

Date January 28, 2013

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 17, 2013, its members voted 8-1-1 in support of a motion to recommend **APPROVAL** of a request from Hatch Development Group (purchaser) represented by Jack Hatch (officer) Neighborhood Development Corporation (owner), to rezone property located at 501, 509, and 513 Forest Avenue from R1-60 One-Family Low-Density Residential District and C-1 Neighborhood Retail Commercial to NPC Neighborhood Pedestrian Commercial District to allow for development of 41 residential units subject to the following conditions:

1. The following uses shall be prohibited:
  - a) taverns and nightclubs,
  - b) billiard parlor/game room,
  - c) communication tower/antenna (unless as an extension of 20 feet or less from the structure),
  - d) delayed deposit services,
  - e) pawn brokers,
  - f) gas stations/convenience stores,
  - g) off-premises advertising signs, and
  - h) liquor stores where gross revenues of tobacco and alcohol products exceed 40% of sales.
2. The density of any future residential development shall be dependent upon Site Plan review.
3. Any off-street parking shall be landscaped and screened in accordance with the City's Landscape Standards as applicable to the "C-2" District.
4. Any trash enclosure on site shall conform to the standards of the Zoning Ordinance and be comprised of durable materials that compliment the principal building with solid steel gates.

Date January 28, 2013

The subject property is more specifically described as follows:

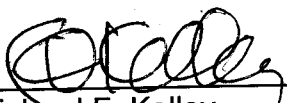
South 82 feet of the East 50 feet, Lot 1, Bates Addition, an Official Plat, and the South 100 feet of the West 42 feet, Lot 1, Bates Addition, and the South 100 feet of the East 10 feet, Lot 1, Hedges Addition, an Official Plat, and the West 50 feet of Lot 1, Hedges Addition and Lot 3, Hedges Addition, and an un-numbered lot between Lots 1 and 3, Hedges Addition sometimes known as Lot 2, Hedges Addition, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on February 11, 2013, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. 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) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

FORM APPROVED:

MOVED by \_\_\_\_\_ to adopt.

  
 Michael F. Kelley  
 Assistant City Attorney

(ZON2012-00226)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

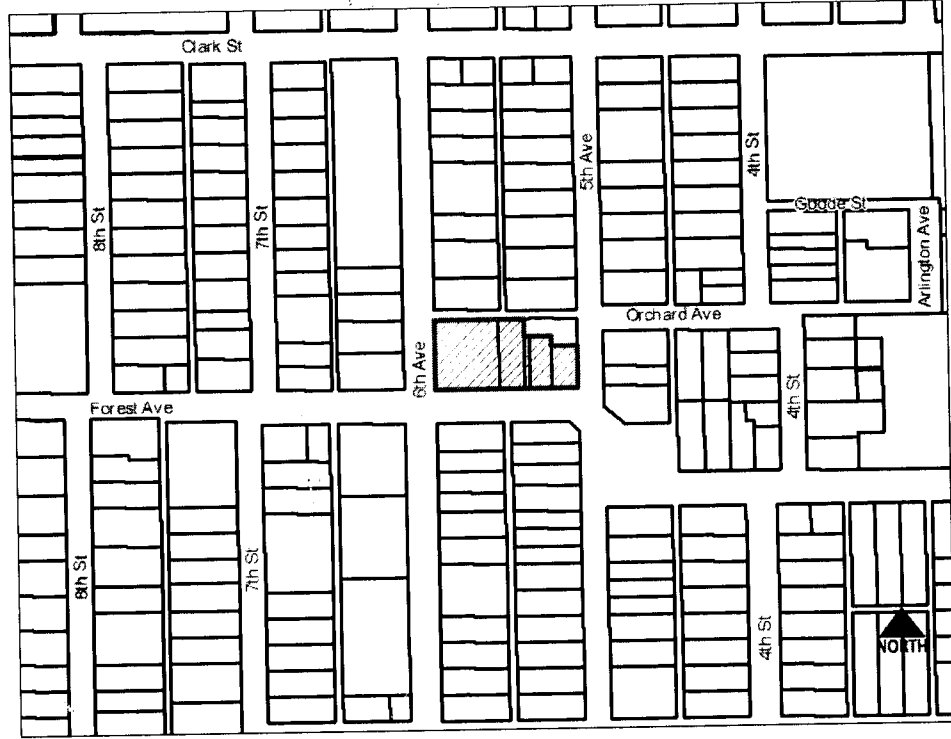
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_ City Clerk

Request from Hatch Development Group (purchaser) represented by Jack Hatch (officer) to rezone property located at 501, 509, and 513 Forest Avenue. The subject property is owned by Neighborhood Development Corporation.				<b>File #</b> <b>ZON2012-00226</b>	
<b>Description of Action</b>	Approval of request to rezone from "R1-60" One-Family Low-Density Residential District and "C-1" Neighborhood Retail Commercial to "NPC" Neighborhood Pedestrian Commercial District to allow for development of up to 30 residential units subject to conditions.				
<b>2020 Community Character Plan</b>	Low-Density Residential and Commercial: Pedestrian-Oriented Commercial Corridor				
<b>Horizon 2035 Transportation Plan</b>	No Planned Improvements				
<b>Current Zoning District</b>	"R1-60" One-Family Low-Density Residential District and "C-1" Neighborhood Retail Commercial District				
<b>Proposed Zoning District</b>	"NPC" Neighborhood Pedestrian Commercial District				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	2	4			
Outside Area					
<b>Plan and Zoning Commission Action</b>	Approval	8-1-1	<b>Required 6/7 Vote of the City Council</b>	Yes	N/A
	Denial			No	

Hatch Development Group - 501, 509, and 513 Forest Ave ZON2012-00226



Item 2012 0226 Date Jan - 9 - 2013.

19

(am)  (am not) in favor of the request.

(Circle One)

Print Name Sergio Hernandez

Signature [Signature]

Address 400 NW 52nd Ave  
Des Moines IA 50313.

Reason for opposing or approving this request may be listed below:

it is a good Development for the  
community and the area.

Item 2012 0226 Date 1/10/13

(am)  (am not) in favor of the request.

(Circle One)

Print Name MICHAEL HILDEBRAND

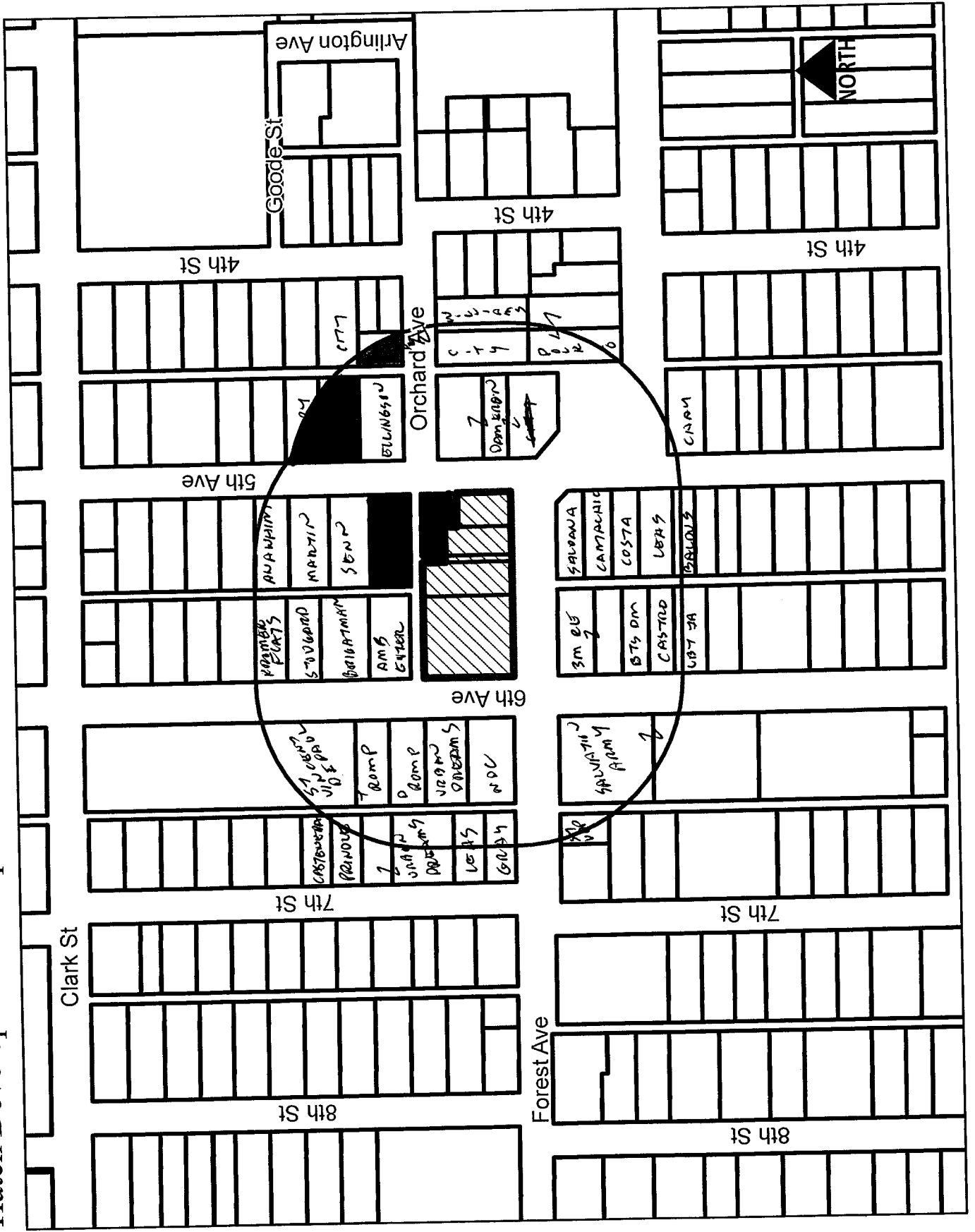
Signature [Signature]

