

★ Roll Call Number

23-0224

Agenda Item Number

26

Date February 20, 2023

RESOLUTION SETTING HEARING ON REQUEST FROM HUBBELL REALTY COMPANY (OWNER), REPRESENTED BY CALEB SMITH (OFFICER), FOR REVIEW AND APPROVAL OF A 1ST AMENDMENT TO THE GRAY'S STATION PUD CONCEPTUAL PLAN, FOR PROPERTY LOCATED IN THE VICINITY OF 1300 TUTTLE STREET, TO UPDATE THE REALIGNMENT OF SOUTHWEST 13TH STREET AND TO REVISE REVIEW REQUIREMENTS FOR FUTURE PUD DEVELOPMENT SITE PLANS

WHEREAS, on February 20, 2023, the City Plan and Zoning Commission considered a request from Hubbell Realty Company (Owner), represented by Caleb Smith (Officer), for review and approval of a 1st amendment to the Gray's Station PUD Conceptual Plan, on property located in the vicinity of 1300 Tuttle Street, to update the realignment of Southwest 13th Street; and

WHEREAS, the City Plan and Zoning Commission voted 8-1-1 to **APPROVE** the 1st amendment to the Gray's Station PUD Conceptual Plan, on property located in the vicinity of 1300 Tuttle Street, to update the realignment of Southwest 13th Street and to revise review requirements for future PUD development site plans, subject to revisions to the 'Notes' section to allow administrative review of future development site plans in lieu of public review by the Plan and Zoning Commission and City Council, as follows:

1. Any final development plan for a new row home type development or a minor revision to an existing development is subject to administrative (by City staff) review and approval.
2. Any final development plan for a mixed-use building or a multiple-household residential building is subject to review and approval by the Plan and Zoning Commission, with any appeal of that decision considered by the City Council; and

WHEREAS, the Property is legally described as follows:

OUTLOTS Y AND Z AND A PART OF LOTS 6, 7 AND 9, CENTRAL DES MOINES INDUSTRIAL PARK, AN OFFICIAL PLAT AND PART OF LOTS 80, 81, 82, 85 AND 86 IN FACTORY ADDITION, AN OFFICIAL PLAT, ALL BEING IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 9, CENTRAL DES MOINES INDUSTRIAL PARK HAVING A STATE PLANE IOWA SOUTH COORDINATE VALUE OF NORTHING 575161.83 AND EASTING 1602813.57; THENCE SOUTH 89° (DEGREES) 48' (MINUTES) 50" (SECONDS) EAST ALONG THE NORTHERLY LINE OF SAID LOT 9, A DISTANCE OF 339.93 FEET TO THE SOUTHWEST CORNER OF LOT 2, SAID CENTRAL DES MOINES INDUSTRIAL PARK; THENCE SOUTH 89°46'52" EAST CONTINUING ALONG SAID NORTHERLY LINE, 419.55 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2 ALSO BEING A POINT ON THE WEST RIGHT OF WAY LINE OF SW 14TH STREET; THENCE SOUTH



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00°01'02" EAST CONTINUING ALONG SAID NORTHERLY LINE, 69.98 FEET TO THE SOUTHWEST CORNER OF STREET LOT B, SAID CENTRAL DES MOINES INDUSTRIAL PARK; THENCE SOUTH 89°35'21" EAST CONTINUING ALONG SAID NORTHERLY LINE, 70.00 FEET TO THE NORTHWEST CORNER OF LOT 8, SAID CENTRAL DES MOINES INDUSTRIAL PARK; THENCE SOUTH 00°08'06" WEST CONTINUING ALONG SAID NORTHERLY LINE, 423.70 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE SOUTH 89°19'18" EAST CONTINUING ALONG SAID NORTHERLY LINE, 307.20 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8, ALSO BEING THE NORTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00°08'11" WEST ALONG THE WESTERLY LINE OF SAID LOT 7, CENTRAL DES MOINES INDUSTRIAL PARK, 333.39 FEET; THENCE NORTHERLY CONTINUING ALONG SAID WESTERLY LINE AND A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 804.20 FEET, WHOSE ARC LENGTH IS 93.82 FEET AND WHOSE CHORD BEARS NORTH 03°29'07" WEST, 93.77 FEET; THENCE NORTH 06°58'06" WEST CONTINUING ALONG SAID WESTERLY LINE, 15.78 FEET TO THE NORTHWEST CORNER OF SAID LOT 7 ALSO BEING THE SOUTH RIGHT OF WAY LINE OF TUTTLE STREET; THENCE NORTH 81°10'49" EAST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 411.78 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE NORTH 00°05'48" WEST ALONG THE WEST LINE OF SAID LOT 6, CENTRAL DES MOINES INDUSTRIAL PARK, 72.11 FEET TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 81°52'47" EAST ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 347.62 FEET TO THE SOUTHEAST CORNER OF LOT 4, SAID CENTRAL DES MOINES INDUSTRIAL PARK; THENCE NORTH 00°31'45" WEST ALONG THE WESTERLY LINE OF SAID OUTLOT Y, CENTRAL DES MOINES INDUSTRIAL PARK, 63.43 FEET; THENCE NORTH 87°29'10" EAST CONTINUING ALONG SAID WESTERLY LINE, 10.37 FEET; THENCE NORTH 00°12'49" WEST CONTINUING ALONG SAID WESTERLY LINE, 554.99 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID CENTRAL DES MOINES INDUSTRIAL PARK AND HAVING A STATE PLANE IOWA SOUTH COORDINATE VALUE OF NORTHING 575907.16 AND EASTING 1604699.48; THENCE SOUTH 89°04'27" EAST ALONG THE NORTH LINE OF SAID OUTLOT Y, 15.36 FEET TO THE NORTHEAST CORNER OF SAID OUTLOT Y; THENCE NORTH 00°21'12" WEST ALONG THE WEST LINE OF SAID LOT 85, FACTORY ADDITION, 8.59 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF MARTIN LUTHER KING JR PARKWAY; THENCE NORTH 86°10'40" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 100.23 FEET; THENCE NORTH 84°40'04" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 199.44 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SW 11TH STREET; THENCE SOUTH 15°27'22" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 173.21 FEET; THENCE SOUTH 74°42'29" WEST, 99.77 FEET; THENCE SOUTH 15°25'34" EAST, 75.29 FEET; THENCE NORTH 74°32'27" EAST, 99.81 FEET TO SAID WESTERLY RIGHT OF WAY LINE; THENCE SOUTH 15°27'22" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 344.37 FEET TO A CORNER ON THE EASTERLY



