

★ **Roll Call Number**

Agenda Item Number

55 (D)

Date December 21, 2020

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Section 135-2.18.3, relating to design alternatives for height limitations in the Capitol Dominance Area",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

CERTIFICATE

I, P. Kay Cmelik, 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

ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Section 135-2.18.3, relating to design alternatives for height limitations in the Capitol Dominance Area.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Section 135-2.18.3, relating to design alternatives for height limitations in the Capitol Dominance Area, as follows:

135-2.18.3 TYPE 2 DESIGN ALTERNATIVES

A. CONSIDERATIONS. A Type 2 design alternative may be requested for relief from the height limitations set forth in section 135-2.18.2 in accordance with the following considerations:

- A1. Compliance with the purpose statement above in this section.
- B2. The applicant must provide a detailed architectural and viewshed analysis that illustrates, three-dimensionally, the specific location and specific heights of all components and includes the following, at a minimum:
 - 1a. Proximity to the Capitol;
 - 2b. Proximity to view corridors identified in the Capitol Gateway East Urban Design Plan or most recent similar plan;
 - 3c. Impact on views to and from the Capitol; and
 - 4d. Any other illustrations as required by the community development director.

B. TYPE 1 DESIGN ALTERNATIVE. A Type 1 design alternative may be requested for relief from the maximum building height limitation set forth in section 135-2.18.2.A, when eligible as follows:

1. The relief from maximum building height limitation applies to lot(s) identified within a large-scale development plan approved prior to the applicant's request for the Type 1 design alternative;
2. The relief from maximum building height limitation applies to building type(s) and use(s) consistent with those shown in said approved large-scale development plan; and
3. The relief from maximum building height limitation does not exceed the proposed height(s) specified and shown in said approved large-scale development plan, as verified by the development services director or designee using three-dimensional modeling performed by the city using site-specific digital building drawings provided by the applicant. Under this subsection 135-2.18.3.B.3, said relief can be denied by the city solely if said proposed height(s) are exceeded.

C. TYPE 2 DESIGN ALTERNATIVE. A Type 2 design alternative may be requested for relief from the height limitations set forth in section 135-2.18.2, subject to the considerations set forth above in section 135-2.18.3.A, when:

1. An applicant is not eligible to request a Type 1 design alternative pursuant to section 135-2.18.3.B; or
2. An applicant is requesting relief from height limitations for towers, utilities and other appurtenances set forth in section 135-2.18.2.B.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney