



**Roll Call Number**

23-0579

**Agenda Item Number**

19

**Date** April 24, 2023

**APPROVAL OF FINAL SUBDIVISION PLAT AND ACCEPTANCE OF LETTER OF CREDIT FOR PINNACLE ON FLEUR**

WHEREAS, the final subdivision plat entitled Pinnacle on Fleur, for property in the vicinity of 2710 Fleur Drive, to be developed by Pinnacle on Fleur LLC, 2785 North Ankeny Boulevard, Suite 22, Ankeny, IA, 50023, Jenna Kimberley, Authorized Agent, was submitted to the Development Services Department on September 14, 2022; and,

WHEREAS, the City Plan and Zoning Commission approved the preliminary subdivision plat on August 22, 2022; and,

WHEREAS, the Development Services Department has recommended approval of the final subdivision plat; and,

WHEREAS, subject to the conditions identified below, the said subdivision plat conforms to Iowa Code Sections 355.8, 354.6, and 354.11, and said subdivision plat conforms to the standards and conditions set forth in Chapter 106 of the Municipal Code of the City of Des Moines, Iowa; and,

WHEREAS, the City Engineer has approved the amount of the security for subdivision improvements.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. It is hereby determined that the subdivision plat identified above conforms to the PlanDSM: Creating Our Tomorrow Plan and the subdivision, with the required installation of public improvements, will not unduly burden public improvements in the area and will provide an appropriate balance of interests between current proprietors, future purchasers and the public interest.
2. The subdivision plat entitled Pinnacle on Fleur is hereby approved, and irrevocable letter of credit No. 52996606 from Iowa Trust & Savings Bank in the amount of \$39,590.00 is hereby accepted as adequate security for the completion of the required public improvements including grading and erosion control and public sidewalk installation within the plat area.
3. The City Clerk is hereby directed to hold this bond as security for the required public improvements until otherwise directed.



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4. Upon satisfaction of the conditions set forth above, the Mayor and City Clerk are hereby authorized and directed to execute approval on all copies of said subdivision plat as appropriate.
5. The City Clerk is hereby directed to provide the approved subdivision plat, a certified copy of this resolution, the attorney's title opinion and the attachments to the plat to the Developer for delivery to the County Recorder for recording by the plat proprietors. The City Clerk is hereby further directed to send a copy of the subdivision plat to the Board of Education, Century Link Communications, Mid-American Energy, Mediacom, Des Moines Water Works, U.S. Post Office – Post Master, U.S. Post Office – Technical Sales and Services, City Engineer, City Land Records, Public Works – Street Department, Public Works – Forestry Division, Fire Department, Police Department – Research and Development Section, City Traffic and Transportation Division, Information Technology Department, and Development Services Department.
6. The Permanent Easements for sanitary sewer and stormwater management facilities that have been provided incident to said subdivision plat are hereby approved and accepted, and the City Clerk is hereby authorized and directed to certify to the City's acceptance on such easements.

MOVED by Gatto to adopt.

Second by Boesen

(Council Communication No. 23-204)

FORM APPROVED:

Lisa A. Wieland  
Lisa A. Wieland  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED APPROVED

CERTIFICATE

I, LAURA BAUMGARTNER, 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

Laura Baumgartner City Clerk