



Roll Call Number

Agenda Item Number

20

Date December 3, 2018

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION
REGARDING REQUEST FROM HOYT SHERMAN PLACE FOUNDATION FOR
VACATION OF A SEGMENT OF BRIDAL ROW ADJOINING 1501 WOODLAND AVENUE**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 15, 2018, its members voted 10-0-1 to recommend **APPROVAL** of a request from Hoyt Sherman Place Foundation (owner), represented by Robert Warren (officer), to vacate an irregular segment of Bridal Row adjoining 1501 Woodland Avenue to allow for realignment of the driveway access to the property as part of a venue expansion and to facilitate pedestrian access to the property from Bridal Row, subject to reservation of easements for all public utilities in place and provision by the owner of necessary public improvements for public street realignment and public sidewalks.

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

(11-2018-1.23)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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



November 28, 2018

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their November 15, 2018 meeting, the following action was taken regarding a request from Hoyt Sherman Place Foundation (owner), 1501 Woodland Avenue, represented by Robert Warren (officer) for vacation of an irregular segment of Bridal Row adjoining the subject property.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
Chris Cutler	X			
David Courard-Hauri	X			
Jacqueline Easley	X			
Jann Freed				X
John "Jack" Hilmes	X			
Lisa Howard				X
Carolyn Jenison				X
Greg Jones	X			
William Page	X			
Mike Simonson			X	
Rocky Sposato				X
Steve Wallace	X			
Greg Wattier	X			

TO RECOMMEND APPROVAL of the requested vacation of ROW, subject to the following conditions:

1. Reservation of easements for all public utilities in place.
2. Provision of necessary public improvements for public street re-alignment and public sidewalks.

(11-2018-1.23)

Written Responses

1 in Favor

0 in opposition

RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested vacation of ROW, subject to the following conditions:

1. Reservation of easements for all public utilities in place.
2. Provision of necessary public improvements for public street re-alignment and public sidewalks.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The owner is in the process of expanding the venue to provide a larger back-of-stage area, including scenery loft, green room, and loading area. The proposed vacation would allow realignment of the driveway access to the the off-street parking lot and loading area to maximize this expansion. This will also facilitate pedestrian access to the site from Bridal Row.
2. **Size of Site:** Approximately 968 square feet of Right-Of-Way (ROW).
3. **Existing Zoning (site):** "R-HD" Residential Historic District, "D-O" Downtown Overlay District, "GGP" Gambling Games Prohibition Overlay District, and "FSO" Freestanding Sign Overlay District.
4. **Existing Land Use (site):** The adjoining parcel is occupied by the Hoyt Sherman Place auditorium and also serves as offices, meeting space, and a museum curated by the foundation.
5. **Adjacent Land Use and Zoning:**
 - North** – "R-HD"; Uses are single-family dwellings.
 - South** – "R-HD"; Use is surface parking and loading for Hoyt Sherman Place.
 - East** – "C-0" & "C-1"; Use is Unity Point Iowa Methodist Medical Center and Blank Children's Hospital.
 - West** – "R-HD"; Use is vacant land.
6. **General Neighborhood/Area Land Uses:** The site is located in the western portion of the downtown. The area contains a mix of institutional, office, retail and residential uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is in the Sherman Hill Neighborhood. This neighborhood was notified of the Commission meeting by mailing of the Preliminary Agenda on October 26, 2018. Additionally, separate notifications of the

hearing for this specific item were mailed on November 5, 2018 (10 days prior to the hearing) to the Downtown Des Moines Neighborhood Association. A final agenda was mailed on November 9, 2018.

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 Association notices were mailed to David Schlarman, 1503 Center Street, Des Moines, IA 50314.

- 8. Relevant Zoning History:** On July 26, 2004, by Ordinance No. 14,361, the City Council rezoned the subject property with the "GGP" Gambling Games Prohibition Overlay District. On November 7, 2011, by Ordinance No. 15,060, the City Council rezoned the subject property with the "D-O" Downtown Overlay District.

On September 19, 2018 by Docket No. 20-2019-5.11, the Historic District Commission issued a Certificate of Appropriateness to allow the applicant to complete the following exterior improvements to Hoyt Sherman Place:

- a) Construction of a 3-story addition to the north side of the auditorium.
- b) Construction of a 1-story addition to the east side of the building.
- c) Construction of a cooler and party addition to the east of the kitchen space along the north façade.
- d) Construction of a retaining wall along the perimeter of the northwest parking lot and a sidewalk connection to the rear of the north addition.
- e) Replacement of the sidewalk in the northeast portion of the site.
- f) Construction of a ramp along the east perimeter of the building.

- 9. PlanDSM Land Use Plan Designation:** The subject property and rights-of-way are designated as "Downtown Mixed Use" on the Future Land Use Map. The Plan describes this category as an "area that allows mixed-use, high-density residential uses, and compact combinations of pedestrian-oriented retail, office, residential, and parking in downtown. Should include active uses (e.g. retail) on ground floor, particularly at key intersections."

- 10. Applicable Regulations:** The Commission, considering the criteria set forth in Chapter 18B of the Iowa Code, reviews all proposals to vacate land dedicated for a specific public purpose, such as for streets and parks, to determine whether the land is still needed for such purpose or may be released (vacated) for other use. The recommendation of the Commission is forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Utilities:** Des Moines Water Works has identified a 6-inch water main passing through the requested ROW. This main also continues south through the existing parking lot connecting into a main in Woodland Avenue and continues north through Bridal Row connecting into a main in Pleasant Street. It would be necessary to reserve an easement for this water main as part of any vacation of the ROW.

2. **Street System/Access:** The proposed vacation would involve the improvement of Bridal Row and the driveway access onto the public street from the off-street parking lot and loading area. In addition, the pedestrian walk between the venue and Bridal Row would be made accessible. Traffic Engineering Staff support the improvements.

SUMMARY OF DISCUSSION

Jacqueline Easley asked if anyone was present to speak on this item. None were present or requested to speak.

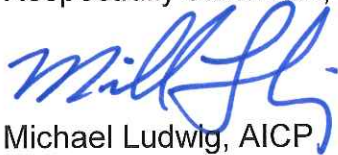
COMMISSION ACTION:

John "Jack" Hilmes made a motion for approval of the requested vacation of ROW, subject to the following conditions:

1. Reservation of easements for all public utilities in place.
2. Provision of necessary public improvements for public street re-alignment and public sidewalks.

Motion passed: 10-0-1 (Mike Simonson abstained)

Respectfully submitted,



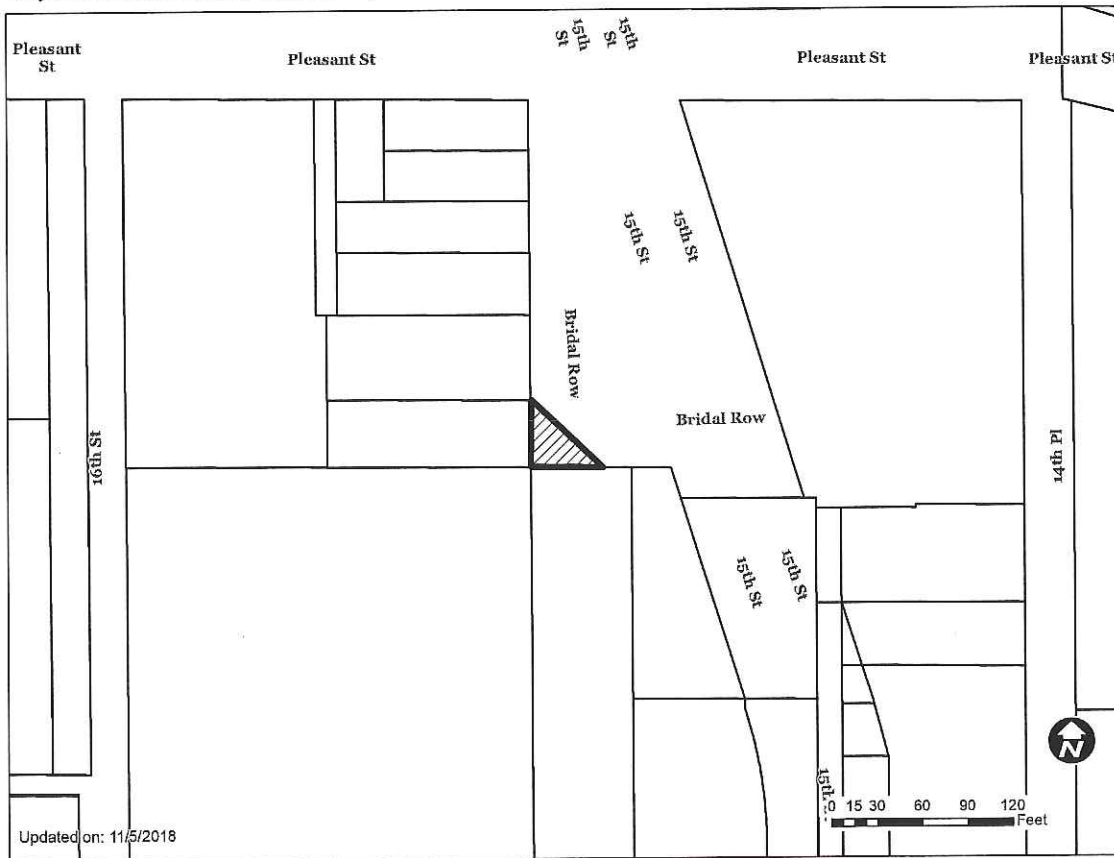
Michael Ludwig, AICP
Planning Administrator

MGL:tjh
Attachments

Hoyt Sherman Place Foundation (owner), 1501 Woodland Avenue, represented by Robert Warren (officer).				File #	
				11-2018-1.23	
Description of Action		Vacation of an irregular segment of Bridal Row adjoining the subject property.			
PlanDSM Future Land Use		Current: Neighborhood Mixed Use. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan		No planned improvements.			
Current Zoning District		"R-HD" Residential Historic District, "GGP" Gambling Game Prohibition Overlay District, "D-O" Downtown Overlay District, "FSO" Freestanding Signs Overlay District.			
Proposed Zoning District		N/A.			
Consent Card Responses		In Favor	Not In Favor	Undetermined	% Opposition
Subject Property		1	0		
Outside Area (200 feet)					
Plan and Zoning Commission Action		Approval	X	Required 6/7 Vote of the City Council	
		Denial		Yes	
				No	X

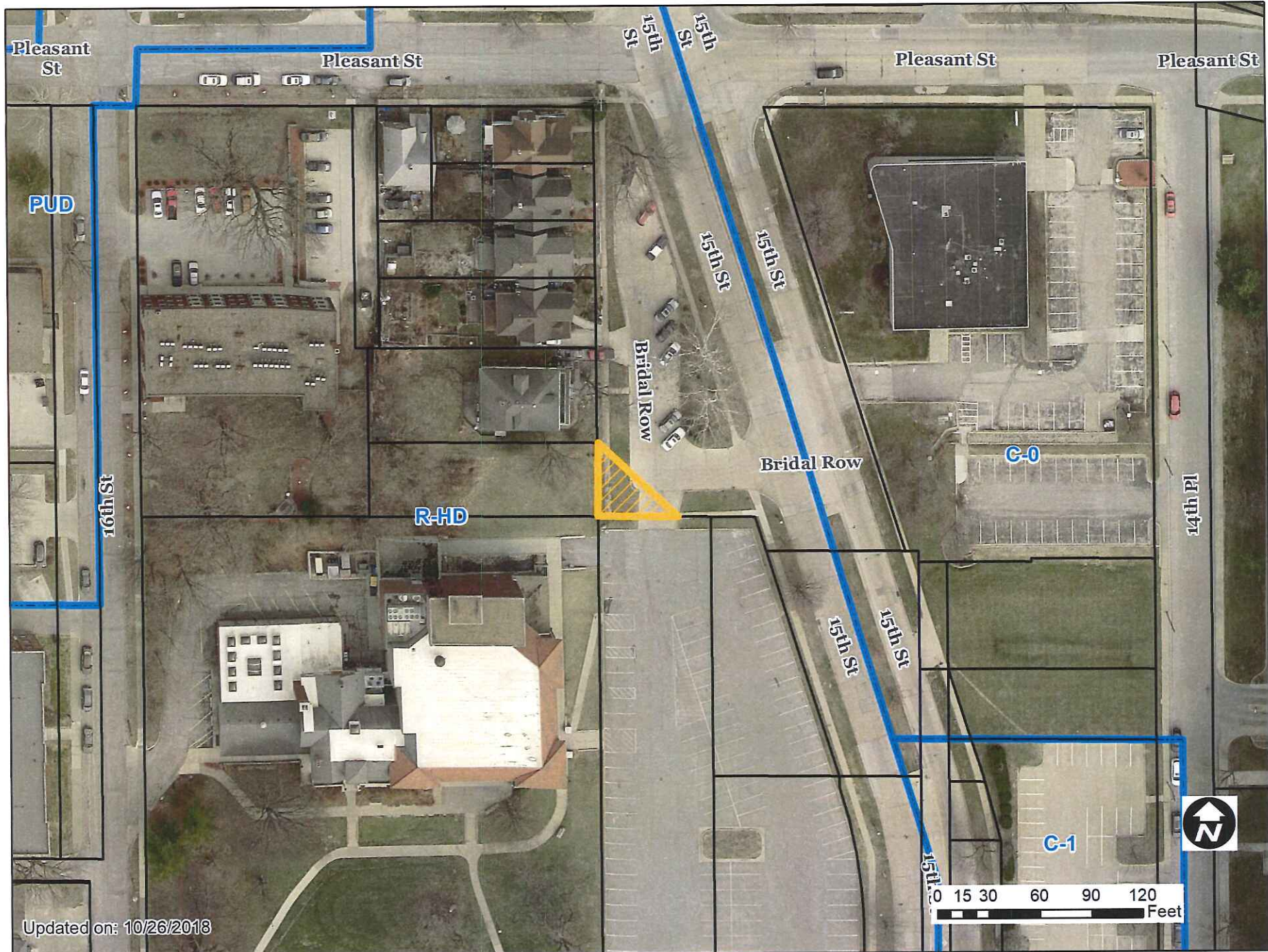
Hoyt Sherman Place Foundation, 1501 Woodland Avenue

