

★ Roll Call Number

Agenda Item Number

19

Date May 21, 2007


WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 3, 2007, its members voted 14-0 in support of a motion to recommend approval of a request from OPUS 001, LLC (developer) represented by David Llewelyn (officer) for vacation and conveyance of segments of right-of-way forming a portion of the west and north sides of 15th Street south of Walnut Street and east of 16th Street subject to the following conditions:

1. Reservation of easements for all utilities in place.
2. Approval of a site plan and building elevations by the Plan and Zoning Commission in accordance with the City's Design Guidelines for Multiple-Family Dwellings.

Adjoining subject property is owned by MARJO, LLC.

MOVED by _____ to receive and file, and refer to the City Manager for implementation in accordance with the City's standard property disposition procedures.

FORM APPROVED:


 Roger K. Brown
 Assistant City Attorney

(11-2007-1.11)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

CERTIFICATE

I, DIANE RAUH, 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.

MOTION CARRIED

APPROVED

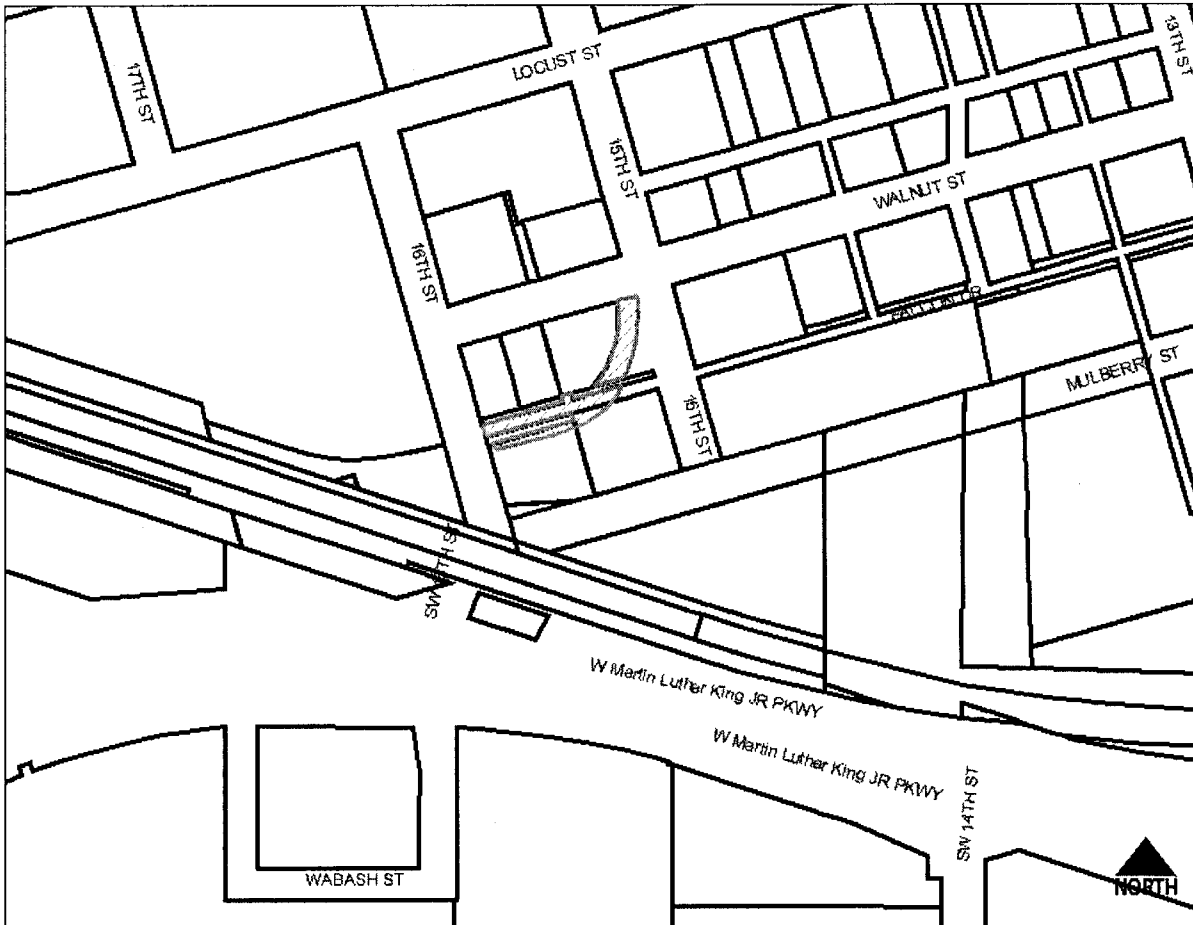
 Mayor

 City Clerk

Request from OPUS 001, LLC (developer) represented by David Llewelyn (officer) for vacation and conveyance. Adjoining subject property is owned by MARJO, LLC.				File #	
				11-2007-1.11	
Description of Action	Vacate and convey segments of right-of-way forming a portion of the west and north sides of 15 th Street south of Walnut Street and east of 16 th Street.				
2020 Community Character Plan	Downtown: Support Commercial				
Horizon 2025 Transportation Plan	No Planned Improvements				
Current Zoning District	"C-3A" Central Business District Support Commercial				
Proposed Zoning District	N/A				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area	0	0	0	N/A	
Plan and Zoning Commission Action	Approval	14-0	Required 6/7 Vote of the City Council	Yes	
	Denial			No	N/A

OPUS 001, LLC - 15th to 16th Street area South of Walnut Street

11-2007-1.11



May 21, 2007

Date _____

Agenda Item 19

Roll Call # _____

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held May 3, 2007, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 14-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
David Cupp	X			
Shirley Daniels	X			
Dann Flaherty	X			
Bruce Heilman	X			
Jeffrey Johannsen				X
Greg Jones	X			
Frances Koontz	X			
Kaye Lozier	X			
Jim Martin	X			
Brian Millard	X			
Brook Rosenberg	X			
Mike Simonson	X			
Kent Sovern	X			
Tim Urban	X			
Marc Wallace	X			



CITY PLAN AND ZONING COMMISSION
 ARMORY BUILDING
 602 ROBERT D. RAY DRIVE
 DES MOINES, IOWA 50309 -1881
 (515) 283-4182

ALL-AMERICA CITY
 1949, 1976, 1981
 2003

in support of a motion to recommend approval of a request from OPUS 001, LLC (developer) represented by David Llewelyn (officer) for vacation and conveyance of segments of right-of-way forming a portion of the west and north sides of 15th Street south of Walnut Street and east of 16th Street subject to the following conditions:
 (11-2007-1.11)

1. Reservation of easements for all utilities in place.
2. Approval of a site plan and building elevations by the Plan and Zoning Commission in accordance with the City's Design Guidelines for Multiple-Family Dwellings.

Adjoining subject property is owned by MARJO, LLC.

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the requested vacation and conveyance subject to the following conditions:

1. Reservation of easements for all utilities in place.
2. Approval of a site plan and building elevations by the Plan and Zoning Commission in accordance with the City's Design Guidelines for Multiple-Family Dwellings.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to combine the subject right-of-way with property they own to the north to allow the development of a seven-story, mixed-use building. The proposed development would contain 96 residential dwelling units and 43,600 square feet of commercial space with 113 indoor parking spaces.

The site plan and building elevations of the proposed project will be subject to review and approval by the Plan and Zoning Commission in accordance with the City's Design Guidelines for Multiple-Family Dwellings.

