

ORDINANCE NO. 15,216

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 205 SW 11th Street from the C-3B Central Business Mixed Use District to the PUD Planned Unit Development District classification and to amend the Riverpoint West PUD Conceptual Plan, and conditionally approve the PUD Conceptual Plan Amendment.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 205 SW 11th Street, more fully described as follows:

Area to be rezoned to PUD:

A PART OF LOTS A AND 1, 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 EAST LINE OF SAID LOT 1, A DISTANCE OF 6.31 FEET; THENCE SOUTH 74° 32' 20" WEST, 632.31 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SW 11TH STREET; THENCE NORTH 15° 17' 41" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 321.58 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 THE WESTERLY RIGHT-OF-WAY LINE OF SW 9TH STREET; THENCE SOUTH 15° 27' 40" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 236.13 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.09 ACRES (178,163 S.F.).

TOTAL P.U.D. DESCRIPTION:

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 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.).

from the C-3B Central Business Mixed Use District to the PUD Planned Unit Development District classification and to amend the Riverpoint West PUD Conceptual Plan, and conditionally approve the PUD Conceptual Plan Amendment subject to the following conditions:

- (1) A note shall be added to the PUD Conceptual Plan to state that future development of the balance of the PUD shall be subject to review and approval of an amendment(s) to the PUD Conceptual Plan by the City Council after report and recommendation by the Plan & Zoning Commission.
- (2) A note shall be added to the PUD Conceptual Plan to state that future development of the land to the east of the proposed hotel shall include a building that substantially frames Tuttle Street and is as far east as possible. Prior to City Council's approval of the PUD Conceptual Plan amendment for the hotel, the developer shall provide a conceptual sketch that demonstrates how the sewer, stormwater and parking would be generally configured to accommodate the layout for the second building in the described location.
- (3) The entrance on the south façade facing Tuttle Street shall be similar in size and design to the proposed entrance on the west façade facing Southwest 11th Street.
- (4) The outdoor plaza at the southwest corner of the site shall be extended east to the entrance on the building's south façade facing Tuttle Street.
- (5) The architectural details regarding the installation of thin brick at window heads, jambs, sills, EIFS, Hardi-board, the ground, and landscaping shall be modified and expanded to the satisfaction of the Planning Administrator.
- (6) An overall signage plan shall be submitted for review by staff, recommendation by the Plan and Zoning Commission, and approval by the City Council. No non-building-mounted signage will be permitted or constructed until the overall sign plan for Grays Lake Office Park is approved.
- (7) The refuse collection container enclosure shall be shifted east and/or additional Landscape screening shall be added.

Sec. 2. This ordinance shall be in full force and effect from and after the later of its passage and publication as provided by law.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of the vicinity map, this ordinance, and proof of publication of this ordinance to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:

Michael F. Kelley, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 13-1437), passed by the City Council of said City at a meeting held September 9, 2013 signed by the Mayor on September 9, 2013 and published and provided by law in the Business Record on September 27, 2013. Authorized by Publication Order No. 8624.

Diane Rauh, City Clerk