11-2018-1.23



Updated on: 11/5/2018

1 inch = 74 feet



Updated on: 10/26/2018

1 inch = 74 feet

Item 11-2018-1.23 Date 11.8.18

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

Print Name Ric Frambach

Signature Ric Frambach

NOV 19 2018

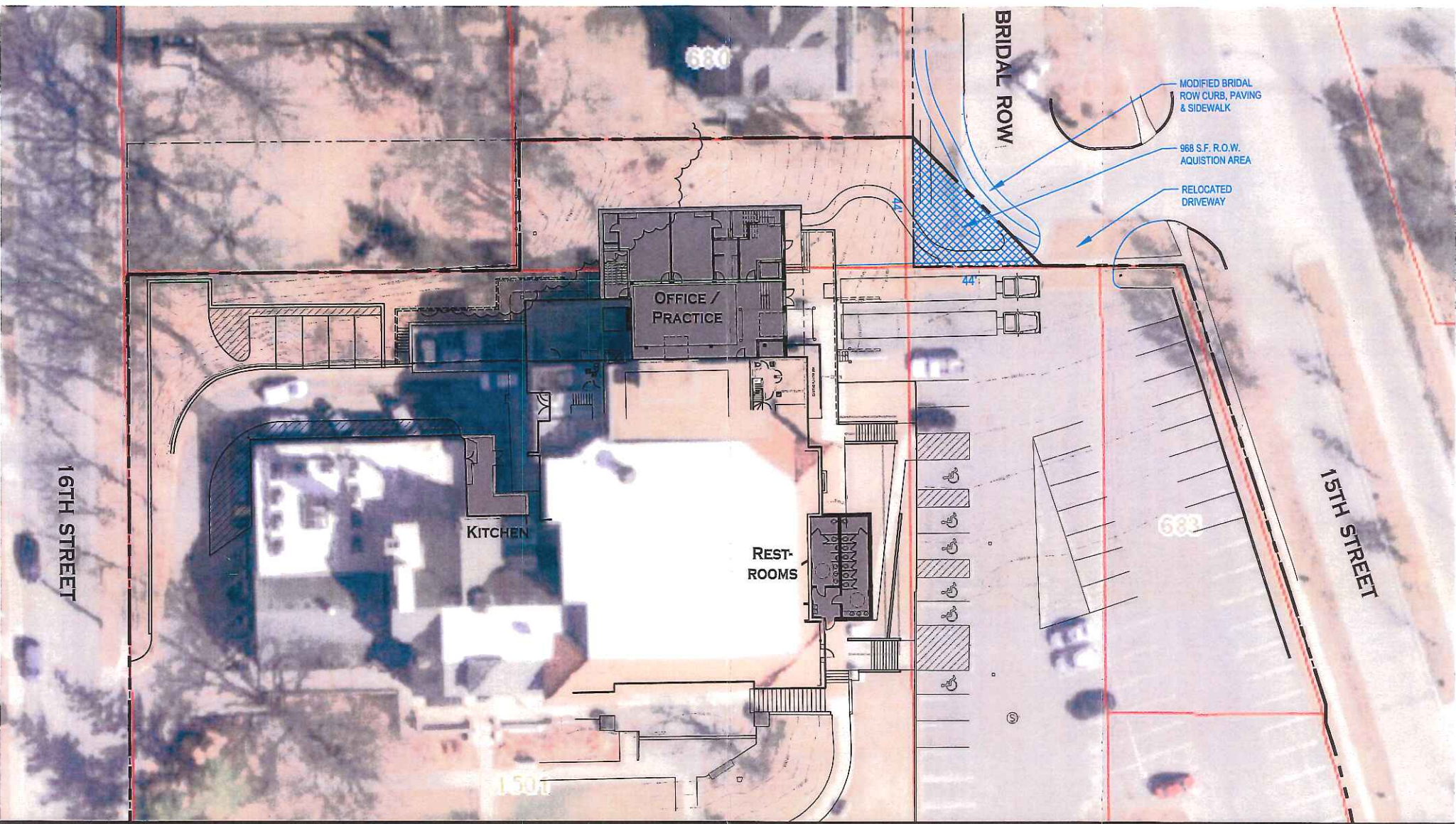
Address 682 Bridal Row DM

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

I have seen the plan get forward by Hyatt's home
Foundation & suggest it.

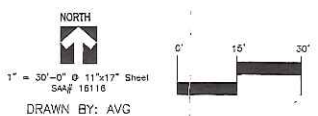






This drawing has been prepared by the Architect, or under the Architect's direct supervision. This drawing is intended to be conceptual in nature only. Property boundaries, setbacks, easements, topography, utilities, structures and other physical features shown herein are based on the information available to the architect at the time of design. This document reflects a site plan concept only, and does not necessarily reflect all governing authority requirements, including green space calculations, bulk regulations, landscaping, storm water management, city impact, site signage, grading, and other factors that may impact final site design. This drawing shall not be used for construction or legally binding documentation. (C) Copyright 2018 by Simonson & Associates Architects, L.L.C.

Hoyt Sherman Place
 Site Option #6
 1501 Woodland Avenue
 Des Moines, Iowa
 September 17, 2018



DRAWN BY: AVG

simonson

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Hoyt Sherman
 PLACE