Address 410 FRANKLIN AVE

Reason for opposing or approving this request may be listed below:

THIS PROJECT IS GOING TO BE AN ICONIC POSITIVE  
CHANGE FOR OUR NEIGHBORHOOD AND 6TH AVE. THIS  
PROJECT IS NECESSARY TO KEEP OUR NEIGHBORHOOD  
MOVING FORWARD AND IS ANOTHER POSITIVE SIGN  
OF ALL OF OUR HARD WORK RIVER BEND  
NEIGHBORHOOD ASSOCIATION

Hatch Development Group - 501, 509, and 513 Forest Ave ZON2012-00226



Item 2012 0226 Date 10 Jan 13

I (am)  (am not) in favor of the request.

(Circle One)



Print Name DALE M SMITH

Signature Dale M Smith

Address 1422 5TH AVE DSM, IA

Reason for opposing or approving this request may be listed below:

THE SAME REASON I OPPOSED AN ANIMALS DEVELOPMENT  
ON THE SAME GROUND YOU COULD HAVE AS MANY OR MORE  
THAN 160 PEOPLE IN 4 1/2 LOTS, THATS TOO DENSE. ALL  
DUMPING GARBAGE IN MY BACKYARD. IF YOU ARE GOING TO  
BUILD A CHETD DONT BUILD IN MY BACK YARD.

Item 2012 0226 Date 1-10-13

I (am)  (am not) in favor of the request.

(Circle One)



Print Name Do Meade Bill Las

Signature Meade Bill Las

Address 1424 - 5th Ave

Reason for opposing or approving this request may be listed below:

there is no space for 41 families  
with kids for the children  
to play - They would be all  
up and down the alley!

Item 2012 0226 Date 1-9-13

I (am)  (am not) in favor of the request.

(Circle One)



Print Name David Oxenreider  
Signature David Oxenreider  
Address 1429 5th Ave

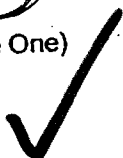
Reason for opposing or approving this request may be listed below:

There are already too many apartment or rental properties in the neighborhood. Do not want another Apartment building right by my house.

Item 2012 0226 Date Jan 12, 2013

I (am)  (am not) in favor of the request.

(Circle One)



Print Name Daniel & Carleena Mundy  
Signature Carleena Mundy  
Address 1431 5th Ave

Reason for opposing or approving this request may be listed below:

This neighborhood is finally improving w/ new homeowners, renovations, eyesores removed & increase in property values. Allowing a "inner city" apt. complex to be built would be a major "black eye" & from past experiences would more than likely make the neighborhood undesirable.

Item 2012 0226 Date 1-13-13

I (am) (am not) in favor of the request.

(Circle One)

7

Print Name MICHAEL TENHAKEN

Signature [Handwritten Signature]

Address 1337 6th Ave.

Reason for opposing or approving this request may be listed below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



January 23, 2013

Date \_\_\_\_\_

Agenda Item 19

File # \_\_\_\_\_

Honorable Mayor and City Council  
City of Des Moines, Iowa

**Members:**

Communication from the City Plan and Zoning Commission advising that at their meeting held January 17, 2013, the following action was taken regarding a request from Hatch Development Group (purchaser) represented by Jack Hatch (officer) to rezone property located at 501, 509, and 513 Forest Avenue.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 9-0-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley				X
Tim Fitzgerald	X			
Dann Flaherty	X			
John "Jack" Hilmes				X
Ted Irvine				X
Greg Jones	X			
William Page				X
Christine Pardee	X			
Mike Simonson			X	
CJ Stephens				X
Vicki Stogdill	X			
Greg Wattier	X			

**APPROVAL** of Part A) to find the proposed rezoning is **not** in conformance with the existing Des Moines' 2020 Community Character Plan designations of Low-Density Residential.

By separate motion Commissioners recommended 8-1-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley				X
Tim Fitzgerald	X			
Dann Flaherty	X			
John "Jack" Hilmes				X
Ted Irvine				X
Greg Jones	X			



CITY PLAN AND ZONING COMMISSION  
ARMORY BUILDING  
602 ROBERT D. RAY DRIVE  
DES MOINES, IOWA 50309-1881  
(515) 283-4182

ALL-AMERICA CITY  
1949, 1976, 1981  
2003

William Page				X
Christine Pardee	X			
Mike Simonson			X	
CJ Stephens				X
Vicki Stogdill		X		
Greg Wattier	X			

**APPROVAL** of Part B) to amend the Des Moines' 2020 Community Character Plan to revise the existing future land use designation from Low-Density Residential to Commercial: Pedestrian-Oriented Commercial Corridor; and Part C) to approve the rezoning from "R1-60" One-Family Low-Density Residential District and "C-1" Neighborhood Retail Commercial to "NPC" Neighborhood Pedestrian Commercial District to allow for development of up to 30 residential units, subject to the following conditions: (ZON2012-00226 & 21-2012-4.19)

1. The following uses shall be prohibited:
  - a) taverns and nightclubs,
  - b) billiard parlor/game room,
  - c) communication tower/antenna (unless as an extension of 20 feet or less from the structure),
  - d) delayed deposit services,
  - e) pawn brokers,
  - f) gas stations/convenience stores,
  - g) off-premises advertising signs, and
  - h) liquor stores where gross revenues of tobacco and alcohol products exceed 40% of sales.
2. The density of any future residential development shall be dependent upon Site Plan review.
3. Any off-street parking shall be landscaped and screened in accordance with the City's Landscape Standards as applicable to the "C-2" District.
4. Any trash enclosure on site shall conform to the standards of the Zoning Ordinance and be comprised of durable materials that compliment the principal building with solid steel gates.

**STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Part A) Staff recommends that the proposed rezoning be found not in conformance with the existing Des Moines' 2020 Community Character Plan designations of Low-Density Residential.

Part B) Staff recommends approval of an amendment to the Des Moines' 2020 Community Character Plan to revise the existing future land use designation from Low-Density Residential to Commercial: Pedestrian-Oriented Commercial Corridor.

Part C) Staff recommends approval of the requested rezoning, subject to the following conditions:

1. The following uses shall be prohibited:
  - a) taverns and nightclubs,

- b) billiard parlor/game room,
  - c) communication tower/antenna (unless as an extension of 20 feet or less from the structure),
  - d) delayed deposit services,
  - e) pawn brokers,
  - f) gas stations/convenience stores,
  - g) off-premises advertising signs, and
  - h) liquor stores where gross revenues of tobacco and alcohol products exceed 40% of sales.
2. The density of any future residential development shall be dependent upon Site Plan review.
  3. Any off-street parking shall be landscaped and screened in accordance with the City's Landscape Standards as applicable to the "C-2" District.
  4. Any trash enclosure on site shall conform to the standards of the Zoning Ordinance and be comprised of durable materials that compliment the principal building with solid steel gates

Written Responses

- 2 In Favor
- 4 In Opposition

**STAFF REPORT**

**I. GENERAL INFORMATION**

1. **Purpose of Request:** The proposed rezoning would allow redevelopment of the site in accordance with the "NPC" Neighborhood Pedestrian Commercial District regulations. The "NPC" District regulations are intended to allow pedestrian-oriented development by allowing buildings to be constructed up to front property lines and reducing the number of required off-street parking spaces.

If rezoned to "NPC" District, any development of the site would require future approval of a Site Plan and building elevations by the Plan and Zoning Commission in accordance with the "NPC" Design Guidelines. The future Site Plan will determine the allowed density of any development. In lieu of specific bulk regulations, the design guidelines state that multiple-family residential development should have 2,000 square feet of lot area per dwelling unit. Therefore, unless this guideline is waived by the Plan & Zoning Commission, the 31,964-square foot site could accommodate a maximum of 16 dwelling units.

The applicant's original application indicated a total of 41 units. The applicant has since submitted a conceptual site sketch showing a total of 29 units. Eight of the units would be located in a two-story building fronting Sixth Avenue. These units would be live/work units. The remaining 21 units would be located in a three story building fronting Forest Avenue. As noted above, the Commission would have to waive the design guideline on density when considering the Site Plan since the conceptual 29 dwelling units on the 31,964-square foot site represents only 1,102 square feet of lot area per dwelling unit.

