



27

Date June 13, 2016

**RESOLUTION SETTING HEARING ON REQUEST FROM
NEIGHBORHOOD INVESTMENT CORPORATION, INC. FOR THE FIRST AMENDMENT
TO THE SHERMAN HILL PUD CONCEPTUAL PLAN ON PROPERTY LOCATED AT
1620 PLEASANT STREET AND 701-711 16TH STREET**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 2, 2016, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Neighborhood Investment Corporation, Inc. (owner), represented by Jack Porter (officer), for the First Amendment to the Sherman Hill PUD Conceptual Plan on property located at 1620 Pleasant Street and 701-711 16th Street to revise permitted uses to allow twenty percent (20%) of the gross floor area of the Mickle Center, 1620 Pleasant Street, to be used for a business incubator for entrepreneurial uses consistent with the community character including a community commercial kitchen, subject to the Amendment's land use notes for the property reading as follows:

1. Public purpose uses as approved by the owner and the City of Des Moines.
2. Community center activities for neighborhood organizations, operated by the owner.
3. Artist co-op studios.
4. Local cultural display center.
5. Office suites and meeting rooms for not-for-profit entities engaged in charitable, educational, and community activities.
6. Business incubator to encourage development of entrepreneurial businesses consistent with the community character, including but not limited to a shared-use community kitchen. No more than twenty percent (20%) of the gross floor area of the existing building shall be dedicated to incubator use.
7. Dine-in and take-out food sales from the premises is prohibited.
8. Commercial vehicle parking is limited to the hours of operation.
9. Alterations to the structure or site are subject to the building setback, bulk and area requirements of the "R-HD" Residential Historic District Zoning Classification; and

WHEREAS, the Property is legally described as follows:

Lots 1, 2, 3 and 8 and the West 48.0 feet of the East 73.0 feet Lots 4 and 5, BOSCOBEL ADDITION, an Official Plat; and Lots 18 through 21 and the South 11.0 feet Lot 17 and the vacated alley lying South of and adjoining Lot 18, Marshes Subdivision of Lot 2 PURSLEY ESTATE, an Official Plat, 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 attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed First Amendment to the Sherman Hill PUD Conceptual Plan is to be considered shall be held at the Richard A. Clark Municipal Service

27

Date June 13, 2016

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Center (MSC), located at 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa, at 5:00 p.m. on June 27, 2016, at which time the City Council will hear both those who oppose and those who favor the proposal.

- 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.

MOVED BY _____ TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2016-00090)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

