



Roll Call Number

13-1883

Agenda Item Number

13

Date December 9th, 2013

RESOLUTION CONDITIONALLY APPROVING FINAL SUBDIVISION
PLAT OF BROWNSTONES ON 7TH STREET PLAT 1

WHEREAS, the final subdivision plat of Brownstones on 7th Street Plat 1, located in the vicinity 325 SW 7th Street, to be developed by Brownstones on 7th, LLC (developer), represented by Steve Niebuhr (officer), was submitted to the Community Development Department on March 7, 2013; and,

WHEREAS, the City Plan and Zoning Commission approved the preliminary subdivision plat on February 7, 2013; and,

WHEREAS, the Permit and Development Center has recommended conditional approval of the final subdivision plat, subject to submission of the required attachments to the plat as required by Iowa code §354.11; and,

WHEREAS, the necessary attorney's title opinion for the plan has been submitted but must be updated; 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; 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 Des Moines 2020 Community Character Land Use 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 Brownstones on 7th Street Plat 1 is hereby conditionally approved, subject to receipt of a updated title opinion and attachments to the plat as required by Iowa Code §354.11, and approval of the same by the City Legal Department.
3. 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.
4. 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 Community Development Department for delivery to the County Auditor for recording

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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 Community Development Department.

5. The Pedestrian Easement and Roadway Easement(s) provided incident to the said subdivision plat are hereby approved and accepted, and the City Clerk is hereby authorized and directed to certify to the City's acceptance on each such easement.

(Council Communication No. 13- 578)

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
<u>VOSS</u>	✓			
MOORE	✓			
TOTAL	<u>7</u>			

MOTION CARRIED

APPROVED

T. M. Franklin Mayor

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.

Diane Rauh

City Clerk