



Roll Call Number

19-1829

Agenda Item Number

26

Date November 18, 2019

RESOLUTION SETTING HEARING ON REQUEST FROM RIVER POINT WEST, LLC TO AMEND PUD CONCEPTUAL PLAN FOR PROPERTY LOCATED AT 205 SOUTHWEST 11TH STREET

WHEREAS, the City Plan and Zoning Commission has advised 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 11th 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 4th 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 11th 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 11th Street to the west.
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 building.
9. Sheet 2 shall be revised to demonstrate landscaping material along both West Martin Luther King, Jr. Parkway and Southwest 11th 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, the Property is legally described as follows:

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



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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.)

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

- 1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed 5th Amendment to the Gray's Landing Office Park I PUD Conceptual Plan is to be considered shall be held at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on December 2, 2019, at which time the City Council will hear both those who oppose and those who favor the proposals.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposals in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED BY Boesen 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 (7).

MOTION CARRIED APPROVED J. M. Franklin Cownie Mayor

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.

P. Kay Cmelik City Clerk