



**Date** December 2, 2019

**RESOLUTION HOLDING HEARING ON REQUEST FROM RIVER POINT WEST, LLC TO AMEND PUD CONCEPTUAL PLAN FOR PROPERTY LOCATED AT 205 SOUTHWEST 11<sup>TH</sup> STREET**

**WHEREAS**, on November 18, 2019, by Roll Call No. 19-1829, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on November 7, 2019, its members voted 15-0 in support of a motion to recommend **APPROVAL** of a request from River Point West, LLC (owner), represented by George Sherman (officer), for the 5th Amendment to the Gray’s Landing Office Park I PUD Conceptual Plan for property located at 205 Southwest 11<sup>th</sup> Street (“Property”), to allow the development of a 3-story office building with 68,000 square feet of office and 4,500 square feet of restaurant space with associated surface parking, subject to the following revisions to the Conceptual Plan:

1. The PUD Conceptual Plan shall incorporate the 4<sup>th</sup> amendment to the PUD Conceptual Plan, as was approved by City Council on October 14, 2019.
2. The PUD Conceptual Plan shall include a note that states the final design of the building shall be approved by the City’s Planning Administrator.
3. The proposed building shall have a more prominent entry feature oriented toward West Martin Luther King, Jr. Parkway to the satisfaction of the City’s Planning Administrator.
4. All rooftop mechanical equipment shall be screened on all sides to a height equal to the tallest rooftop mechanical equipment, with materials that are architecturally compatible with the existing structure.
5. Provision of a note that states no development may occur within the northwestern corner of the PUD until a future amendment to PUD Conceptual Plan has been approved that sets parameters for the development.
6. Provision of a note that states upon buildout of the northwestern portion of the PUD, buildings shall occupy at least 70% of the street frontages along both West Martin Luther King, Jr. Parkway and Southwest 11<sup>th</sup> Street. Furthermore, the layout of the parking lot on the PUD Conceptual Plan shall be revised in order to demonstrate that this condition can and will be satisfied.
7. Provision of a note that states access easements shall be provided to ensure users of all parking lots have access to both Tuttle Street to the south and Southwest 11<sup>th</sup> Street to the west.
8. Provision of a note that states a public sidewalk along Southwest 11<sup>th</sup> Street in between Holiday Inn Express and West Martin Luther King, Jr. Parkway shall be provided prior to completion of the proposed building.
9. Sheet 2 shall be revised to demonstrate landscaping material along both West Martin Luther King, Jr. Parkway and Southwest 11<sup>th</sup> Street frontages
10. Provision of a note that states any freestanding sign shall be in compliance with the master signage plan for the entire Gray’s Landing Office Park; and

**WHEREAS**, on November 18, 2019, by Roll Call No. 19-1829, it was duly resolved by the City Council that the application of River Point West, LLC for review and approval of the proposed 5th Amendment to the Gray’s Landing Office Park I PUD Conceptual Plan for the Property, as legally described below, be set down for hearing on December 2, 2019, at 5:00 p.m. in the City Council Chambers 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 approved Gray’s Landing Office Park I PUD Conceptual Plan; and

**WHEREAS**, in accordance with said notice, those interested in said proposed amendment to the approved Gray’s Landing Office Park I 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.





Date December 2, 2019

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 5th amendment to the Gray's Landing Office Park I PUD Conceptual Plan for the Property, located at 205 Southwest 11th 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-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 5th amendment to the Gray's Landing Office Park I PUD Conceptual Plan, as on file in the Community Development Department, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is hereby approved, subject to the revisions to the Plan as set forth above.

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

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(ZON2019-00206)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED

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.

Mayor

City Clerk



Date December 2, 2019

Agenda Item 44

Roll Call # \_\_\_\_\_

November 12, 2019

Honorable Mayor and City Council  
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their November 7, 2019 meeting, the following action was taken regarding a request from River Point West, LLC (owner) represented by George Sherman (officer) for review and approval of the 5<sup>th</sup> Amendment to the Gray's Landing Office Park I PUD Conceptual Plan on property located at 205 Southwest 11<sup>th</sup> Street to reconfigure the location of a 3-story office building with 68,000 square feet of office and 4,500 square feet of restaurant space along with associated surface parking. The currently approved building would have indoor parking. Additional property in the PUD is owned by Sherman Grays Landing Hotel Development, LLC.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 15-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
Abby Chungath	X			
David Courard-Hauri	X			
Jacqueline Easley	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones	X			
William Page	X			
Rocky Sposato	X			
Steve Wallace	X			
Greg Wattier	X			
Emily Webb	X			



**APPROVAL** of the proposed amendment to the PUD Conceptual Plan, subject to the following conditions:

1. The PUD Conceptual Plan shall incorporate the 4<sup>th</sup> amendment to the PUD Conceptual Plan, as was approved by City Council on October 14, 2019.
2. The PUD Conceptual Plan shall include a note that states the final design of the building shall be approved by the City's Planning Administrator.
3. The proposed building shall have a more prominent entry feature oriented toward West Martin Luther King, Jr. Parkway to the satisfaction of the City's Planning Administrator.
4. All rooftop mechanical equipment shall be screened on all sides to a height equal to the tallest rooftop mechanical equipment, with materials that are architecturally compatible with the existing structure.
5. Provision of a note that states no development may occur within the northwestern corner of the PUD until a future amendment to PUD Conceptual Plan has been approved that sets parameters for the development.
6. Provision of a note that states upon buildout of the northwestern portion of the PUD, buildings shall occupy at least 70% of the street frontages along both West Martin Luther King, Jr. Parkway and Southwest 11<sup>th</sup> Street. Furthermore, the layout of the parking lot on the PUD Conceptual Plan shall be revised in order to demonstrate that this condition can and will be satisfied.
7. Provision of a note that states access easements shall be provided to ensure users of all parking lots have access to both Tuttle Street to the south and Southwest 11<sup>th</sup> Street to the west.
8. Provision of a note that states a public sidewalk along Southwest 11<sup>th</sup> Street in between Holiday Inn Express and West Martin Luther King, Jr. Parkway shall be provided prior to completion of the proposed building.
9. Sheet 2 shall be revised to demonstrate landscaping material along both West Martin Luther King, Jr. Parkway and Southwest 11<sup>th</sup> Street frontages
10. Provision of a note that states any freestanding sign shall be in compliance with the master signage plan for the entire Gray's Landing Office Park.

(ZON2019-00206)

Written Responses

0 in Favor

0 in Opposition

**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. The PUD Conceptual Plan shall incorporate the 4<sup>th</sup> amendment to the PUD Conceptual Plan, as was approved by City Council on October 14, 2019.
2. The PUD Conceptual Plan shall include a note that states the final design of the building shall be approved by the City's Planning Administrator.
3. The proposed building shall have a more prominent entry feature oriented toward West Martin Luther King, Jr. Parkway to the satisfaction of the City's Planning Administrator.
4. All rooftop mechanical equipment shall be screened on all sides to a height equal to the tallest rooftop mechanical equipment, with materials that are architecturally compatible with the existing structure.
5. Provision of a note that states no development may occur within the northwestern corner of the PUD until a future amendment to PUD Conceptual Plan has been approved that sets parameters for the development.
6. Provision of a note that states upon buildout of the northwestern portion of the PUD, buildings shall occupy at least 70% of the street frontages along both West Martin Luther King, Jr. Parkway and Southwest 11<sup>th</sup> Street. Furthermore, the layout of the parking lot on the PUD Conceptual Plan shall be revised in order to demonstrate that this condition can and will be satisfied.
7. Provision of a note that states access easements shall be provided to ensure users of all parking lots have access to both Tuttle Street to the south and Southwest 11<sup>th</sup> Street to the west.
8. Provision of a note that states a public sidewalk along Southwest 11<sup>th</sup> Street in between Holiday Inn Express and West Martin Luther King, Jr. Parkway shall be provided prior to completion of the proposed building.
9. Sheet 2 shall be revised to demonstrate landscaping material along both West Martin Luther King, Jr. Parkway and Southwest 11<sup>th</sup> Street frontages
10. Provision of a note that states any freestanding sign shall be in compliance with the master signage plan for the entire Gray's Landing Office Park.

## **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 that would contain 68,000 square feet of office space and 4,500 square feet of restaurant space. The proposed building would frame Martin Luther King, Jr. Parkway to the north and Southwest 9<sup>th</sup> Street to the east. The proposed PUD Conceptual Plan demonstrates that a surface parking lot would be located to the south of the office building and north of the hotels, which would adjoin the existing parking lot for Holiday Inn Express and a future parking lot for a Tru by

Hilton hotel.

Since the subject project involves a development agreement with the City, the City's Urban Design Review Board (UDRB) must also approve the project and its building elevations. The UDRB gave final approval of an office building in this general location at its meeting on October 21, 2014.

**2. Size of Site:** 8.8 acres.

**3. Existing Zoning (site):** Gray's Landing Office I "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 proposed building would be located on a portion of the PUD that is undeveloped.

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

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

**South** – "C-3B"; Uses are Tuttle Street and the Nexus and Edge multiple-family residential structures.

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

**West** – "C-3B"; Uses are Southwest 11<sup>th</sup> Street and land that is being developed for multiple-family residential.

**6. General Neighborhood/Area Land Uses:** The subject site is located in the southwest portion of the downtown in an area that is known as the Gray's Landing / Gray's Station 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 October 18, 2019. A Final Agenda was mailed to the neighborhood association on November 1, 2019. Additionally, separate notifications of the hearing for the site plan were mailed on October 28, 2019 (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 Peter Erickson, 214 Watson Powell Jr. Way, #505, Des Moines, IA 50309.

**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 (ZON2013-00111) to approve the 1<sup>st</sup> amendment to the PUD Conceptual Plan. This amendment altered the design of the Holiday Inn Express to accommodate 102 guest rooms and eliminated a Homewood Suites hotel that was proposed for the site of the current proposal.

On June 22, 2015, the City Council adopted Ordinance 15,216 to approve the 2<sup>nd</sup> Amendment to the PUD Conceptual Plan, which allows development of a 3-story office building with subsurface parking and additional surface off-street parking, and changed the name of the PUD to Gray's Landing Office I.

On September 15, 2015 the City Council approved the 3<sup>rd</sup> Amendment to the PUD Conceptual Plan to revise sign area allowances for three wall-mounted signs for Holiday Inn Express.

On October 14, 2019, the City Council approved the 4<sup>th</sup> Amendment to the PUD Conceptual Plan to allow development of the southeastern portion of the PUD with a 4-story hotel with 98 guestrooms and an associated surface off-street parking lot. The approval was subject to the following revisions to the PUD Conceptual Plan:

1. The PUD Conceptual Plan shall include a note that states the final design of the hotel building shall be approved by the Urban Design Review Board (UDRB) and the City's Planning Administrator.
2. The proposed hotel building shall have a prominent entry feature oriented toward Tuttle Street that appears to be a primary entrance to the satisfaction of the UDRB and the City's Planning Administrator.
3. EIFS material shall not be used as an exterior material on the ground floor of the hotel building.
4. The east façade of the proposed hotel building shall have enhanced architectural detailing to the satisfaction of the UDRB and the City's Planning Administrator.
5. All rooftop mechanical equipment shall be screened on all sides to a height equal to the tallest rooftop mechanical equipment, with materials that are architecturally compatible with the existing structure.
6. Provision of a note that states access easements shall be provided to ensure users of all parking lots have access to both Tuttle Street to the south and Southwest 11th Street to the west.
7. Bike racks shall be provided along Tuttle Street to the satisfaction of the City's Traffic Engineer.

8. Provision of a note that states a public sidewalk along Southwest 11th Street in between Holiday Inn Express and West Martin Luther King, Jr. Parkway shall be provided prior to completion of the proposed hotel.
9. Sheet 2 shall be revised to demonstrate landscaping material along the eastern perimeter of the circular drive for the hotel's porte cochere.
10. The freestanding sign elevations on Sheet 4 be revised to comply with the "Signtype C: Project Identity" standards contained in the approved master signage plan for Gray's Landing Office Park. These signs allow for a 4-foot by 2.77-foot sign cabinet within a masonry structure and have an overall height of 5.5 feet.

The PUD Conceptual Plan must incorporate this 4<sup>th</sup> amendment to the PUD Conceptual Plan, as was approved by City Council on October 14, 2019.

**9. PlanDSM Land Use Plan Designation:** Downtown Mixed Use, which allows mixed-use, high density residential uses, and compact combinations of pedestrian-oriented retail, office, residential, and parking in downtown. Development should include active uses (e.g. retail) on ground floor, particularly at key intersections.

**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. Urban Design:** Since the subject project involves a development agreement with the City, the City's Urban Design Review Board (UDRB) must also approve the building elevations, which was done on October 21, 2014. It was determined that the current proposed changes to the building were not major enough to require additional review by the Urban Design Review Board.

The proposed elevations indicate that the building would have a primary entrance on its north façade facing West Martin Luther King, Jr. Parkway and a primary entrance on its south façade facing the parking lot. The elevations also indicate that the restaurant space at the west edge of the ground floor would have entrances to both the north and south. Staff recommends that the proposed building should have a more prominent entry feature oriented toward West Martin Luther King, Jr. Parkway to the satisfaction of the City's Planning Administrator.

The proposed elevations indicate that the hotel building would be 3 stories with a maximum height of 49.5 feet, excluding the screening materials for rooftop mechanical equipment. The elevations indicate that the building would be clad with a mix of brick



and metal panels. Staff recommends that a note be added to the PUD Conceptual Plan to state that all rooftop mechanical equipment must be screened on all sides to a height equal to the tallest rooftop mechanical equipment, with materials that are architecturally compatible with the existing structure.

- 2. Future Development Site at Northwest Corner of PUD Conceptual Plan:** The proposed PUD Conceptual Plan does not label the remaining development parcel at the northwest corner of the PUD Conceptual Plan. Staff recommends that a note be added to state that no development may occur within this area until a future amendment to PUD Conceptual Plan has been approved to set parameters for the development.

Furthermore, since the PUD Conceptual Plan allows for a large surface parking lot at the center of the block, Staff believes that it is reasonably necessary to require future development of this area to include a building that significantly screens the parking lot and ensure that the entire PUD development has an urban form. If this property were not zoned “PUD” Planned Unit Development District, it would be subject to the “D-O” Downtown-Overlay District Design Guidelines. These guidelines require that buildings must occupy 70% of the street frontages. Therefore, Staff recommends that a note be added to the PUD Conceptual Plan that states upon buildout of the northwestern portion of the PUD, buildings shall occupy at least 70% of the street frontages along both West Martin Luther King, Jr. Parkway and Southwest 11<sup>th</sup> Street. Staff also recommends that the layout of the parking lot be altered in order to accommodate this future requirement.

The PUD Conceptual Plan has approximately 638 feet of frontage along West Martin Luther King, Jr. Parkway. Assuming the proposed office building would occupy 260 feet of this frontage, the future building at the northwest corner must occupy 186 feet of frontage in order to achieve 70%. The PUD Conceptual Plan has approximately 608 feet of frontage along Southwest 11<sup>th</sup> Street. Assuming the existing Holiday Inn Express building occupies 220 feet of this frontage, the future building at the northwest corner must occupy 205 feet of frontage in order to achieve 70%.

- 3. Off-Street Parking:** The proposed PUD Conceptual Plan demonstrates that a surface parking lot would be located to the south of the building and would adjoin the existing parking lot for the Holiday Inn Express and the future parking lot for Tru by Hilton hotel. Staff recommends that a note be added to state that access easements shall be provided to ensure users of all parking lots will have access to both Tuttle Street to the south and Southwest 11<sup>th</sup> Street to the west.
- 4. Pedestrian Connections:** The proposed PUD Conceptual Plan provides internal pedestrian connections both east to west across the site and north to south across the site. It also demonstrates that a Class A sidewalk would be provided along Tuttle Street.

In order to provide adequate pedestrian connectivity both for this proposed office building and for the existing Holiday Inn Express, Staff believes that it is necessary to provide a public sidewalk along Southwest 11<sup>th</sup> Street in between Holiday Inn Express and West Martin Luther King, Jr. Parkway. This sidewalk should be constructed prior to completion of the proposed office building.



5. **Landscaping:** The proposed PUD Conceptual Plan states that the site will be landscaped in accordance to the Landscape Standards as applicable to the “C-3” District. It also states that an urban edge consisting of a decorative fence and additional landscaping including trees and shrubs shall be provided in all locations where off-street parking is within 50 feet of a property line and not separated from the right-of-way by a building. The proposed PUD Conceptual Plan demonstrates a mix of overstory trees, ornamental trees, shrubs, and landscaping beds within the parking lot areas but does show plantings along either West Martin Luther King, Jr. Parkway or along Southwest 11<sup>th</sup> Street. Staff recommends that the PUD Conceptual Plan be revised to demonstrate landscaping material along both West Martin Luther King, Jr. Parkway and Southwest 11<sup>th</sup> Street frontages.
6. **Refuse Collection Container Enclosure:** The PUD Conceptual Plan includes a trash enclosure along the east edge of the site to the south of the office building, 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.
7. **Stormwater Management:** The proposed PUD Conceptual Plan proposes to provide stormwater management by directing water to the regional stormwater basin that is located a few blocks to the south and west of the site.
8. **Lighting:** The proposed PUD Conceptual Plan states that site lighting shall be black archetype light fixtures that are pedestrian in scale.
9. **Signage:** The PUD Conceptual Plan states that any building-mounted signage shall be in accordance with the sign regulations applicable to the “C-3B” District. Staff recommends that a note be added to state that all freestanding signage would be in accordance with the master signage plan for the entire Gray’s Landing Office Park. This signage plan was approved on October 26, 2015, and allows a uniform signage scheme throughout the PUD and surrounding area. This approved signage plan provides for a hierarchy of signage, including “Gateway Signage”, “Tenant Signage”, “Project Signage”, “Directional Signage”, and “Regulatory/Street Signage”.

## SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendations.

Will Page asked where the purposed 20-foot sign is being placed on the site?

Jason Van Essen stated he would let the applicant go over their signage plan. The overall sign plan isn’t being amended and has already been approved.

David Courard-Hauri asked how the footprint of the parking lot changed after moving from parking within the building to surface parking?

Jason Van Essen stated the proposed office building along Martin Luther King, Jr. Parkway has shifted to the East, so there is no need for a drive as show in the previous plan and additional parking has been added on the West side of the building.



Will Anderson, representing Sherman Associates stated they aren't here to seek any variance from the 70% requirement on a future PUD amended for development of the northwest corner of the property. They would like to implement parking to the west of the purposed building to meet the needs of their lender and the market. The requested parking to the west does offset the number of parking stalls that were purposed in the building.

Jacqueline Easley asked for clarification on who is asking for additional parking?

Will Anderson stated it's driven by the market. As proposed they're at 3.5 stalls per 1000 square feet of floor area and their brokers want them to be at 4 stalls per 1000 square feet.

Greg Wattier stated he doesn't know how they would ever reach the 70% requirement unless they tore out the parking their getting ready to build.

Will Anderson stated if the economics work when they come back to build on the northwest corner, they would remove that parking for additional building space. If that doesn't work, they would like to work with staff on an architectural screening to meet the intent of the 70% of building frontage while maintaining the parking.

Will Page asked for information around the 20-foot sign he asked about previously.

Will Anderson stated he would need to go back and look at their master signage plan. He isn't sure exactly where that sign will be placed?

Will Page asked staff if they had any examples of existing signs of this height in the downtown area or anywhere in the City?

Jason Van Essen stated he couldn't think of any comparable signs.

Greg Wattier stated the Merle May Mall sign.

Greg Jones stated the Science Center sign.

Jason Van Essen asked the applicant to provide their thoughts on meeting the 70% requirement along SW 11<sup>th</sup> Street.

Will Anderson stated to meet the 70% of building frontage for the block along SW 11<sup>th</sup> Street they would need to construct a building with 205 feet of frontage. They currently don't have a project in place for the northwest corner of the development.

David Courard-Hauri asked if it was just economics that led them to remove the structured parking from the proposed office building.

Will Anderson stated they couldn't find a tenant that was willing to pay for the structured parking.

David Courard-Hauri asked if the funders will be ok with them potentially getting rid of the extra parking in the future?

Will Anderson stated yes, since they would be implementing more parking with the development of the northwest corner.

Greg Wattier stated the parking looks like it is laid out in an inefficient manner and if they reworked their plan they could get closer to the number of spaces they need while meeting the 70% requirement.

Tim West, Snyder and Associates, stated they were trying to offset the loss of the parking stalls that were planned to be in the building and meet the requirements for the office and restaurant tenants. They have a mix of parking needs in this PUD.

John “Jack” Hilmes asked if the total parking needs of the two hotels and proposed building added up to 475 parking stalls?

Tim West stated the total need for all the buildings is 485 parking stalls.

Carolyn Jension asked how they will be helping our environment with so much parking being constructed. Would permeable pavement or other comparable solutions be used?

Tim West stated they have reduced the footprint of the pavement as much as they can. They have an underground storm water system that will filter water before it leaves the site. They plan to use native plants to the extent possible.

Jason Van Essen clarified that the applicant is not opposed to the 70% requirement language of condition #6 along SW 11<sup>th</sup> Street. Their opposition is only as it applies to the Martin Luther King, Jr. Parkway frontage.

### **CHAIRPERSON OPENED THE PUBLIC HEARING**

No one came forward to speak on this item.

### **CHAIRPERSON CLOSED THE PUBLIC HEARING**

Jann Freed asked if condition #6 would need to be rewritten?

Jason Van Essen stated the reference to Martin Luther King, Jr. Parkway would need to be altered if the Commission wanted to support the applicant's request.

Jan Freed asked how it would need to be rewritten?

Jason Van Essen stated they would need to strike the references to Martin Luther King, Jr. Parkway in condition #6 and then add a new condition that addresses how the frontage along MLK would need to be handled.

Greg Jones stated he isn't in favor of that. In the future they will try to keep this parking and not meet the 70% frontage requirement along MLK, we need to solve this problem now and the staff recommendations should be kept as written.



## **COMMISSION ACTION:**

Greg Jones made a motion for approval of the proposed amendment to the PUD Conceptual Plan, subject to the following conditions:

1. The PUD Conceptual Plan shall incorporate the 4<sup>th</sup> amendment to the PUD Conceptual Plan, as was approved by City Council on October 14, 2019.
2. The PUD Conceptual Plan shall include a note that states the final design of the building shall be approved by the City's Planning Administrator.
3. The proposed building shall have a more prominent entry feature oriented toward West Martin Luther King, Jr. Parkway to the satisfaction of the City's Planning Administrator.
4. All rooftop mechanical equipment shall be screened on all sides to a height equal to the tallest rooftop mechanical equipment, with materials that are architecturally compatible with the existing structure.
5. Provision of a note that states no development may occur within the northwestern corner of the PUD until a future amendment to PUD Conceptual Plan has been approved that sets parameters for the development.
6. Provision of a note that states upon buildout of the northwestern portion of the PUD, buildings shall occupy at least 70% of the street frontages along both West Martin Luther King, Jr. Parkway and Southwest 11<sup>th</sup> Street. Furthermore, the layout of the parking lot on the PUD Conceptual Plan shall be revised in order to demonstrate that this condition can and will be satisfied.
7. Provision of a note that states access easements shall be provided to ensure users of all parking lots have access to both Tuttle Street to the south and Southwest 11<sup>th</sup> Street to the west.
8. Provision of a note that states a public sidewalk along Southwest 11<sup>th</sup> Street in between Holiday Inn Express and West Martin Luther King, Jr. Parkway shall be provided prior to completion of the proposed building.
9. Sheet 2 shall be revised to demonstrate landscaping material along both West Martin Luther King, Jr. Parkway and Southwest 11<sup>th</sup> Street frontages
10. Provision of a note that states any freestanding sign shall be in compliance with the master signage plan for the entire Gray's Landing Office Park.

Motion Carried: 15-0

Respectfully submitted,



Jason Van Essen, AICP  
Senior City Planner

JVE:tjh



River Point West, LLC (owner) represented by George Sherman (officer) for property located at 205 Southwest 11th Street. Additional property in the PUD is owned by Sherman Grays Landing Hotel Development, LLC.		File # ZON2019-00206			
Description of Action	Review and approval of the 5th Amendment to the Gray's Landing Office Park I PUD Conceptual Plan to reconfigure the location of a 3-story office building with 68,000 square feet of office and 4,500 square feet of restaurant space along with associated surface parking. The currently approved building would have indoor parking.				
PlanDSM Future Land Use	Current: Downtown Mixed Use. Proposed: N/A.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	"PUD" Planned Unit Development and "FSO" Freestanding Signs Overlay District.				
Proposed Zoning District	N/A.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Outside Area (200 feet)	0	0			
Within Subject Property					
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

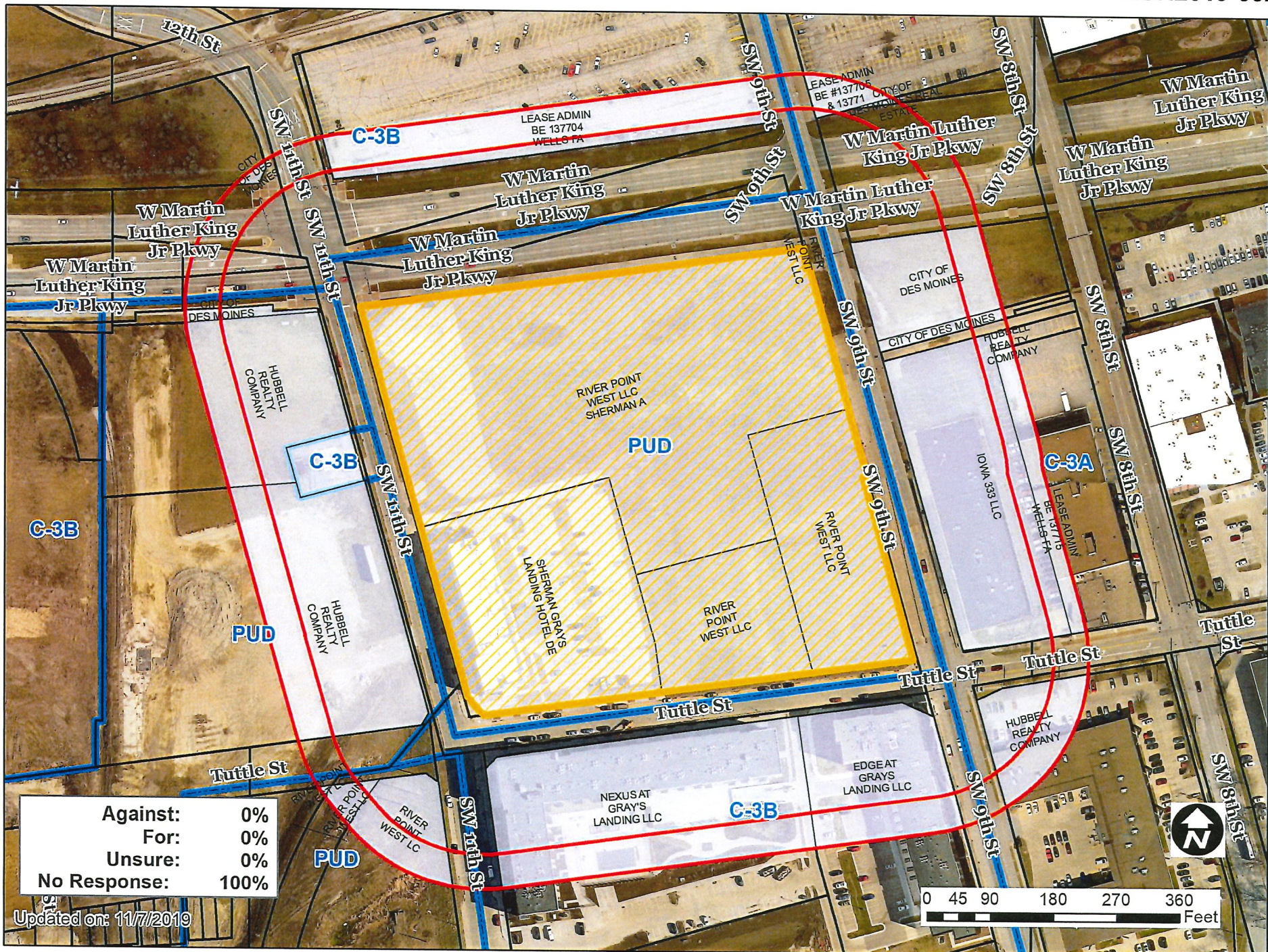
River Point West, LLC, 205 Southwest 11th Street

ZON2019-00206



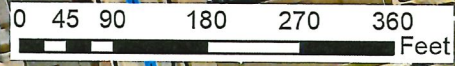
1 inch = 180 feet





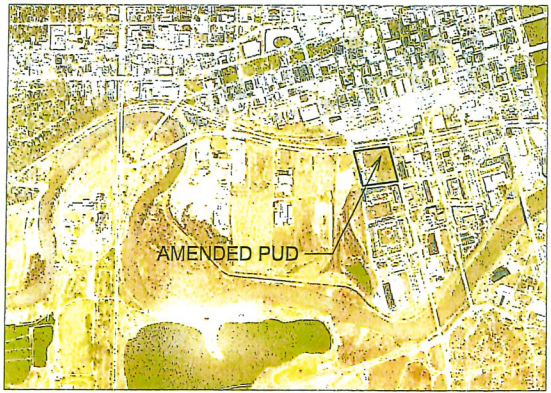
Against:	0%
For:	0%
Unsure:	0%
No Response:	100%

Updated on: 11/7/2019

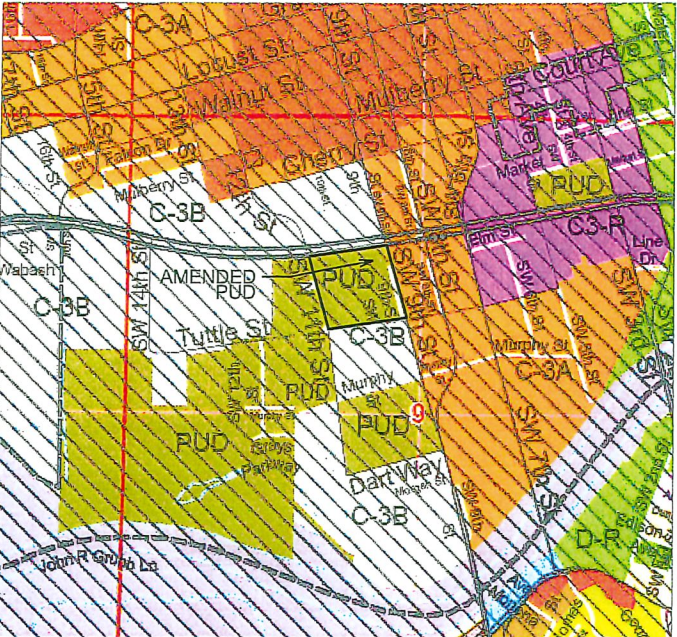


44





VICINITY MAP



ZONING MAP

ZONING

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

LAND USE

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

FOURTH AMENDMENT RIVER POINT WEST PUD ZON2015-00073  
A PLANNED UNIT DEVELOPMENT  
IN THE CITY OF DES MOINES, COUNTY OF POLK, STATE OF IOWA  
SHEET 1 OF 4

LEGAL DESCRIPTION

PARCEL "A" FACTORY ADDITION PLAT 3 DESCRIPTION:  
A PART OF LOT 1, LOT 3, AND LOT "A", FACTORY ADDITION PLAT 3, AN OFFICIAL PLAT NOW BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, A DISTANCE OF 100.00 FEET SOUTH 74.00 FEET EAST TO THE POINT OF BEGINNING, 0.42 ACRES (18,145 SF).

PARCEL "B" FACTORY ADDITION PLAT 3 DESCRIPTION:  
A PART OF LOT 4 AND LOT 5, FACTORY ADDITION PLAT 3, AN OFFICIAL PLAT NOW BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4, A DISTANCE OF 148.12 FEET TO THE NORTHWEST CORNER OF SAID LOT 4, 0.42 ACRES (18,145 SF).

PARCEL "C" TERMINAL PLACE DESCRIPTION:  
A PART OF LOT 1, LOT 3, AND LOT 4, TERMINAL PLACE, AN OFFICIAL PLAT, NOW INCLUDED AS FOLLOWS:  
BEGINNING AT THE NORTHEAST CORNER OF LOT 1, FACTORY ADDITION PLAT 3, AN OFFICIAL PLAT, 0.42 ACRES (18,145 SF), A DISTANCE OF 148.12 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, 0.42 ACRES (18,145 SF).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

TOTAL PUD AREA

8.7 AC (380,632 SF)

DEVELOPMENT SCHEDULE

NOVEMBER 2019 - JANUARY 2022

STORMWATER MANAGEMENT

THE SITE SHALL PROVIDE STORM WATER MANAGEMENT THROUGH THE COMBINED USE OF A TRADITIONAL STORM SEWER/TAKE SYSTEM AND SITE STORM SEWER FACILITIES. WELL CONNECT TO A PUBLIC STORM SEWER ALONG SW TUTTLE STREET. THE STORM SEWER FOR CONCRETS TO THE EXISTING PUBLIC STORM SEWER LOCATED ALONG THE WEST SIDE OF SW 14TH STREET, TO A REGIONAL STORMWATER TREATMENT BASIN LOCATED WEST OF SW 14TH STREET, ALONG THE DEVELOPING PARKLAND AREA. REQUIRED EROSION CONTROL METHODS SHALL BE EMPLOYED DURING CONSTRUCTION, ALONG WITH PERMANENT DESIGN MEASURES FOR EROSION CONTROL.

SANITARY SEWER

SANITARY SERVICES TO THE NORTH 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 SANITARY SEWER MAIN ALONG SW TUTTLE STREET.

NOTES

FUTURE DEVELOPMENT OF THE BALANCE OF THE PUD SHALL BE SUBJECT TO REVIEW AND APPROVAL OF AMENDMENTS TO THE PUD CONCEPTUAL PLAN BY THE CITY COUNCIL AFTER REPORT AND RECOMMENDATION BY THE PLANNING & ZONING COMMISSION.

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 FOUNDATION/NO EXPOSED CONCRETE BUILDING FOUNDATION/MASONRY OR STONE MUST BE TAKEN TO GRADE.
- 3. EXTERIOR WINDOWS SHALL BE PRE-FINISHED VINYL, ALUMINUM WINDOWS, AND/OR ALUMINUM STOREFRONT.
- 4. PARKING: ALL PARKING SHALL BE HARD SURFACE CONSTRUCTION.
- 5. TRASH ENCLOSURE SHALL BE COMPOSED 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 MOUNTING SIGNAGE SHALL HAVE A BASE FINISHED IN BRICK, STONE, OR MATCH PRIMARY BUILDING MATERIALS.
- 7. ALL GREEN SPACE WITHIN PROPERTY LINES SHALL BE MAINTAINED BY PROPERTY OWNER/KEEPER.
- 8. ALL ROOFER 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 C-3B DISTRICT.
- 10. NO NON-BUILDING MOUNTED SIGN IS PERMITTED UNTIL AN OVERALL SIGN PLAN FOR GRAY'S LAKE OFFICE PARK IS APPROVED BY THE CITY COUNCIL AS PART OF THE FUTURE PUD CONCEPTUAL PLAN AMENDMENT.

GENERAL DEVELOPMENT CONCEPT

PROJECT NARRATIVE

THIS PUD AMENDMENT IS FOR THE PROPOSED CONSTRUCTION OF A THREE-STORY OFFICE/WORK USE BUILDING WITH A PROPOSED RESTAURANT. THE BUILDING WILL BE LOCATED ON THE EAST SIDE OF SW 14TH STREET, ADJACENT TO THE EXISTING BUILDING. THE PROPOSED BUILDING WILL BE CONSTRUCTED IN ACCORDANCE WITH THE DES MOINES PER C-3B DESIGN GUIDELINES. THE BUILDING WILL BE CONSTRUCTED IN ACCORDANCE WITH THE DES MOINES PER C-3B DESIGN GUIDELINES. THE BUILDING WILL BE CONSTRUCTED IN ACCORDANCE WITH THE DES MOINES PER C-3B DESIGN GUIDELINES.

REGULATIONS

THE REGULATION FOR THIS PUD WILL GENERALLY COMPLY WITH THAT OF DIVISION 21B, C-3B CENTRAL BUSINESS MIXED-USE DISTRICT AND SEC. 62-214.7 DESIGN GUIDELINES WITHIN D-R AND C3B REGULATION. ALL STREETS SURROUNDING THE PUD SHALL BE LANDSCAPED IN ACCORDANCE WITH THE DES MOINES PER C-3B DESIGN GUIDELINES. ALL STREETS SURROUNDING THE PUD SHALL BE LANDSCAPED IN ACCORDANCE WITH THE DES MOINES PER C-3B DESIGN GUIDELINES.

- (a) All uses proposed in a PUD planned unit development district 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 compatibility, including: (1) design of structures and open space; and (2) conservation of woodlands, streams, scenic areas, 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 street, 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 lighting poles or other forms of traffic control are deemed necessary to the development, they shall be approved 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 13-1-17(f).
- (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.

PROVISIONS

THE REGULATION FOR THIS PUD WILL GENERALLY COMPLY WITH THAT OF DIVISION 21B, C-3B CENTRAL BUSINESS MIXED-USE DISTRICT AND SEC. 62-214.7 DESIGN GUIDELINES WITHIN D-R AND C3B REGULATION. ALL STREETS SURROUNDING THE PUD SHALL BE LANDSCAPED IN ACCORDANCE WITH THE DES MOINES PER C-3B DESIGN GUIDELINES. ALL STREETS SURROUNDING THE PUD SHALL BE LANDSCAPED IN ACCORDANCE WITH THE DES MOINES PER C-3B DESIGN GUIDELINES.

- 1. PROVISION OF A NORTH-SOUTH PEDESTRIAN ROUTE THROUGH THE PARKING LOT TO CONNECT THE HOTEL WITH THE SIDEWALK ALONG TUTTLE STREET.
- 2. PROVISION OF AN EAST-WEST PEDESTRIAN ROUTE THROUGH THE PARKING LOT TO CONNECT THE HOTEL WITH THE SIDEWALK ALONG SOUTHWEST 11TH STREET.
- 3. PROVISION OF AN URBAN ROOF CONSISTING OF DECORATIVE 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. ANY TRANSFORMERS SHALL BE SCREENED BY PLANT MATERIALS IN ORDER TO MINIMIZE ITS VIEW FROM PUBLIC RIGHT-OF-WAY.
- 5. PORTIONS OF THE PUD CONCEPTUAL PLAN DEDICATED FOR FUTURE DEVELOPMENT SHALL NOT BE USED FOR STORMWATER DETENTION UNITS. FUTURE DEVELOPMENT OF THESE AREAS OCCURS IN ACCORDANCE WITH A FUTURE PUD CONCEPTUAL PLAN AMENDMENT.
- 6. ALL SITE LIGHTING SHALL BE BLACK ARCHITYPE LIGHT FIXTURES THAT ARE PEDESTRIAN IN SCALE.
- 7. ALL BUILDING-MOUNTED SIGNAGE SHALL BE IN ACCORDANCE WITH THE SIGN REGULATIONS APPLICABLE TO THE C-3B DISTRICT.
- 8. ALL FREE-STANDING SIGNAGE SHALL BE IN ACCORDANCE WITH THE OVERALL SIGNAGE PLAN FOR THE GRAY'S LAKE OFFICE PARK.

