



Roll Call Number

20-1120

Agenda Item Number

35

Date July 13, 2020

RESOLUTION TO CORRECT CONDITIONS OF APPROVAL REGARDING REQUEST FROM DRAKE UNIVERSITY (VENESSA MACRO, OFFICER) FOR REVIEW AND APPROVAL OF A 4TH AMENDMENT TO THE DRAKE UNIVERSITY RECREATION PUD CONCEPTUAL PLAN FOR PROPERTY AT THE NORTHEAST CORNER OF 27TH STREET AND FOREST AVENUE TO ALLOW REPLACEMENT OF AN EXISTING ELECTRONIC SIGN WITH A NEW TWO-SIDED MONUMENT 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 two conditions as follows:

- 1. The proposed sign shall be located outside of any required vision triangle; and
2. Any electronic display shall be permitted to display video since the sign is for an events center use; and

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,

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, at the hearing held on June 22, 2020; and

WHEREAS, the resolution of hearing adopted by roll call no. 20-1074 inadvertently contained three conditions of approval, including an additional one, instead of the two recommended by the Plan and Zoning Commission, but in all other respects was correct.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the conditions of approval for the proposed PUD Conceptual Plan 4th Amendment for "Drake University Recreation PUD Conceptual Plan" are hereby corrected to be as follows:

- 1. The proposed sign shall be located outside of any required vision triangle; and



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- 2. Any electronic display shall be permitted to display video since the sign is for an events center use.

MOVED BY Gatto 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 | 6 | | | 1 |

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