2. **Size of Site:** The subject property is irregularly shaped. It generally is 340' in length and ranges from 20' to 40' in width.
3. **Existing Zoning (site):** "C-3A" Central Business District Support Commercial.
4. **Existing Land Use (site):** Undeveloped right-of-way.
5. **Adjacent Land Use and Zoning:**
 - North* – "C-3A", Uses are office and warehousing.
 - South* – "C-3A", Use is undeveloped City-owned land.
 - East* – "C-3A" & "M-1", Uses are office and warehousing.
 - West* – "C-3B", Use is surface parking.
6. **General Neighborhood/Area Land Uses:** The subject property is located at the southwestern fringe of the downtown just north of West Martin Luther King, Jr. Parkway.
7. **Applicable Recognized Neighborhood(s):** Downtown Des Moines Neighborhood.
8. **Relevant Zoning History:** On January 25, 2007, the Zoning Board of Adjustment granted the applicant a Variance of 50' over the maximum allowed 75' of building height for the "C-3A" District. The Board also granted an Exception of 17 spaces less than the minimum required 34 spaces of off-street parking.
9. **2020 Community Character Land Use Plan Designation:** Downtown Support Commercial.
10. **Applicable Regulations:** The Commission reviews all proposals to vacate land dedicated for a specific public purpose, such as for streets and parks, to determine whether the land is still needed for such purpose or may be released (vacated) for other use. The recommendation of the Commission is forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Utilities:** MidAmerican Energy Company has indicated they have a gas main in the subject right-of-way and possibly other facilities that may be impacted by the proposed development. An easement must be provided for all utilities in place unless relocated by the applicant.
2. **Street System:** The subject portion of right-of-way is excess land from the realignment of 15th Street. Its vacation and conveyance will have no impact on the street system.

SUMMARY OF DISCUSSION

There was no one in the audience to speak on this item.

Fran Koontz: Moved for approval of the requested vacation and conveyance subject to the following conditions:

1. Reservation of easements for all utilities in place.
2. Approval of a site plan and building elevations by the Plan and Zoning Commission in accordance with the City's Design Guidelines for Multiple-Family Dwellings.

Motion approved 14-0.

