

Date May 7, 2018

**RESOLUTION APPROVING “GRAY’S STATION PHASE 1” PUD DEVELOPMENT PLAN FOR PROPERTY AT 1300 TUTTLE STREET**

**WHEREAS**, on July 24, 2017, by Roll Call No. 17-1295, the City Council conditionally approved Hubbell Realty Company’s “Gray’s Station” PUD Conceptual Plan for real property located in the vicinity of 1300 Tuttle Street (“Property”) to allow redevelopment of 83.73 acres with mixed use, low-medium density residential, high-density residential, and open space areas, which approval required the developer to submit a PUD Development Plan for review and approval by the Plan and Zoning Commission and the City Council for each phase of the project; and

**WHEREAS**, on August 14, 2017, by Roll Call No. 17-1408 the City Council approved Ordinance No. 15,600 rezoning the Property from “C3-B” Central Business Mixed Use District and “FW” Floodway District to “PUD” Planned Unit Development District; and

**WHEREAS**, at a public hearing held on April 19, 2018, the City Plan and Zoning Commission voted 10-0 in support of a motion to recommend **APPROVAL** of a request from HRC NFS I, LLC (owner), represented by Joe Pietruszynski (officer), for a “Gray’s Station Phase 1” PUD Development Plan representing a portion of Phase 1 of the “Gray’s Station” PUD Conceptual Plan, to allow development of that portion of the Property in the vicinity of 1300 Tuttle Street with 79 dwelling units consisting of a 3-unit condominium building, 7 detached townhomes and 69 attached townhomes, subject to the following conditions:

1. Compliance with all administrative comments of the Permit and Development Center.
2. All site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height. These standards do not apply to light art installations that are determined to be in compliance with the PUD Conceptual Plan by the Planning Administrator.
3. All necessary external mechanical equipment shall be roof-mounted and screened on any side that fronts a public street, trail, or green space with an architectural extension (e.g., parapet wall) of the building. Equipment may be ground mounted along alley and internal side facades if the unit does not have a flat or low-sloped roof.
4. All utility meters, transformers, and other utilities shall be placed along internal side or rear facades of the buildings.
5. Review and approval of finalized building elevations and materials by the Planning Administrator; and

**WHEREAS**, the portion of the Property included in the “Gray’s Station Phase 1” PUD Development Plan is legally described as follows:



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A PART OF LOTS 6 AND OUTLOT 'Y', CENTRAL DES MOINES INDUSTRIAL PARK, AN OFFICIAL PLAT; AND A PART OF LOTS 80, 81, 82, 85 AND ALL OF LOT 86, FACTORY ADDITION, AN OFFICIAL PLAT; AND A PART OF PARCEL 'F' AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 12787, PAGE 858 BEING PART OF LOTS 6, C, L AND 9, FACTORY ADDITION PLAT NO. 3, AN OFFICIAL PLAT, ALL BEING IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 6, SAID CENTRAL DES MOINES INDUSTRIAL PARK; THENCE NORTH 81°52'47" EAST ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 347.62 FEET TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE NORTH 81°39'24" EAST, 474.36 FEET; THENCE NORTH 39°15'32" EAST, 8.28 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SW 11TH STREET; THENCE SOUTH 7°52'42" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 90.58 FEET; THENCE NORTH 53°06'39" WEST, 21.13 FEET; THENCE SOUTH 81°39'24" WEST, 253.36 FEET; THENCE SOUTH 0°01'40" EAST, 587.53 FEET; THENCE EASTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 724.00 FEET, WHOSE ARC LENGTH IS 191.03 FEET AND WHOSE CHORD BEARS NORTH 82°06'09" EAST, 190.47 FEET; THENCE NORTH 74°32'37" EAST, 144.52 FEET; THENCE NORTH 33°19'58" EAST, 22.57 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF SW 11TH STREET; THENCE SOUTH 7°52'42" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 82.46 FEET; THENCE NORTH 56°40'02" WEST, 19.77 FEET; THENCE SOUTH 74°32'37" WEST, 137.60 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 776.00 FEET, WHOSE ARC LENGTH IS 205.03 FEET AND WHOSE CHORD BEARS SOUTH 82°06'46" WEST, 204.43 FEET; THENCE SOUTH 0°01'40" EAST, 186.66 FEET; THENCE EASTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 285.00 FEET, WHOSE ARC LENGTH IS 7.29 FEET AND WHOSE CHORD BEARS SOUTH 69°36'45" EAST, 7.29 FEET TO A POINT ON THE EAST LINE OF THE WEST 100 FEET OF LOT 80, SAID FACTORY ADDITION; THENCE SOUTH 0°00'30" WEST ALONG SAID EAST LINE, 159.34 FEET; THENCE SOUTH 45°45'01" WEST, 36.34 FEET; THENCE SOUTH 75°44'51" WEST, 36.34 FEET; THENCE SOUTH 89°58'20" WEST, 162.99 FEET; THENCE SOUTH 70°36'11" WEST, 87.89 FEET; THENCE NORTH 0°30'44" WEST, 53.15 FEET; THENCE NORTH 29°22'59" WEST, 198.02 FEET; THENCE NORTH 49°39'41" WEST, 62.02 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 80.00 FEET, WHOSE ARC LENGTH IS 56.36 FEET AND WHOSE CHORD BEARS NORTH 20°09'19" EAST, 55.20 FEET; THENCE NORTH 0°01'40" WEST, 146.23 FEET; THENCE NORTH 89°58'20" EAST, 9.11 FEET; THENCE NORTH 0°01'40" WEST, 63.00 FEET; THENCE SOUTH 89°58'20" WEST, 17.61 FEET; THENCE NORTH 0°01'40" WEST, 122.09 FEET; THENCE NORTH 89°58'20" EAST, 6.23 FEET; THENCE NORTH 0°01'40" WEST, 107.91 FEET; THENCE NORTH 89°58'20" EAST, 12.77 FEET; THENCE NORTH 0°01'40" WEST, 86.73 FEET; THENCE SOUTH 81°39'18" WEST, 128.11 FEET; THENCE NORTH 8°20'42" WEST, 145.50 FEET TO THE NORTHEAST CORNER OF LOT 7, SAID CENTRAL DES MOINES INDUSTRIAL PARK; THENCE



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NORTH 0°05'48" WEST ALONG THE WEST LINE OF SAID LOT 6, CENTRAL DES MOINES INDUSTRIAL PARK, 72.11 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.57 ACRES (503,864 SQUARE FEET).

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

1. The communication from the Plan and Zoning Commission is hereby received and filed.
2. The proposed "Gray's Station Phase 1" PUD Development Plan, 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, subject to revision of the Plan to add the conditions stated above.

MOVED BY \_\_\_\_\_ TO ADOPT.

(Council Communication No. 18-240)

FORM APPROVED:

Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

(10-2018-7.89)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATO				
GRAY				
MANDELBAUM				
WESTERGAARD				
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