



Roll Call Number

22-1356

Agenda Item Number

41

Date August 22, 2022

RESOLUTION HOLDING HEARING ON REQUEST FROM MERCY HOSPITAL MEDICAL CENTER FOR REVIEW AND APPROVAL OF AN 8th AMENDMENT TO THE MERCY HOSPITAL CENTER PUD CONCEPTUAL PLAN LOCATED AT 1111 6TH AVENUE

WHEREAS, on August 8, 2022, by Roll Call No. 22-1253, the City Council received a communication from the City of Des Moines Plan and Zoning Commission advising that at a public hearing held on July 21, 2022, its members voted 13-0 to **APPROVE** a request from Mercy Hospital Medical Center (owner), represented by Diane Cummings (officer), to review and approve an amendment to the “Mercy Hospital Center” Planned Unit Development Conceptual Plan on property located at 1111 6th Avenue (“Property”) to amend the conceptual development plan to allow modifications to the western parking ramp, including demolition of the original West Parking Ramp parking garage and a new ramp addition to the north of the previous addition to allow vertical circulation and associated wayfinding signage, subject to the following conditions:

1. Any proposed modifications shall comply with the 6th Avenue Streetscape Plan Phase 3 design concept.
2. Any parking lot shall be landscaped in accordance with Chapter 135, Article 7 (Planning and Design Ordinance), of the City Code, as required in the “MX3” District, and shall be reviewed and approved by the City’s Planning and Urban Design Division.
3. All landscaping including mature trees along Laurel Street shall be maintained to the maximum extent possible.
4. Addition of the following notes on the “PUD” Conceptual Plan:
 - a) Development of the site shall comply with the Tree Removal and Mitigation Ordinance contained in Chapter 42, Article X, of the City Code.
 - b) Any grading is subject to an approved grading permit and soil erosion control plan, as well as a Stormwater Pollution Protection Plan (SWPPP) approved by the Iowa DNR.

; and

WHEREAS, the Property is legally described as follows:

LOTS 1 THROUGH 5 IN BLOCK "A", LOTS 1 AND 2 IN BLOCK "B", AND LOTS 1 THROUGH 3 BLOCK "D" AND STREET LOT "I" AND "K", ALL IN RIVER HILLS PLAT 1 BEING ANOFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND



Roll Call Number

22-1356

Agenda Item Number

41

Date August 22, 2022

A PART OF UNIVERSITY COURT RECORDED IN QUIT CLAIM DEED BOOK 6060 PAGE 198 AND A PART OF LOTS 47 AND 92 AND A PART OF AN ALLEY BETWEEN LOTS 47 AND 92 RECORDED IN WARRANTY DEED BOOK 6088 PAGE 01, ALL IN GRAND PARK BEING AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK "A" OF RIVER HILLS PLAT 1; THENCE NORTH $0^{\circ}00'39''$ WEST, 90.49 FEET; THENCE NORTH $0^{\circ}31'15''$ EAST, 64.31 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 17.50 FEET, WHOSE ARC LENGTH IS 31.87 FEET AND WHOSE CORD BEARS NORTH $52^{\circ}40'17''$ EAST, 27.64 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 455.00 FEET, WHOSE ARC LENGTH IS 78.97 FEET AND WHOSE CORD BEARS SOUTH $70^{\circ}11'37''$ EAST, 78.87 FEET; THENCE SOUTH $65^{\circ}13'11''$ EAST, 239.35 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 512.50 FEET, WHOSE ARC LENGTH IS 214.67 FEET AND WHOSE CORD BEARS SOUTH $77^{\circ}13'06''$ EAST, 213.11 FEET; THENCE SOUTH $0^{\circ}00'39''$ EAST, 4.44 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE NORTH $89^{\circ}13'25''$ WEST ALONG SAID NORTH LINE, 521.94 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.94 AC (40,780 S.F.).

AND

(BOOK 11415 PAGE 563-564)

THE NORTH 54.9 FEET OF LOT 1, BLOCK 4, EXCEPT THE EAST 11.92 FEET AT THE NORTH LINE AND THE EAST 11.662 FEET ON THE SOUTH LINE THEREOF, WALNUT HILLS ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA LOCALLY KNOWN AS 1122-6TH AVENUE, DES MOINES, IOWA.

AND

(BOOK 10674 PAGE 961-962)

LOT 19 IN THE OFFICIAL PLAT OF THE NORTHEAST FRACTIONAL QUARTER (NE FRL 1/4) OF THE NORTHWEST FRACTIONAL QUARTER (NW FRL 1/4) OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 24, WEST OF THE 5TH P.M.; (EXCEPT THE FOLLOWING PIECE WHICH HAS BEEN DEEDED FOR STREET PURPOSES; BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 19, THENCE WEST 12.19 FEET, THENCE IN A NORTHERLY DIRECTION 50.01 FEET TO THE NORTH LINE OF



Roll Call Number

22-1356

Agenda Item Number

41

Date August 22, 2022

SAID LOT, THENCE EAST 12.46 FEET TO THE NORTHEAST CORNER OF SAID LOT, THENCE SOUTHERLY ALONG THE EAST LINE OF SAID LOT, 50.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT TO PLACE OF BEGINNING) ALL INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND LOCALLY KNOWN AS 1130-6TH AVENUE, DES MOINES, IOWA.

