



Roll Call Number

22-0371

Agenda Item Number

61

Date March 7, 2022

RESOLUTION HOLDING HEARING ON REQUEST FROM EASTGATE PLAZA, LLC FOR APPROVAL OF A PROPOSED 7TH AMENDMENT TO THE EASTGATE PLAZA PUD CONCEPTUAL PLAN ON PROPERTY LOCATED IN THE VICINITY OF 1534 EAST EUCLID AVENUE

WHEREAS, on February 21, 2022, by Roll Call No. 22-0240, the City Council received a communication from the City Plan and Zoning Commission advising that on February 3, 2022, the Commission voted 11-1 to **APPROVE** a request from Eastgate Plaza, LLC (owner), represented by Norman S. Weinstein (officer), to review and approve a proposed 7th Amendment to the Eastgate Plaza Planned Unit Development (PUD) Conceptual Plan on property located in the vicinity of 1534 East Euclid Avenue (“Property”) to allow a 1.28-acre interior portion of the Property to be developed with a 7,145 square-foot medical office building, subject to the following revisions to the Plan:

- 1) Provision of a note stating that the north/south drive (to east of the building) shall be constructed to appear to be a street, with features such as trees on both sides, parallel parking stalls, and sidewalk to the satisfaction of the City’s Planning Administrator.
- 2) Provision of a note stating that that pedestrian access to the adjoining parcels shall be provided in anticipation of future pedestrian connectivity and that all crosswalks across access drives shall be clearly striped as a pedestrian path.
- 3) Provision of a note stating that bike rack quantity, placement, and design shall be provided in accordance with Des Moines Municipal Code Chapter 135, Planning and Design Ordinance.
- 4) Provision of a note stating that landscaping shall be provided in accordance with Des Moines Municipal Code Chapter 135, Planning and Design Ordinance.
- 5) Provision of a note stating that the building shall be sided with materials that comply with Des Moines Municipal Code Chapter 135, Planning and Design Ordinance to the satisfaction of the City’s Planning Administrator.
- 6) Provision of a note stating that windows and doors shall be provided that comply with the relevant transparency, transmittance and reflectance factors found Des Moines Municipal Code Chapter 135, Planning and Design Ordinance to the satisfaction of the City’s Planning Administrator.
- 7) Provision of a note stating that that all mechanical equipment, roof top units, condensers, meters, transformers, or other such equipment shall be provided in accordance with Des Moines Municipal Code Chapter 135, Planning and Design Ordinance.
- 8) Provision of a note stating that all electric lines, telephone lines and similar utility transmission systems shall be buried underground.
- 9) Provision of a note stating that all site and building mounted lighting shall be provided in accordance with Des Moines Municipal Code Chapter 135, Planning and Design Ordinance.
- 10) Provision of a note stating that any refuse collection container will be within an enclosure constructed of masonry walls that match the primary building and steel gate with a pedestrian entrance.
- 11) Provision of a note stating that any freestanding signage shall be a monument sign having a minimum 2-foot-tall masonry base to match the structure and shall not exceed 8 feet in height. Freestanding pole signs are prohibited; and



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WHEREAS, the Property is legally described as follows:

PART OF LOT 13, BROWN’S LOWLAND PLACE, LOCATED IN THE SOUTH HALF OF SECTION 24 AND THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DES MOINES, POLK COUNTY, IOWA: SAID PARCEL DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF PARCEL “D” PLAT OF SURVEY FOR PARCEL “D” KUM & GO STORE #534 RECORDED IN THE POLK COUNTY CLERK AND RECORDERS OFFICE IN BOOK 15007, PAGE 206, MONUMENTED WITH A #5 REBAR WITH RED PLASTIC CAP STAMPED “LS 19440”; THENCE N00°09’16”W, A DISTANCE OF 173.71 FEET ON THE EAST LINE OF THAT PARCEL RECORDED IN THE POLK COUNTY CLERK AND RECORDERS OFFICE AS PARCEL “C” OF THE PLAT OF SURVEY BOOK 12044, PAGE 733, MONUMENTED WITH A 24” #5 REBAR WITH 2-1/2” ALUMINUM CAP STAMPED “LS 15439”; THENCE N52°21’10”E, A DISTANCE OF 32.91 FEET; THENCE N89°49’41”E, A DISTANCE OF 262.33 FEET; THENCE S00°10’09”E, A DISTANCE OF 195.64 FEET TO THE NORTH LINE OF SAID PARCEL “D”; THENCE N89°47’36”W, A DISTANCE OF 288.50 FEET ON SAID NORTH LINE TO THE POINT OF BEGINNING. PARCEL CONTAINS 55,899 SQUARE FEET OR 1.283 ACRES; and

WHEREAS, on February 21, 2022, by Roll Call No. 22-0240, it was duly resolved by the City Council that the request for approval of the 7th Amendment to the PUD Conceptual Plan be set down for hearing on March 7, 2022, at 5:00 p.m., at the City Council Chambers; 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 7th Amendment to the PUD Conceptual Plan; and

WHEREAS, in accordance with said notice, those interested in said proposed 7th Amendment to the PUD Conceptual 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 7th Amendment to the Eastgate Plaza Planned Unit Development (PUD) Conceptual Plan are hereby overruled, and the hearing is closed.
2. The proposed 7th Amendment to the Eastgate Plaza Planned Unit Development (PUD) Conceptual Plan, as on file in the Development Services Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved as stated above, subject to revisions to the Plan as set forth above.



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MOVED BY Wastergaard TO ADOPT.

SECOND BY Boesen.

FORM APPROVED:

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

(ZON2021-000049)

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

MOTION CARRIED APPROVED
J. M. Frankin 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