



Roll Call Number

22-1786

Agenda Item Number

16

Date November 21, 2022

**CONDITIONAL APPROVAL OF FINAL SUBDIVISION PLAT AND ACCEPTANCE
OF SUBDIVISION BOND FOR GROVER WOODS PLAT 2**

WHEREAS, the final subdivision plat entitled Grover Woods Plat 2 for property located in the vicinity of 4500 Hubbell Avenue, to be developed by HRC Grover Woods, LLC, 6900 Westown Parkway, West Des Moines, Iowa 50266, Steve Moseley, officer, was submitted to the Development Services Department on June 2, 2022; and,

WHEREAS, the City Plan and Zoning Commission approved the amended preliminary subdivision plat on December 5, 2019; and,

WHEREAS, the Planning and Urban Design Division 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; and,

WHEREAS, the City Engineer has approved the amount of the security for subdivision improvements.

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. The subdivision plat entitled Grover Woods Plat 2 is hereby approved, and subdivision bond No. IAC593328 from Merchants Bonding Company (Mutual) in the amount of \$86,456.00 is hereby accepted as adequate security for the completion of the required public improvements including public sidewalk installation within the plat.
3. The City Clerk is hereby directed to hold this bond as security for the required public improvements until otherwise directed.



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4. 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.
5. 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 Development Section, City Traffic and Transportation Division, Information Technology Department, and Development Services Department.
6. The Permanent Easements for public gas, overland flowage, sanitary sewer, storm sewer, public utility, temporary turnaround, and stormwater management that have been provided incident to said subdivision plat are hereby approved and accepted subject to the final approval of the City Legal Department, and the City Clerk is hereby authorized and directed to certify to the City's acceptance on such agreement upon approval by the City Legal Department.

(Council Communication No. 22-542)

MOVED by Gatto to adopt. Second by Voss

FORM APPROVED:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED APPROVED

J. M. Frankin Cownie Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

Laura Baumgartner City Clerk