



Roll Call Number

20-1074

Agenda Item Number

77

Date June 22, 2020

RESOLUTION HOLDING HEARING ON REQUEST FROM DRAKE UNIVERSITY (OWNER) REPRESENTED BY VENESSA MACRO (OFFICER) FOR APPROVAL OF A PROPOSED 4TH AMENDMENT TO THE DRAKE UNIVERSITY RECREATION PUD CONCEPTUAL PLAN FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF 27TH STREET AND FOREST AVENUE TO ALLOW REPLACEMENT OF AN EXISTING ELECTRONIC SIGN WITH A NEW TWO SIDED MONUMENT STYLE SIGN

WHEREAS, on June 8, 2020, by Roll Call No. 20-0904, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on May 21, 2020, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Drake University (Owner), represented by Venessa Macro (Officer), regarding property located at the northeast corner of 27th Street and Forest Avenue, to allow a 4th Amendment to the Drake University Recreation PUD Conceptual Plan, to allow the replacement of an existing electronic sign display with a new two sided sign, subject to the following conditions:

1. The proposed sign shall be a monument style sign with a masonry base that complements the exterior of the Knapp Center;
2. The proposed sign shall be located outside of any required vision triangle; and
3. Any electronic display shall be permitted to display video since the sign is for an events center use.

WHEREAS, the property is legally described as follows:

LOTS 15 THRU 35, INCLUSIVE IN SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, LOTS 6 THROUGH 21, INCLUSIVE, IN SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOT 21 IN SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 31, 32, 33, 34, AND 35 IN SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 13, 14, 15, AND 16 IN SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 21, 22, 23, 24, AND 25 IN SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, PLATTED RIGHT-OF-WAY FOR 26TH STREET LYING EAST OF AND ADJACENT TO LOTS 17, 18, 19, AND 20 IN SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA ; AND,



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PLATTED RIGHT-OF-WAY FOR 26TH STREET LYING EAST OF AND ADJACENT TO LOTS 26, 27, 28, 29, AND 30 IN SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED RIGHT-OF-WAY FOR 25TH STREET LYING EAST OF AND ADJACENT TO LOTS 9, 10, 11, AND 12 IN SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA ; AND,

PLATTED RIGHT-OF-WAY FOR 25TH STREET LYING EAST OF AND ADJACENT TO LOTS 16, 17, 18, 19, AND 20 IN SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PUBLIC RIGHT-OF-WAY FOR CLARK STREET LYING NORTH OF AND ADJACENT TO THE FOLLOWING DESCRIBED LINE; BEGINNING AT THE NW. CORNER OF LOT 35 IN SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA ; THENCE EAST ALONG THE NORTH LINE OF LOTS 35, 26, 25 16, AND 15 IN SAID SMITH'S FOURTH ADDITION TO UNIVERSITY PLACE, A DISTANCE OF 775.5 FEET MORE OR LESS TO A POINT THAT IS 57.5 FEET EAST OF THE NW. CORNER OF SAID LOT 15 AND TO THE END OF SAID LINE;

LOTS 13 THRU 27, INCLUSIVE, LOTS 34 THRU 57, INCLUSIVE, LOTS 61 THRU 69, INCLUSIVE, LOTS 71, 72, 73 AND THE SOUTH 10.0 FEET OF LOT 12, ALL IN HARRISON PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA ; AND,

LOT 30, EXCEPT THE SOUTH 25.0 FEET OF THE EAST 70.9 FEET, THEREO,FIN CURTIS' BLUFF PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, THE WEST 57.5 FEET OF LOT 29 IN CURTIS' BLUFF PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 13, 14, 15 AND THE SOUTH 10.0 FEET OF LOT 12 IN HARRISON PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED RIGHT-OF-WAY FOR 26TH STREET LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 16 THRU 27, INCLUSIVE, HARRISON PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 34 THRU 45, INCLUSIVE, HARRISON PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED RIGHT-OF-WAY FOR 25TH STREET LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 46 THRU 60, INCLUSIVE, HARRISON PARK ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,



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LOTS 1 THRU 10, INCLUSIVE IN SMITH'S ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA ; AND, LOTS 45 THRU 55 INCLUSIVE IN UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, THE NORTH 39.00 FEET OF LOT 44 AND THE NORTH 10.00 FEET OF LOT 56, ALL IN UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 6 THRU 10, INCLUSIVE, IN SMITH'S ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF LOTS 50 THRU 55, INCLUSIVE, IN SMITH'S ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND, PLATTED ALLEY LYING EAST OF AND ADJACENT TO THE EAST LINE OF THE NORTH 10.00 FEET OF LOT 56 IN UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; AND,

PUBLIC RIGHT-OF-WAY OF 25TH STREET AND FOREST AVENUE DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 12 IN SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; THENCE EAST TO THE SOUTHWEST CORNER OF LOT 5 IN SAID SMITH'S SECOND ADDITION TO UNIVERSITY PLACE, THENCE SOUTH TO THE NORWEST CORNER OF LOT 10 IN SMITH'S ADDITION TO IN UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; THENCE SOUTH TO THE SOUTHWEST CORNER OF SAID LOT 10; THENCE WESTERLY TO THE SOUTHEAST CORNER OF LOT 77 IN UNIVERSITY PLACE, DES MOINES, POLK COUNTY, IOWA; THENCE NORTH TO THE NORTHEAST CORNER OF SAID LOT 77; THENCE NORTHERLY TO THE SOUTHEAST CORNER OF SAID LOT 12 AND TO THE POINT OF BEGINNING.

WHEREAS, on June 8, 2020, by Roll Call No. 20-0904, it was duly resolved by the City Council that the request for approval of the Proposed PUD Conceptual Plan 4th Amendment be set down for hearing on June 22, 2020 at 5:00 p.m., by electronic means in accordance with the Governor’s and Mayor’s Proclamations and to encourage and maintain social distancing to curb the spread of COVID19 in the community, with or without public access to the meeting location.; 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 PUD Conceptual Plan 4th Amendment; and

WHEREAS, in accordance with said notice, those interested in said proposed PUD Conceptual Plan, 4th Amendment 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 PUD Conceptual Plan 4th Amendment for “Drake University



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Recreation PUD Conceptual Plan” are hereby overruled, and the hearing is closed.

- 2. The proposed 4th Amendment to the PUD Conceptual Plan for “Drake University Recreation PUD Conceptual Plan”, as on file in the Community Development Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved, subject to the conditions stated above.

MOVED BY Gray TO ADOPT.

FORM APPROVED:

Judy K. Parks-Kruse

Judy K. Parks-Kruse, Assistant City Attorney

(ZON2020-00047)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

CERTIFICATE

I, P. Kay Cmelik, 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.

P. Kay Cmelik City Clerk