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**Date** July 25, 2016

**RESOLUTION CLOSING HEARING ON THE SECOND AMENDMENT  
TO THE THIRD RESTATED URBAN REVITALIZATION PLAN FOR THE  
CITY-WIDE URBAN REVITALIZATION AREA AND APPROVING SAME**

WHEREAS, on June 15, 1987, by Roll Call No. 87-2630, the Des Moines City Council adopted a resolution, in accordance with the provisions of Section 404.2(1) of the Urban Revitalization Act, finding that the rehabilitation, conservation, redevelopment, or a combination thereof of the entire area then within the corporation boundaries of the City of Des Moines is necessary in the interest of the public health, safety, or welfare of the residents of the City and the area meets the criteria of Section 404.1 of the Code of Iowa; and,

WHEREAS, on September 28, 1987, by Roll Call No. 87-4009, the Des Moines City Council adopted a resolution, in accordance with the provisions of Section 404.2(6) of the Act, approving the Urban Revitalization Plan for the City-wide Urban Revitalization Area, which Plan has been repeatedly amended; and,

WHEREAS, on October 26, 2015, by Roll Call Nos. 15-1816 and 15-1818, the City Council approved and adopted the Third Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "Third Restated Plan"); and,

WHEREAS, on July 11, 2016, by Roll Call No. 16-1119, the City Council scheduled a public hearing on the proposed Second Amendment to the Third Restated Plan, to be held on July 25, 2016, at 5:00 p.m., at the Richard A. Clark Municipal Service Center; and,

WHEREAS, the purpose of the Second Amendment to the Third Restated Plan is to amend the Construction and Sustainability Design Standards in Appendix A-1 to allow the limited use of vinyl siding products on row house projects and to identify additional sustainability measures that may be used to satisfy the minimum sustainability requirements; and,

WHEREAS, a copy of the proposed Second Amendment to the Third Restated Plan is on file and available for inspection by the public in the office of the City Clerk; and,

WHEREAS, public notice of the hearing was published in the Des Moines Register on July 14, 2016; and,

WHEREAS, all persons appearing at the hearing and desiring to be heard regarding the said Second Amendment have been given the opportunity to be heard.

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



Date July 25, 2016

1. The public hearing on the proposed Second Amendment to the Third Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is hereby closed, and all objections to the proposed Second Amendment are hereby overruled.
2. The proposed Second Amendment is hereby found to be in conformance with the Des Moines 2020 Community Character Plan.
3. The Second Amendment to the Third Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is hereby approved and adopted.

( Council Communication No. 16- 401 )

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

FORM APPROVED:

*Roger K Brown*

Roger K. Brown  
Assistant City Attorney  
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Exhibits:

A – Second Amendment to the Third Restated City-wide Urban Revitalization Plan

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

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.

\_\_\_\_\_  
Mayor

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

**Appendix A-1 (Rev. 32)**

**Construction and Sustainability Design Standards**

*(Applicable to improvements to multiresidential, commercial and industrial property, and to residential property within a building which consists of three or more attached dwellings.)*

OVERVIEW

Tax abatement is offered as an incentive to multiresidential, commercial and industrial projects that demonstrate a commitment to the quality of Des Moines' residential, commercial and industrial areas that is comparable with requirements of our metropolitan counterparts and over time, will improve the character of the residential, commercial and industrial areas throughout the City.

Except where otherwise noted, if the improvements to multiresidential, commercial or industrial property or to residential property within a building that consists of three or more attached dwellings, include a new building, a building addition over 50% of the existing building area, or renovations to a building that have an estimated cost for building permit purposes that exceeds 50% of the assessed value of the existing building, then the property must also conform with the design standards set forth in this appendix to qualify for a partial exemption from taxation under the Restated Plan.

It is intended that these eligibility standards for tax abatement will be phased in as development regulations in the future.

Compliance with the standards will be reviewed by the Community Development Director or the Director's designee for recommendation to the City Council. An application for tax abatement must be approved by the City Council before it may be forwarded to the Polk or Warren County Assessor to allow the abatement.

DEVELOPMENT STANDARDS

1. Landscaping

Landscaping must be provided in compliance with the City of Des Moines Landscape Standards for the C-2 District. This requirement does not relieve higher levels of landscaping that may be required by other measures.

2. Sidewalks

- a) Public sidewalk must be installed along all perimeter streets in conformance with the approved site plan.
- b) Pedestrian sidewalk access must be provided between the public right-of-way and the primary building entry(s) in accordance with the approved site plan.
- c) All required sidewalks must be in good repair and not contain any defects as defined in Section 102-43 of the Des Moines Municipal Code.

3. Screening

- a) Trash containers shall be fully enclosed with 100% opaque walls and gate(s) constructed of masonry, steel panels, or other durable materials approved by the Community Development

Director. Wood, vinyl or chain link are not durable materials for the purposes of this requirement.

