



Roll Call Number

21-1323

Agenda Item Number

16

Date August 23, 2021

**CONDITIONALLY APPROVING FINAL SUBDIVISION PLAT OF DMPS
COMMUNITY STADIUM AT DRAKE UNIVERSITY PLAT 1**

WHEREAS, the final subdivision plat entitled DMPS Community Stadium at Drake University Plat 1, for property in the vicinity of 2405 Forest Avenue, to be developed by Des Moines Independent Community School District, 1917 Dean Avenue, Des Moines, IA, 50316, Darrell Gierstorf, Authorized Agent, was submitted to the Development Services Department on May 4, 2021; and,

WHEREAS, the City Plan and Zoning Commission approved the preliminary subdivision plat on December 17, 2020; and,

WHEREAS, the Permit and Development Center has recommended conditional approval of the final subdivision plat, subject to acceptance of final legal documents by the City Legal Department; and,

WHEREAS, subject to the conditions identified below, the said subdivision plat conforms to Iowa Code Sections 355.8, 354.6, and 354.11, and said subdivision plat conforms to the standards and conditions set forth in Chapter 106 of the Municipal Code of the City of Des Moines, Iowa; NOW THEREFORE,

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

1. It is hereby determined that the subdivision plat identified above conforms to the PlanDSM: Creating Our Tomorrow Plan and the subdivision, with the required installation of public improvements, will not unduly burden public improvements in the area and will provide an appropriate balance of interests between current proprietors, future purchasers and the public interest.
2. Upon satisfaction of the conditions set forth above, the Mayor and City Clerk are hereby authorized and directed to execute approval on all copies of said subdivision plat as appropriate.
3. The City Clerk is hereby directed to provide the approved subdivision plat, a certified copy of this resolution, the attorney's title opinion and the attachments to the plat to the Developer for delivery to the County Recorder for recording by the plat proprietors. The City Clerk is hereby further directed to send a copy of the subdivision plat to the Board of Education, Century Link Communications, Mid-American Energy, Mediacom, Des Moines Water Works, U.S. Post Office – Post Master, U.S. Post Office – Technical Sales and Services, City Engineer, City Land Records, Public Works – Street Department, Public Works – Forestry Division, Fire Department, Police Department – Research and



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Development Section, City Traffic and Transportation Division, Information Technology Department, and Development Services Department.

- 4. The Permanent Easement for public sidewalk has been provided incident to the said subdivision plat is hereby approved and accepted, and the City Clerk is hereby authorized and directed to certify to the City's acceptance on such easement.

MOVED by Gatto to adopt.

(Council Communication No. 21- 372)

FORM APPROVED:

Judy K. Parks-Kruse
 Judy K. Parks-Kruse
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO		✓		
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD		✓		
TOTAL	5	2		

MOTION CARRIED APPROVED

J. M. Franklin Cowie 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