



Date May 18, 2015

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST TO VACATE PORTIONS OF 4TH STREET, COURT AVENUE, AND 5TH AVENUE RIGHT-OF-WAY ADJOINING 420 COURT AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 7, 2015, its members voted 11-0 in support of a motion to recommend APPROVAL of a request from Hy-Vee, Inc. and Knapp Properties, Inc. (developers), represented by Randy Edeker and Gerard Nuegent (officers), for vacation of the following segments of street right-of-way adjoining 420 Court Avenue, subject to reservation of easements for any existing utilities:

- 1. A 3-foot by 115-foot segment of subsurface rights on the west side of 4th Street;
2. A 2-foot by 100-foot segment of subsurface rights on the west side of 4th Street and a 2-foot by 155-foot segment of subsurface rights on the south side of Court Avenue;
3. A 1.5 foot by 85-foot segment of subsurface rights on the east side of 5th Avenue; and
4. A 4-foot by 60-foot segment of right-of-way on the east side of 5th Avenue.

MOVED by _____ to receive and file the attached communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division.

FORM APPROVED:

Glenna K. Frank
Assistant City Attorney

(11-2015-1.03)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL.

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.

MOTION CARRIED APPROVED
Mayor

City Clerk

May 14, 2015

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 May 7, 2015, the following action was taken regarding a request from Hy-Vee, Inc. and Knapp Properties, Inc. (developers) represented by Randy Edeker and Gerard Nuegent (officers) for vacation of right-of-ways on property located at 420 Court Avenue. The subject property is owned by the City of Des Moines.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 11-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano	X			
Jacqueline Easley				X
Tim Fitzgerald	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Greg Jones	X			
Sasha Kamper	X			
William Page	X			
Jonathan Rosenbloom				X
Mike Simonson	X			
CJ Stephens	X			
Vicki Stogdill	X			
Greg Wattier				X

APPROVAL of Part A) for the following actions on property subject to reservation of easements for any existing utilities: (11-2015-1.03)

- 1) A 3-foot by 115-foot segment of subsurface rights on the west side of 4th Street for a vendor area screen wall footing;

- 2) A 2-foot by 100-foot segment of subsurface rights on the west side of 4th Street and a 2-foot by 155-foot segment of subsurface rights on the south side of Court Avenue for a café patio retaining wall footing.
- 3) A 1.5-foot by 85-foot segment of subsurface rights on the east side of 5th Avenue for a patio screen wall and guard-rail footing;
- 4) A 4-foot by 60-foot segment of right-of-way on the east side of 5th Avenue for a loading area screen wall subject to reservation of easements for any existing utilities

And

Part B) **APPROVAL** of the proposed Site Plan subject to the following conditions:
(10-2015-7.110)

1. Compliance with all administrative review comments of the City's Permit and Development Center.
2. Provision of black KIM Archetype Street Light Fixtures and Court Avenue Street Light Fixtures as approved by the City Engineer.
3. All site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height.
4. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.
5. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along facades that are internal to the site unless otherwise designated on the site plan.
6. All services lines to the building and all utility lines in the adjoining right-of-way shall be located underground.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends approval of the requested Vacations of right-of-way subject to reservation of easements for any existing utilities.

Part B) Staff recommends approval of the proposed Site Plan subject to the following conditions:

1. Compliance with all administrative review comments of the City's Permit and Development Center.
2. Provision of black KIM Archetype Street Light Fixtures and Court Avenue Street Light Fixtures as approved by the City Engineer.
3. All site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height.

4. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.
5. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along facades that are internal to the site unless otherwise designated on the site plan.
6. All services lines to the building and all utility lines in the adjoining right-of-way shall be located underground.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The Knapp Properties/Hy-Vee development team is proposing a 4-story mixed use development anchored by a full service grocery store on the 2.3 acre city-owned lot at the west end of Court Avenue. The 110,000-square foot project includes a 35,000 square foot Hy-Vee grocery store on the ground floor with a Market Grill restaurant (28,000 sq. ft.) proposed for the northeast corner, coffee shop at the northwest corner (1,000 sq. ft.) and 82 apartments on the upper 3 levels. Parking for residents, grocery store patrons and employees will be accommodated by a 2-story parking structure. A ten-foot “green link” is proposed on the southern edge of the site between the parking deck and the former Rock Island Depot. Accommodations for future development are made along the east edge of the site on 4th Street, with the parking structure setback from the street to allow for future development.
2. **Size of Site:** 2.3 acres.
3. **Existing Zoning (site):** "C-3R" Central Business Mixed Residential District, "D-O" Downtown Overlay District, "GGP" Gambling Games Prohibition Overlay District and "FSO" Freestanding Sign Overlay.
4. **Existing Land Use (site):** Surface parking lot.
5. **Adjacent Land Use and Zoning:**
 - North** – “C-3R”; Uses are a parking garage, multiple-family residential and commercial.
 - South** – “C-3R”; Use is office
 - East** – “C-3R”; Uses are restaurant and multiple-family residential.
 - West** – “C-3”; Use is Polk County Courthouse and surface parking.
6. **General Neighborhood/Area Land Uses:** The subject site is located in the Court Avenue District in the downtown. The area contains a mix of restaurants, tavern, office and multiple-family residential uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Downtown Des Moines Neighborhood. This neighborhood was notified of the Commission meeting by mailing of the Preliminary Agenda on April 21, 2015. A Final Agenda was mailed to the neighborhood association on May 1, 2015. Additionally, separate notifications of the hearing for this specific item were mailed on April 27, 2015 (10 days prior to the hearing) to the Downtown Des Moines 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 Downtown Des Moines Neighborhood Association notices were mailed to Larry Bradshaw, 418 6th Avenue, Suite 902, Des Moines, IA 50309.

8. Zoning History: None.

9. 2020 Community Character Land Use Plan Designation: Retail/Office Core/Core Fringe.

10. Applicable Regulations: In acting upon any Site Plan application for multiple-family dwellings, boarding houses or rooming-houses, the Plan and Zoning Commission shall apply the design guidelines City Code Section 82-213, which are in consideration of the criteria set forth in Chapter 18B of the Iowa Code. 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 the design standards.

II. ADDITIONAL APPLICABLE INFORMATION

1. Downtown Overlay District Design Guidelines: In acting upon any site plan application for development of property located within the Downtown Overlay District, the community development director (or plan and zoning commission if applicable) shall apply the regulations and design guidelines in Section 82-213 of the City Code, which are in consideration of the criteria set forth in Chapter 18B of the Iowa Code. 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. These guidelines shall be applied to the entire site when a new building is constructed or when an existing building is cumulatively expanded by more than 50% of its gross floor area as of the time it became part of the downtown overlay district. If a building is cumulatively expanded by less than 50% of its gross floor area as of the time it became part of the downtown overlay district, then these guidelines shall apply only to the expansion of the building.

A) Projects should demonstrate understanding of the micro and macro context for the project by offering place specific solutions for materiality, massing, uses, fabric and climate that are consistent with the vision of the “What’s Next Downtown Plan”. In most cases, corporate prototype architecture may not be an acceptable design.

The site is located in the Court Avenue District, which contains the Courthouse, historic commercial buildings and modern infill construction. The proposed building is designed to be a contemporary design interpretation of the Court Avenue context. The architecture is comprised of a mix of materials including two colors of brick, clear glass, fritted glass, metal panels, perforated aluminum balcony railings and Nichiha rainscreen panels. Perforated aluminum panels clad the parking deck; architectural lighting is planned to animate the surfaces at night. The north elevation is 61% brick excluding openings. The east façade is 67%, the south façade is 71%, and the west façade is 68% brick.

The storefront design includes double mullions at the glazing to articulate structural bays within the building. The precast at the base includes joints that would align with mullions and has a band along its upper edge where it touches the glazing for definition. The brick base of the building includes a soldier course. These elements, along with the structural columns behind the glass that would be exposed, would provide the rhythm found in historic storefronts, while allowing the building to be representative of its era.

The parking structure would be located behind the building and setback from 4th Street and 5th Street. It would be sided with perforated aluminum composite panels with some use of precast concrete on the ground level. The setback area along 5th Street is necessary for loading dock functions. The loading dock area would be screened with a wall system that matches the architecture of the building. The area along 4th Street is deep enough to allow for additional development that would frame the Street.