2. **Size of Site:** 31,964 square feet (0.73 acre).
3. **Existing Zoning (site):** "C-1" Neighborhood Retail Commercial District and "R1-60" One-Family Low-Density Residential District.
4. **Existing Land Use (site):** vacant.
5. **Adjacent Land Use and Zoning:**
  - North* – "C-1" & "R1-60"; Uses consist of a used furniture store and a single-family dwelling.
  - South* – "C-1" & "R1-60"; Uses are multiple-family and single-family dwellings.
  - East* – "R1-60"; Uses consist of a single-family dwelling and vacant lots.
  - West* – "Limited NPC"; Use is a mixed-use building containing ground floor commercial uses with second floor dwelling units.
6. **General Neighborhood/Area Land Uses:** The subject property is located along the Sixth Avenue corridor, which contains a mix of commercial and residential uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the River Bend Neighborhood. This neighborhood was notified of the Commission meeting by mailing of the Preliminary Agenda on December 14, 2012. A Final Agenda was mailed to the neighborhood association on January 11, 2013. Additionally, separate notifications of the hearing for this specific item were mailed on December 28, 2012 (20 days prior to the hearing) and January 7, 2013 (10 days prior to the hearing) to the River Bend Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The River Bend Neighborhood Association notices were mailed to Mike Hildebrand, 410 Franklin Avenue, Des Moines, IA 50314.
8. **Relevant Zoning History:** None.
9. **2020 Community Character Land Use Plan Designation:** The western portion of the subject property is located within an area designated in the Des Moines' 2020 Community Character Plan as Commercial: Pedestrian-Oriented Commercial Corridor. The eastern portion of the property is designated as Low-Density Residential.
10. **Applicable Regulations:** The Commission reviews all proposals to amend zoning regulations or zoning district boundaries within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in §414.3 of the Iowa Code. The Commission may recommend that certain conditions be applied to the subject property if the property owner agrees in writing, prior to the City Council Hearing. The recommendation of the Commission will be forwarded to the City Council.

**II. ADDITIONAL APPLICABLE INFORMATION**

- 1. **Site Plan Requirements:** Any future development of the site must conform to the City's site plan requirements, including those regarding stormwater management, landscaping, and screening of adjoining residential properties. Staff recommends that any off-street parking be landscaped and screened in accordance with the City's Landscape Standards as applicable to the "C-2" District. Development of the site is also subject to the City's Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code).
  
- 2. **NPC Design Guidelines:** Should the property be rezoned to "NPC" District, a Site Plan and building elevations must be submitted for review and approval by the Plan and Zoning Commission under the following design guidelines applicable to development in the "NPC" District. *(A Site Plan has not been submitted for consideration at this time.)*
  - A) Buildings should frame the street and maintain a minimal setback from the street.
  - B) The front facade of the first floor of the building on the primary commercial street should have a ratio of at least 40 percent window and window display area to total street facade.
  - C) The front entrance should be oriented to the street. On a corner lot, the building should have a well-defined entrance on the primary commercial street.
  - D) Materials should be brick, stone, tile, stucco, or horizontal wood clapboard with a maximum width of six inches. Two-story buildings are encouraged.
  - E) Commercial buildings with over 50 feet of building frontage should have the appearance of being broken into separate bays of between 20 to 35 lineal feet using structural elements, fenestration patterns, protruding or recessed bays, or architectural details.
  - F) Building frontage should occupy at least 50 percent of the primary street frontage.
  - G) Off-street loading and parking spaces should be provided in compliance with sections 134-1376 and 134-1377 of the zoning chapter, subject to the following modifications:
    - a. The minimum number of off-street parking spaces is 60 percent of the number of spaces otherwise required by subsection 134-1377(a).
    - b. Parking should not exceed the amount otherwise required by section 134-1377 of this Code.
    - c. Parking should not use the front yard but should be concentrated along the side and in back of the building in the predominant pattern of character defining buildings.
    - d. Shared parking among businesses or between business and residential projects will be allowed, provided a shared parking plan is presented at the time of application, signed by the property owners, ensuring nonduplication of parking. The shared parking must be within 300 feet of the business or dwelling.
    - e. On-street parking directly adjacent to the occupant frontage shall count toward the minimum off-street parking requirement. Elimination of such on-street parking by the city shall have no effect on an approved site plan.
    - f. Tandem parking spaces shall count toward the minimum off-street parking requirement if a parking plan demonstrates that the parking will be for employees and will be occupied for over four hours between changes.

- g. An emphasis of trees, shrubs and other plantings should be placed around the perimeter of any parking area and within large parking lots to create a more attractive area. The landscape plan should generally enhance the visual appearance of the building, parking area and any pedestrian areas.
- H) The following bulk regulations should be observed:
  - a. Minimum lot area:
    - i. Single-family detached dwelling, 5,000 square feet.
    - ii. Single-family semidetached dwelling, 3,000 square feet.
    - iii. Two-family dwelling, 6,000 square feet.
    - iv. Multiple dwelling, 10,000 square feet.
    - v. Mixed-use project, 10,000 square feet.
    - vi. Shelter for the homeless, 8,000 square feet.
    - vii. No minimum requirement for permitted nonresidential uses.
  - b. Minimum lot area per dwelling unit:
    - i. Row and multiple dwellings, 2,000 square feet.
    - ii. Shelter for the homeless, 300 square feet of lot size for each resident.
  - c. Front yard: minimum of zero feet.
  - d. Side yards: minimum of zero feet.
  - e. Rear yard: None required, except when adjoining any R or C-0 district or portion of a PUD designated for residential use, in which case ten feet.
  - f. Height: minimum of 15 feet, maximum of 45 feet.
  - g. Number of stories:
    - i. Residential uses, a maximum of four stories.
    - ii. All other permitted uses, a maximum of two stories.
- I) Signs, which are attached or projecting from the building and designed for the character of the building, are preferred. Monument signs are allowed.

**3. Multiple-Family Residential Design Guidelines:** In acting upon any future site plan application that includes a multiple family dwelling, boardinghouse or roominghouse, the Plan and Zoning Commission shall apply the design regulations in section 82-213 and the additional design guidelines set forth below. The decision to approve, approve subject to conditions or disapprove a proposed site plan shall be based upon the conformance of the site plan with such design regulations and the following guidelines. *(A Site Plan has not been submitted for consideration at this time.)*

- A) Architectural character. New developments and alterations to existing development in or adjacent to existing developed areas shall be compatible with the existing architectural character of such areas by using a compatible design. Compatibility may be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, and/or the use of building materials that have color shades and textures similar to those existing in the immediate area of the proposed development. Brick and stone masonry shall be considered compatible with wood framing and other materials.
- B) Building height and mass. Buildings shall be either similar in size and height, or if larger, shall be articulated, setback or subdivided into massing that is proportional to the mass and scale of other structures on the same block and adjoining blocks. Articulation may be achieved through variation of roof lines, setbacks, patterns of door and window placement, and the use of characteristic entry features. To the maximum extent feasible, the height, setback and width of new buildings and alterations to existing buildings should be similar to those of existing buildings on the same block. Taller buildings or portions of buildings should be located interior to

the site. Buildings at the ends of blocks should be of similar height to buildings on the adjoining blocks.

- C) Building orientation. To the maximum extent feasible, primary facades and entries shall face the adjacent public street. A main entrance should face a connecting walkway with a direct pedestrian connection to the public street without requiring all pedestrians to walk through parking lots or across driveways.
- D) Garage access/location. If the prominent character of garage access and/or location is located to the rear of the properties in the surrounding neighborhood, then new construction should be compatible with such character.
- E) Rooftop/second story additions. A rooftop or second floor addition, including but not limited to stairs and emergency egress, should not overhand the front or side walls of the existing building.
- F) Emergency egress. All stairs and means of emergency egress extending more than 15 feet above grade and visible from the adjoining street should be completely enclosed with materials compatible in color and texture with the balance of the building.
- G) Parking. Parking lots containing more than eight parking spaces should comply with the adopted landscape standards applicable to commercial development in the C-1 district.

- 4. **Permitted Uses:** Staff recommends that the following uses be prohibited, given the proximity to residential uses: taverns and night clubs, billiard parlor/game room, communication tower/antenna (unless as an extension of 20 feet or less from the structure), delayed deposit services, pawn brokers, gas stations/convenience stores, off-premises advertising signs, and liquor stores where gross revenues of tobacco and alcohol products exceed 40% of sales.
- 5. **Parking & Access:** The submitted conceptual site sketch shows a 17-stall parking lot between the two buildings and a drive approach to Forest Avenue to the south and the alley to the north. A total of 17 on-street parking spaces are also identified around the perimeter of the site. Parking will be evaluated at the site plan stage. The parking standards for the "NPC" District are 40% less than the typical requirement and adjoining on-street parking spaces are counted towards meeting the requirement.

## SUMMARY OF DISCUSSION

Erik Lundy presented the report and staff recommendation.

