

Meeting Agendas/Info

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

01-532

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

AGENDA:

OCTOBER 22, 2001

SUBJECT:

MEMORANDUM OF
AGREEMENT FOR
ARCHAEOLOGICAL
RESOURCES AND
DESIGN REVIEW AT
THE VINE STREET
LOFTS PROJECT

SYNOPSIS -

Approval of a Memorandum of Agreement (MOA) with the State Historic Society of Iowa and the Iowa Department of Economic Development (IDED) detailing archaeological and design review requirements in order to take into account historic, architectural and archaeologically significant properties and resources.

FISCAL IMPACT -

The Downtown Community Alliance will pay for the costs of archaeological excavation and printing of a brochure. The costs associated with the architectural review are undetermined. If costs do arise, they will be the responsibility of the developer.

TYPE:

RECOMMENDATION -

RESOLUTION
ORDINANCE
RECEIVE/FILE

Approval.

SUBMITTED BY:

JIM GRANT
COMMUNITY
DEVELOPMENT
DIRECTOR

BACKGROUND -

The use of federal HOME dollars for the Vine Street Lofts project requires an evaluation of the development's impact on historically significant properties and archaeological resources. This is generically referred to as a Section 106 review, named after the section of the federal code that details the review process. Section 106 was approved as a part of the National Historic Preservation Act of 1966, as amended. The entire process is included in 36 CFR Part 800.

The Vine Street Lofts project is an apartment and condominium development that is to be located south of 100 Court Avenue at 1st and Vine Streets. The Neighborhood Revitalization Board has recommended that the City allocate \$250,000 of federal HOME funds for affordable housing in the apartments. IDED has approved an

allocation of \$700,000 of federal HOME funds for affordable housing in the apartments.

The Vine Street Lofts are located in the Fort Des Moines Archaeological Site that has been found eligible for the National Register of Historic Places. Preliminary geoarchaeological investigation on the site indicates prehistoric deposits containing Woodland (circa A.D. 300-1100) artifacts and Oneota (circa A.D. 1150-1300) artifacts and features. The historic deposits include artifacts and features associated with Fort Des Moines and the early Town of Fort Des Moines.

The mitigation measures in the MOA include:

- Review of the design of the buildings by the State Historic Society of Iowa for its impact on the surrounding historic sites including 100 Court Avenue and the riverfront.

- Archaeological investigation of the site performed by an archaeological firm certified by the State Historic Society of Iowa.

- Public outreach in the form of a document to be developed and distributed.

The City has notified 11 Native American organizations of the proposed archaeology because of the probability of finding artifacts related to occupation by early Native Americans. Two Native American Tribes, the Iowa Tribe of Oklahoma and the Iowa Tribe of Kansas and Nebraska, have asked to be concurring parties to the MOA. A concurring party agrees to the work being performed but does not have the authority to execute, amend, or terminate the MOA. The City has also informed the Polk County Historic Society and the City's Historic District Commission of the project.

Downtown Community Alliance and the developer have been kept informed of the progress of the MOA and are in agreement that it should be signed.

Executing the MOA and implementing each of the steps will insure that the City has satisfied federal requirements on protecting historic, architectural and archaeologically significant properties.
