



Date June 22, 2015

RESOLUTION HOLDING HEARING ON REQUEST FROM RIVERPOINT WEST, LLC FOR A 2ND AMENDMENT TO THE RIVERPOINT FLEX OFFICE PARK WEST PUD CONCEPTUAL PLAN ON PROPERTY LOCATED AT 209 SOUTHWEST 9TH STREET

WHEREAS, on June 8, 2015, by Roll Call No. 15-0915, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on May 21, 2015, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Riverpoint West, LLC (owner), represented by Anthony Kuechle (officer), for a 2nd Amendment to the Riverpoint Flex Office Park West PUD Conceptual Plan on real property locally known as 209 Southwest 9th Street ("Property"), to allow development of a 3-story, 73,116-square foot office building with subsurface parking and additional surface off-street parking and to rename the PUD to Gray's Landing Office I, subject to revisions set forth in the attached communication from the Commission; and

WHEREAS, on June 8, 2015, by Roll Call No. 15-0915, it was duly resolved by the City Council that the request from Riverpoint West, LLC, for approval of a 2nd amendment to the Riverpoint Flex Office Park West PUD Conceptual Plan for the Property as legally described below, be set down for hearing on June 22, 2015 at 5:00 P.M., in the Council Chamber at City Hall; 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 amendment to the Riverpoint Flex Office Park West PUD Conceptual Plan; and

WHEREAS, in accordance with said notice and continuance, those interested in said proposed amendment to the approved Riverpoint Flex Office Park West PUD Conceptual Plan, 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:

1. Upon due consideration of the facts and any statements of interested persons and arguments of counsel, any and all objections to the proposed 2nd amendment to the Riverpoint Flex Office Park West PUD Conceptual Plan for the Property, locally known as 209 Southwest 9th Street and legally described as follows, are hereby overruled, and the hearing is closed:

A PART OF LOTS A, 1, 2, 3, 4 AND 5, FACTORY ADDITION PLAT NO. 3 AN OFFICIAL PLAT AND A PART OF LOTS 1, 3 AND 4, TERMINAL PLACE, AN OFFICIAL PLAT ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, FACTORY ADDITION PLAT NO. 3; THENCE SOUTH 15° 27' 40" EAST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SW 9TH STREET, 100.26 FEET; THENCE SOUTH 74° 32' 20" WEST CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 6.00 FEET; THENCE SOUTH 15° 27' 40" EAST CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, 270.26 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF TUTTLE STREET; THENCE SOUTH 82° 03' 15" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 618.15 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SW 11TH STREET; THENCE NORTH 37° 25' 21" WEST ALONG SAID EASTERLY RIGHT-OF-



Date June 22, 2015

WAY LINE, 34.02 FEET; THENCE NORTH 16 ° 09' 02" WEST CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 25.37 FEET; THENCE NORTH 15 ° 49' 31" WEST CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 118.92 FEET; THENCE NORTH 15° 17' 41" WEST CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 429.12 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR PARKWAY; THENCE NORTH 82° 32' 34" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 8.25 FEET; THENCE NORTH 81° 40' 21" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 628.08 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 15° 27' 40" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 236.13 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.74 ACRES (380,747 S.F.)

2. The proposed 2nd amendment to the Riverpoint Flex Office Park West PUD Conceptual Plan, as on file in the Community Development Department, is hereby found to be in conformance with the Des Moines' 2020 Community Character Land Use Plan and is hereby approved, subject to the revisions identified in the communication from the Plan and Zoning Commission received by the City Council by Roll Call No. 15-0915, and subject to the Community Development Director finding that such revisions have been satisfied by amendments to the Plan.

MOVED BY _____ TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2015-00073)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

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.

Mayor

City Clerk



June 1, 2015

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 21, 2015, the following action was taken regarding a request from Riverpoint West, LLC (owner) represented by Anthony Kuechle (officer) for a 2nd Amendment to the Riverpoint Flex Office Park West PUD Conceptual Plan on property located at 209 Southwest 9th Street.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano	X			
Jacqueline Easley				X
Tim Fitzgerald	X			
Jann Freed	X			
John "Jack" Hilmes				X
Greg Jones	X			
Sasha Kamper	X			
William Page	X			
Jonathan Rosenbloom	X			
Mike Simonson				X
CJ Stephens	X			
Vicki Stogdill	X			
Greg Wattier				X

APPROVAL of staff recommendation of the proposed amendment to the PUD Conceptual Plan, subject to the following conditions: (ZON2015-00073)

1. Provision of a north-south pedestrian route through the parking lot to connect the office building with the sidewalk along Tuttle Street.
2. Provision of an east-west pedestrian route through the parking lot to connect the office building with the sidewalk along Southwest 11th Street.

3. Provision of an urban edge consisting of decorative wrought iron fence and additional landscaping, including trees and shrubs, in all locations where off-street parking is within 50 feet of the property line and not separated from the adjoining right-of-way by a building.
4. The transformer shall be shifted south within the site and shall be screened by plant materials in order to minimize its view from West Martin Luther, King, Jr. Parkway.
5. Provision of a note stating that the portions of the PUD Conceptual Plan dedicated for future development shall not be used for stormwater detention until future development of these areas occurs in accordance with a future PUD Conceptual Plan amendment
6. All site lighting shall be black archetype light fixtures that are pedestrian in scale.
7. Provision of a note stating that any building-mounted signage shall be in accordance with the sign regulations applicable to the "C-3B" District.
8. All freestanding signage shall be in accordance with the overall signage plan for the Gray's Landing Office Park.
9. Provision of additional information on the sign internal to the site that would be located to the south of the proposed office building.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed amendment to the PUD Conceptual Plan, subject to the following conditions:

1. Provision of a north-south pedestrian route through the parking lot to connect the office building with the sidewalk along Tuttle Street.
2. Provision of an east-west pedestrian route through the parking lot to connect the office building with the sidewalk along Southwest 11th Street.
3. Provision of an urban edge consisting of decorative wrought iron fence and additional landscaping, including trees and shrubs, in all locations where off-street parking is within 50 feet of the property line and not separated from the adjoining right-of-way by a building.
4. The transformer shall be shifted south within the site and shall be screened by plant materials in order to minimize its view from West Martin Luther, King, Jr. Parkway.
5. Provision of a note stating that the portions of the PUD Conceptual Plan dedicated for future development shall not be used for stormwater detention until future development of these areas occurs in accordance with a future PUD Conceptual Plan amendment
6. All site lighting shall be black archetype light fixtures that are pedestrian in scale.

7. Provision of a note stating that any building-mounted signage shall be in accordance with the sign regulations applicable to the "C-3B" District.
8. All freestanding signage shall be in accordance with the overall signage plan for the Gray's Landing Office Park.
9. Provision of additional information on the sign internal to the site that would be located to the south of the proposed office building.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed amendment to the PUD Conceptual Plan would allow development of a 3-story office building on the northern portion of the site and revise the name of the PUD Conceptual Plan to Gray's Landing Office I. The proposed building would provide approximately 72,000 square feet of office space and contain approximately 40 parking spaces within an underground garage. The building would be oriented toward West Martin Luther King, Jr. Parkway and would be served by a surface parking lot to the rear (south) of the building that would be used in common with the Holiday Inn Express that is currently under construction. The proposed PUD Conceptual Plan designates areas at the northwest and southeast corners of the site for future development. Any future development within these areas is subject to review and approval of a future amendment(s) to the PUD Conceptual Plan by the Plan & Zoning Commission and City Council.

The City's Urban Design Review Board reviewed the architectural design of the proposed building at their meeting on October 21, 2014.

2. **Size of Site:** 8.8 acres.
3. **Existing Zoning (site):** "PUD" Planned Unit Development District, "FSO" Freestanding Sign Overlay District, "D-O" Downtown-Overlay District, and "GGP" Gambling Games Prohibition Overlay District.
4. **Existing Land Use (site):** The southwest portion of the site contains a Holiday Inn Express under construction and the northern portion of the property contains a surface parking lot. The balance of the site is undeveloped.

5. **Adjacent Land Use and Zoning:**

North – "C-3B"; Use is West Martin Luther King, Jr. Parkway.

South – "C-3B"; Use is vacant land that is slated for development of the Nexus and Edge structures, which would contain a mix of multiple-family residential and commercial uses.

East – "C-3A"; Uses are the Southwest 9th Street viaduct and commercial buildings.

West – “C-3B”; Use is undeveloped land.

6. **General Neighborhood/Area Land Uses:** The subject site is located in the southwest portion of the downtown. The area generally consists of vacant land, commercial uses and light industrial uses. It is located in the eastern portion of the planned Gray’s Landing / Riverpoint West redevelopment area.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Downtown Des Moines Neighborhood. The neighborhood was notified of the Commission meeting by mailing of the Preliminary Agenda on May 1, 2015. A Final Agenda was mailed to the neighborhood association on May 15, 2015. Additionally, separate notifications of the hearing for the site plan were mailed on May 11, 2015 (10 days prior to the hearing) to the neighborhood association and to the primary titleholder on file with the Polk County Assessor for each condominium owner within the property and every owner of property or condominium within 250 feet of the site.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Downtown Des Moines Neighborhood Association notices were mailed to Larry Bradshaw, 418 6th Avenue, Ste. 902, Des Moines, IA 50309.

The applicant conducted a neighborhood meeting on May 14, 2015 and will be available to provide a summary of the events at the public hearing.

8. **Zoning History:** On November 8, 2010, the City Council adopted Ordinance 14,972 to rezone the site to the Riverpoint West PUD and adopt a PUD Conceptual Plan to allow development of a Holiday Inn Express hotel with 93 guest rooms and a Homewood Suites extended-stay hotel with 95 guest rooms.

On September 9, 2013 the City Council adopted Ordinance 15,216 to approve the 1st amendment to the PUD Conceptual Plan. This amendment altered the design of the Holiday Inn Express to accommodate 102 guest rooms and eliminated the Homewood Suites hotel.

9. **2020 Community Character Land Use Plan Designation:** Downtown Support Commercial. This designation is described as an area with general businesses, retail and service establishments, limited high density residential, mixed-use developments, and work centers that support the downtown core providing their own off-street parking.
10. **Applicable Regulations:** The Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code, and taking into consideration the criteria set forth in Chapter 18B of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. **PUD Standards:** The following are standards from Section 134-704 of the City Code that provide the foundation that all PUD Concept Plans should be based on.

- A) All uses proposed in a PUD planned unit development district plan shall be in harmony with the existing or anticipated uses of other properties in the surrounding neighborhood and shall generally be in conformance with the city's land use plan. The design of a PUD development shall be based on harmonious architectural character; compatible materials; orderly arrangement of structures and open space; and conservation of woodlands, streams, scenic areas, open space and other natural resources.

The submitted PUD Conceptual Plan amendment allows development of a 3-story, 72,000-square foot office building on the northern portion of the site, with subsurface parking and additional surface off-street parking. The site is within an area known as the Gray's Lake Office Park/Gray's Landing, which is planned to be a vibrant mixed-use area with a pedestrian-friendly urban setting. The applicant is proposing to change the name of the PUD to Gray's Landing Office I. A Holiday Inn Express hotel is currently under construction on the southwest corner of the PUD in accordance with the existing PUD Conceptual Plan. The future development of the balance of the PUD would be subject to review and approval of a PUD amendment by the City Council after report and recommendation by the Plan and Zoning Commission.

Both Southwest 11th Street and Tuttle Street are considered primary pedestrian corridors for this area. As noted in the first PUD amendment, it is vital that buildings frame these streets with minimal setbacks and that pedestrian connections and amenities be provided to create a welcoming pedestrian environment. Staff believes that additional pedestrian connections need to be provided, including a north-south pedestrian connection between the proposed building and Tuttle Street, and an east-west pedestrian connection between the proposed building and SW 11th Street. Also, additional landscaping and an urban edge needs to be provided in all locations where off-street parking is not separated from the adjoining right-of-way by a building.

- B) Setbacks and other appropriate screens shall be provided around the boundary of a PUD development to protect the adjoining district properties. Only in exceptional circumstances shall such a setback be less than the amount of the setback which the adjoining district is required to maintain from the PUD development.

The proposed office building would have a 20-foot setback from the front property line along West Martin Luther King Jr. Parkway and would have two entrances oriented toward this parkway. The submitted drawings show a transformer at the east edge of the proposed building along MLK Jr. Parkway. Given its visibility, staff recommends that the transformer be moved interior to the site and be screened using landscape planting material so that it is not visible from the public right-of-way.

- C) A PUD development shall comply with all applicable city ordinances, specifications and standards relating to all dedicated street, sanitary sewer and storm sewer facilities and to surface drainage and floodwater retention.

The submitted PUD Conceptual Plan indicates that storm water will be managed through the combined use of a traditional sewer/intake system and an underground storm water quality detention system. On-site storm sewer facilities will connect to a proposed public storm sewer being constructed as part of the Tuttle Street improvements. This storm sewer will connect to the existing public storm sewer located along Southwest 11th Street. Staff recommends that a note be added to state that the areas dedicated for future development shall not be used for stormwater detention.

- D) The streets surrounding a PUD development must be capable of accommodating the increased traffic that would be generated by the new development. The development shall be designed to provide maximum feasible separation of vehicular traffic from pedestrian ways and recreational areas. If turning lanes or other forms of traffic controls within or adjacent to the development are deemed necessary by the city council, the developer shall provide the necessary improvements.

Staff believes that the surrounding street network would be capable of accommodating the traffic generated by the proposed office building. The site fronts the recently reconstructed Southwest 11th Street to the west and the future Tuttle Street to the south. Tuttle Street will be constructed in accordance with a development agreement with the City.

