

Date April 24, 2023

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING MAJOR PRELIMINARY PLAT "DEER MEADOWS FORMERLY KNOWN AS NYBECK ACRES," FOR PROPERTY LOCATED IN VICINITY OF 3502 113<sup>th</sup> AVENUE (UNINCORPORATED WARREN COUNTY)**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 6, 2023, its members voted 9-0 to recommend **APPROVAL** of a Major Preliminary Plat "Deer Meadows formerly known as Nybeck Acres," for property located in vicinity of 3502 113<sup>th</sup> Avenue (unincorporated Warren County), and within the two-mile distance for extraterritorial review of subdivision plats by the City of Des Moines, to allow for the creation of six (6) parcels on 24.35 acres of property; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 6, 2023, its members voted 9-0 to recommend that the City waive its right to review the Major Final Plat "Deer Meadows formerly known as Nybeck Acres" as allowed by Iowa Code 354.8(2), and the Development Services Department also recommends that the City waive its right to review the Major Final Plat.

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 the City hereby waives its right to review the Major Final Plat "Deer Meadows formerly known as Nybeck Acres".

MOVED BY Gatto TO ADOPT. SECOND BY Boesen

APPROVED AS TO FORM:

/s/ Chas M. Cahill  
Chas M. Cahill  
Assistant City Attorney

(PLAT-2023-000004)

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

**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