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LINE OF SAID LOT 81; THENCE SOUTH 39°15'32" WEST ALONG SAID EASTERLY LINE, 97.08 FEET; THENCE SOUTH 79°27'19" WEST, 73.56 FEET TO THE EASTERLY LINE OF THE WEST HALF OF SAID LOT 81; THENCE SOUTHERLY ALONG SAID EASTERLY LINE AND A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 716.25 FEET, WHOSE ARC LENGTH IS 712.02 FEET AND WHOSE CHORD BEARS SOUTH 06°02'51" WEST, 683.06 FEET; THENCE SOUTH 67°48'12" WEST, 51.41 FEET TO A POINT ON THE EAST LINE OF THE WEST 100 FEET OF SAID LOT 80, FACTORY ADDITION; THENCE SOUTH 00°01'40" EAST ALONG SAID EAST LINE, 767.72 FEET; THENCE SOUTH 45°36'19" EAST, 692.69 FEET TO THE WESTERLY LINE OF SAID LOT 81; THENCE SOUTH 76°09'29" EAST, 50.00 FEET TO SAID EASTERLY LINE OF THE WEST HALF OF LOT 81, HAVING A STATE PLANE IOWA SOUTH COORDINATE VALUE OF NORTHING 573317.97 AND EASTING 1605461.84; THENCE SOUTHERLY ALONG SAID EASTERLY LINE AND A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 740.65 FEET, WHOSE ARC LENGTH IS 76.04 FEET AND WHOSE CHORD BEARS SOUTH 17°00'55" WEST, 76.01 FEET; THENCE NORTH 70°20'25" WEST, 50.00 FEET TO SAID WESTERLY LINE OF LOT 81; THENCE NORTH 45°36'19" WEST, 663.55 FEET TO SAID EAST LINE OF THE WEST 100 FEET OF LOT 80; THENCE SOUTH 00°01'40" EAST ALONG SAID EAST LINE, 439.03 FEET TO THE NORTH BANK AND MEANDER LINE OF THE RACCOON RIVER; THENCE NORTH 71°44'57" WEST AND ALONG SAID MEANDER LINE AND THE SOUTHERLY LINE OF SAID OUTLOT Z, CENTRAL DES MOINES INDUSTRIAL PARK, 888.50 FEET; THENCE NORTH 83°01'49" WEST CONTINUING ALONG SAID SOUTHERLY LINE, 463.82 FEET; THENCE NORTH 89°10'53" WEST CONTINUING ALONG SAID SOUTHERLY LINE, 291.24 FEET; THENCE SOUTH 82°06'06" WEST CONTINUING ALONG SAID SOUTHERLY LINE, 296.82 FEET; THENCE SOUTH 72°02'02" WEST CONTINUING ALONG SAID SOUTHERLY LINE, 228.32 FEET TO THE SOUTHWEST CORNER OF SAID OUTLOT Z; THENCE NORTH 00°03'17" EAST ALONG THE WEST LINE OF SAID CENTRAL DES MOINES INDUSTRIAL PARK, 1647.05 FEET TO THE POINT OF BEGINNING AND CONTAINING 83.73 ACRES (3,647,186 SQUARE FEET) AND IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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 1st amendment to the Gray's Station PUD Conceptual Plan is to be considered shall be held on March 6, 2023 at 5:00 PM in the Council Chambers, City Hall, 400 Robert D. Ray Dr., Des Moines, IA 50309.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) and not more than twenty (20) days before the date of the hearing, all as specified in Sections 362.3 and Section 414.4 of the Iowa Code.



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Moved by Gatto to adopt. Second by Voss

APPROVED AS TO FORM:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(ZONG-2022-000095)

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

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.

MOTION CARRIED APPROVED
T. M. Frank Cownie Mayor

Laura Baumgartner City Clerk