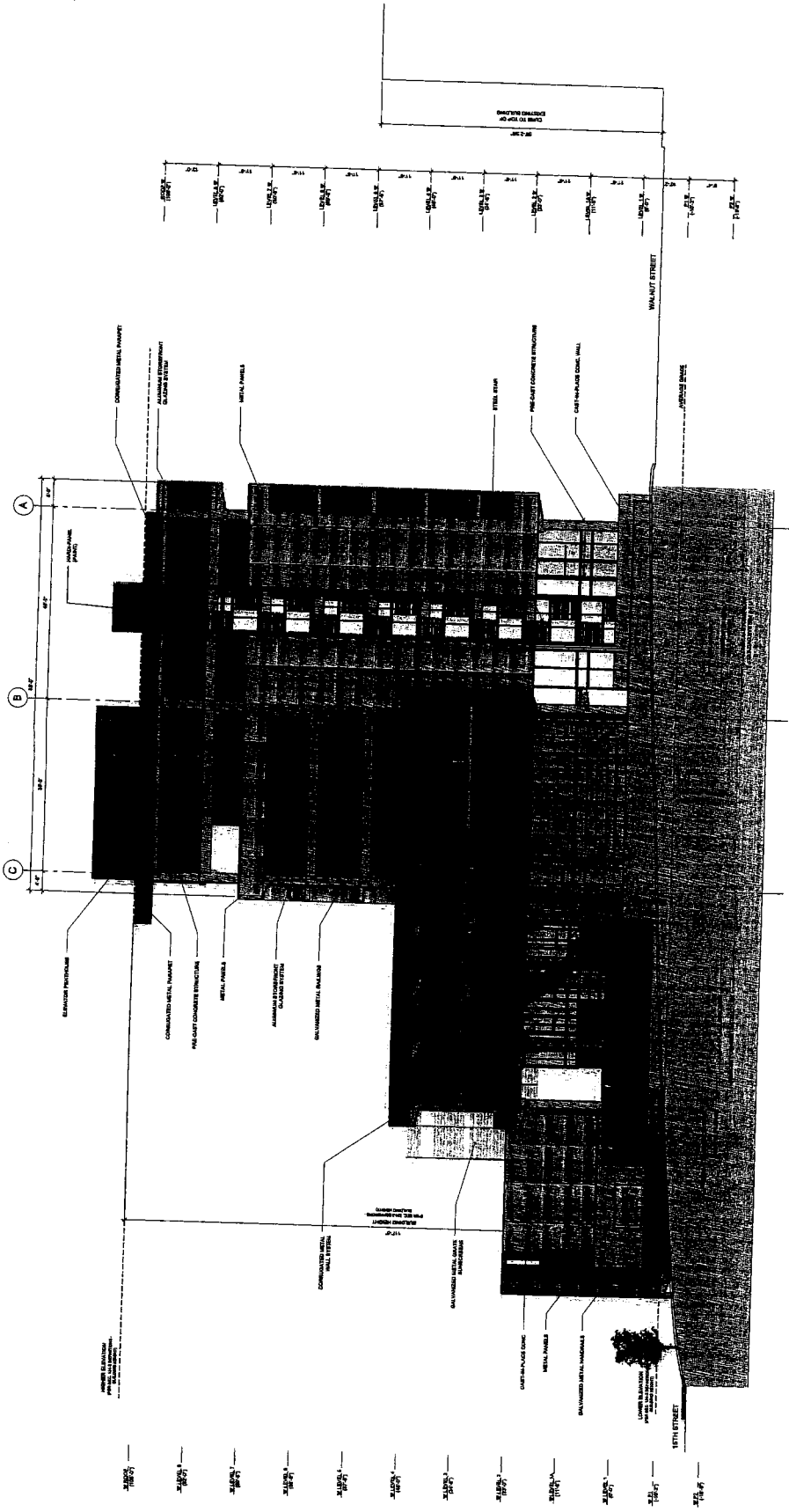
Respectfully submitted,



Erik Lundy, AICP
Senior Planner

EML:dfa

Attachment



1 EAST ELEVATION

NOT FOR CONSTRUCTION
SITE PLAN SUBMITTAL
PROGRESS PRINT 04/18/2007

SHEET NO A203

PROJECT NAME
OPUS 001
PROJECT NO
2007-01

OWNER:
WEST END HOLDINGS, LLC
300 WEST STREET, SUITE 200
SAN FRANCISCO, CA 94102

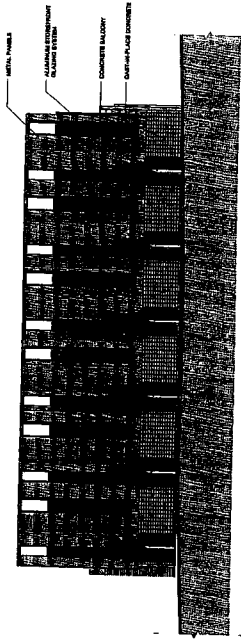
CONSULTANT:
STRUCTURAL ENGINEER
CHARLES SAUL ENGINEERING
1000 MARKET STREET, SUITE 1000
SAN FRANCISCO, CA 94102

ENGINEER:
ENGINEERING RESOURCE GROUP
250 CALIFORNIA STREET, SUITE 300
SAN FRANCISCO, CA 94102

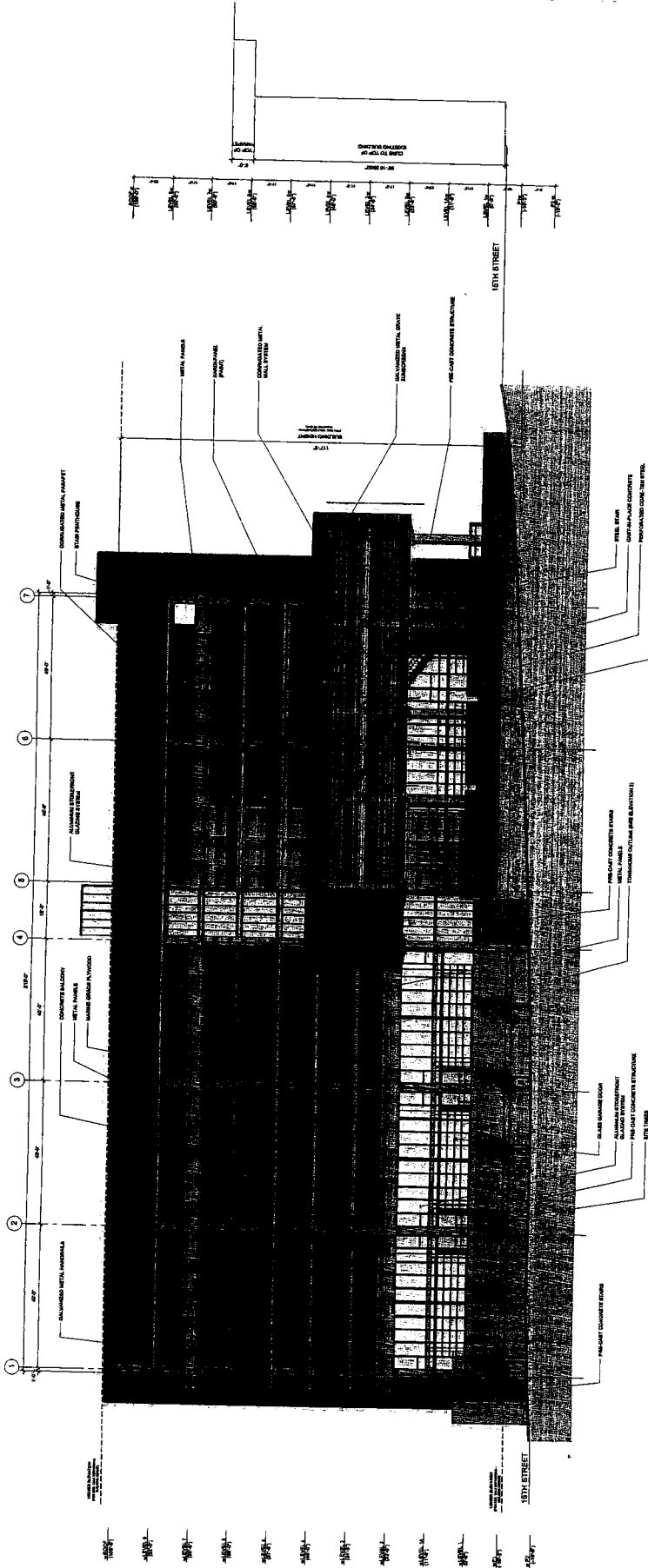
PROJECT:
JMA STUDIO
ARCHITECTS
300 CALIFORNIA STREET, SUITE 300
SAN FRANCISCO, CA 94102
TEL: 415.398.3333
WWW.JMASTUDIO.COM

CONTRACT:
300 CALIFORNIA STREET, SUITE 300
SAN FRANCISCO, CA 94102
TEL: 415.398.3333
WWW.JMASTUDIO.COM

1'-0" = 1'-0"
 1'-0" = 1'-0"
 1'-0" = 1'-0"
 1'-0" = 1'-0"
 1'-0" = 1'-0"



