



Roll Call Number

24-0365

Agenda Item Number

51

Date March 4, 2024

RESOLUTION HOLDING HEARING REGARDING REQUEST FROM ABC PARTNERS, LP (OWNER), AND ARMY POST DEVELOPMENT, LC (OWNER) REPRESENTED BY RICHARD MARGULIES (OFFICER), FOR APPROVAL OF A PROPOSED 3RD AMENDMENT TO THE AIRPORT BUSINESS PARK PHASE II PUD CONCEPTUAL PLAN FOR MULTIPLE PARCELS LOCATED IN THE VICINITY OF 3701 GANNETT AVENUE

WHEREAS, on February 1, 2024, the City Plan and Zoning Commission considered a request from ABC Partners, LP (Owner), and Army Post Development, LC (Owner), represented by Richard Margulies (Officer), for review and approval of a 3rd amendment to the Airport Business Park Phase II PUD Conceptual Plan, for multiple parcels located in the vicinity of 3701 Gannett Avenue, to allow the use of metal siding, cladding, and roofing materials; and

WHEREAS, City Plan and Zoning Commission voted 12-0 to **APPROVE** the 3rd amendment to the Airport Business Park Phase II PUD Conceptual Plan, for multiple parcels located in the vicinity of 3701 Gannett Avenue, to allow the use of metal siding, cladding, and roofing materials, subject to the following conditions:

1. Existing PUD standards shall apply to all other lots, uses, and circumstances.
2. A final PUD Conceptual Plan shall be submitted in accordance with all administrative review comments.; and

WHEREAS, the Property is legally described as follows:

LOTS 1, 2, 3, 5 AND 8 IN AIRPORT BUSINESS PARK PLAT NO. 2, AN OFFICIAL PLAT;

AND

LOTS 2, 3, 4 AND 5 IN AIRPORT BUSINESS PARK PLAT 3, AN OFFICIAL PLAT;

ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

WHEREAS, on February 19, 2024, by Roll Call No. 24-0249, it was duly resolved by the City Council that the request for approval of the 3rd Amendment to the Airport Business Park Phase II PUD Conceptual Plan be set down for hearing on March 4, 2024, at 5:00 p.m., at the City 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 3rd Amendment to the Airport Business Park Phase II PUD Conceptual Plan; and



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WHEREAS, in accordance with said notice, those interested in said proposed 3rd Amendment to the Airport Business Park Phase II PUD Conceptual 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 3rd Amendment to the Airport Business Park Phase II PUD Conceptual Plan are hereby overruled, and the hearing is closed.
2. The proposed 3rd Amendment to the Airport Business Park Phase II PUD Conceptual Plan is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved as stated above, subject to conditions set forth above.

MOVED by Mandelbaum to adopt. SECOND by Voss

FORM APPROVED:

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

(ZONG-2023-000072)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, COLEMAN, GATTO, MANDELBAUM, 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.

Connie Boeser Mayor

Laura Baumgartner City Clerk