Date October 23, 2023

RESOLUTION SETTING HEARING REGARDING REQUEST FROM AIRPORT DEVELOPMENT, LC (OWNER), REPRESENTED BY STUART RUDDY (OFFICER); SCHARNBERG REAL ESTATE, LLC (OWNER), REPRESENTED BY MARK SCHARNBERG (OFFICER); DSM FLEUR HOSPITALITY, LLC (OWNER), REPRESENTED BY BIREN PATEL (OFFICER); AND WEST LAKES PROPERTIES, L.C. (OWNER), REPRESENTED BY GERARD D. NEUGENT (OFFICER), FOR REVIEW AND APPROVAL OF A 3RD AMENDMENT TO AIRPORT COMMERCE PARK SOUTH PUD CONCEPTUAL PLAN, ON PROPERTY LOCATED IN VICINITY OF 2400 GANNETT AVENUE

WHEREAS, on October 5, 2023, the City Plan and Zoning Commission considered a request from Airport Development, LC (owner), represented by Stuart Ruddy (officer); Scharnberg Real Estate, LLC (owner), represented by Mark Scharnberg (officer); DSM Fleur Hospitality, LLC (owner), represented by Biren Patel (officer); and West Lakes Properties, L.C. (owner), represented by Gerard D. Neugent (officer), for review and approval of a 3rd amendment to the Airport Commerce Park South PUD Conceptual Plan, on property located at located in the vicinity of 2400 Gannett Avenue, to allow use of metal as a building material the use of metal siding, cladding, and roofing materials; and

WHEREAS, the City Plan and Zoning Commission voted 11-0 to APPROVE the a 3rd amendment to the Airport Commerce Park South PUD Conceptual Plan, on property located in the vicinity of 2400 Gannett Avenue, to allow use of metal as a building material the use of metal siding, cladding, and roofing materials; all other lots within the Airport Commerce Park South PUD Conceptual Plan, owned by other parties that are not the current applicants, shall continue to be subject and governed by the existing standards of the Airport Commerce Park South PUD Conceptual Plan.; and

WHEREAS, the Property is legally described as follows:

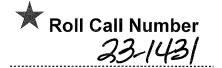
PUD LOT 3

LOT 3 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

AND

LOT 2 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

EXCEPT



Date October 23, 2023

PARCEL 'A', AN OFFICIAL PLAT, RECORDED IN BOOK 9224, PAGE 192, AT THE POLK COUNTY RECORDER'S OFFICE, CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 4

LOT 4 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

REMAINDER OF PUD LOT 5

PARCEL 2018-39, AN OFFICIAL PLAT, RECORDED IN BOOK 16920, PAGE 338, AT THE POLK COUNTY RECORDER'S OFFICE, CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 8

LOT 2 AIRPORT COMMERCE PARK SOUTH PLAT 2, AN OFFICIAL PLAT, RECORDED IN BOOK 11974, PAGE 240-251, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE E 1/2 OF SECTION 31, AND THE W 1/2 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 9

LOT 3 AIRPORT COMMERCE PARK SOUTH PLAT 2, AN OFFICIAL PLAT, RECORDED IN BOOK 11974, PAGE 240-251, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE E 1/2 OF SECTION 31, AND THE W 1/2 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 10

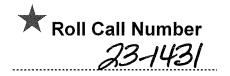
LOT 4 AIRPORT COMMERCE PARK SOUTH PLAT 2, AN OFFICIAL PLAT, RECORDED IN BOOK 11974, PAGE 240-251, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE E 1/2 OF SECTION 31, AND THE W 1/2 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE $5^{\rm TH}$ P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 11 & 12

LOTS 5 AND 6 AIRPORT COMMERCE PARK SOUTH PLAT 2, AN OFFICIAL PLAT, RECORDED IN BOOK 11974, PAGE 240-251, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE E 1/2 OF SECTION 31, AND THE W 1/2 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE $5^{\rm TH}$ P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 21

LOTS 1 AIRPORT COMMERCE PARK SOUTH PLAT 2, AN OFFICIAL PLAT, RECORDED IN BOOK 11974, PAGE 240-251, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE



Date October 23, 2023

E 1/2 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5^{TH} P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 22

LOT 8 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5^{TH} P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 23

LOT 9 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 24

LOT 10 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 27

LOT 13 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5^{TH} P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 28

LOT 15 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE $5^{\rm TH}$ P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 29

LOT 16 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA **PUD LOT 30**

LOT 17 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W

\Rightarrow	Roll Call Number	
******	23-1431	

Date October 23, 2023

1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5^{TH} P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 32

LOT 19 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5^{TH} P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 33

LOT 20 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 'A'

LOT 22 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOTS 13, 14, 15, 16, 17, 18, 19, AND 20

LOT 7 AIRPORT COMMERCE PARK SOUTH PLAT 2, AN OFFICIAL PLAT, RECORDED IN BOOK 11974, PAGE 240-251, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE E 1/2 OF SECTION 31, AND THE W 1/2 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD AIRPORT COMMERCE PARK PLAT 1

LOT 3 AIRPORT COMMERCE PARK PLAT 1, AN OFFICIAL PLAT, RECORDED IN BOOK 7329, PAGE 629-637, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE S 1/2 OF THE NW 1/4 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA.

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

- 1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
- 2. That the meeting of the City Council at which the proposed 3rd amendment to the Airport Commerce Park PUD Conceptual Plan is to be considered, shall be held at 5:00 p.m. on November 6, 2023, in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at which time the City Council will hear both those who oppose and those who favor the proposals.
- 3. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the

*	Roll	Call	Nu	mber	•
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Date October 23, 2023

accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Sections 362.3 and 414.4 of the Iowa Code.

MOVED by Lotto to adopt.

SECOND by .

FORM APPROVED:

/s/ Chas M. Cahill
Chas M. Cahill

Assistant City Attorney

(ZONG-2023-000032)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	V			
BOESEN	V			
GATTO	V			
MANDELBAUM	V			***************************************
VOSS	V			
WESTERGAARD	~			٦
TOTAL /	10		2	

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.

Roura Baungarthan City Clerk