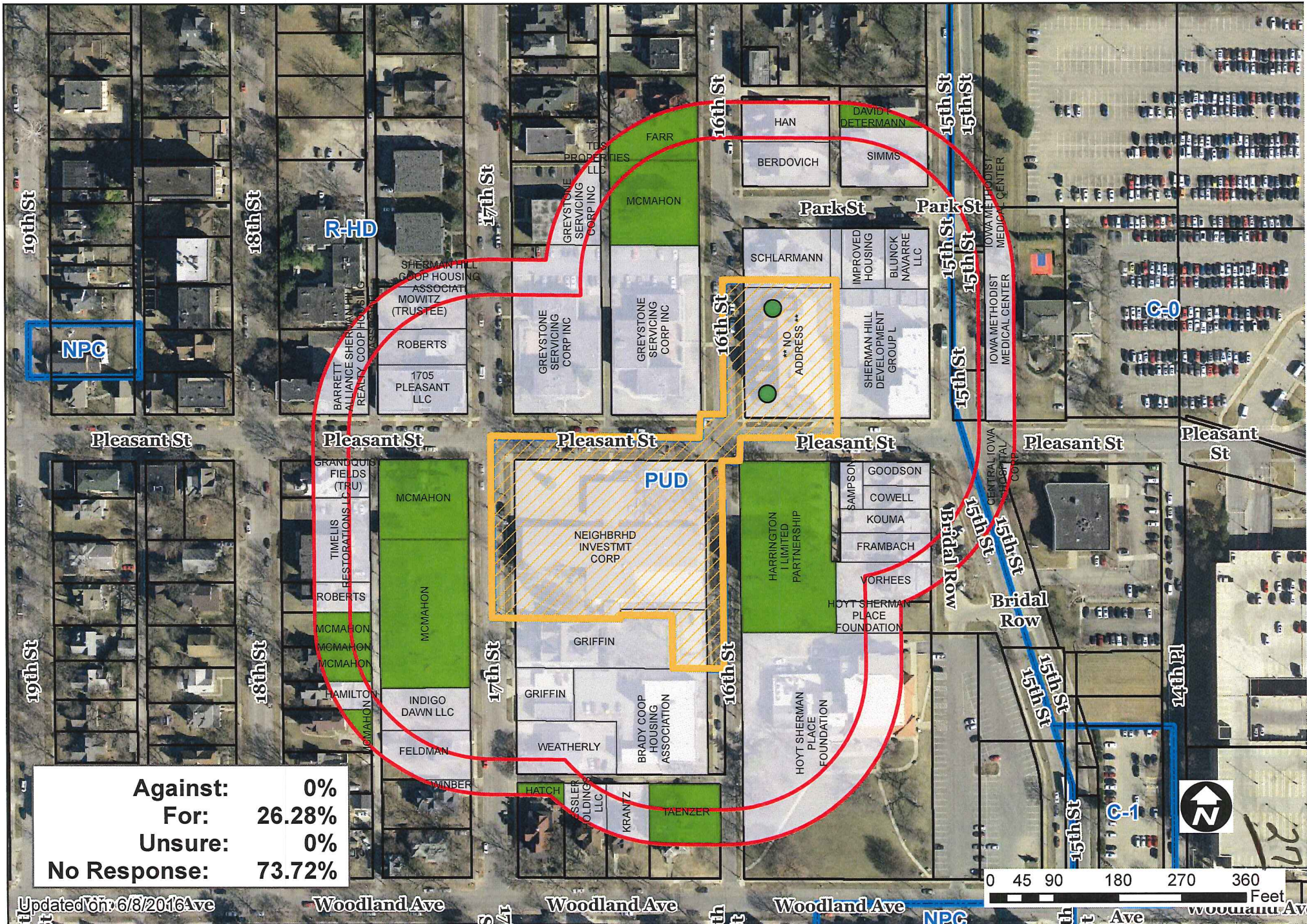
Mayor

CERTIFICATE

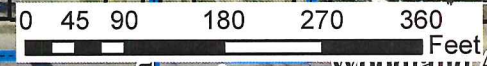
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

City Clerk



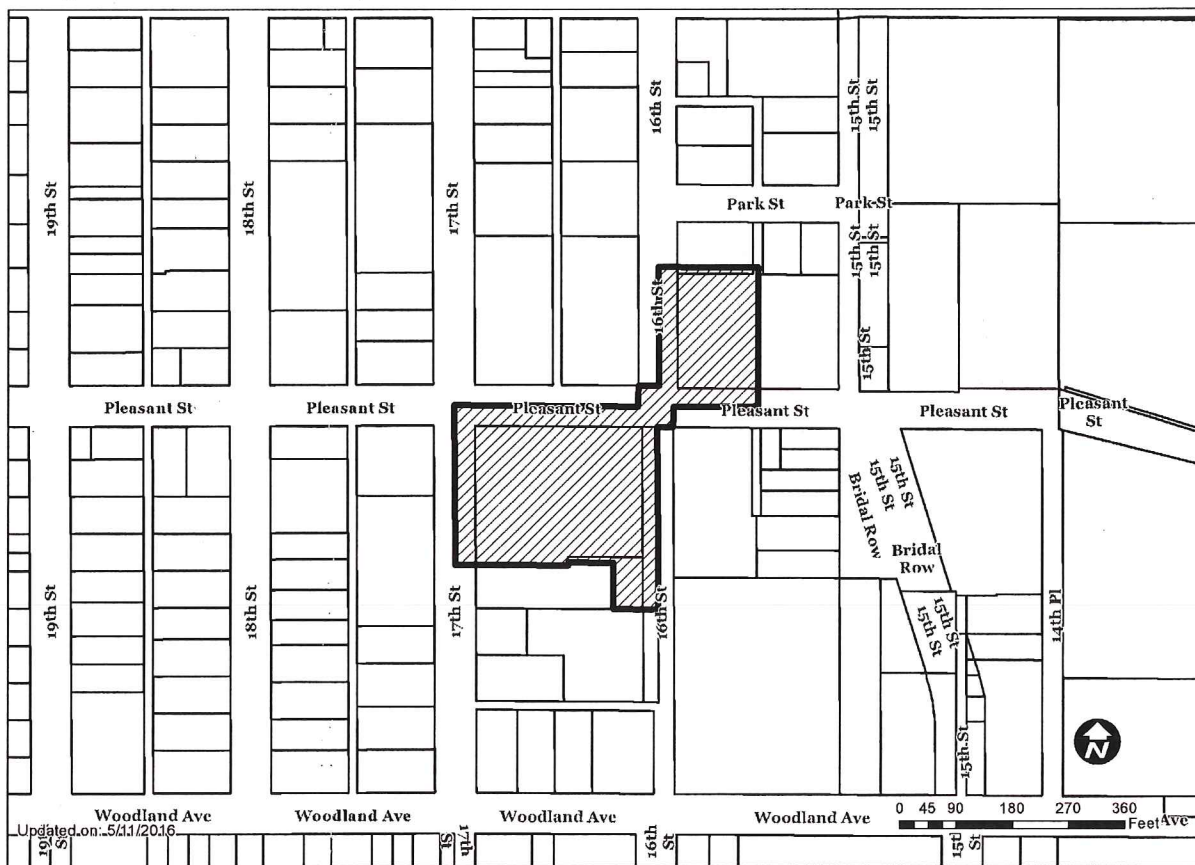
Against:	0%
For:	26.28%
Unsure:	0%
No Response:	73.72%