Clark Schneider with Simonson and Associates Architect 1717 Ingersoll Avenue stated that Hatch Development is pursuing this property for a CDBG-DR application. They are proposing a paired two-story building up front with some green space and some plaza space with four live work/lofts abutting 6<sup>th</sup> Avenue and then four three-story live/work lofts on the back for a total of 30 dwelling units. The site will also incorporate green building practices such as green gardens, green space with overstory trees, pedestrian friendly walkways and coordinate these practices into the proposed 6<sup>th</sup> Avenue Corridor redevelopment.

Dann Flaherty asked if the buildings are going to be LEED certified.

Clark Schneider stated they are pursuing LEED certification. Riverbend Neighborhood Association and 6<sup>th</sup> Avenue Corridor group strongly support this project and the applicant is in agreement with the staff recommendation and respectfully requests the Commission's approval of the rezoning to an "NPC" District.

JoAnne Corigliano asked if the building will be a combination of commercial and residential use.

Clark Schneider stated they are going to be live/work lofts so there will be some start up businesses in this neighborhood. There will be both.

*The following spoke in favor of the applicant's request:*

Carol Bower representing Hatch Development 1312 Locust was ill and asked that Mike Hildebrand the president of the Riverbend Neighborhood Association read a brief statement regarding why Hatch Development would like to do this project.

Mike Hildebrand 410 Franklin Avenue speaking for Carol Bower and Hatch Development Group read a statement on how to help State Capital's to develop a vision to implement distinctive and environmentally friendly neighborhood that incorporate innovative green building and green infrastructure strategies. The program assists three to five communities per year under heavy competition nationwide. Des Moines Iowa and more specifically the 6<sup>th</sup> Avenue Corridor was selected in 2013 as one of five cities. EPA has selected a team of designers to visit Des Moines to produce schematic designs and exciting illustrations intended to catalyze or complement a larger planning process for the pilot neighborhood the 6<sup>th</sup> Avenue Corridor in Des Moines. Additionally, the pilot program on 6<sup>th</sup> Avenue could be the testing ground for citywide actions such as changes to codes and ordinances to better support sustainable development and green building. Des Moines will receive assistance to incorporate green infrastructure elements into a streetscape plan for a one mile segment of 6<sup>th</sup> Avenue. The 6<sup>th</sup> Avenue Corridor which serves as the northern gateway to the City's downtown is a main street Iowa urban neighborhood district with a direct access to the Des Moines River. The greening American's Capital's Project will create design options to revitalize this commercial streets, such as wider sidewalks, narrowing traffic lanes, better street lighting and improved bus stop shelters as well as, street trees, permeable pavement, rain gardens to minimize storm water runoff. The City plans to use 6<sup>th</sup> Avenue Corridor to guide designs for other planned streetscapes improvements throughout the City. In early redevelopment stages to revitalize 6<sup>th</sup> Avenue Corridor, Hatch Development Group has received input from the City, 6<sup>th</sup> Avenue Corridor Group, Neighborhood Association and the EPA regarding the green building standards that are expected to enhance the corridor. Simply redeveloping the streetscape is not enough. Sustainable green building will be required to enhance the corridor and hopefully, provide a best practice for other neighborhoods. Hatch Development Group, LLC now has an option on two of the final vacant properties currently available for new construction on the 6<sup>th</sup> Avenue Corridor. 6<sup>th</sup> & Forest, 1230 6<sup>th</sup> Avenue, plus a right of first refusal on 6<sup>th</sup> & Hickman and is prepared to make a substantial investment in the City's Strategic Redevelopment Plan. In order to meet the stricter green building standards it is necessary to change the rezoning to "NPC" to reduce the number of parking spaces to allow for the required mitigation of storm water onsite, i.e. rain gardens detentions and green space. "NPC" rezoning has been a standard for redevelopment on 6<sup>th</sup> Avenue on previous years and will probably be required for future projects as well.



