



**Roll Call Number**

21-0494

**Agenda Item Number**

38

**Date** March 22, 2021

**RESOLUTION HOLDING HEARING ON REQUEST FROM CALVIN PARK MIXED-USE CONDOMINIUMS FOR APPROVAL OF A 1<sup>ST</sup> AMENDMENT TO THE “CALVIN COMMUNITY” LEGACY PUD CONCEPTUAL PLAN FOR PROPERTY LOCATED AT 4326 HICKMAN ROAD**

**WHEREAS**, on March 8, 2021, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing on February 18, its members voted 14-0 to **APPROVE** a request from Calvin Park Mixed-Use Condominiums (owner), represented by Carl Koedam (officer), to review and approve a 1<sup>st</sup> Amendment to the “Calvin Community” Legacy PUD Conceptual Plan on the property located at 4326 Hickman Road (“Property”) to allow revision to reduce the number of units on the mixed-use building from 42 to 36 units with elimination of a 5<sup>th</sup> floor, modification of the north drive access to 44<sup>th</sup> Street, addition of directional signs, and addition of utility meters to the west façade of the row townhomes. Additional property owners include Calvin Community Corporation and Calvin Park Townhomes Condominiums; and

**WHEREAS**, the Property is legally described as follows:

LOTS 22, 23, 24, 25, 26, 27, 28 AND 29 IN KEOSAUQUA PLACE, AN OFFICIAL PLAT EXCEPT THE NORTH 20.5 FEET OF LOTS 22, 23, 24, 25 AND 26 IN KEOSAUQUA PLACE, AN OFFICIAL PLAT, ALL BEING IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, CONTAINING 2.580 ACRES (112,367 SQUARE FEET), MORE OR LESS.

**WHEREAS**, on March 8, 2021, by Roll Call No. 21-0374, it was duly resolved by the City Council that the request to approve a 1<sup>st</sup> Amendment to the Legacy PUD Conceptual Plan be set down for hearing on March 22, 2021 at 5:00 P.M., by electronic means in accordance with the Governor’s and Mayor’s Proclamations and to encourage and maintain social distancing to curb the spread of COVID 19 in the community, without public access to the meeting location; 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 Legacy PUD Conceptual Plan amendment; and

**WHEREAS**, in accordance with said notice, those interested in said proposed Legacy PUD Conceptual Plan amendment 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:

★ Roll Call Number  
21-0494

Agenda Item Number  
38

Date March 22, 2021

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment to the Legacy PUD Conceptual Plan "Calvin Community" are hereby overruled, and the hearing is closed.
2. The proposed amendment to the Legacy PUD Conceptual Plan "Calvin Community", as on file in the Community Development Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved.

MOVED BY Gray TO ADOPT.

FORM APPROVED: Judy K. Parks-Kruse  
 Judy K. Parks-Kruse  
 Assistant City Attorney

(ZON2021-00012)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		

J. M. Frankha 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