Neighborhood Investment Corporation, Inc. (owner) represented by Jack Porter (officer) for property located at 1620 Pleasant Street (Parcels B & C) and 701-711 16th Street (Parcel "A"). Additional subject property is owned by the Alechemilla Condominiums.				File # ZON2016-00090	
Description of Action	Approval of Amendment to the Sherman Hill PUD Conceptual Plan); to revise permitted uses on Parcel "B" to allow 20% of the gross floor area of the Mickle Center to be used for a business incubator for entrepreneurial uses consistent with the community character including a community commercial kitchen subject to the land use notes for Parcel B with conditions.				
PlanDSM Future Land Use	Current: Neighborhood Mixed Use. Proposed: N/A.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	"PUD" Planned Unit Development and "FSO" Freestanding Signs Overlay District.				
Proposed Zoning District	N/A.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	10	0			
Outside Area					
Plan and Zoning Commission Action	Approval	11-0	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

Neighborhood Investment Corporation, 1620 Pleasant Street

ZON2016-00090





June 8, 2016

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 June 2, 2016, the following action was taken regarding a request from Neighborhood Investment Corporation, Inc. (owner) represented by Jack Porter (officer) for the 1st amendment to the Sherman Hill PUD Conceptual Plan on property located at 1620 Pleasant Street (Parcels B & C) and 701-711 16th Street (Parcel "A"). Additional subject property is owned by the Alechemilla Condominiums.

COMMISSION RECOMMENDATION:

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

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dory Briles	X			
JoAnne Corigliano	X			
David Courard-Hauri	X			
Jacqueline Easley	X			
Tim Fitzgerald				X
Jann Freed	X			
John "Jack" Hilmes	X			
Greg Jones	X			
Sasha Kamper	X			
William Page	X			
Mike Simonson				X
CJ Stephens	X			
Steve Wallace	X			
Greg Wattier				X

APPROVAL of the proposed PUD Conceptual Plan amendment subject to the land use notes for Parcel B reading as follows: (ZON2016-00090)

1. Public purpose uses as approved by the owner and the City of Des Moines.

- 2. Community center activates for neighborhood organizations, operated by the owner.
- 3. Artist' co-op studios.
- 4. Local cultural display center.
- 5. Office suites and meeting rooms for not-for-profit entities engaged in charitable, educational, and community activities.
- 6. Business incubator to encourage development of entrepreneurial businesses consistent with the community character, including but not limited to a shared-use community kitchen. No more than twenty percent (20%) of the gross floor area of the existing building shall be dedicated to incubator use.
- 7. Dine-in and take-out food sales from the premises is prohibited.
- 8. Commercial vehicle parking is limited to the hours of operation.
- 9. Alterations to the structure or site are subject to the building setback, bulk and area requirements of the "R-HD" Residential Historic District Zoning Classification.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed PUD Conceptual Plan amendment subject to the land use notes for Parcel B reading as follows:

- 1. Public purpose uses as approved by the owner and the City of Des Moines.
- 2. Community center activates for neighborhood organizations, operated by the owner.
- 3. Artist' co-op studios.
- 4. Local cultural display center.
- 5. Office suites and meeting rooms for not-for-profit entities engaged in charitable, educational, and community activities.
- 6. Business incubator to encourage development of entrepreneurial businesses consistent with the community character, including but not limited to a shared-use community kitchen. No more than twenty percent (20%) of the gross floor area of the existing building shall be dedicated to incubator use.
- 7. Dine-in and take-out food sales from the premises is prohibited.
- 8. Commercial vehicle parking is limited to the hours of operation.
- 9. Alterations to the structure or site are subject to the building setback, bulk and area requirements of the "R-HD" Residential Historic District Zoning Classification.

Written Responses

- 9 In Favor
- 0 In Opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. **Purpose of Request:** The proposed Conceptual Plan amendment would allow the existing kitchen space within the building to be renovated and used as a shared-use community kitchen. The kitchen space would provide a State of Iowa certified food preparation kitchen that could be used for small businesses, such as famer's market and food truck vendors, bakers and caterers. It would be leasable on an hourly, daily or monthly basis. Dine-in and take-out food sales would be prohibited. Kitchen tenant vehicles would only be allowed to park on-site during times they are using the kitchen.

2. **Size of Site:** 87,692 square feet (2.01 acres).
3. **Existing Zoning (site):** “PUD” Sherman Hill Planned Unit Development District, “D-O” Downtown Overlay District, “GGP” Gambling Games Prohibition Overlay District and “FSO” Freestanding Sign Overlay District.
4. **Existing Land Use (site):** Robert W. Mickle Neighborhood Resource Center and Alechemilla Condomuniums.
5. **Adjacent Land Use and Zoning:**
 - North* - “R-HD”; Uses are multiple-family residential.
 - South* - “R-HD”; Uses are multiple-family residential.
 - East* - “R-HD”; Uses are multiple-family residential.
 - West* - “R-HD”; Use is a single-family dwelling.
6. **General Neighborhood/Area Land Uses:** The subject property is located in the Sherman Hill Neighborhood, which is comprised of Victorian era single-family dwellings, small-scale multi-family dwellings and small-scale commercial uses. The majority of this neighborhood is listed on the National Register of Historic Places and is located in the Sherman Hill Local Historic District.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Sherman Hill Neighborhood and within 250 of the Downtown Des Moines Neighborhood. The neighborhoods were notified of the Commission meeting by mailing of the Preliminary Agenda on May 13, 2016. Additionally, separate notifications of the hearing for the rezoning were mailed on May 13, 2016 (20 days prior to the hearing) and on May 23, 2016 (10 days prior to the hearing) to the neighborhood associations and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda was mailed to the neighborhoods on July 31, 2015.

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 Sherman Hill Neighborhood Association notices were mailed to David Schlarmann, 1503 Center Street, Des Moines, IA 50314. The Downtown Des Moines Neighborhood Association notices were mailed to Jon Thompson, 1719 Grand Avenue #330, Des Moines, IA 50309.

8. **Relevant Zoning History:** On December 17, 2001, the City Council approved Ordinance Number 14,036 by Roll Call Number 01-3724. This action rezoned the subject property from “R-HD” District to “PUD” District and approved the Sherman Hill PUD Conceptual Plan. The Plan and Zoning Commission’s hearing on this matter occurred on November 15, 2001.

The PUD Conceptual Plan includes the following language that dictates the allowed uses for Parcel B:

- a) Public purpose uses as approved by the owner and the City of Des Moines.
- b) Community center activities for neighborhood organizations such as the Sherman Hill Neighborhood.
- c) Artists' co-op studios, including living quarters and teaching.
- d) Local cultural display center.
- e) Small professional offices and retail not over 600 square feet and operated by owner with one employee.
- f) Property subject to long-term lease for use by PACE Inc.
- g) Alterations to the structure or site are subject to the building setback, bulk and area requirements of the "R-HD" Residential Historic District Zoning Classification.