The proposed development is compatible with the goals of the “What’s Next Downtown Plan” and fits the context of the site.

- B) Low Impact development techniques should be utilized which implement site water quality control solutions, using materials which are locally available and creating projects which minimize energy consumption.

The following are sustainable strategies that have been incorporated in the proposal:

- 1. Energy efficient mechanical units*
- 2. Energy efficient lighting*
- 3. Efficient plumbing fixtures*
- 4. Natural ventilation in units / operable windows*
- 5. Some regionally sourced materials / materials with recycled content*
- 6. Energy efficient building envelope*
- 7. Urban and walkable location*
- 8. Proximity to DART, bike rental, and downtown bike network*
- 9. Low VOC interior finishes*
- 10. Maximizing daylighting*

- C) Connectivity between adjacent properties should be provided or demonstrated for both pedestrian and vehicular circulation.

Public sidewalks would be provided along Court Avenue, 4th Street and 5th Street. A landscaped walkway is proposed along the south perimeter of the site to enhance pedestrian connectivity in the area and provide a visual separation from the historic building to the south.

- D) The incorporation of ‘soft (green) spaces’ on site is encouraged.

All open areas are proposed to include plant material to enhance the development. The amount of soft space proposed is appropriate to the context of the area and the program of the development.

- E) Where feasible, projects should provide outdoor spaces for people gathering.

The development would include sidewalk café space along Court Avenue and 4th Street.

- F) If feasible, connections to adjoining bike paths or on-street bike facilities and on-site bike racks should be provided in close proximity to building entrances.

Bike racks and a B-cycle Station are proposed along the west wall of the building near the 5th Street and Court Avenue intersection.

- G) Building heights. Minimum height for all uses should be the lesser of 36 feet or three stories.

The proposed 42-foot height (4 stories) satisfies this guideline.

- H) Bulk standards, building setbacks, orientation, frontage and residential access:

1. All buildings with river frontage should orient towards the river and have building entrances that are oriented to the river and primary street(s).

N/A.

2. All buildings without river frontage should have entrances oriented toward primary street(s).

The commercial space on the main level would have entrances on all three street sides. The 5th Street entrance would be shared with the upper floor dwelling units. A separate entrance door would be provided on the 4th Street side for residents.

3. All buildings should have frontage on principal street(s) of not less than 70 percent of the lot.

The 279 feet of building frontage along Court Avenue represents 94% of the lot frontage. The 138 feet of building frontage along 4th and 5th Streets represents 38% of each frontage. The parking structure is not included in the calculations for 4th and 5th Street frontages. It is setback to allow future development along 4th Street and to facilitate a necessary loading dock area along 5th Street. Screen walls are proposed along 5th Street to obscure views of the dock area and to provide an urban edge along the sidewalk.

4. For commercial and mixed-use buildings, at least 70 percent of the building frontage should be within one foot of the property line.

The building would setback 6 feet from 4th Street and 9 feet from 5th Street. The Court Avenue setback would range from 6 to 8 feet. The proposed setbacks are warranted as they allow for outdoor café space, bike parking and adequate sidewalk widths to allow street trees.

5. At least one building entrance for residential uses should directly access the street when a residential use is located above street-level retail or commercial uses.

N/A.

6. For residential buildings, a maximum setback of 15 feet from the public right-of-way is permitted unless superseded by bulk regulations of the underlying zoning district (i.e. R-HD Residential Historic District, R1-60 Low Density Residential District, etc.).

N/A.

- I) Storage of all materials and equipment should take place within completely enclosed buildings.

No outdoor storage of materials and equipment is proposed.

- J) All refuse collection containers and dumpsters should be enclosed on all sides by the use of a permanent wall of wood, brick or masonry and steel gates which are compatible in design with the principal structure.

All trash dumpsters would be located within the parking garage.

- K) All open areas not used for off-street loading or parking should be landscaped in accordance with the Des Moines Landscape Standards for C-3 districts.

All open areas are proposed to include plant material to enhance the development. The amount of soft space proposed is appropriate to the context of the area and the program of the development.

- L) Access doors for any warehouse use and any loading docks should not front on any public street.

A loading dock is proposed along 5th Street. Screen walls would be provided to obscure views of the dock area and to provide an urban edge along the sidewalk. The proposal does not comply with this guideline. Staff believes that all reasonable alternatives have been explored. The program of the development and the need for a grocery store in the downtown warrant variation from this guideline.

- M) Gas stations/convenience stores should be limited to no more than six pumps and allow no more than 12 vehicles to be fueled at one time.

N/A.

- N) Gas station / convenience stores and canopies, drive-thru facilities for restaurants, banks, parking garages and other auto-dominant uses should not front or have vehicular access on or to a pedestrian corridor as designated in the downtown pedestrian corridor map on file in the office of the city clerk as approved by city council resolution.

N/A.

- O) Existing curb cuts should be consolidated to the minimum number necessary and be located as directed by the city traffic engineer and community development director.

The proposed development would have a curb cut to 4th Street and two curb cuts to 5th Street. Staff believes this is the minimum number necessary to serve the development.

- P) Parcels proposed for development that are greater than two acres should be rezoned to a planned unit development (PUD) zoning classification.

The site measures 2.3 acres. Staff believes that rezoning the site to "PUD" is unnecessary as the site is subject to multiple sets of design guidelines (Downtown Overlay and Multiple Family Residential) and review by the Urban Design Review Board. Rezoning the property to PUD would not offer a higher level of review.

- Q) Auto-dominant uses as described in guideline "N" above should be located in a mixed use commercial center and with buildings possessing a unified commercial design.

N/A.

- R) Parking ramps should either include ground floor retail or commercial space, be designed for conversion to retail or commercial space, or have significant architectural detail.

The parking garage would be setback from 4th Street to allow future development that would frame the street. This better addresses the goal of this guideline than having the garage at the property line with ground level commercial space. The proposed setback from 5th Street is necessary for the loading dock area and complying with this guidelines on this side of the garage is not practical.

2. Multiple-Family Residential Design Guidelines: The following design guidelines apply to any Site Plan for multiple-family residential:

- 1) *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.

The site is located in the Court Avenue District, which contains the Courthouse, historic commercial buildings and modern infill construction. The proposed building is designed to be a contemporary design interpretation of the Court Avenue context. The architecture is comprised of a mix of materials including two colors of brick, clear glass, fritted glass, metal panels, perforated aluminum balcony railings and Nichiha rainscreen panels. Perforated aluminum panels clad the parking deck; architectural lighting is planned to animate the surfaces at night. The north elevation is 61% brick

excluding openings. The east façade is 67%, the south façade is 71%, and the west façade is 68% brick.

The storefront design includes double mullions at the glazing to articulate structural bays within the building. The precast at the base includes joints that would align with mullions and has a band along its upper edge where it touches the glazing for definition. The brick base of the building includes a soldier course. These elements, along with the structural columns behind the glass that would be exposed, would provide the rhythm found in historic storefronts, while allowing the building to be representative of its era.

The parking structure would be located behind the building and setback from 4th Street and 5th Street. It would be sided with perforated aluminum composite panels with some use of precast concrete on the ground level. The setback area along 5th Street is necessary for loading dock functions. The loading dock area would be screened with a wall system that matches the architecture of the building. The area along 4th Street is deep enough to allow for additional development that would frame the Street.

The proposed development is compatible with the goals of the “What’s Next Downtown Plan” and fits the context of the site.

- 2) **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.

The proposed building is of an appropriate height and mass for the Court Avenue area. The building would be four stories tall, which complies with the minimum height requirement of the “C-3R” District.

- 3) **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.

The building would front Court Avenue, 4th Street and 5th Street with direct sidewalk connections.

- 4) **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.

The parking structure would be located behind the primary building and setback from 4th Street and 5th Street. It would be sided with perforated aluminum composite panels with some use of precast concrete on the ground level. The setback area

along 5th Street is necessary for loading dock functions. The loading dock area would be screened with a wall system that matches the architecture of the building. The area along 4th Street is deep enough to allow for additional development that would frame the Street.

- 5) *Rooftop/second story additions.* A rooftop or second floor addition, including but not limited to stairs and emergency egress, should not overhang the front or sidewalls of the existing building.

The proposed elevations meet this guideline. All stairs and emergency egress would be internal to the building.

- 6) *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.

The proposed elevations meet this guideline.

- 7) *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.