2 SOUTH ELEVATION
 TOWNHOMES
 3/32" = 1'-0"



1 SOUTH ELEVATION

NOT FOR CONSTRUCTION
 SITE PLAN SUBMITTAL
 PROGRESS PRINT 04/18/2007

PROJECT NO
 A202

SOUTH ELEVATION

PROJECT NAME
OPUS 001

PROJECT NO
 2807-01

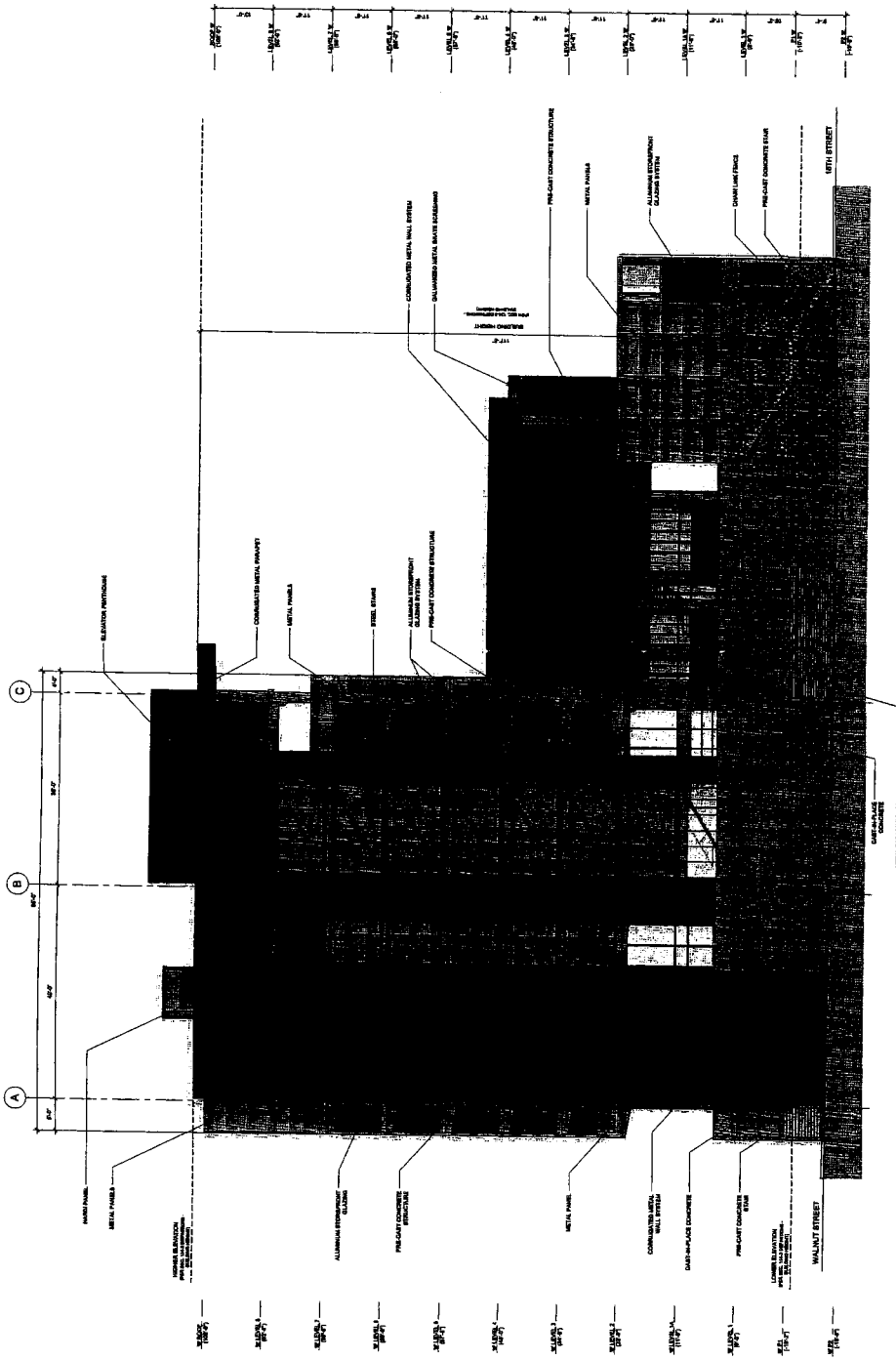
ENGINEERING RESOURCE GROUP

CONSULTANT
 STRUCTURAL ENGINEER
CHARLES SAUL ENGINEERING
 604 JAMES COOK RD
 GAITHERSBURG, MD 20878
 PH: 410-386-8222

OWNER
WEST END HOLDINGS, LLC
 300 WEST END BLVD
 GAITHERSBURG, MD 20878

ARCHITECT
JMASTUDIO
 300 WEST END BLVD
 GAITHERSBURG, MD 20878
 PH: 410-386-8222

DATE PLOTTED: 04/18/2007
 PLOT SCALE: 1/8" = 1'-0"
 PLOT AREA: 11.00 X 17.00
 PLOT ORIENTATION: HORIZONTAL
 PLOT DEVICE: HPGL-2
 PLOT FILE: A202.dwg
 PLOT USER: JMASTUDIO

