



**Roll Call Number**

23-0435

**Agenda Item Number**

59

**Date** March 27, 2023

**RESOLUTION HOLDING HEARING ON REQUEST FROM HUBBELL REALTY COMPANY (OWNER), REPRESENTED BY CALEB SMITH (OFFICER), FOR REVIEW AND APPROVAL OF PUD FINAL DEVELOPMENT PLAN FOR “GRAY’S STATION TELUS CONDOS,” FOR PROPERTY LOCATED IN THE VICINITY OF 1300 TUTTLE STREET**

**WHEREAS**, on February 20, 2023, by Roll Call No. 23-0225, the City Council received a communication from the City Plan and Zoning Commission advising that the Commission voted 8-1-1 to **APPROVE** a request from Hubbell Realty Company (Owner), represented by Caleb Smith (Officer), to approve the PUD Final Development Plan for “Gray’s Station Telus Condos” for property located in the vicinity of 1300 Tuttle Street to allow development of the property with the construction of two condo buildings containing 84 residential units, subject to compliance with all administrative review requirements and the following:

1. Provision of a “band” of architectural concrete masonry unit materials from grade up to 2’ for the standalone garages that matches the concrete masonry units proposed for the condo buildings.
2. Provision of a sidewalk connection from the southeastern corner of “Building 2” that crosses the internal vehicular drive to link up with the north-south pedestrian pathway that bisects this development area.
3. Provision of more-detailed exterior façade materiality information that matches the standards outlined within the PUD Conceptual Plan.
4. Verification that all exterior façade glazing contains a minimum 50% transmittance factor and a reflectance factor of no more than .25; 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



**Roll Call Number**

230435

**Agenda Item Number**

59

Date March 27, 2023

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 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,



Roll Call Number

23-0435

Agenda Item Number

59

Date March 27, 2023

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 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.

**WHEREAS**, on February 20, 2023, by Roll Call No. 23-0225, it was duly resolved by the City Council that the request for approval of the PUD Final Development Plan be set down for hearing on March 6, 2023, at 5:00 p.m. at City Hall Council Chambers, 400 Robert D. Ray Dr., Des Moines, Iowa 50309; and



**Roll Call Number**

23.0435

**Agenda Item Number**

59

**Date** March 27, 2023

**WHEREAS**, on March 6, 2023, by Roll Call No. 23-0332, the City Council opened and further continued said hearing to 5:00 p.m. on March 27, 2023, upon request by the applicants' representative for additional review time; 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 PUD Final Development Plan; and

**WHEREAS**, in accordance with said notice, those interested in said proposed PUD Final Development 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 and all statements of interested persons and arguments of counsel, any objections to the proposed "Gray's Station Telus Condos" PUD Final Development Plan are hereby overruled, and the hearing is closed.
2. The proposed Amendment to the "Gray's Station Telus Condos" PUD Final Plan, as on file in the Development Services Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved subject to compliance with all administrative review comments as well as those requirements stated above.

Moved by Mandelbaum to adopt. Second by Voss

APPROVED AS TO FORM:

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

(SITE-2022-000152)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
MANDELBAUM	✓			
SHEUMAKER				✓
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED APPROVED

T.M. Franklin Cownie  
Mayor

**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.

Laura Baumgartner  
City Clerk