

Date ..... March 10, 2008 .....

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 21, 2008 its members voted 12-0 in support of a motion to recommend APPROVAL of a request from Cornerstone Family Church (owner) represented by Ann Berry (officer) to approve a PBP (Planned Business Park) Concept Plan for "Cornerstone Family Church" located in the vicinity of 4375 SW 63<sup>rd</sup> Street to allow development of 16.3 acres as an office/business park use and a four (4) acre outlot subject to the following:

1. Prohibition of off-premises advertising signs.
2. Replacement of the opening statement under the *Development Standards* heading with the following: "All provisions of Division 14, PBP District Regulations, City of Des Moines Zoning Ordinance are incorporated as well as the following standards."
3. Removal of notes 1 through 6 under the *Development Standards* heading.
4. Addition of parking lot setback notes under the *Setbacks* heading as required by Section 134-739(3) of the Zoning Ordinance.
5. Provision of a 10' minimum parking lot setback from the south property line of Outlot Z.
6. Replacement of the *Planting Plan* statement under the *Landscaping* heading with the following: "A planting plan must be submitted as part of any Development Plan and must be signed by a landscape architect registered in the State of Iowa."
7. Compliance with all Preliminary Plat requirements of the Permit and Development Center.
8. Provision of covenants on Lots 1 through 6 that waive the owners' right to protest a future special assessment when the City constructs the remaining portion of the north/south street.

The subject property is owned by Cornerstone Family Church, 3114 SW 61<sup>st</sup> Street, Des Moines, Iowa 50321 and is more specifically described as follows:

A PARCEL OF LAND IN PARCEL 'B' OF OUTLOT 'X', AIRPORT INDUSTRIAL PARK PLAT 1, AN OFFICIAL PLAT OF SURVEY RECORDED IN BOOK 10629, PAGE 68 AT THE POLK COUNTY RECORDER'S OFFICE, CITY OF DES MOINES, POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Date March 10, 2008

BEGINNING AT THE NW CORNER OF SAID PARCEL 'B'; THENCE S89°44'17"E, 1191.13 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL 'B', THENCE S00°10'28"E, 288.73 FEET ALONG SAID EAST LINE TO THE NORTH CORNER OF PARCEL 'A' OF SAID OUTLOT 'X'; THENCE S42°06'23"W, 757.03 FEET ALONG SAID EAST LINE, SAID EAST LINE ALSO BEING THE NORTHWEST LINE OF SAID PARCEL 'A', TO A POINT; THENCE S89°52'24"W, 672.41 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL 'B', SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF IOWA HIGHWAY 28 (LOCALLY KNOWN AS SW 63<sup>RD</sup> STREET) AS IT IS PRESENTLY ESTABLISHED; THENCE N15°38'52"W, 20.24 FEET ALONG SAID WEST LINE TO A POINT; THENCE N04°18'48"W, 123.19 FEET ALONG SAID WEST LINE TO A POINT; THENCE N06°44'41"E, 149.49 FEET ALONG SAID WEST LINE TO A POINT; THENCE N04°02'03"W, 198.94 FEET ALONG SAID WEST LINE TO A POINT; THENCE N00°07'45"W, 368.07 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING AND CONTAINING 20.010 ACRES MORE OR LESS.

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

1. That the meeting of the City Council at which the proposed PBP conceptual plan is to be considered shall be held in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa 5:00 p.m. on March 24, 2008, at which time the City Council will hear both those who oppose and those who favor the proposal.

★ Roll Call Number

Agenda Item Number

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- 2. 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 and Section 414.4 of the Iowa Code.

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:



Michael F. Kelley  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

**CERTIFICATE**

I, DIANE RAUH, 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.

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk