

Date September 28, 2015

**RESOLUTION HOLDING HEARING ON REQUEST FROM SHERMAN GRAY'S  
LANDING HOTEL DEVELOPMENT, LLC FOR A 3<sup>RD</sup> AMENDMENT TO THE  
GRAY'S LANDING OFFICE I PUD CONCEPTUAL PLAN ON PROPERTY LOCATED AT  
333 SOUTHWEST 11<sup>TH</sup> STREET**

**WHEREAS**, on September 14, 2015, by Roll Call No. 15-1513, the City Council received and filed a communication from the City Plan and Zoning Commission advising that at a public hearing held on September 3, 2015, its members voted 8-0 in support of a motion to recommend **APPROVAL** of a request from Sherman Gray's Landing Hotel Development, LLC (owner), represented by Bret Smith (officer), for a 3rd Amendment to the Gray's Landing Office I PUD Conceptual Plan on property located at 333 Southwest 11th Street ("Property"), to revise sign area allowances for three wall-mounted signs (129.70 square feet on East façade, 47.72 square feet on each of North and South facades) for the approved hotel; and

**WHEREAS**, on September 14, 2015, by Roll Call No. 15-1513, it was duly resolved by the City Council that the application of Sherman Gray's Landing Hotel Development, LLC for review and approval of the proposed 3rd Amendment to the Gray's Landing Office I PUD Conceptual Plan for the Property, as legally described below, be set down for hearing on September 28, 2015, 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 I PUD Conceptual Plan; and

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

**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 3rd Amendment to the Gray's Landing Office I PUD Conceptual Plan for the Property, locally known as 333 Southwest 11<sup>th</sup> 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

( continued )

★ Roll Call Number

15-1647

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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 3rd Amendment to the Gray's Landing Office I 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.

MOVED BY Hensley TO ADOPT.

FORM APPROVED:

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

(ZON2015-00158)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			
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.

T. M. Franklin Mayor

Diane Rauh City Clerk