



Roll Call Number

23-0299

Agenda Item Number

22

Date March 6, 2023

RESOLUTION SETTING HEARING ON REQUEST FROM FORT DES MOINES MEMORIAL PARK, INC (OWNER), REPRESENTED BY JACK PORTER (OFFICER), FOR DESIGNATION OF THE PROPERTY AT 75 EAST ARMY POST ROAD, INCLUDING CLAYTON HALL MUSEUM AND CHAPEL, AS A LOCAL LANDMARK NAMED "FORT DES MOINES MEMORIAL PARK"

WHEREAS, Fort Des Moines Memorial Park, Inc (owner), represented by Jack Porter (officer), located at 75 East Army Post Road, ("Property") have made application to designate Clayton Hall Museum and Chapel, as a Local Landmark named "Fort Des Moines Memorial Park"; and

WHEREAS, the Property is legally described as follows:

PARCEL A BEING AN IRREGULAR-SHAPED PORTION OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST ¼ OF SAID SECTION 34; THENCE S89°16'57"E (WEST LINE OF THE NORTHWEST ¼ ASSUMED DUE NORTH FOR THE PURPOSE OF THIS DESCRIPTION) ALONG THE NORTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 34, A DISTANCE OF 254.17 FEET; THENCE, S 00°43'03"W, A DISTANCE OF 69.50 FEET TO THE SOUTH RIGHT-OF-WAY EASEMENT LINE OF ARMY POST ROAD AS IT IS PRESENTLY ESTABLISHED IN POLK COUNTY, IOWA; THENCE, S00°00'59"E, A DISTANCE OF 313.62 FEET; THENCE S45°27'03"W, A DISTANCE OF 44.26 FEET; THENCE S17°14'21"W, A DISTANCE OF 48.12 FEET; THENCE, S09°28'00"W, A DISTANCE OF 7.80 FEET; THENCE S00°03'00"E, A DISTANCE OF 308.79 FEET; THENCE S44°01'15"W, A DISTANCE OF 130.00 FEET; THENCE, S00°14'33"W, A DISTANCE OF 43.34 FEET; THENCE S89°42'18"W, A DISTANCE OF 70.04 FEET TO THE EAST RIGHT-OF-WAY EASEMENT LINE OF CHAFFEE ROAD AS IT IS PRESENTLY ESTABLISHED IN POLK COUNTY, IOWA; THENCE CONTINUING S89°42'18"W, A DISTANCE OF 46.00 FEET TO THE WEST LINE OF THE NORTHWEST ¼ OF SAID SECTION 34; THENCE N00°00'00"E ALONG THE WEST LINE OF THE NORTHWEST ¼ OF SAID SECTION 34, A DISTANCE OF 917.20 FEET TO THE POINT OF BEGINNING.

WHEREAS, on February 7, 2023, the Landmark Review Board voted 10-0-1 to recommend that the "Fort Des Moines Memorial Park" be designated a local Landmark; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 20, 2023, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Fort Des Moines Memorial Park, Inc. (Owner), to designate as a Local Landmark "Fort Des Moines Memorial Park"; and



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Date March 6, 2023

WHEREAS, the Des Moines Municipal Code Section 58-60 requires a public hearing be held before the City Council to consider this application.

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 landmark designation application 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 the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on March 27, 2023.
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 of the Iowa Code.

MOVED BY Gatto TO ADOPT

SECOND BY Voss

APPROVED AS TO FORM:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, SHEUMAKER, VOSS, WESTERGAARD, and TOTAL.

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.

J. M. Franke Mayor

Laura Baumgartner City Clerk