

Date June 27, 2022

RESOLUTION HOLDING HEARING ON REQUEST FROM DRAKE UNIVERSITY FOR REVIEW AND APPROVAL OF AMENDMENT TO THE “UNIVERSITY SQUARE” LEGACY PLANNED UNIT DEVELOPMENT FOR PROPERTY AT 1140 24TH STREET

WHEREAS, on June 13, 2022, by Roll Call No. 22-0882, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on May 19, 2022, its members voted 11-0 with one abstention in support of a motion to recommend **APPROVAL** of a request from Drake University (owner), represented by Michelle D. Morgan Huggins (officer), to review and approve an amendment to the “University Square” Legacy Planned Unit Development Conceptual Plan on property located at 1140 24th Street (“Property”) to amend the conceptual development plan to change the use of the building from a hotel use to a college dormitory use subject to the following conditions:

1. The applicant shall submit an amended “PUD” Conceptual Plan that illustrates this intent to the satisfaction of the City’s Planning & Urban Design Administrator.
2. Any use of the property for a college dormitory use shall be in accordance with an approved Site Plan that meets the requirements of Chapter 135 (Planning and Design Ordinance) of City Code.
3. In addition to an approved Site Plan, the applicant shall obtain any other applicable permits/approvals deemed necessary by the City’s Permit and Development Center either prior to the commencement of a college dormitory use or as part of future work proposed within the existing building/site; and

WHEREAS, the Property is legally described as follows:

THE WEST 54 FEET OF LOTS 1 AND 2, ALL OF LOTS 3 THROUGH 8; 27 THROUGH 32; THE EAST 78.25 FEET OF LOTS 33 AND 34; ALL OF LOTS 35 THROUGH 41; THE SOUTH 20 FEET OF LOT 63 AND ALL OF LOT 64, UNIVERSITY PLACE, AN OFFICIAL PLAT, AND THE WEST 11 FEET OF THE NORTH 45 FEET OF LOT 405; ALL OF LOTS 406 THROUGH 410, UNIVERSITY LAND COMPANY’S 2ND ADDITION TO UNIVERSITY PLACE, AN OFFICIAL PLAT, AND LOTS 129 THROUGH 138, 142, 144 AND 145 IN THE SUBDIVISION OF THE OFFICIAL PLAT OF LOT 2 AND 4 OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH PRINCIPAL MERIDIAN, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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 legacy PUD amendment; and



Roll Call Number

22-1056

Agenda Item Number

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WHEREAS, in accordance with said notice, those interested in said proposed legacy PUD amendment, 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 amendment for the University Square Legacy Planned Unit Development at 1140 24th Street are hereby received and filed, any and all objections to the proposed amendment are overruled, and the hearing is closed.
2. The proposed PUD amendment for the University Square Legacy Planned Unit Development at 1140 24th Street is hereby approved subject to the conditions set forth above.

Moved by Boesen to adopt. Second by Gatto

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHUEMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1
MOTION CARRIED			APPROVED	

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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.

J. M. Franklin Cowie Mayor

Laura Baumgartner Acting City Clerk