AND

THE WEST 111.54 FEET OF LOT 18 OF THE OFFICIAL PLAT OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 24, WEST OF THE 5TH P.M.; EXCEPT A TRIANGULAR PORTION OF SAID LOT WHICH LIES WITHIN THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 18; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID LOT 18, A DISTANCE OF 60 FEET; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE, TO A POINT ON THE WEST LINE OF SAID LOT 18, SAID POINT BEING 15 FEET NORTH OF THE SOUTHWEST CORNER HEREOF; THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 18, TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; EXCEPT LEGALLY ESTABLISHED ROAD AND HIGHWAYS AND LOCALLY KNOWN AS 1134-6TH AVENUE, DES MOINES, IOWA.

AND

THE SOUTH 6 INCHES OF LOT 1 (EXCEPT THAT PART DEEDED TO THE CITY OF DES MOINES, AND LOT 2 (EXCEPT THE FOLLOWING: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 60 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE WEST ALONG THE SOUTH LINE OF LOT 2, A DISTANCE OF 11.37 FEET; THENCE IN A NORTHERLY DIRECTION 60 FEET TO A POINT ON THE NORTH LINE OF LOT 2; THENCE EAST 11.66 FEET TO THE POINT OF BEGINNING), AND THE WEST 112.63 FEET OF THE NORTH HALF OF LOT 3, ALL IN BLOCK 4 IN WALNUT HILL ADDITION TO FORT DES MOINES, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND LOCALLY KNOWN AS 1108, 1112 & 1116-6TH AVENUE, DES MOINES, IOWA.

AND

THE SOUTH 1/2 OF LOT 3, IN BLOCK 4 IN WALNUT HILL ADDITION, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, (EXCEPT THE FOLLOWING: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 3, THENCE RUNNING WEST 11.09 FEET, THENCE RUNNING IN A NORTHERLY



Roll Call Number

22-1356

Agenda Item Number

41

Date August 22, 2022

DIRECTION A DISTANCE OF 30 FEET, THENCE EAST ON A LINE PARALLEL TO THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 11.23 FEET TO THE EAST LINE OF SAID LOT 3, THENCE SOUTHERLY ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 30 FEET, TO THE POINT OF BEGINNING AND LOCALLY KNOWN AS 1106-6TH AVENUE, DES MOINES, IOWA.

AND

(BOOK 5908 PAGE 60)

LOT 20 IN THE OFFICIAL PLAT OF THE NE 1/4 OF THE NW 1/4 SECTION 4, TOWNSHIP 78 NORTH RANGE 24, WEST OF THE 5TH P.M., (EXCEPT A PART OF THE EAST END OF SAID LOT SOLD TO THE CITY OF DES MOINES DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 20, THENCE WEST ALONG THE SOUTH LINE 11.92 FEET, THENCE IN A NORTHERLY DIRECTION THROUGH SAID LOT 20 A DISTANCE OF APPROXIMATELY 50.1 FEET TO THE NORTH LINE OF SAID LOT, THENCE EAST ALONG THE NORTH LINE 12.19 FEET TO THE NORTHEAST CORNER OF SAID LOT, THENCE IN A SOUTHERLY DIRECTION ALONG THE EAST LINE OF SAID LOT, 50.01 FEET TO THE SOUTHEAST CORNER THEREOF, THE PLACE OF BEGINNING) ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

(BOOK 12696, PAGE 421)

LOT 4 IN BLOCK 4 OF WALNUT HILL ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA EXCEPT THAT PART CONVEYED TO THE CITY OF DES MOINES IN A DEED FILED IN BOOK 993, PAGE 330 ON NOVEMBER 5, 1926.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as required by law, setting forth the time and place on said proposed PUD amendment; and

WHEREAS, in accordance with said notice, those interested in said proposed PUD amendment, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.



Roll Call Number

22-1356

Agenda Item Number

41

Date August 22, 2022

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 and all statements of interested persons and arguments of counsel, any objections to the proposed 8th PUD amendment for the Mercy Hospital Center PUD Conceptual Plan are hereby received and filed, any and all objections to the proposed amendment are overruled, and the hearing is closed.
2. The proposed 8th PUD amendment for the Mercy Hospital Center PUD Conceptual Plan at 11111 6th Avenue is hereby approved subject to the conditions set forth above.

Moved by *Sheumaker* to adopt. Second by *Gatto*

APPROVED AS TO FORM:

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

J. M. Franklin Cownie Mayor

Laura Baumgartner City Clerk