



Roll Call Number

15-1077

Agenda Item Number

57

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-

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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 Hensley 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	7			

MOTION CARRIED

APPROVED

T. M. Franklin Mayor

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.

Diane Rauh

City Clerk