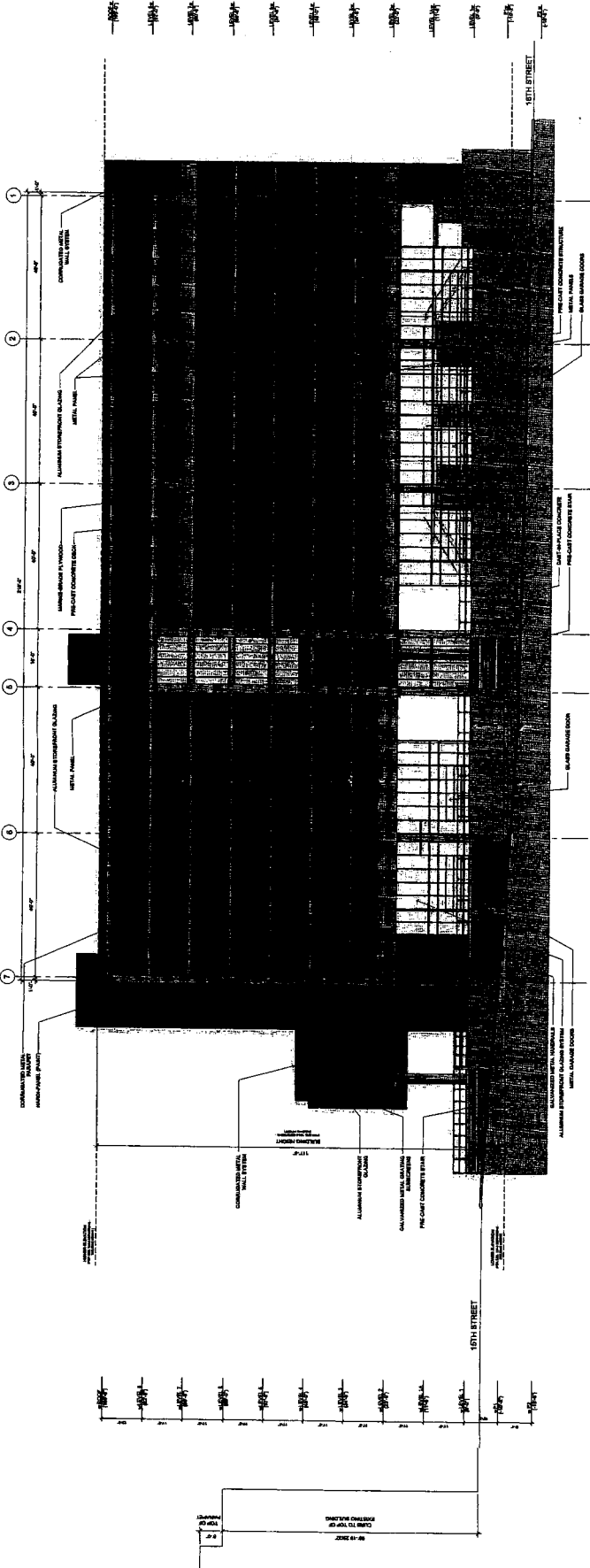


1 WEST ELEVATION

NOT FOR CONSTRUCTION
 SITE PLAN SUBMITTAL
 PROGRESS PRINT 04/18/2007

	PROJECT NAME OPUS 001	SHEET NO. A201
	PROJECT NO. 2007/01	DATE
CONSULTANT: CHARLES SAUL ENGINEERING 1000 W. 10TH STREET DENVER, CO 80202 PH: 303.733.0000	CIVIL ENGINEER: ENGINEERING RESOURCE GROUP 1000 W. 10TH STREET DENVER, CO 80202 PH: 303.733.0000	OWNER: WESTEND HOLDINGS, LLC 1000 W. 10TH STREET DENVER, CO 80202

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1 NORTH ELEVATION

NOT FOR CONSTRUCTION
 SITE PLAN SUBMITTAL
 PROGRESS PRINT 04/18/2007

SHEET NO.
 A200

SHEET TITLE
 NORTH ELEVATION

PROJECT NAME
 OPUS 001

ISSUE DATE
 2007-01

ENGINEERING RESOURCE GROUP

CONSULTANTS
 ARCHITECTURAL ENGINEER
 CIVIL ENGINEER

OWNER
 WEST END HOLDINGS, LLC

ARCHITECT
 JMAI STUDIO

CONTRACTOR
 [Illegible text]