The proposed amendment would replace this language with the following:

- a) Public purpose uses as approved by the owner and the City of Des Moines.
- b) Community center activates for neighborhood organizations, operated by the owner.
- c) Artist' co-op studios.
- d) Local cultural display center.
- e) Office suites and meeting rooms for not-for-profit entities engaged in charitable, educational, and community activities seeking to address the needs of the most vulnerable populations in the community.
- f) Business incubator to encourage development of entrepreneurial businesses consistent with the community character, including but not limited to a shared-use community kitchen, which incubator shall not exceed twenty percent (20%) of the gross area of the existing building.
- g) Property subject to meeting city's historic district standards subject to the "R-HD" District bulk/area requirements.

The staff recommendation includes revisions to the proposed language for readability and enforcement purposes.

9. Plan DSM Future Land Use Plan Designation: Neighborhood Mixed Use.

10. Applicable Regulations: Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to amend zoning boundaries or regulations 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 make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

Plan DSM Future Land Use Plan: The site is designated as "Neighborhood Mixed Use" on the Future Land Use Map. This designation is described as areas that contain small scale mixed use development typically located at the intersections of collector and/or arterial streets and along transportation corridors. Non-residential development is designed to

serve the immediate neighborhood and include small retail, office, restaurants, and service oriented development. Low-medium density residential may be included in mixed use development. The proposed PUD Conceptual Plan amendment complies with this definition.

SUMMARY OF DISCUSSION

Greg Jones asked if anyone was present to speak on this item. None were present or requested to speak.

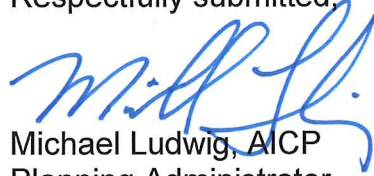
COMMISSION ACTION:

John "Jack" Hilmes moved staff recommendation for approval of the proposed PUD Conceptual Plan amendment subject to the land use notes for Parcel B reading as follows:

1. Public purpose uses as approved by the owner and the City of Des Moines.
2. Community center activates for neighborhood organizations, operated by the owner.
3. Artist' co-op studios.
4. Local cultural display center.
5. Office suites and meeting rooms for not-for-profit entities engaged in charitable, educational, and community activities.
6. Business incubator to encourage development of entrepreneurial businesses consistent with the community character, including but not limited to a shared-use community kitchen. No more than twenty percent (20%) of the gross floor area of the existing building shall be dedicated to incubator use.
7. Dine-in and take-out food sales from the premises is prohibited.
8. Commercial vehicle parking is limited to the hours of operation.
9. Alterations to the structure or site are subject to the building setback, bulk and area requirements of the "R-HD" Residential Historic District Zoning Classification.

Motion passed 11-0.

Respectfully submitted,



Michael Ludwig, AICP
 Planning Administrator

MGL:clw
 Attachment

Item ZON2016-00090

Date 5/24/16

I (am) in favor of the request.

unable to confirm on map

COMMUNITY DEVELOPMENT

Received by [Signature]

JUN 01 2016

Signature

[Signature]

DEPARTMENT

Address

650-16th

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

Four horizontal lines for listing reasons.

ZON2016-00090

ZON2016-00090

Item

I (am) in favor of the request.

RECEIVED

JUN 03 2016

Signature

[Signature]

COMMUNITY DEVELOPMENT

Address

1605 WOODLAND AVE 50509

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

I Approve because it will

be a great addition & is

needed in our community

Date

5-30-16

Item

I (am) in favor of the request.

RECEIVED

COMMUNITY DEVELOPMENT

JUN 03 2016

Print Name

JAMES CORLIH

Signature

[Signature]

DEPARTMENT

Address

319 - 7th Suite 500

*Received after 6/2 PR2
Harrington P Limited Partnership*

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

Five horizontal lines for listing reasons.

I Approve because it will
 be a great addition & is
 needed in our community

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

Item ZON2016-00090
 (am) (am not) in favor of the request: **RECEIVED**
 (Circle One)
 COMMUNITY DEVELOPMENT
 JUN 03 2016
 DEPARTMENT
 Address 1605 WOODLAND AVE 50309
 Signature [Signature]
 Print Name YORK IANZER
 Date 5-25-16
 Received after 6/2 P22

ZON2016-00090

ZON2016-00090

Item ZON2016-00090
 Date 5-30-16
 (am) (am not) in favor of the request: **RECEIVED**
 (Circle One)
 COMMUNITY DEVELOPMENT
 JUN 03 2016
 DEPARTMENT
 Address 319 - 7th Suite 500
 Signature [Signature]
 Print Name JAMES COULIX
 Received after 6/2 P22
 Harrington Limited Partnership

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

Item ZON2016-00090
 Date 5/24/16
 (am) **RECEIVED** in favor of the request.
 (Circle One)
 COMMUNITY DEVELOPMENT
 JUN 01 2016
 DEPARTMENT
 Address 650-16th
 Signature [Signature]
 Print Name [Signature]
 unable to confirm on map

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

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

Item Nickle Center Date 5/24/16

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

COMMUNITY DEVELOPMENT DEPARTMENT JUN 01 2016

Print Name Nathan Blake

Signature Nathan Blake

Address 711 16th St.

DEPARTMENT JUN 01 2016

Item Nickle Center Date _____

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

COMMUNITY DEVELOPMENT DEPARTMENT JUN 01 2016

Print Name Sonya Roberts

Signature Sonya Roberts

Address 1623 Woodland Ave.

DEPARTMENT JUN 01 2016

Item _____ Date _____

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

COMMUNITY DEVELOPMENT DEPARTMENT JUN 01 2016

Print Name _____

Signature _____

Address _____

DEPARTMENT JUN 01 2016

ZON2016-00090

ZON2016-00090

ZON2016-00090

Amendment to Sherman Hill PUD

Date 05.25.16

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

RECEIVED COMMUNITY DEVELOPMENT

Print Name Warren Riedesel

Signature Warren Riedesel

Address 701-16th St., DSM

JUN 01 2016

DEPARTMENT

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

I support enabling owners of the Mickle Center to better utilize their facility via the community kitchen therein.

My only concern is parking as that is already an issue

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

DEPARTMENT JUN 01 2016
 Address 680 18th St
 Signature [Signature]
 Print Name Julia McMechan
 Date 5-25-16

ZON2016-00090

ZON2016-00090

Item _____ Date 5/24/2016
 I (am) (am not) in favor of the request.
 RECEIVED
 (Circle One)
 COMMUNITY DEVELOPMENT
 Signature John David Forrest Detemmer
 JUN 01 2016
 Address 740 15th St 50314
 DEPARTMENT

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

ZON2016-00090

Item _____ Date 5-25-16

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

COMMUNITY DEVELOPMENT

JUN 01 2016
 DEPARTMENT
 Print Name CHARLES E. FARR
 Signature [Signature]
 Address 740 16th STREET

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

ZON2016-00090

Item _____ Date 5-25-16

(am) (am not) in favor of the request.
RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT

*Received after 6/2 PkZ.
(lost of subject Property).*

Print Name Matthew Sharp

JUN 03 2016

Signature *MS*

DEPARTMENT

Address 707 16th St.

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

It will be good for the Mickle
Center to gain additional revenue
through renting the kitchen.

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

Address 1510 Court St DEPARTMENT

Signature [Signature] JUN 06 2016

Print Name Andrea Hickman COMMUNITY DEVELOPMENT

Not located within 250 feet notification

Date 6/1/16

ZON2016-00090

ZON2016-00090

Item # 4

Date 06/02/16 HEARING
DATE

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

Applicant

RECEIVED
(Circle One)

COMMUNITY DEVELOPMENT

Print Name NEIGHBORHOOD INVESTMENT CORP.

Signature [Signature]

JUN 06 2016

Address JACK C. PORTER NIC BOARD PRES.

DEPARTMENT

1620 PLEASANT ST SUITE 200

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

DSM, IOWA

50314-1677

27