Mike Hildebrand 410 Franklin Avenue, the Riverbend Board President stated he is speaking for himself, the board and the neighborhood. Early last year some members of the Riverbend Neighborhood Association reached out to Carol Bower and Hatch Development Group to request they come to the neighborhood to see what they had to offer. One of the key reasons they approached Hatch Development Group is they felt they were a good fit with their community with a proven track record of managing the properties in a responsible manner. Their projects are iconic in Des Moines with their signature design features such as high quality materials and construction and how their designs would complement the neighborhood historic neighborhood. Carol Bowers presented both 6<sup>th</sup> & Hickman and the 6<sup>th</sup> & Forest sites and preliminary proposals to the Riverbend Neighborhood Board of Directors in August. It was a unanimous decision to endorse both projects. These projects have also been presented to many of their residents and have been met with much excitement and no reservations. Many Riverbend residents have been working for over 20 years to bring this once thriving neighborhood and corridor back from the state where some property owners and leaders in the community history let it decay. While the City of Des Moines has been instrumental in working with them to accomplish the improvement you see today there has not been many private developers who are willing to commit their efforts and funding to the Riverbend Neighborhood. Hatch Development Group is ready to make the commitment and he personally believes that this development group will not only be the leader in redevelopment of the Riverbend and 6<sup>th</sup> Avenue Corridor but will also be the trigger to get others who are apprehensive to commit to our neighborhood to follow. He strongly encourages the Commission to join Riverbend Board of Directors and residents that embrace this project as key turning point in Riverbend revitalization efforts.

**CHAIRPERSON OPENED THE PUBLIC HEARING**

*There was no one to speak in favor or in opposition of the applicant's request.*

**CHAIRPERSON CLOSED THE PUBLIC HEARING**

Vicki Stogdill voiced her concern regarding parking. It is 40% less than it would normally be and with 30 units if there are two adults living in a unit and they each need a parking space that is almost 60 parking spaces needed. There are only 17 stalls off-street and 17 on the street. We may be doing this neighborhood a disservice by not making sure there is adequate parking for these units.

Carol Bowers stated there are approximately 32 spaces on site and on the street there is parking on the other side of the street as well that is not shown in their site plan that would be adequate parking. They will have 14 two-bedroom and 16 one-bedroom units on the site. The work/live lofts will typically have one person living in them even though they are a two bedroom unit. Hatch Development Group has developed on other sites what they are proposing for this site and it has worked out very well. The only way to make progress is to do "NPC" zoning for some of these sites.

Vicki Stogdill asked if there was any way to know how adequate the current parking is.

Erik Lundy stated he does not know of any issues with congestion of parking.

Greg Jones stated "NPC" may be a leap of faith but if they are going to have anything sustainable they need to reduce the amount of parking required. It is less paving, it is less everything. This is on a bus route, it is in a traditional neighborhood that had less parking required. This is the perfect place for "NPC". The ordinance allows it and they need to be encouraging it not discouraging it.

Mike Hildebrand stated the preliminary plans are two lanes of traffic and parking will be on the east as well as making it more walkable with wider sidewalks so there is no automobile issue.

Greg Wattier asked what drove the decision to not put the higher mass building along 6<sup>th</sup> Avenue versus to the inner street.

Carol Bowers it was a requirement of the neighborhood association and the 6<sup>th</sup> Avenue Corridor that they have some commercial along 6<sup>th</sup> Avenue. That is why they did the work/live lofts. They will be incubator spaces for small business.

### **COMMISSION ACTION:**

Greg Jones moved staff recommendation Part A) that the proposed rezoning be found **not** in conformance with the existing Des Moines' 2020 Community Character Plan designations of Low-Density Residential.

Motion passed 9-0-1 (Mike Simonson abstained)

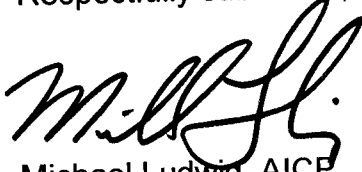
Greg Jones moved staff recommendation Part B) approval of an amendment to the Des Moines' 2020 Community Character Plan to revise the existing future land use designation from Low-Density Residential to Commercial: Pedestrian-Oriented Commercial Corridor; and Part C) approval of the requested rezoning, subject to the following conditions:

1. The following uses shall be prohibited:
  - a) taverns and nightclubs,
  - b) billiard parlor/game room,
  - c) communication tower/antenna (unless as an extension of 20 feet or less from the structure),
  - d) delayed deposit services,
  - e) pawn brokers,
  - f) gas stations/convenience stores,
  - g) off-premises advertising signs, and
  - h) liquor stores where gross revenues of tobacco and alcohol products exceed 40% of sales.
2. The density of any future residential development shall be dependent upon Site Plan review.
3. Any off-street parking shall be landscaped and screened in accordance with the City's Landscape Standards as applicable to the "C-2" District.

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4. Any trash enclosure on site shall conform to the standards of the Zoning Ordinance and be comprised of durable materials that compliment the principal building with solid steel gates.

Motion passed 8-1-1 (Vicki Stogdill voted in opposition and Mike Simonson abstained)

Respectfully submitted,



Michael Ludwig, AICP  
Planning Administrator

MGL:clw

Attachment