

★ Roll Call Number

20-2146

Agenda Item Number

52

Date December 21, 2020

RESOLUTION HOLDING HEARING ON REQUEST FROM THIRTY SEVEN FIFTY, LLC FOR APPROVAL OF PUD FINAL DEVELOPMENT PLAN “THIRTY SEVEN FIFTY ON GRAND” FOR PROPERTY AT 3750 GRAND AVENUE

WHEREAS, on December 7, 2020, by Roll Call No. 20-2007, the City Council received a communication from the City Plan and Zoning Commission advising that on December 3, 2020, the City Plan and Zoning Commission voted 12-0 to **APPROVE** a request from Thirty Seven Fifty, LLC (owner), represented by Kate Miller (officer), to approve the PUD Final Development Plan “Thirty Seven Fifty on Grand” on property located at 3750 Grand Avenue (“Property”) to allow for redevelopment of the existing vacant First Church of Christ Science building with demolition of a portion of said building and addition of an eight-story, 42-unit residential condominium tower containing two levels of indoor parking and first floor permitted uses including business or professional offices, studio or instructional service, assembly, and library or cultural exhibit, and construction of a detached garage containing six parking spaces in the rear parking area, subject to compliance with all administrative review requirements; and

WHEREAS, the Property is legally described as follows:

LOTS 2, 3, 4, AND 5 IN MASON PLACE AND LOTS 11, 12, 13, AND 14 (EXCEPT THE SOUTH 55 FEET THEREOF) IN MASON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; AND

WHEREAS, on December 7, 2020, by Roll Call No. 20-2007, it was duly resolved by the City Council that the request for approval of the PUD Final Development Plan be set down for hearing on December 21, 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, 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 Final Development Plan; and

WHEREAS, in accordance with said notice, those interested in said proposed PUD Final Development 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 PUD Final Development Plan “Thirty Seven Fifty on Grand” are hereby overruled, and the hearing is closed.
2. The proposed PUD Final Development Plan “Thirty Seven Fifty on Grand”, as on file in the Development Services Department, is hereby found to be in conformance with PlanDSM: Creating Our

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Tomorrow Plan and is hereby approved, subject to condition stated above.

MOVED BY Mandelbaum TO ADOPT.

FORM APPROVED:

/s/ Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(10-2021-7.21)

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

MOTION CARRIED

APPROVED

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.

J. M. Franklin Cownie Mayor

P. Kay Cmelik

City Clerk