- b) Outside storage of materials or equipment must be enclosed by opaque wood or masonry fence. No stored materials may be stacked higher than the perimeter fence.
- c) Roof-mounted utilities must be screened on all sides by an architectural screen wall with a height equal to the height of the equipment, and constructed with an exterior finish and color matching the primary building exterior. Roof-mounted utilities may also be screened by a parapet wall or by setback from the edge of the building equal to five times the height of the equipment, or any combination of the above.
- d) Wall-mounted utilities must be screened on all sides by an architectural screen wall or painted to match the adjoining building finish.
- e) Ground-mounted and wall-mounted utilities and meters shall be screened, or not visible from public streets.

#### 4. Building Materials

- a) FOR INDUSTRIAL PROJECTS IN THE M-1, M-2 AND M-3 INDUSTRIAL ZONING DISTRICTS: A minimum of 50% of the surface area (exclusive of windows and doors) of facades fronting and perpendicular to a public street must be glass, brick, concrete panels, architectural concrete block, architectural metal panels or stone. Architectural or other use of metal panels shall be located at least 5 feet above finished grade along the facades of street-facing sides.
- b) FOR ALL OTHER PROJECTS: A minimum of 75% of the surface area (exclusive of windows and doors) of facades fronting and perpendicular to a public street must be glass, brick, concrete panels, architectural concrete block (such as split-face or burnished block), architectural metal panels or stone.

EXCEPTION: Row house projects located outside the Targeted Multiple-Family Residential Area may use vinyl siding products that meet the following criteria to satisfy the 75% surface area requirement of this sub-paragraph 4(b):

- o Must provide a minimum of two pattern variations of the vinyl siding. Examples include combinations of clapboard, board and batten, and wood shake patterns to provide variation.
- o Must provide architectural trim having a minimum width of four inches along transitions, terminations, and openings to provide detailing that contributes to architectural character.
- o The vinyl siding and trim must have a minimum thickness of 0.042 inches.
- o The vinyl siding and trim must have a minimum warranty term of 50 years.
- o The vinyl siding and trim comply with ASTM D3679-13, Standard Specification for Rigid Poly (Vinyl Chloride) (PVC) Siding, promulgated by ASTM International.

- c) All buildings shall have window and door openings comprising at least 20% of the surface area of each facade fronting public streets. However, those portions of such a facade adjoining areas of a building devoted to processing, manufacturing or storage uses associated with an industrial use of the building need only have window and door openings comprising at least 20% of the area of first floor such facade, up to a maximum elevation of 14 feet.

de) No building elevation should have exterior insulation and finish system (EIFS) within 5' of the finished grade.

ed) As an alternative to conforming with the requirements set forth above in this paragraph 4, all facades fronting and perpendicular to a public street must be constructed of materials and with a design approved by the Community Development Director as being consistent with the overall intent and purpose of these Construction and Sustainability Design Standards, and providing an equivalent level of quality and durability.

#### 5. Underground Utilities

All utility service lines to the property shall be underground, unless otherwise allowed by an approved site plan.

#### 6. Signage

Free standing signs must be monument signs or directory signs as defined in Chapter 134, Zoning, of the Des Moines City Code (no pole-mounted signage).

#### 7. Site Custodial

- a) All obsolete unneeded curb cuts, drive approaches, signs, sign poles, sign bases, concrete and paving islands shall be removed.
- b) Drive approaches shall be in good repair, properly sized and located.

#### 8. Sustainability

The development must provide a minimum of four (4) of the following sustainable features:

- a) Bike racks for public use that provide a minimum of 10% of the automobile parking provided.
- b) Permeable pavement for a minimum of 30% of the paved area.
- c) Green roof on 50% of the rooftop area.
- d) Rain garden(s) that absorb 25% of runoff from impervious surfaces during a 1 ¼ "rain event over 24 hours.
- e) Exceed applicable energy code by 15%.
- f) 50% increase in required landscaping.
- g) 90% of exterior building elevations constructed from renewable materials.
- h) Primary entry within ¼ mile of a DART transit stop.
- i) Redevelopment of a previously-developed site.
- j) Renovation of an existing building.
- k) Uses wind or solar electric generation systems reasonably estimated to annually provide at least 20% of the electric power consumed by the development.
- l) Ground source (geothermal) heat pumps used as primary source of heating and cooling.
- m) Provision of an electric vehicle charging station on site.

Residential projects in conformance with a site plan approved prior to December 31, 2011, and consisting of three or more multi-family residential structures where at least two such structures were commenced on or before December 31, 2011, and completed on or before December 31, 2012, must provide a minimum of three of the above sustainable features.

9. Historic and Cultural Resources

If the project includes a site with a historic building that is on the National Register of Historic Places or deemed eligible for the Register of Historic Places, the building must be retained if feasible, considering the condition of the property.