



Roll Call Number

21-1801

Agenda Item Number

15

Date December 6, 2021

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST OF ARD PROPERTIES LLC FOR REVIEW AND APPROVAL OF A MAJOR PRELIMINARY PLAT "BAUER HEIGHTS PLAT 4" ON PROPERTY LOCATED IN THE VICINITY OF 5591 NORTHEAST 36TH COURT

WHEREAS, on November 18, 2021, the City of Des Moines Plan and Zoning Commission voted 11-0 for APPROVAL on a Request from ARD Properties, LLC (Owner), represented by Russ Downing (officer) for Review and Approval of a Major Preliminary Plat "Bauer Heights Plat 4" on property located in the vicinity of 5591 Northeast 36th Court (Parcel 7923-08-477-033) in Delaware Township (in unincorporated Polk County) within the two mile distance for extraterritorial review of subdivision plats by the City of Des Moines, to allow subdivision of the existing property to create two (2) residential lots and one (1) outlot, subject to the following:

- 1. Compliance with all comments of the administrative review by the Permit and Development Center; and
2. Provision of a note on the approved preliminary plat document: "future development is subject to 'Article 7, Division 4, Sections 1,4 and 5 - Natural Resources Protection: Floodplains, Woodlands, and Wetlands' of the Polk County Zoning Code."

WHEREAS, the Community Development Department recommends that the City waive its right to review of the Final Plat "Bauer Heights Plat 4" as allowed by Iowa Code Section 354.8(2).

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the attached communication from the City Plan and Zoning Commission is hereby received and filed, and that the City hereby waives its right to review the Final Plat "Bauer Heights Plat 4".

Moved by Gatto to adopt.

APPROVED AS TO FORM:

Judy K. Parks-Kruse
Assistant City Attorney

(PLAT -2021-000008)

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL. Includes signature of 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.

Signature of P. Kay Cmelik

City Clerk