- E) Off-street parking and loading spaces shall be provided as appropriate to the size and character of the development. Each off-street loading space shall be not less than ten feet in width and 25 feet in length. All off-street parking spaces shall be provided in accordance with the requirements of subsection 134-1377(g).

The PUD Concept Plan indicates that the proposed office building would be served by an off-street parking lot containing 311 parking spaces and an underground parking garage containing 40 parking spaces.

- F) Where appropriate to the size and character of a PUD development, provision shall be made therein for open space for recreation and other outdoor uses, and for places of worship, convenience shopping and other community services.

While no additional public areas are proposed as part of the office building, an outdoor seating area along Southwest 11th Street and an outdoor plaza near the intersection of Southwest 11th Street and Tuttle Street is provided by the hotel.

- 2. Urban Design:** The proposed elevations indicate that the office building would be 3 stories with a maximum height of 49.5 feet. It would have a flat roof with a rooftop patio. The submitted elevations demonstrate the building would be sided with a contemporary composition of glass, brick, metal, and fiber cement panels. It would contain two entrances oriented toward West Martin Luther King, Jr. Parkway. The City's Urban Design Review Board reviewed the architectural design of the proposed building at their meeting on October 21, 2014

3. **Refuse Collection Container Enclosure:** The PUD Conceptual Plan includes a trash enclosure along the east edge of the site, with a note stating it will be comprised of materials compatible with the primary building architecture and shall be constructed of durable materials such as stone or masonry, with an opaque metal gate.
4. **Landscaping:** The PUD Conceptual Plan states that the site will be landscaped in accordance to the Landscape Standards as applicable to the "C-3" District. It demonstrates a mix of overstory trees, ornamental trees, shrubs, and landscaping beds. Staff recommends additional landscaping and an ornamental fence be provided along the northern perimeter of the parking lot to provide an urban edge along West Martin Luther King, Jr. Parkway.
5. **Lighting:** Staff recommends that all site lighting shall be black archetype light fixtures that are pedestrian in scale.
6. **Signage:** The PUD Conceptual Plan does not propose any building-mounted signage on the office building. Staff recommends that a note be added to state that any building-mounted signage shall be in accordance with the sign regulations applicable to the "C-3B" District.

The proposed amendment indicates that all freestanding signage would be in accordance with the master signage plan for the entire Gray's Landing Office Park. This signage plan is currently being reviewed by City staff and has not yet been finalized. Therefore, staff recommends that any freestanding signage on the site be in accordance with the signage plan for the Gray's Landing Office Park.

The signage plan that has been proposed but not yet approved includes three (3) freestanding sign types. "Type A" signs would solely identify "Gray's Landing". No such signs are proposed within this PUD. "Type B" signs would be 20 feet in height, including a masonry base, and identify four (4) tenants within the development. One such sign would be provided within the site along West Martin Luther King, Jr. Parkway. "Type C" signs would be 5.5 feet in height, including either a masonry or metal base, and identify a single major tenant. Two such signs would be provided within the site to identify the Holiday Inn Express, including one along Southwest 11th Street and one along Tuttle Street.

Also, the submitted PUD Conceptual Plan demonstrates a sign to the south of the building that would only be visible internal to the site. The PUD Conceptual Plan should provide further clarification on which sign type this would be.

SUMMARY OF DISCUSSION

John "Jack" Hilmes left the meeting @ 7:40 pm

Erik Lundy presented the staff report and recommendation.

Mike Ludwig clarified that the Commission is not approving the signage plan for this PUD. The intent was the overall master sign plan for the entire Grays Landing area was going to the Urban Design Review Board for review and comment and based on their comments

staff was going to decide whether or not it would be an administrative amendment for the PUD to show the signage or whether it would be coming back to the Plan and Zoning Commission.

Will Page asked if the first sign shown on the far left is taller than the building.

Tony Kuechle Riverpoint West LLC 233 Park Avenue South, Ste. 201 Minneapolis, MN stated they are in agreement with staff recommendation.

Jonathan Rosenbloom asked if the applicant has seen the neighborhood plan for the Grays area and is it consistent with what they are thinking in terms of the rest of the area around these blocks.

Tony Kuechle stated they have been working on a master concept plan for the entire area. The applicant has planned their portion of the property (the properties that are owned by Riverpoint West LLC) and this is consistent with that plan. The balance of that plan is being turned over to the other landowners for them to have input as to what they want on their plan.

Erik Lundy showed the last plan that went in front of the Urban Design Review Board.

Tony Kuechle stated that this has been updated slightly to incorporate some more of staff's comments. The 15,000 square foot building that frames the street has been turned to adequately frame Tuttle and the restaurant up on the corner of SW 11th and MLK has been increased in size.

Mike Ludwig stated the objective on Tuttle is to get as much building frontage as possible, not frontage along the SW 9th Street overpass.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one to speak in favor or in opposition of the applicant's request.

CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION:

Sasha Kamper moved staff recommendation for approval of the proposed amendment to the PUD Conceptual Plan, subject to the following conditions:

1. Provision of a north-south pedestrian route through the parking lot to connect the office building with the sidewalk along Tuttle Street.
2. Provision of an east-west pedestrian route through the parking lot to connect the office building with the sidewalk along Southwest 11th Street.
3. Provision of an urban edge consisting of decorative wrought iron fence and additional landscaping, including trees and shrubs, in all locations where off-street parking is within 50 feet of the property line and not separated from the adjoining right-of-way by a building.

4. The transformer shall be shifted south within the site and shall be screened by plant materials in order to minimize its view from West Martin Luther, King, Jr. Parkway.
5. Provision of a note stating that the portions of the PUD Conceptual Plan dedicated for future development shall not be used for stormwater detention until future development of these areas occurs in accordance with a future PUD Conceptual Plan amendment
6. All site lighting shall be black archetype light fixtures that are pedestrian in scale.
7. Provision of a note stating that any building-mounted signage shall be in accordance with the sign regulations applicable to the "C-3B" District.
8. All freestanding signage shall be in accordance with the overall signage plan for the Gray's Landing Office Park.
9. Provision of additional information on the sign internal to the site that would be located to the south of the proposed office building.