The "C-1" District standards require a minimum of one overstory tree and three shrubs per 20 parking spaces. The site plan complies with this standard.

- 3. Parking:** The "C-3R" District does not require any off-street parking. The site plan indicates the development would have 15 surface parking spaces and 187 structured spaces for a total of 211 off-street parking spaces.
- 4. Drainage/Grading:** All grading is subject to an approved grading permit and soil erosion control plan. The applicant is required to demonstrate compliance with the City's Stormwater Management requirements to the satisfaction of the City's Permit and Development Center. An underground storm water detention facility is proposed in the southwest corner of the property.
- 5. Street System:** The proposed vacations of right-of-way are necessary for footings and the construction of the loading dock screen wall. The proposed vacations would not impact the functionality of the right-of-way.

SUMMARY OF DISCUSSION

John "Jack" Hilmes rejoined the meeting

Jason Van Essen presented the staff report and recommendation.

Sasha Kamper asked if the loading dock issue that was raised by the Urban Design Review Board (UDRB) had been resolved.

Jason Van Essen stated there were some members of the UDRB that were opposed to having a dock in that location. Ultimately, it was approved. The comments made by the Hy-Vee representatives was they have looked at all of the alternatives and believe this is what

they need to have to provide a full service grocery store carrying the variety of product they propose. Some of the other comments were aimed more at streetscape enhancements. They have added street trees which were a major concern for UDRB.

Pete Hush with Hy-Vee Corporate Office stated he would like to thank the Commission for considering their item. He echoes the comment that this project has been seen many times, so they would like to reserve their time to answer any questions the Commission might have. There are representatives from Confluence who can answer questions relative to the Site Plan; OPN Architecture and Knapp Properties.

John "Jack" Hilmes asked if they had a rendering that showed the relationship to the Court House.

Toby Olson with OPN Architects presented a rendering that showed the relationship to the Court House. He stated what they have done is add a lot of transparency for the coffee shop to take advantage of the wonderful views towards the Court House building. On the upper level the corner units have been wrapped with a lot of glazing, making those units a prime unit that captures those historic views of the building. Also, the corner becomes the primary entrance for residents to access their building. The coffee shop on that corner creates a wonderful bookend.

Jann Freed asked if they are in agreement with staff recommendation.

Toby Olson stated yes, he believes their team has been responsive to the City staff's recommendation and they are happy to add street trees along 5th as long as it is publicly safe to do so. They have paid a lot of attention to how they can screen the loading dock from 5th to make sure those deliveries are unobtrusive to the neighborhood. Truck access was proposed from 5th because 4th is such a residential street.

CJ Stephens complimented them on their sustainable strategies. They are up front, something that corporate Hy-Vee has incorporated in all of their buildings. She believes this is a beautiful project and the only thing she ever hears about this project is that the founders of Hy-Vee have some people in their history where this could be named for such as Victor's Hy-Vee or Johnny's Hy-Vee. They just don't like the looks of that Hy-Vee logo on Court Avenue.

Peter Hush stated they appreciate those comments and will take it back to his counterparts. Brand is important to them so that would be a challenging issue for them.

JoAnne Corigliano commented she would like to see more of a warehouse building.

Toby Olson stated architecturally they are really trying to create that, especially on the adjacent portion to the court house. What is tricky about block long buildings is that they kind of need to be broken up in terms of a massing standpoint from a pedestrian experience. Their thought was to use the punched openings to reflect some of the similar character.

JoAnne Corigliano asked if they will be using dark colored bricks.

Toby Olson stated yes they are using two colors of brick. They are really articulating the first floor with the darkest brick color. They believe that it is really important to ground the building and make sure it has a strong base in which it sits, so architecturally there is a lighter color brick above.

CHAIRPERSON OPENED THE PUBLIC HEARING

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

CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION:

Will Page moved staff recommendation Part A) approval of the requested Vacations of right-of-way subject to reservation of easements for any existing utilities and Part B) approval of the proposed Site Plan subject to the following conditions:

1. Compliance with all administrative review comments of the City's Permit and Development Center.
2. Provision of black KIM Archetype Street Light Fixtures and Court Avenue Street Light Fixtures as approved by the City Engineer.
3. All site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height.
4. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.
5. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along facades that are internal to the site unless otherwise designated on the site plan.
6. All services lines to the building and all utility lines in the adjoining right-of-way shall be located underground.

Motion passed 11-0.

Respectfully submitted,

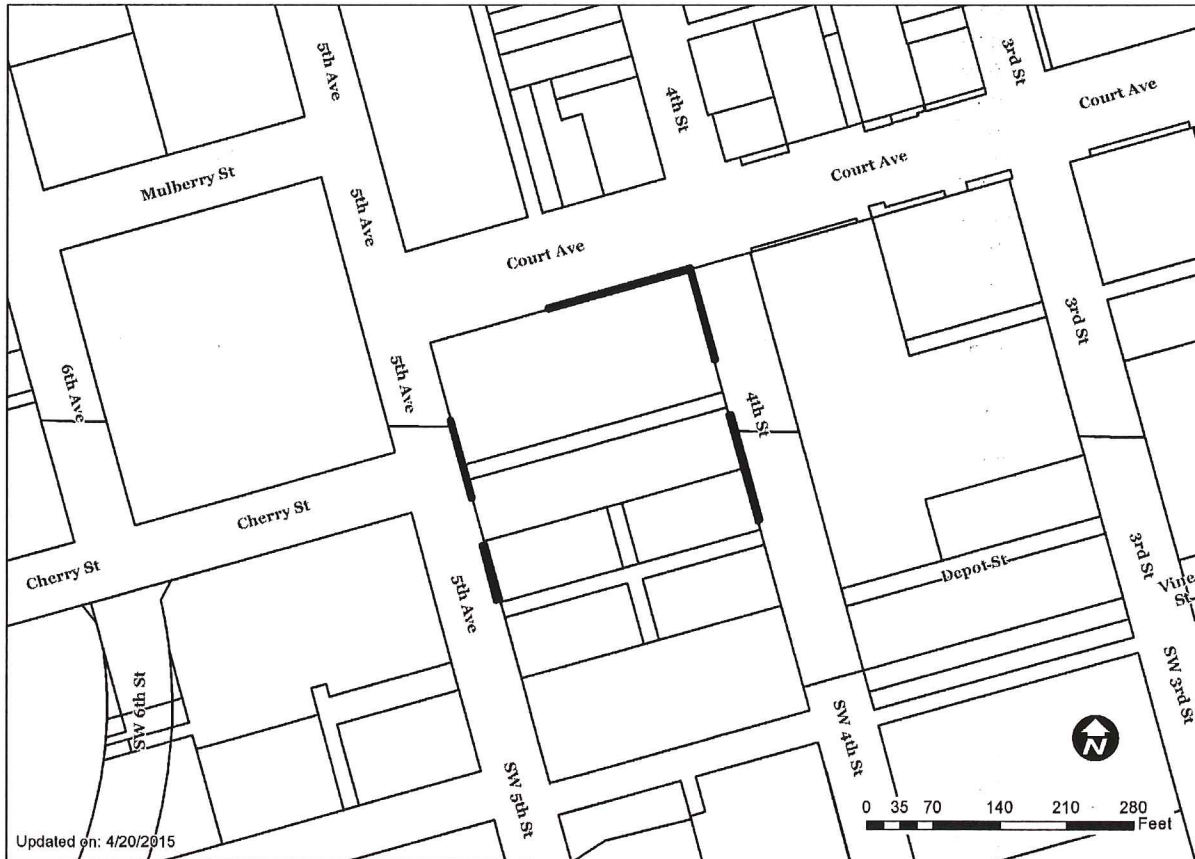
Michael G. Ludwig, AICP
Planning Administrator

MGL:clw
Attachment

Hy-Vee, Inc. and Knapp Properties, Inc. (developers) represented by Randy Edeker and Gerard Nuegent (officers) on property located at 420 Court Avenue. The subject property is owned by the City of Des Moines.		File # 11-2015-1.03		
Description of Action	Approval of requested vacation of the following segments of right-of-way: 1) A 3-foot by 115-foot segment of subsurface rights on the west side of 4th Street for a vendor area screen wall footing. 2) A 2-foot by 100-foot segment of subsurface rights on the west side of 4th Street and a 2-foot by 155-foot segment of subsurface rights on the south side of Court Avenue for a café patio retaining wall footing. 3) A 1.5-foot by 85-foot segment of subsurface rights on the east side of 5th Avenue for a patio screen wall and guard-rail footing. 4) A 4-foot by 60-foot segment of right-of-way on the east side of 5th Avenue for a loading area screen wall subject to reservation of easements for any existing utilities.			
2020 Community Character Plan	Current: Downtown Retail/Office Core/Core Fringe and Support Commercial. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No Planned Improvements.			
Current Zoning District	"C-3R" Central Business District Mixed Residential District, "D-O" Downtown Overlay District and "GGP" Gambling Games Prohibition District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
Plan and Zoning Commission Action	Approval	11-0	Required 6/7 Vote of the City Council	Yes
	Denial			No X

Hy-Vee, Inc & Knapp Properties, 420 Court Avenue

11-2015-1.03



11-2015-1.03

Date 4/29/15

19

Item _____

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

RECEIVED
COMMUNITY DEVELOPMENT

Print Name Tom Swenson

MAY 05 2015

Signature *Tom Swenson*

DEPARTMENT

Address 119 4th St. Unit 405

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

A store like this should be a requirement for a city of this size. To help retain the population of Downtown, this is a must do!

11-2015-1.03

Item _____

Date 4/30/2015

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

RECEIVED
COMMUNITY DEVELOPMENT

Print Name Downtown Neighbors Assoc.

MAY 05 2015

Signature *Le/Budha* PRESIDENT

DEPARTMENT

Address 418 W AVE STE 902, SU309

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

Item 11-2015-1.03 Date 3 MAY 2015 19

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

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT

Print Name Gregory J. Budweg
Signature G. J. Budweg
Address 119 4th St Unit 306

MAY 07 2015

DEPARTMENT

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

Item 11-2015-1.03 Date 5-3-15

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

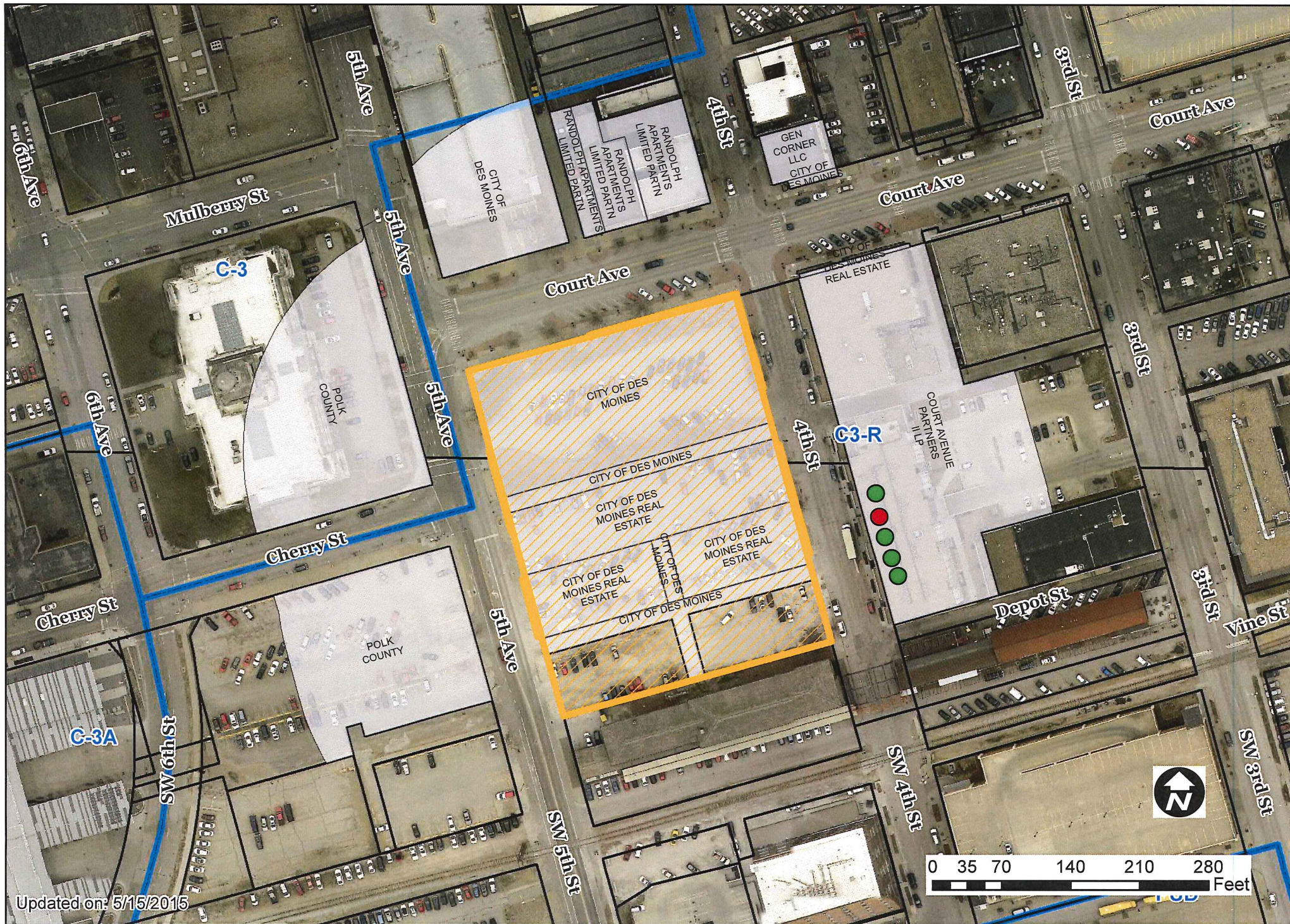
RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT

Print Name Kurt Eilmor
Signature Kurt Eilmor
Address 119 4th #507

MAY 07 2015

DEPARTMENT

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



COURT AVENUE

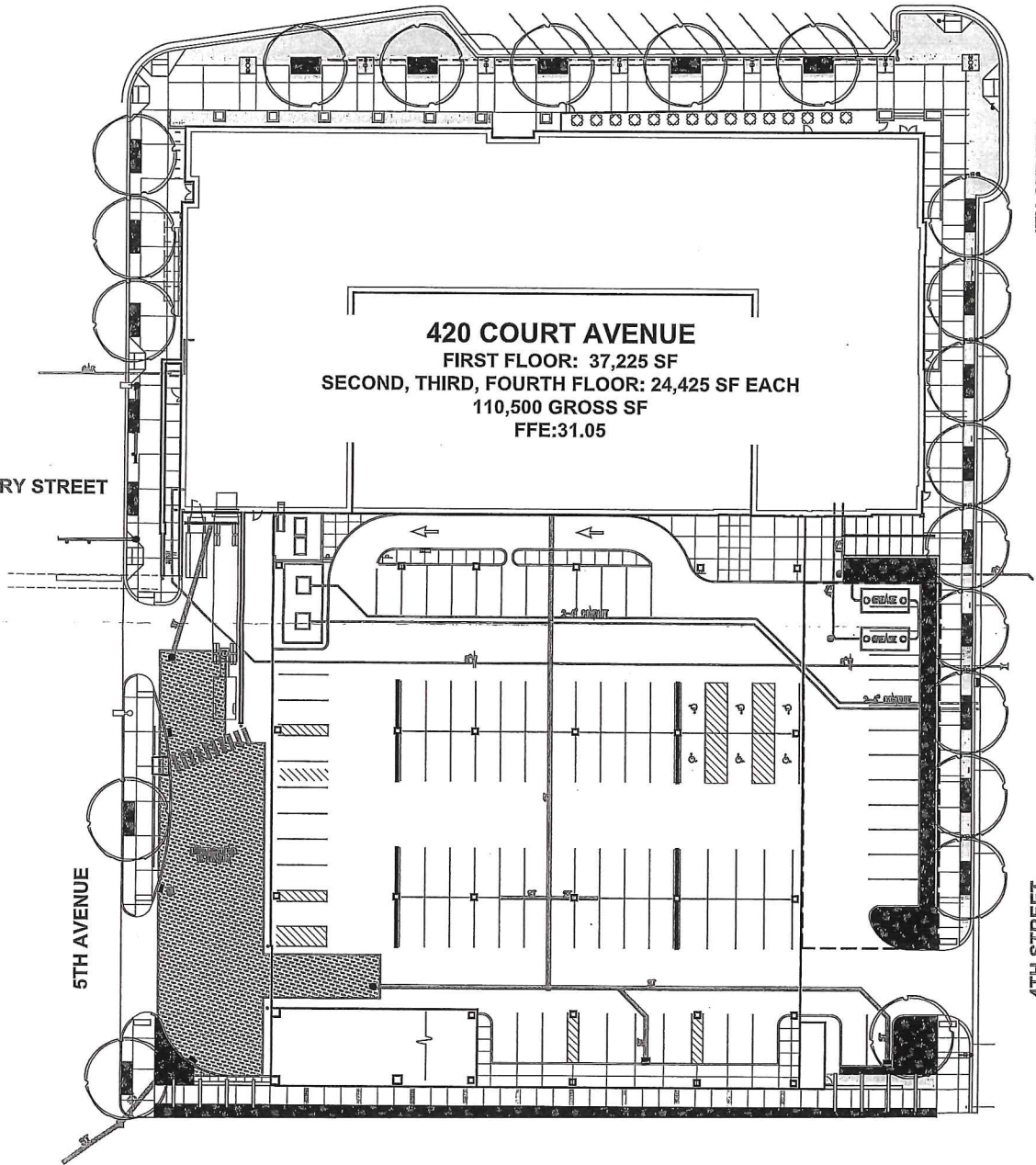
4TH STREET

420 COURT AVENUE
 FIRST FLOOR: 37,225 SF
 SECOND, THIRD, FOURTH FLOOR: 24,425 SF EACH
 110,500 GROSS SF
 FFE:31.05

CHERRY STREET

5TH AVENUE

4TH STREET





OPN ARCHITECTS
 1000 AVENUE OF THE ARTS - SUITE 201
 PHILADELPHIA, PA 19106
 TEL: 215-592-8800
 WWW.OPNARCHITECTS.COM

HY VEE, INC.
 200 WEST 10TH STREET, SUITE 100
 PHILADELPHIA, PA 19107
 F.F.E. 31.05

SEE HISTORIC PARKING, SUITE 400
 WEST 10TH STREET, SUITE 400
 PHILADELPHIA, PA 19107

SEE HISTORIC PARKING, SUITE 400
 WEST 10TH STREET, SUITE 400
 PHILADELPHIA, PA 19107

CIVIL ENGINEER
 ENGINEER LICENSE NO. 1000000000
 200 WEST 10TH STREET, SUITE 100
 PHILADELPHIA, PA 19107
 F.F.E. 31.05

STRUCTURAL ENGINEER
 ENGINEER LICENSE NO. 1000000000
 200 WEST 10TH STREET, SUITE 100
 PHILADELPHIA, PA 19107
 F.F.E. 31.05

PARKING CONSULTANT
 ENGINEER LICENSE NO. 1000000000
 200 WEST 10TH STREET, SUITE 100
 PHILADELPHIA, PA 19107
 F.F.E. 31.05

MEP ENGINEER
 ENGINEER LICENSE NO. 1000000000
 200 WEST 10TH STREET, SUITE 100
 PHILADELPHIA, PA 19107
 F.F.E. 31.05

LANDSCAPE ARCHITECT
 ENGINEER LICENSE NO. 1000000000
 200 WEST 10TH STREET, SUITE 100
 PHILADELPHIA, PA 19107
 F.F.E. 31.05

SCALE: 1/8" = 1'-0"

DATE: 4/8/2015

PROJECT: 420 COURT AVENUE

SHEET NO. 101

DATE: 4/8/2015

DATE: 4/8/2015

DATE: 4/8/2015

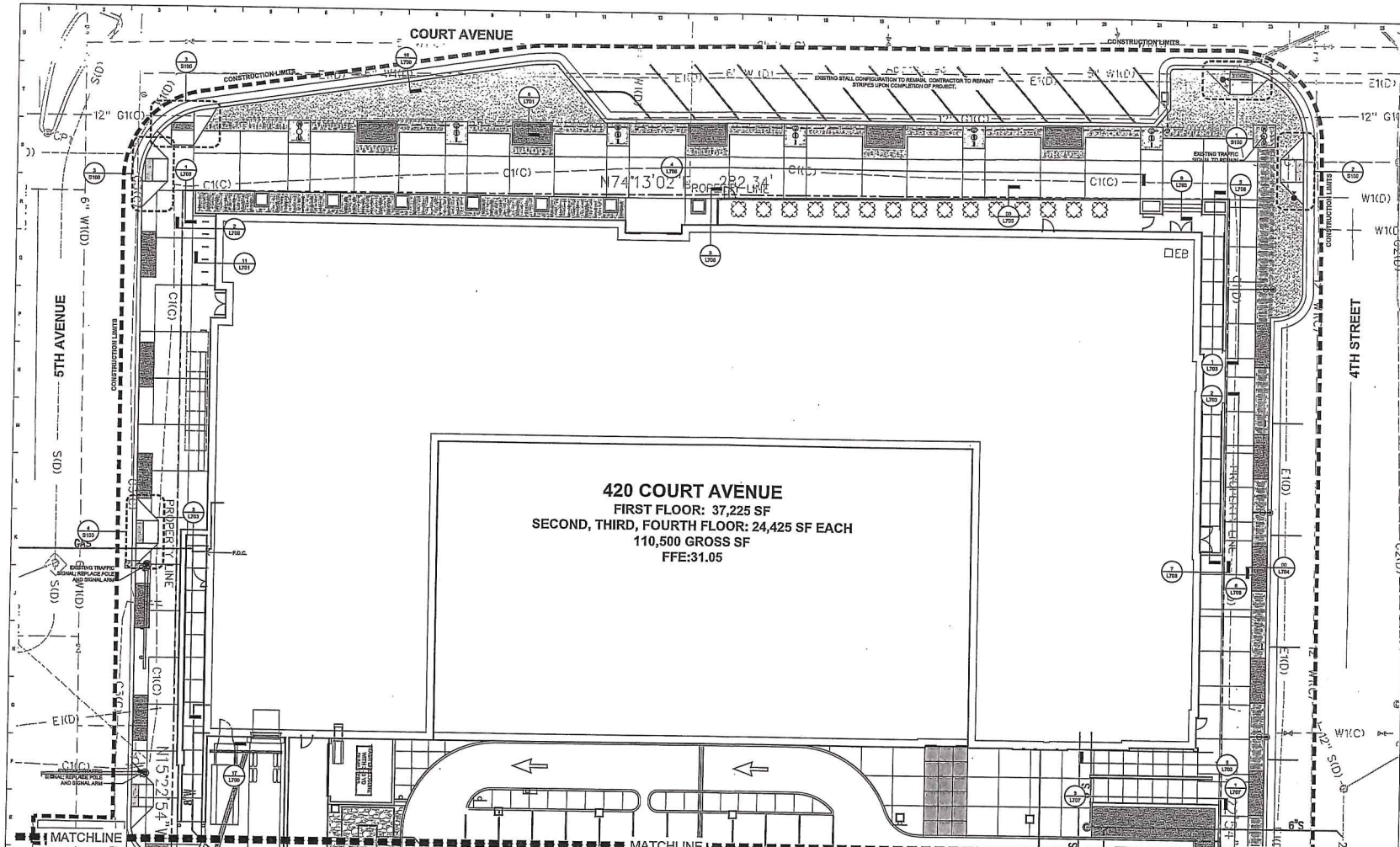
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DATE: 4/8/2015

DATE: 4/8/2015

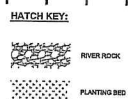
DATE: 4/8/2015

DATE: 4/8/2015



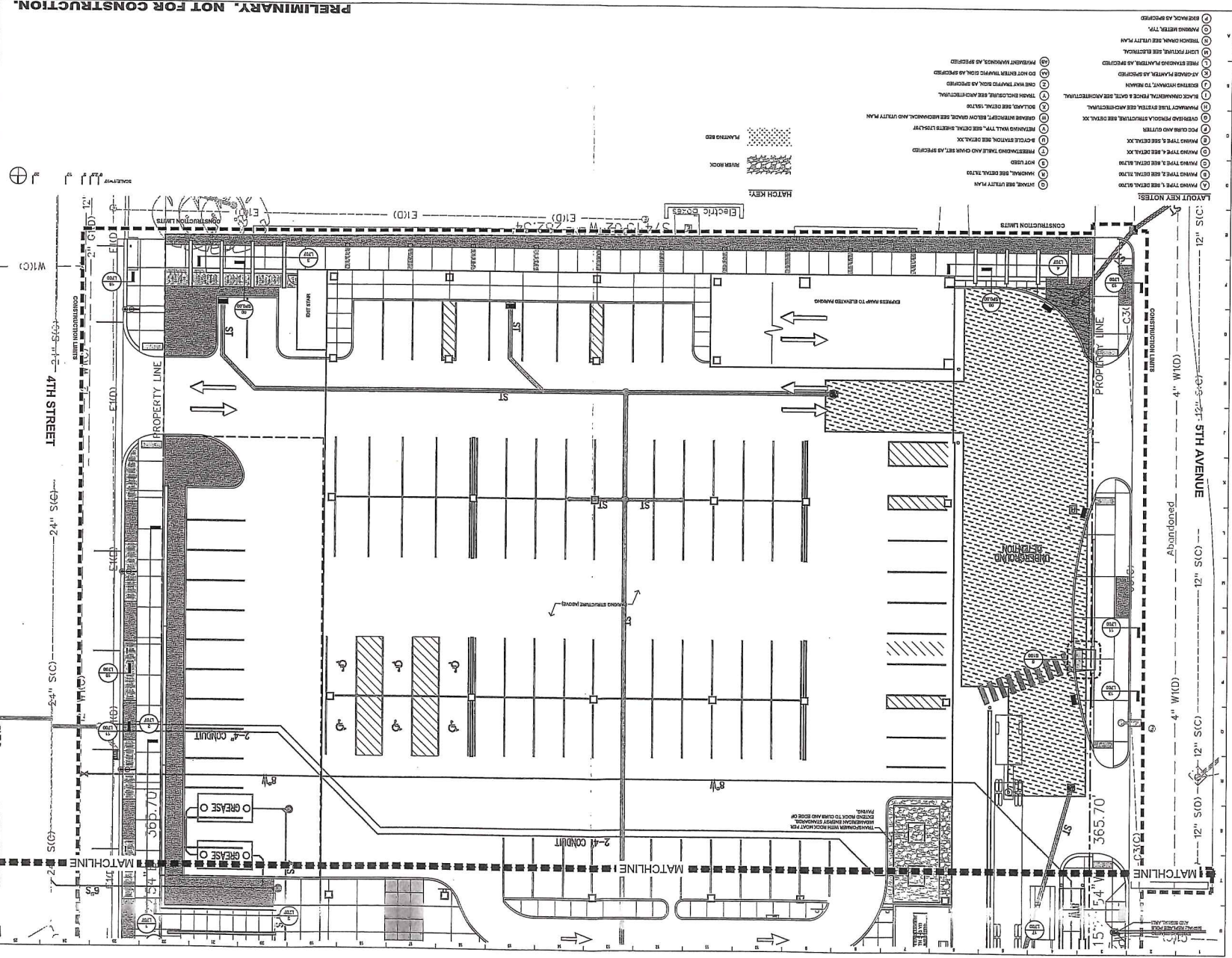
420 COURT AVENUE
 FIRST FLOOR: 37,225 SF
 SECOND, THIRD, FOURTH FLOOR: 24,425 SF EACH
 110,500 GROSS SF
 FFE:31.05

- LAYOUT KEY NOTES:**
- (1) PAVING TYPE 1, SEE DETAIL 91200
 - (2) PAVING TYPE 2, SEE DETAIL 78200
 - (3) PAVING TYPE 3, SEE DETAIL 93200
 - (4) PAVING TYPE 4, SEE DETAIL XX
 - (5) PAVING TYPE 5, SEE DETAIL XX
 - (6) MOD CLUS AND GUTTER
 - (7) OVERHEAD PERGOLA STRUCTURE, SEE DETAIL XX
 - (8) PHARMACY TUBE SYSTEM, SEE ARCHITECTURAL
 - (9) EXISTING HYDRANT, TO REMAIN
 - (10) AT-GRADE PLANTER, AS SPECIFIED
 - (11) FREE STANDING PLANTERS, AS SPECIFIED
 - (12) LIGHT FIXTURE, SEE ELECTRICAL
 - (13) TRENCH DRAIN, SEE UTILITY PLAN
 - (14) PARKING METER, TYP.
 - (15) BISE PAVC, AS SPECIFIED
 - (16) INFUSE, SEE UTILITY PLAN
 - (17) HANDRAIL, SEE DETAIL 71200
 - (18) NOT USED
 - (19) FREESTANDING TABLE AND CHAIR SET, AS SPECIFIED
 - (20) BICYCLE STATION, SEE DETAIL XX
 - (21) RETAINING WALL TYP., SEE DETAIL SHEETS 1208-1217
 - (22) DRESSAGE INTENSIFY, SEE LOW GRADE, SEE MECHANICAL AND UTILITY PLAN
 - (23) BOLLARD, SEE DETAIL 16120
 - (24) TRASH ENCLOSURE, SEE ARCHITECTURAL
 - (25) ONE WAY TRAFFIC SIGN, AS SPECIFIED
 - (26) DO NOT ENTER TRAFFIC SIGN, AS SPECIFIED
 - (27) PAVEMENT MARKINGS, AS SPECIFIED



PRELIMINARY. NOT FOR CONSTRUCTION.

L201A



- LAYOUT KEY NOTES:
- PAVING TYPE 1, SEE DETAIL 1110
 - PAVING TYPE 2, SEE DETAIL 1120
 - PAVING TYPE 3, SEE DETAIL 1130
 - PAVING TYPE 4, SEE DETAIL 1140
 - PAVING TYPE 5, SEE DETAIL 1150
 - PAVING TYPE 6, SEE DETAIL 1160
 - PAVING TYPE 7, SEE DETAIL 1170
 - PAVING TYPE 8, SEE DETAIL 1180
 - PAVING TYPE 9, SEE DETAIL 1190
 - PAVING TYPE 10, SEE DETAIL 1200
 - PAVING TYPE 11, SEE DETAIL 1210
 - PAVING TYPE 12, SEE DETAIL 1220
 - PAVING TYPE 13, SEE DETAIL 1230
 - PAVING TYPE 14, SEE DETAIL 1240
 - PAVING TYPE 15, SEE DETAIL 1250
 - PAVING TYPE 16, SEE DETAIL 1260
 - PAVING TYPE 17, SEE DETAIL 1270
 - PAVING TYPE 18, SEE DETAIL 1280
 - PAVING TYPE 19, SEE DETAIL 1290
 - PAVING TYPE 20, SEE DETAIL 1300
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 - PAVING TYPE 37, SEE DETAIL 1470
 - PAVING TYPE 38, SEE DETAIL 1480
 - PAVING TYPE 39, SEE DETAIL 1490
 - PAVING TYPE 40, SEE DETAIL 1500
 - PAVING TYPE 41, SEE DETAIL 1510
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 - PAVING TYPE 49, SEE DETAIL 1590
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 - PAVING TYPE 58, SEE DETAIL 1680
 - PAVING TYPE 59, SEE DETAIL 1690
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 - PAVING TYPE 67, SEE DETAIL 1770
 - PAVING TYPE 68, SEE DETAIL 1780
 - PAVING TYPE 69, SEE DETAIL 1790
 - PAVING TYPE 70, SEE DETAIL 1800
 - PAVING TYPE 71, SEE DETAIL 1810
 - PAVING TYPE 72, SEE DETAIL 1820
 - PAVING TYPE 73, SEE DETAIL 1830
 - PAVING TYPE 74, SEE DETAIL 1840
 - PAVING TYPE 75, SEE DETAIL 1850
 - PAVING TYPE 76, SEE DETAIL 1860
 - PAVING TYPE 77, SEE DETAIL 1870
 - PAVING TYPE 78, SEE DETAIL 1880
 - PAVING TYPE 79, SEE DETAIL 1890
 - PAVING TYPE 80, SEE DETAIL 1900
 - PAVING TYPE 81, SEE DETAIL 1910
 - PAVING TYPE 82, SEE DETAIL 1920
 - PAVING TYPE 83, SEE DETAIL 1930
 - PAVING TYPE 84, SEE DETAIL 1940
 - PAVING TYPE 85, SEE DETAIL 1950
 - PAVING TYPE 86, SEE DETAIL 1960
 - PAVING TYPE 87, SEE DETAIL 1970
 - PAVING TYPE 88, SEE DETAIL 1980
 - PAVING TYPE 89, SEE DETAIL 1990
 - PAVING TYPE 90, SEE DETAIL 2000
 - PAVING TYPE 91, SEE DETAIL 2010
 - PAVING TYPE 92, SEE DETAIL 2020
 - PAVING TYPE 93, SEE DETAIL 2030
 - PAVING TYPE 94, SEE DETAIL 2040
 - PAVING TYPE 95, SEE DETAIL 2050
 - PAVING TYPE 96, SEE DETAIL 2060
 - PAVING TYPE 97, SEE DETAIL 2070
 - PAVING TYPE 98, SEE DETAIL 2080
 - PAVING TYPE 99, SEE DETAIL 2090
 - PAVING TYPE 100, SEE DETAIL 2100

PRELIMINARY, NOT FOR CONSTRUCTION.

1202A

DETAIL
 CALLOUT PLAN
 NOT FOR CONSTRUCTION
 SITE PLAN SUBMITTAL

ARCHITECTS
 OPEN ARCHITECTS
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1111
 WWW.OPENARCHITECTS.COM

LANDSCAPE ARCHITECT
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ELECTRICAL ENGINEER
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PLUMBING ENGINEER
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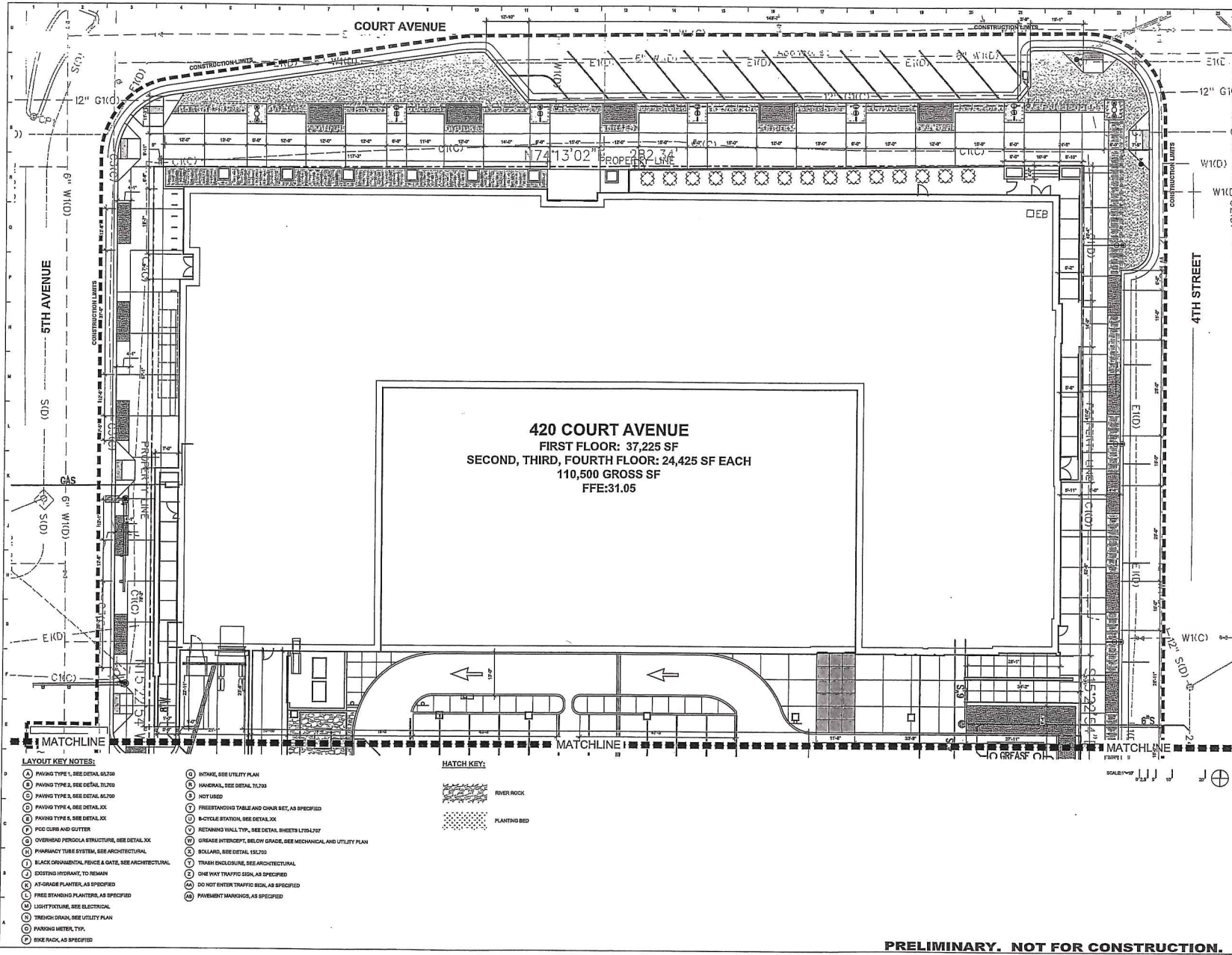
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OPIN ARCHITECTS
 600 WEST PARKWAY, SUITE 400
 MOBILE, AL 36688
 P. 904-681-1000
 F. 904-681-1001
 www.opinarchitects.com

PROJECT:
 420 COURT AVENUE, MOBILE, AL 36688

DESIGNER:
 OPIN ARCHITECTS

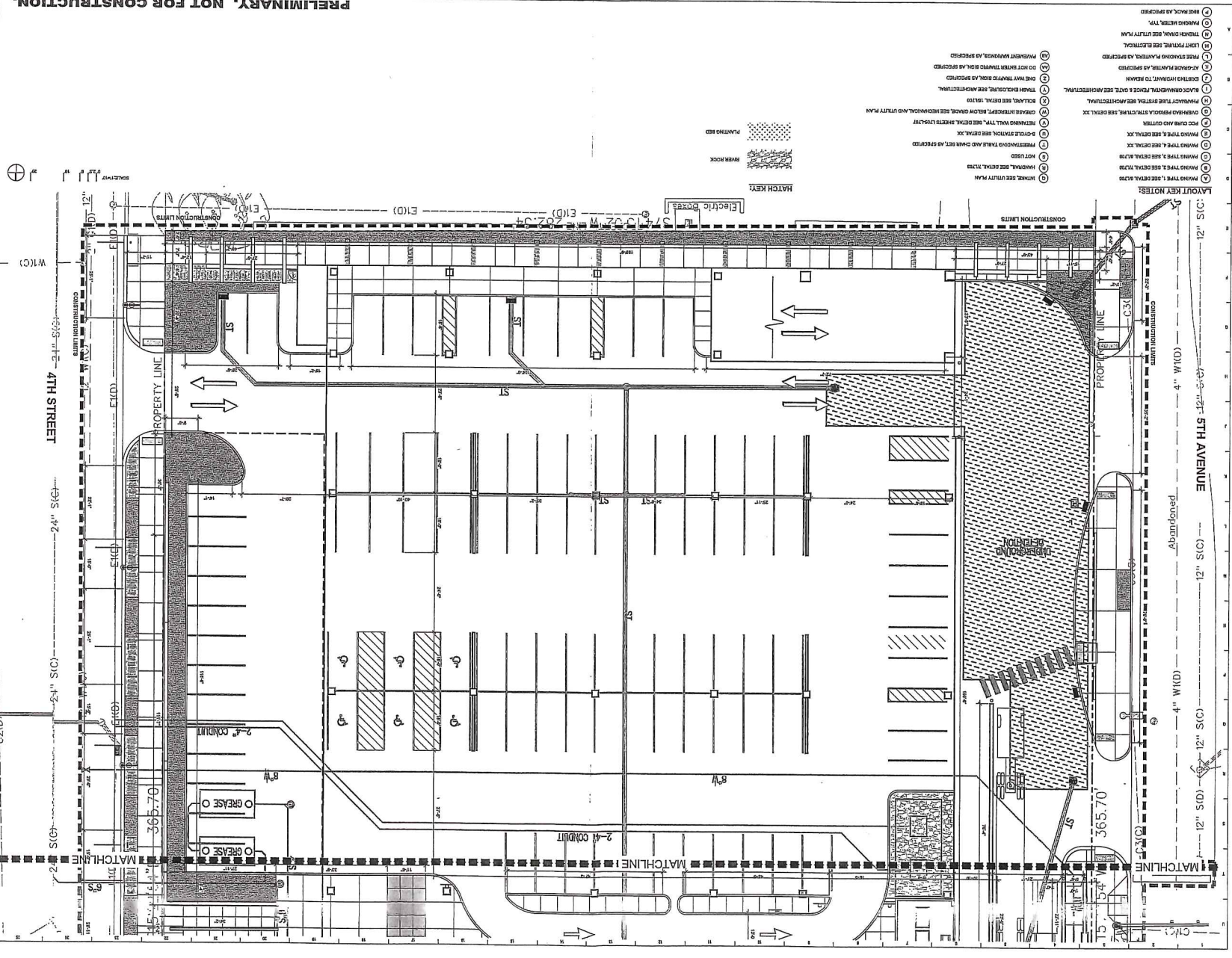
DATE:
 04/08/2015

SCALE:
 1/8" = 1'-0"

NOT FOR CONSTRUCTION

L201C

PRELIMINARY. NOT FOR CONSTRUCTION.