DATE	BY
10/08/19	EDC
10/08/19	STT
10/08/19	STT

DES MOINES, IA  
Project No: 119.0726  
Sheet 1 of 4

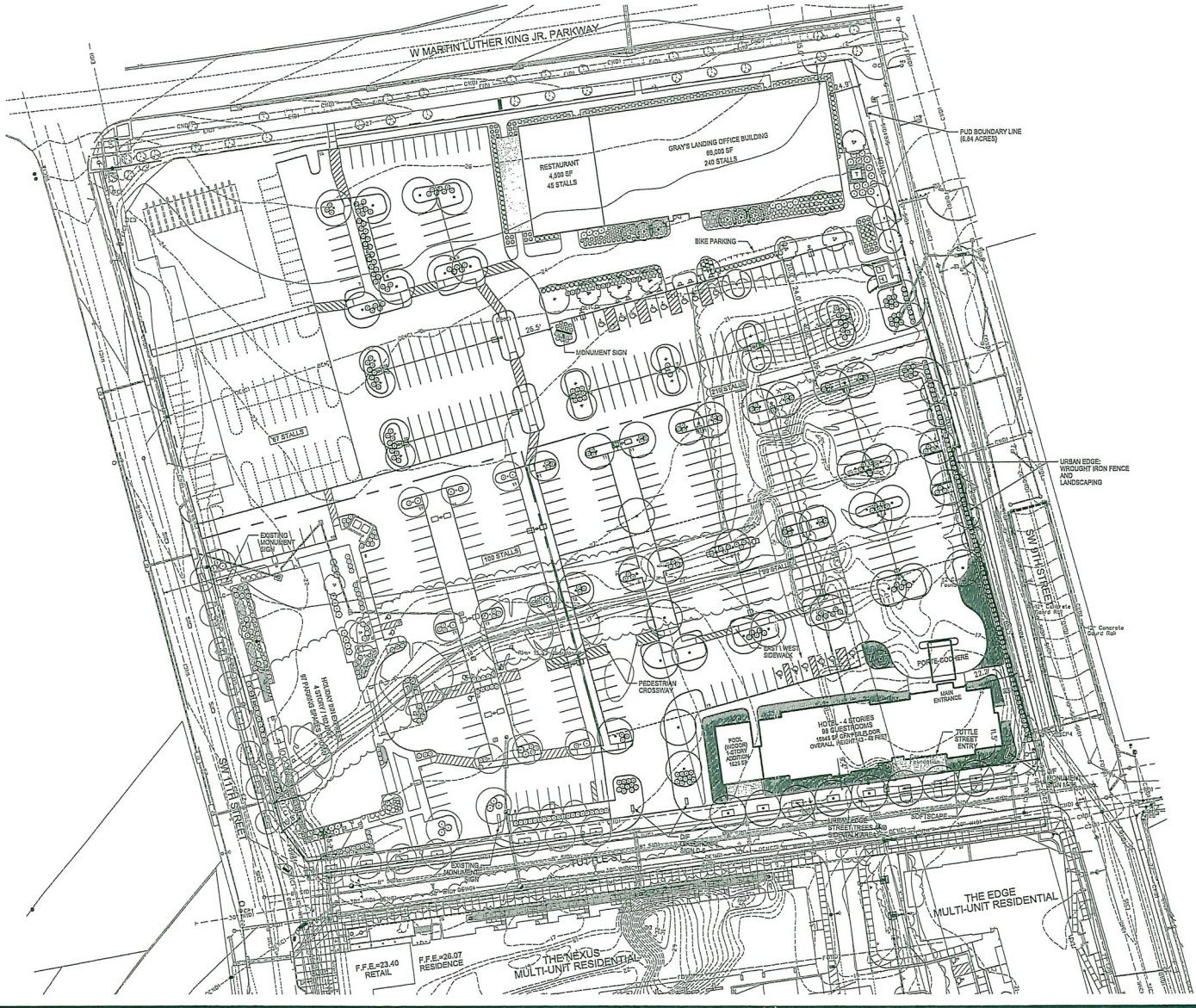
277 SW SYNDER BLVD.  
DES MOINES, IOWA 50323  
615-964-2001 | www.snyderandassociates.com

SHERMAN OFFICE SITE  
AMENDMENT PUD - TEXT  
SNYDER & ASSOCIATES, INC.








Project No: 119.0726  
Sheet 1 of 4



FOURTH AMENDMENT RIVER POINT WEST (ZON2105.00073)  
 A PLANNED UNIT DEVELOPMENT  
 IN THE CITY OF DES MOINES, COUNTY OF POLK, STATE OF IOWA  
 SHEET 2 OF 4



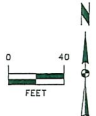
PROPOSED PLANTING SCHEDULE

-  DECIDUOUS TREE
-  CONIFEROUS TREE
-  ORNAMENTAL TREE
-  CONIFEROUS SHRUBS
-  DECIDUOUS SHRUBS
-  ORNAMENTAL GRASSES
-  PERENNIAL PLANTS

I hereby certify that the portion of this technical submission described below was prepared by me or under my direct supervision and responsible charge. I am a duly licensed Professional Landscape Architect under the laws of the State of Iowa.

Timothy L. West, ASLA Date  
 License Number 412  
 Pages or sheets covered by this seal:

License Expires: June 30, 2019




PROJECT NO.	119.0726	SHEET NO.	2 OF 4
DATE	10/08/19	SCALE	AS SHOWN
PROJECT	FOURTH AMENDMENT RIVER POINT WEST	DATE	10/08/19
ENGINEER	EDC	DATE	10/08/19
PROJECT	FOURTH AMENDMENT RIVER POINT WEST	DATE	10/08/19

**SHERMAN OFFICE SITE**

PLAN MAP

**SNYDER & ASSOCIATES, INC.**

DES MOINES, IA  
 2777 S.W. SNYDER BLVD.  
 ANKENY, IOWA 50023  
 515-964-2020 | www.snyder-associates.com



**SNYDER & ASSOCIATES**

Project No: 119.0726  
 Sheet 2 of 4



FOURTH AMENDMENT RIVER POINT WEST PUD ZON2015-00073  
A PLANNED UNIT DEVELOPMENT  
IN THE CITY OF DES MOINES, COUNTY OF POLK, STATE OF IOWA  
SHEET 3 OF 3



OPN ARCHITECTS  
183 COURT AVENUE, SUITE 100  
DES MOINES, IA 50301  
515-265-2500  
www.opnarchitects.com  
opn@opnarchitects.com

SHEPHERD, PETER, ARCHITECTS, INCORPORATED  
224 WEST 14TH STREET, SUITE 400  
DES MOINES, IOWA 50319  
515-265-2500  
www.shepherdarchitects.com  
shepherd@shepherdarchitects.com

Owner:  
SHERMAN ASSOCIATES  
333 PARK AVENUE SOUTH  
SUITE 201  
MINNEAPOLIS, MN 55415  
P. 612-333-3300

Planned:  
SHEPHERD - GRAY'S  
LANDING (PH1)  
MLK & SW 9th-11th STREETS

Contractor:  
\_\_\_\_\_

Consultants:  
CIVIL ENGINEER  
BENDER & ASSOCIATES, INC.  
217 SW ENVER BOULEVARD  
AMERY, IA 50023  
P. 688.664.0206  
STRUCTURAL ENGINEER  
CHARLES S&S ENGINEERING  
438 UNIVERSITY AVENUE  
DES MOINES, IA 50319  
P. 515.279.3010  
MECHANICAL ENGINEER  
\_\_\_\_\_

ELECTRICAL ENGINEER  
\_\_\_\_\_

\*By Plan  
\_\_\_\_\_

Approval Date  
PUD AMENDMENT 10/12/13

Previous Issue Date  
\_\_\_\_\_

Revision Dates  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Drawing:  
BUILDING ELEVATIONS -  
PUD AMENDMENT  
SUBMITTAL

DWG Project No. 14889291