Motion passed 10-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

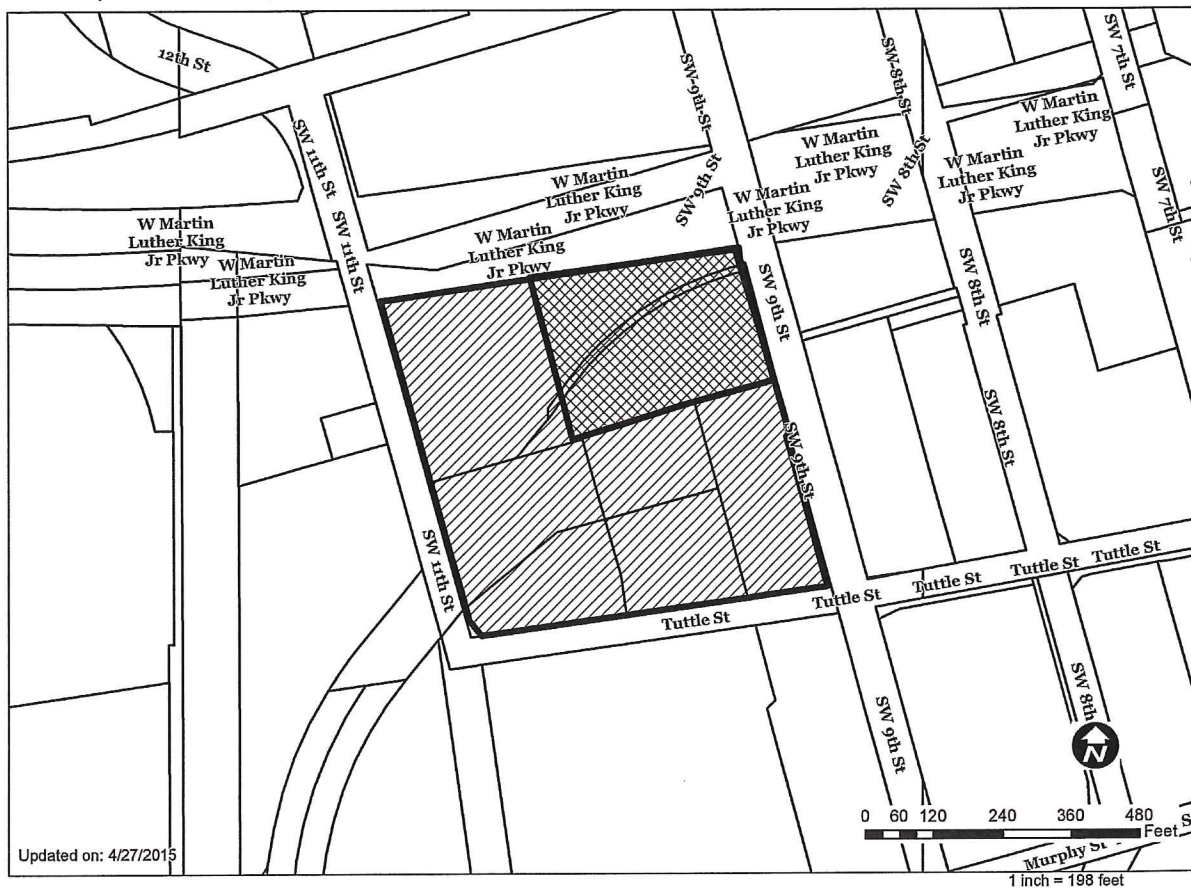
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Attachment

Request from Riverpoint West, LLC (owner) represented by Anthony Kuechle (officer) on property located at 209 Southwest 9th Street. Additional subject property in the PUD is owned by City of Des Moines and Sherman Gray's Landing Hotel Development, LLC.			File # ZON2015-00073	
Description of Action	Approval of the 2nd Amendment to the Riverpoint Flex Office Park West PUD Conceptual Plan to allow development of a 3-Story, 73,116-square foot office building with subsurface parking and additional surface off-street parking as well as changing the name of the PUD to Gray's Landing Office I subject to conditions.			
2020 Community Character Plan	Current: Downtown Support Commercial. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	Southwest 9 th Viaduct over M.L. King Jr. Parkway.			
Current Zoning District	"PUD" Planned Unit Development.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
Plan and Zoning Commission Action	Approval	10-0	Required 6/7 Vote of the City Council	Yes
	Denial			No X

Riverpoint West LLC, 209 SW 9th Street

ZON2015-00073



FIRST AMENDMENT GRAYS LANDING
A PLANNED UNIT DEVELOPMENT
IN THE CITY OF DES MOINES, COUNTY OF POLK, STATE OF IOWA
SHEET 1 OF 4

LEGAL DESCRIPTION

PROPERTY DESCRIPTION:
PARCEL "A" FACTORY ADDITION PLAT 3, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF LOT 5, FACTORY ADDITION PLAT 3, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 OF SAID FACTORY ADDITION PLAT 3; THENCE SOUTH 82°03'15" WEST ALONG THE SOUTH LINE OF SAID LOT 4 AND LOT 5, A DISTANCE OF 217.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 82°03'15" WEST ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 257.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SW 11TH STREET; THENCE NORTH 37°25'21" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, 94.02 FEET; THENCE NORTH 16°09'02" WEST CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, 25.37 FEET TO THE NORTHERLY LINE OF SAID LOT 5; THENCE NORTH 50°59'39" EAST ALONG SAID NORTHERLY LINE, 206.82 FEET; THENCE NORTH 79°16'11" EAST CONTINUING ALONG SAID NORTHERLY LINE, 87.86 FEET; THENCE 192°74'0" EAST, 102.38 FEET; THENCE SOUTH 07°56'45" EAST, 70.82 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.85 ACRES (34,921 S.F.)
PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

PARCEL "A" TERMINAL PLACE DESCRIPTION:
A PART OF LOT 1 AND LOT 3, TERMINAL PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTH 50°59'39" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 3, A DISTANCE OF 5.43 FEET TO THE POINT OF BEGINNING; THENCE NORTH 19°49'31" WEST, 118.32 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 3 AND THE EAST RIGHT-OF-WAY LINE OF SW 11TH STREET; THENCE NORTH 19°17'4" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, 107.54 FEET; THENCE NORTH 74°52'29" EAST, 27.63 FEET; THENCE SOUTH 192°74'0" EAST, 144.58 FEET TO THE SOUTHERLY LINE OF SAID LOT 3; THENCE SOUTH 79°16'11" WEST ALONG SAID SOUTHERLY LINE, 87.86 FEET; THENCE SOUTH 50°59'39" WEST CONTINUING ALONG SAID SOUTHERLY LINE, 206.82 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.10 ACRES (47,753 S.F.)
PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DEVELOPMENT SCHEDULE

SEPTEMBER 2013 - OCTOBER 2015

STORM WATER MANAGEMENT

THE SITE WILL PROVIDE STORM WATER MANAGEMENT THROUGH THE COMBINED USE OF A TRADITIONAL STORM SEWER INTAKE SYSTEM AND UNDERGROUND STORM WATER QUALITY DETENTION SYSTEM. ON-SITE STORM SEWER FACILITIES WILL CONNECT TO A PROPOSED PUBLIC STORM SEWER BEING CONSTRUCTED AS PART OF THE SW TUTTLE STREET IMPROVEMENTS. THIS STORM SEWER WILL CONNECT TO THE EXISTING PUBLIC STORM SEWER LOCATED ALONG THE WEST SIDE OF SW 11TH STREET, TO A REGIONAL STORM WATER DETENTION BASIN LOCATED WEST OF THE DART FACILITY. PROJECT REQUIRED EROSION CONTROL METHODS WILL BE EMPLOYED DURING CONSTRUCTION, ALONG WITH PERMANENT DESIGN MEASURES FOR EROSION PREVENTION.

SANITARY SEWER

SANITARY SERVICES TO THE WEST SIDE OF THE DEVELOPMENT WILL CONNECT TO AN EXISTING PUBLIC MAIN LOCATED ALONG SW 9TH. DEVELOPMENT ON THE EAST SIDE OF THE PROJECT WILL CONNECT TO A PROPOSED SANITARY SEWER MAIN PROPOSED TO BE EXTENDED ALONG SW TUTTLE STREET.

NOTES

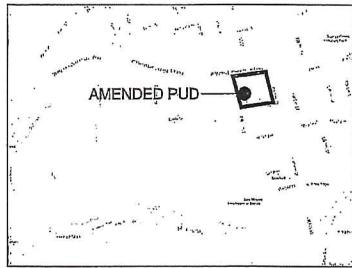
FUTURE DEVELOPMENT OF THE BALANCE OF THE PUD SHALL BE SUBJECT TO REVIEW AND APPROVAL OF AN AMENDMENT(S) TO THE PUD CONCEPTUAL PLAN BY THE CITY COUNCIL AFTER REPORT AND RECOMMENDATION BY THE PLAN & ZONING COMMISSION.

FUTURE DEVELOPMENT OF THE LAND TO THE EAST OF THE PROPOSED HOTEL SHALL INCLUDE A BUILDING THAT SUBSTANTIALLY FRAMES TUTTLE STREET AND IS FAR WEST AS POSSIBLE.

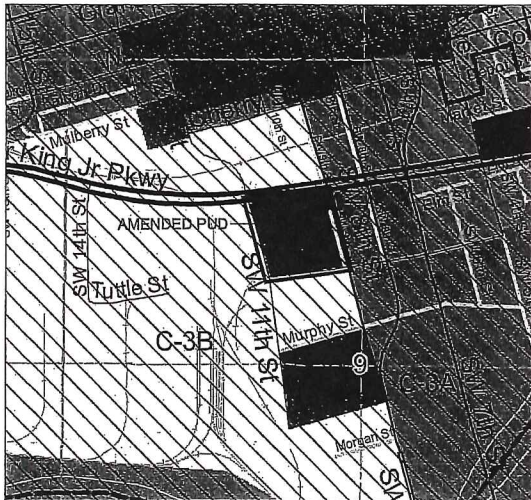
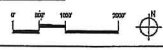
ARCHITECTURAL STANDARDS

THE FOLLOWING ARCHITECTURAL STANDARDS SHALL APPLY TO THE DEVELOPMENT OF THIS PUD.

1. EXTERIOR WALL FINISHES SHALL BE BRICK, COLORED STONE, CEMENT BOARD SIDING, EIFS, OR PRE-FINISHED METAL.
2. EXTERIOR FOUNDATIONS: NO EXPOSED CONCRETE BUILDING FOUNDATION. MASONRY OR STONE MUST BE TAKEN DOWN TO GRADE.
3. EXTERIOR WINDOWS SHALL BE PRE-FINISHED ALUMINUM WINDOWS AND/OR ALUMINUM STOREFRONT.
4. PARKING: ALL PARKING SHALL BE HARD SURFACED CONSTRUCTION.
5. TRASH ENCLOSURE SHALL BE COMPRISED OF MATERIALS COMPATIBLE WITH PRIMARY BUILDING ARCHITECTURE AND SHALL BE CONSTRUCTED OF DURABLE MATERIALS SUCH AS STONE OR MASONRY WITH AN OPAQUE METAL GATE ENCLOSURE.
6. ALL SIGNAGE SHALL CONFORM TO STANDARDS OF DEVELOPMENT. ALL MONUMENT SIGNAGE SHALL HAVE A BASE FINISHED IN BRICK, STONE OR MATCH PRIMARY BUILDING MATERIALS.
7. ALL GREEN SPACE WITH IN PROPERTY LINES SHALL BE MAINTAINED BY PROPERTY GROUNDS KEEPER.
8. ALL ROOFTOP MECHANICAL EQUIPMENT SHALL BE SCREENED BY AN ARCHITECTURALLY INTEGRATED PARAPET AS APPROVED BY THE PLANNING ADMINISTRATOR.
9. SITE SHALL BE LANDSCAPED IN ACCORDANCE TO THE LANDSCAPE STANDARDS AS APPLICABLE TO THE "C-3" DISTRICT.
10. NO NON-BUILDING MOUNTED SIGN IS PERMITTED UNTIL AN OVERALL SIGN PLAN FOR GRAYS LAKE OFFICE PARK IS APPROVED BY THE CITY COUNCIL AS PART OF A FUTURE PUD CONCEPTUAL PLAN AMENDMENT.



VICINITY MAP



ZONING MAP

ZONING

WITHIN 250' OF THE PROPOSED PROJECT SITE THERE ARE 5 DIFFERENT ZONING TYPES. THESE TYPES ARE AS FOLLOWS: C-3-CENTRAL BUSINESS DISTRICT COMMERCIAL DISTRICT, C-3B-CENTRAL BUSINESS DISTRICT MIXED-RESIDENTIAL DISTRICT, C-5A, C-5B, & PUD-PLANNED UNIT DEVELOPMENT DISTRICT.

LAND USE

THE 2020 COMMUNITY CHARACTER PLAN (LAND USE PLAN) SHOWS THIS AREA AS A SUPPORT COMMERCIAL USE. SUPPORT COMMERCIAL BEING DEFINED AS- GENERAL BUSINESSES, RETAIL AND SERVICE ESTABLISHMENT, LIMITED HIGH DENSITY RESIDENTIAL, MIXED USE DEVELOPMENTS, AND WORK CENTERS THAT SUPPORT THE DOWNTOWN CORE PROVIDING THEIR OWN OFF-STREET PARKING.

PARKING

OFF-STREET PARKING SHALL BE PROVIDED AS REQUIRED BY ZONING ORDINANCE

GENERAL DEVELOPMENT CONCEPT

Project Narrative:
SHERMAN GRAYS LANDING OFFICE DEVELOPMENT LLC IS CURRENTLY IN THE FINAL STAGES TO DEVELOP A THREE-STORY OFFICE BUILDING WITH UNDERGROUND PARKING SITUATED BETWEEN SW 11TH STREET AND SW 9TH STREET JUST SOUTH OF MARTIN LUTHER KING PARKWAY. THE PROPOSED BUILDING WILL FEATURE CLASS A FINISHES AND AMENITIES SUCH AS HEATED BELOW-GRADE PARKING, A FITNESS CENTER, BIKE STORAGE AND A ROOFTOP PATIO.