- LAYOUT KEY NOTES:**
- PAVING TYPE 1, SEE DETAIL XXIV
 - PAVING TYPE 2, SEE DETAIL XXIII
 - PAVING TYPE 3, SEE DETAIL XXII
 - PAVING TYPE 4, SEE DETAIL XXI
 - PAVING TYPE 5, SEE DETAIL XX
 - PAVING TYPE 6, SEE DETAIL XIX
 - PAVING TYPE 7, SEE DETAIL XVIII
 - PAVING TYPE 8, SEE DETAIL XVII
 - PAVING TYPE 9, SEE DETAIL XVI
 - PAVING TYPE 10, SEE DETAIL XV
 - PAVING TYPE 11, SEE DETAIL XIV
 - PAVING TYPE 12, SEE DETAIL XIII
 - PAVING TYPE 13, SEE DETAIL XII
 - PAVING TYPE 14, SEE DETAIL XI
 - PAVING TYPE 15, SEE DETAIL X
 - PAVING TYPE 16, SEE DETAIL IX
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 - PAVING TYPE 19, SEE DETAIL VI
 - PAVING TYPE 20, SEE DETAIL V
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 - PAVING TYPE 22, SEE DETAIL III
 - PAVING TYPE 23, SEE DETAIL II
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 - PAVING TYPE 99, SEE DETAIL
 - PAVING TYPE 100, SEE DETAIL

PN ARCHITECTS
 1000 PINE STREET, SUITE 1000
 NEW ORLEANS, LA 70112
 (504) 581-1111
 www.pnarchitects.com

OWN ARCHITECTS
 1000 PINE STREET, SUITE 1000
 NEW ORLEANS, LA 70112
 (504) 581-1111
 www.ownarchitects.com

CONSULTANTS
 CIVIL ENGINEERS: [Name], [License No.]
 MECHANICAL ENGINEERS: [Name], [License No.]
 ELECTRICAL ENGINEERS: [Name], [License No.]
 PLUMBING CONSULTANT: [Name], [License No.]
 STRUCTURAL ENGINEERS: [Name], [License No.]
 GEOTECHNICAL ENGINEERS: [Name], [License No.]
 ENVIRONMENTAL ENGINEERS: [Name], [License No.]
 LANDSCAPE ARCHITECT: [Name], [License No.]
 ARCHITECT: [Name], [License No.]

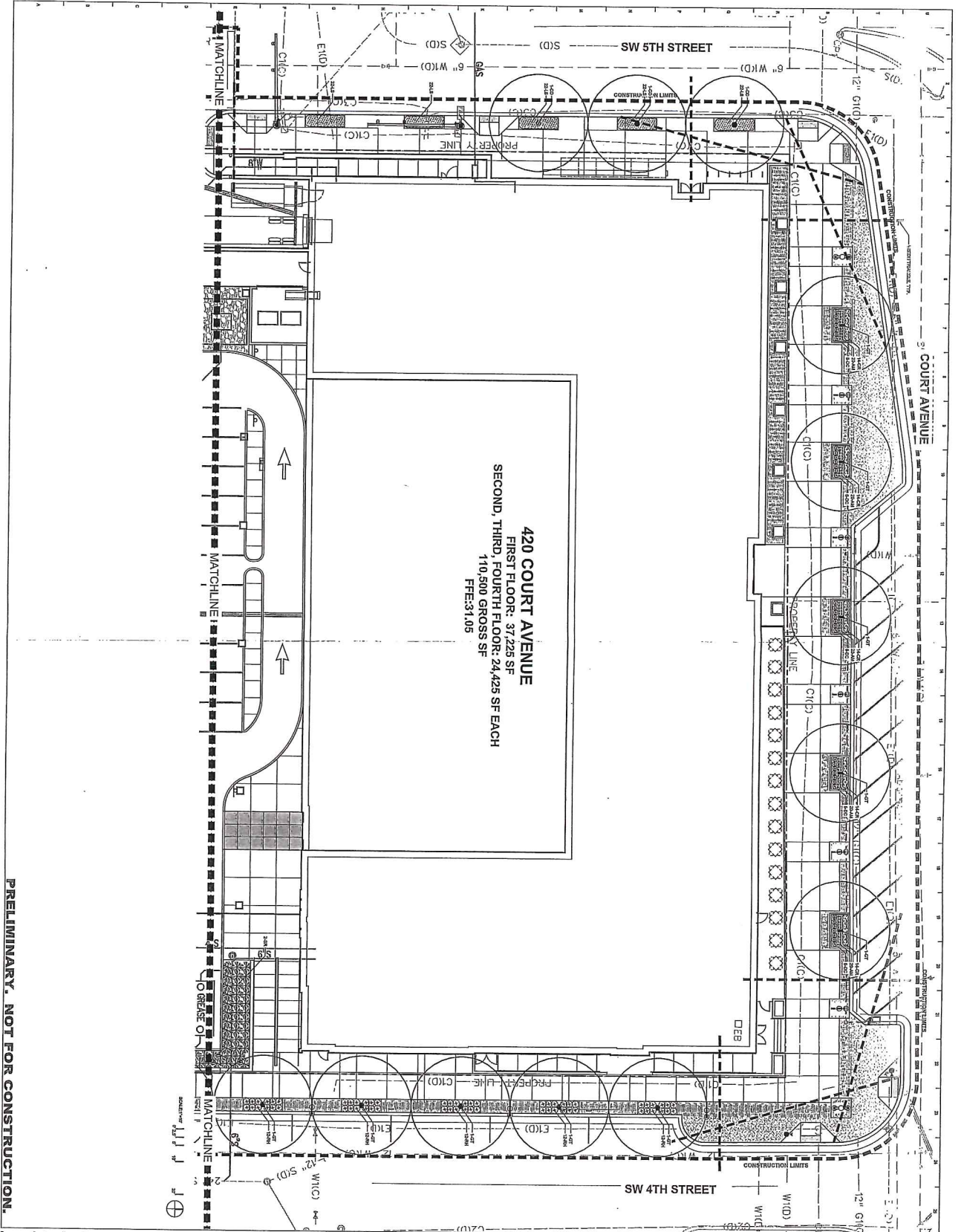
DATE: 4/8/2015

PROJECT: [Project Name]

SCALE: 1/8" = 1'-0"

NOT FOR CONSTRUCTION

1202C



420 COURT AVENUE
 FIRST FLOOR: 37,225 SF
 SECOND, THIRD, FOURTH FLOOR: 24,425 SF EACH
 110,500 GROSS SF
 FFE:31,05

PRELIMINARY. NOT FOR CONSTRUCTION.

OPIN ARCHITECTS
 1000 N. W. 10th St., Suite 1000, Ft. Lauderdale, FL 33304
 Phone: (954) 562-1000
 Fax: (954) 562-1001
 www.opin.com

OWNER: JAMES H. HARRIS
PROJECT: 420 COURT AVENUE
DATE: 4/8/2015

ARCHITECT: OPIN ARCHITECTS
SCALE: AS SHOWN
DATE: 4/8/2015

PLANTING PLAN

L501

EXTERIOR ELEVATIONS EXTERIOR MATERIALS

420 COURT AVE.
DES MOINES, IA

SCALE: 1/8" = 1'-0"
04.13.2015
OPN ARCHITECTS

