST, 199.64 FEET TO THE POINT OF BEGINNING; AND THAT PART OF THE SOUTH 200.0 FEET OF THE NORTH 540.0 FEET OF LOT 5 (EXCEPT THE WEST 33 FEET THEREOF) OF THE OFFICIAL PLAT LOTS 1 THROUGH 24 OF SECTION 7, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M.; AND ALL OF LOT 1 IN PORTLAND PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; and



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**WHEREAS**, on May 24, 2021, by Roll Call No. 21-0777, 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 June 14, 2021 at 5:00 p.m., in the Council Chambers; 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 "Wesley Acre – Site Improvement Plan" are hereby overruled, and the hearing is closed.
2. The proposed PUD Final Development Plan "Wesley Acre – Site Improvement Plan", as on file in the Development Services Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved, subject to the condition stated above.

MOVED BY Mandelbaum TO ADOPT.

FORM APPROVED:

/s/ Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

(10-2021-7.56)

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

MOTION CARRIED APPROVED

T. M. Frank  
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