THE OWNERSHIP GROUP IS AN AFFILIATE OF SHERMAN ASSOCIATES AND RIVER POINT WEST LLC. THE PROJECT TEAM INCLUDES SHERMAN ASSOCIATES (DEVELOPER), BALL TEAM (CONSTRUCTION), OPN ARCHITECTS (ARCHITECT) AND SNYDER ENGINEERING (CIVIL AND LANDSCAPE DESIGN).

BALL TEAM WILL BE ACCEPTING BIDS FROM LOCAL TRADERS FOR CIVIL WORK AND ALL PHASES OF CONSTRUCTION. ASSET AND PROPERTY MANAGEMENT SERVICES WILL BE PROVIDED BY SA HOTEL MANAGEMENT LLC, AN AFFILIATE OF SHERMAN ASSOCIATES.

CONSTRUCTION IS TENTATIVELY SCHEDULED TO START AFTER THE PUD PROCESS HAS BEEN COMPLETED AND BUILDING PLANS HAVE BEEN PERMITTED. THE CONSTRUCTION START DATE IS TENTATIVELY ESTIMATED TO COMMENCE IN JULY OF 2015.

THE BUILDING DESIGN WILL BE ENHANCED FROM THE OTHER PROJECTS BEING CONSTRUCTED IN GRAYS LANDING. THE EXTERIOR BUILDING MATERIALS WILL CONSIST OF GLASS, BRICK, METAL AND NICHHA PANELS. THE DESIGN WILL BE OF AN URBAN FORMAT WITH MODERN ACCENTS. THE BUILDING WILL BE OVERALL ENERGY EFFICIENT. THE MECHANICAL DESIGN WILL INCLUDE THE USE OF 95% HIGH-EFFICIENCY AIR HANDLERS AND 16 CONDENSERS, ALL LIGHT FIXTURES WILL BE LED OR FLUORESCENT, WINDOWS WILL BE TINTED AND HIGH-EFFICIENCY RATED. THE WINDOW HEATERS WILL ALSO BE HIGH-EFFICIENCY.

THE STORM WATER RETENTION SYSTEM WILL CONSIST OF A BELOW-GRADE STORMTCH WATER MANAGEMENT SYSTEM. THE CHAMBERS WILL BE LOCATED WITHIN THE PARKING LOT OF THE OFFICE BUILDING. THESE CHAMBERS WILL HOLD THE FIRST 1.25" OF RAINFALL. IT WILL HAVE RELEASE CHAMBERS THROUGH SMALL OUTLETS TO RELEASE WATER INTO THE TUTTLE STREET STORM LINE THAT HEADS SOUTH TO THE NEW PONDS FOR THE GRAYS LAKE DEVELOPMENT.

REGULATIONS

THE REGULATION FOR THIS PUD WILL GENERALLY COMPLY WITH THAT OF DIVISION 21B, C-3B CENTRAL BUSINESS MIXED USE DISTRICT AND SEC. 82-214.7. DESIGN GUIDELINES WITHIN D-R AND C-3B DISTRICTS. PLEASE SEE ATTACHED DOCUMENT.

CURRENT C-3B REGULATIONS:

- A) SETBACKS: 5' HEIGHT: MIN 5' - MAX 7(5) C) OPEN SPACE - ALL OPEN AREAS NOT USED FOR OFF-STREET LOADING OR PARKING SHOULD BE LANDSCAPED IN ACCORDANCE WITH THE DES MOINES LANDSCAPE STANDARDS PER C-3B DESIGN GUIDELINES; D) PARKING SETBACKS: SHALL COMPLY W/ SEC. 194-1377; NO REQUIREMENTS; E) ALL SIGNS SHALL CONFORM TO CITY OF DES MOINES REQUIREMENTS AND SHALL BE APPLIED FOR WITH A SEPARATE SUBMITTAL; F) USES AS PERMITTED AND LIMITED IN THE C-3B DISTRICT.

PUD REGULATIONS: Sec. 194-704. Standards.

- (a) All uses proposed in a PUD planned unit development district plan shall be in harmony with the existing or anticipated uses of other properties in the surrounding neighborhood and shall generally be in conformity with the city's land use plan. The design of a PUD development shall be based on harmonious architectural character; compatible materials; orderly arrangement of structures and open spaces; and conservation of woodlands, streams, scenic areas, open space and other natural resources.
- (b) Setbacks and other appropriate screens shall be provided around the boundary of a PUD development to protect the adjoining district properties. Only in exceptional circumstances shall such a setback be less than the amount of the setback which the adjoining district is required to maintain from the PUD development.
- (c) A PUD development shall comply with all applicable city ordinances, specifications and standards relating to all dedicated areas, sanitary sewer and storm sewer facilities and to surface drainage and floodwater retention.
- (d) The streets surrounding a PUD development must be capable of accommodating the increased traffic that would be generated by the new development. The development shall be designed to provide maximum feasible separation of vehicular traffic from pedestrian ways and recreational areas. If turning lanes or other forms of traffic controls within or adjacent to the development are deemed necessary by the city council, the developer shall provide the necessary improvements.
- (e) Off-street parking and loading spaces shall be provided as appropriate to the size and character of the development. Each off-street loading space shall be not less than ten feet in width and 25 feet in length. All off-street parking spaces shall be provided in accordance with the requirements of subsection 194-1377(g).
- (f) Where appropriate to the size and character of a PUD development, provision shall be made therein for open spaces for recreation and other outdoor uses, and for places of worship, convenience shopping and other community services.

<input checked="" type="checkbox"/>	PROPERTY WAS REZONED TO PUD BY CITY COUNCIL ON NOVEMBER 11, 2013, BY ORDINANCE 14,872.
<input checked="" type="checkbox"/>	FIRST CONCEPTUAL PLAN AMENDMENT WAS REVIEWED BY THE PLAN & ZONING COMMISSION ON AUGUST 19, 2013.
<input checked="" type="checkbox"/>	FIRST CONCEPTUAL PLAN AMENDMENT WAS APPROVED BY CITY COUNCIL ON SEPTEMBER 3, 2013, BY ORDINANCE 15,216.
<input checked="" type="checkbox"/>	PREAPPLICATION MEETING FOR OFFICE BUILDING OCCURRED ON FEBRUARY 17, 2014.
DATE	PLANNING DIRECTOR

Approved by:	_____
City Engineer:	_____
City Auditor:	_____
City Clerk:	_____
City Council:	_____

OPN ARCHITECTS
DESIGN BUILDING
102 COLONY AVENUE SUITE 100
DES MOINES, IOWA 50319
P: 515-281-2222
F: 515-281-2223
www.opnarchitects.com
opn@opnarchitects.com

SHERMAN ASSOCIATES
1500 UNIVERSITY AVENUE
SUITE 100
DES MOINES, IOWA 50319
P: 515-281-2000
F: 515-281-2000

SNYDER ENGINEERING
1021 HUBBELL AVENUE
DES MOINES, IOWA 50317
P: 515-282-4900
F: 515-282-4900

MECHANICAL ENGINEER
300 UNIVERSITY AVENUE
SUITE 100
DES MOINES, IOWA 50319
P: 515-281-2000
F: 515-281-2000

ELECTRICAL ENGINEER
1021 HUBBELL AVENUE
DES MOINES, IOWA 50317
P: 515-282-4900
F: 515-282-4900

STRUCTURAL ENGINEER
300 UNIVERSITY AVENUE
SUITE 100
DES MOINES, IOWA 50319
P: 515-281-2000
F: 515-281-2000

DESIGN DEVELOPMENT NOT FOR CONSTRUCTION

COVER SHEET - PUD AMENDMENT SUBMITTAL

570 Project No. 14820001

S1

FIRST AMENDMENT GRAY'S LANDING
 A PLANNED UNIT DEVELOPMENT
 IN THE CITY OF DES MOINES, COUNTY OF POLK, STATE OF IOWA
 SHEET 2 OF 4



OPN ARCHITECTS
 100 COURT AVENUE SUITE 100
 502 20TH AVENUE
 515-285-7777
 www.opnarchitects.com
 opn@opnarchitects.com

DESIGN, ARCHITECTURE, INTERIOR DESIGN, LANDSCAPE ARCHITECTURE, ENGINEERING, AND PLANNING SERVICES FOR COMMERCIAL, RESIDENTIAL, AND INSTITUTIONAL PROJECTS. OPN ARCHITECTS, INC. IS AN EQUAL OPPORTUNITY EMPLOYER. ALL SERVICES ARE PROVIDED THROUGH THE PROGRAM BRANDS:
 www.opnarchitects.com

OWNER
 SHERMAN ASSOCIATES
 20 PARK AVENUE SOUTH
 SUITE 101
 DES MOINES, IOWA 50315
 P. 515-281-2000

PROJECT
 SPEC OFFICE - GRAY'S LANDING (PH)
 MAX & SW 96-11th STREETS

GENERAL CONTRACTOR
 BALL TEAM, LLC
 805 10TH AVENUE
 SUITE 101
 DES MOINES, IA 50314
 P. 515-484-4344
 P. 515-484-4322

CONSULTANTS
 CIVIL ENGINEER
 SIVITER & ASSOCIATES, INC.
 202 6TH AVENUE NORTH
 ANKENY, IA 50013
 P. 515-964-0200

STRUCTURAL ENGINEER
 COVERED SKY ENGINEERING
 204 UNIVERSITY AVENUE
 DES MOINES, IA 50311
 P. 515-281-3000

MECHANICAL ENGINEER
 BAKER GROUP
 424 HUNTERS AVENUE
 DES MOINES, IA 50317
 P. 515-284-4100

ELECTRICAL ENGINEER
 TRUSS
 1120 FILLER RD.
 WEST DES MOINES, IOWA 50314
 P. 515-283-4101

Key Plan

Client Issue Date
 PUD AMENDMENT 04/24/15

Previous Issue Dates

City Council

Revised Dates

City Council

City Council

City Council

City Council

City Council

City Council

City Council

City Council

City Council

City Council

City Council

City Council

City Council

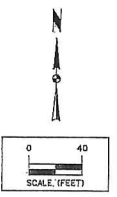
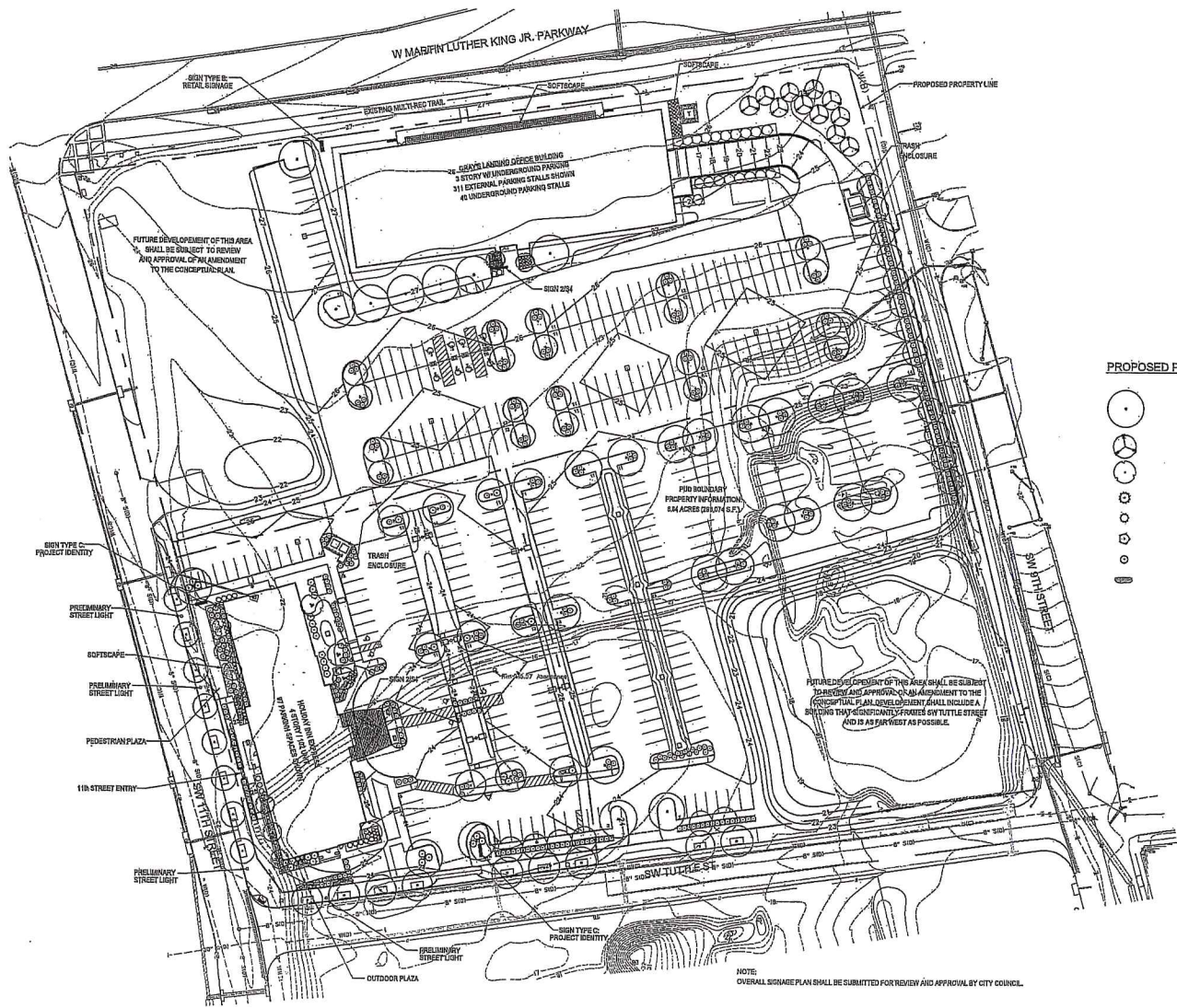
City Council

City Council

City Council

PROPOSED PLANTING SCHEDULE

- DECIDUOUS TREE
- CONIFEROUS TREE
- ORNAMENTAL TREE
- CONIFEROUS SHRUB
- CONIFEROUS SHRUB
- DECIDUOUS SHRUB
- DECIDUOUS SHRUB
- PERENNIAL PLANT



11th Street
 10th Street
 9th Street
 8th Street
 7th Street
 6th Street
 5th Street
 4th Street
 3rd Street
 2nd Street
 1st Street
 0th Street
 A
 B
 C
 D
 E
 F
 G
 H
 J
 K
 L
 M
 N
 P

FIRST AMENDMENT GRAY'S LANDING
 A PLANNED UNIT DEVELOPMENT
 IN THE CITY OF DES MOINES, COUNTY OF POLK, STATE OF IOWA
 SHEET 3 OF 4



OPIN ARCHITECTS
 CEDAR RAPIDS
 105 COLONY AVENUE SUITE 100
 CEDAR RAPIDS, IOWA 52409
 319-264-0722 FAX
 319-264-0722 FAX
 www.opinarch.com
 opin@opinarch.com

SHERRAMAN ASSOCIATES
 223 PARK AVENUE SOUTH
 SUITE 201
 IOWA CITY, IA 52242
 P. 319.335.3300

SHERRAMAN ASSOCIATES
 223 PARK AVENUE SOUTH
 SUITE 201
 IOWA CITY, IA 52242
 P. 319.335.3300

PROJECT
 SHERRAMAN OFFICE - GRAY'S
 LANDING (PUD #1)
 ILL. & SW 29th-11th STREET

GENERAL CONTRACTOR
 BALL, TRENKA, LLC
 1000 UNIVERSITY AVENUE
 SUITE 100
 IOWA CITY, IA 52242
 P. 319-448-4344
 F. 319-437-4255

CONSULTANTS
 CIVIL ENGINEER
 SIMONS & ASSOCIATES, INC.
 101 JEFFERSON SQUARE
 IOWA CITY, IA 52242
 P. 319.336.3300

STRUCTURAL ENGINEER
 CHARLES HALL ENGINEERING
 401 EAST CENTER AVENUE
 DES MOINES, IA 50319
 P. 515.281.9900

MECHANICAL ENGINEER
 BARBER GROUP
 401 EAST CENTER AVENUE
 DES MOINES, IA 50317
 P. 515.281.9900

ELECTRICAL ENGINEER
 TOLAN
 1021 VILLAGE RD
 WEST DES MOINES, IA 50265
 P. 319.336.5111

Client Name
 P.A.Z. SUBMITTAL - OREGON

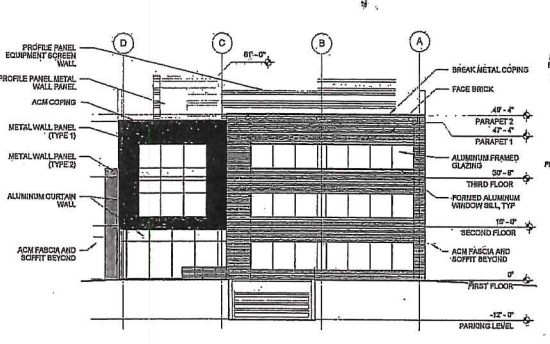
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Project Date

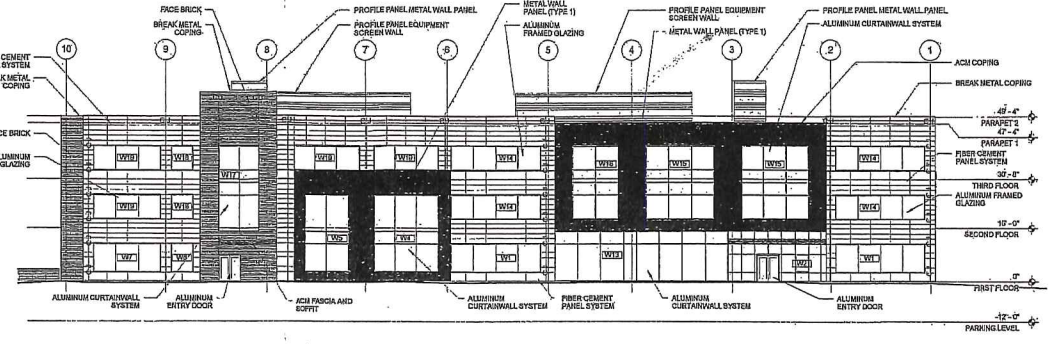
DESIGN DEVELOPMENT
 NOT FOR CONSTRUCTION

Building Elevations -
 PUD Amendment
 SUBMITTAL

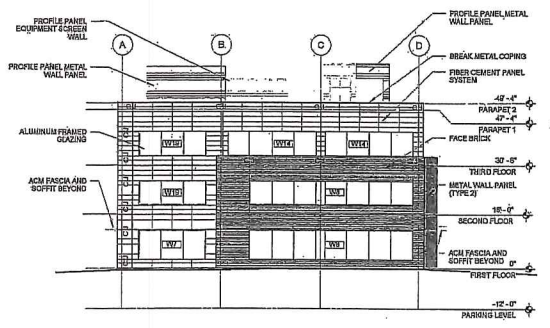
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 S3



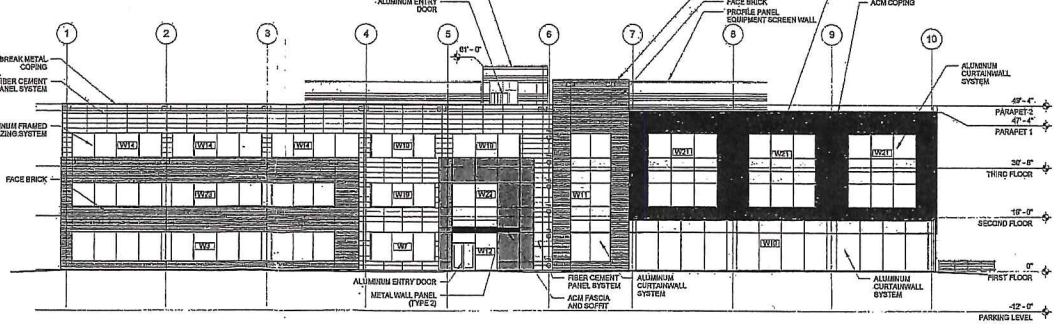
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

PRELIMINARY. NOT FOR CONSTRUCTION.
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