

Date January 25, 2021

SET HEARING FOR APPROVAL OF DOCUMENTS FOR A CITY-INITIATED REQUEST TO VACATE A PORTION OF RACCOON STREET AND ALLEY RIGHT-OF-WAY LOCATED BETWEEN SOUTHEAST 4TH STREET AND SOUTHEAST 5TH STREET, NORTH OF EAST MARTIN LUTHER KING, JR. PARKWAY

WHEREAS, on November 23, 2020, by Roll Call No. 20-1872, the City Council of the City of Des Moines, Iowa, voted to receive and file a recommendation from the City Plan and Zoning Commission to approve a City-initiated request to vacate Raccoon Street right-of-way from Southeast 4th Street to Southeast 5th Street, and the north/south segment of alley right-of-way between Southeast 4th Street to Southeast 5th Street from Raccoon Street to East Martin Luther King, Jr. Parkway (“City Property” or “Property”) to allow for incorporation and use in the redevelopment of the area in the Historic East Village in east downtown Des Moines, also known as the Market District; and

WHEREAS, the City Property needs to be vacated and assembled with adjoining City owned land for temporary use by the City’s Public Works Department to relocate the outdoor storage area and vehicles currently located at 310 Southeast 4th Street and District/Parcel No. 040/03856-000-000, which is required for redevelopment in the Market District; and

WHEREAS, there is no known current or future public need for the street and alley right-of-way proposed to be vacated, and the City will not be inconvenienced by the vacation of said property, subject to reservation of any existing utilities until such time that they are abandoned or relocated.

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

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating Raccoon Street right-of-way from Southeast 4th Street to Southeast 5th Street, and the north/south segment of alley right-of-way between Southeast 4th Street to Southeast 5th Street from Raccoon Street to East Martin Luther King, Jr. Parkway, legally described as follows, subject to the reservation of easements for all existing utilities in place until such time as they are abandoned or relocated:

ALL OF THE RACCOON STREET RIGHT OF WAY LYING NORTH OF AND ADJOINING BLOCK 44, TOWN OF DE MOINE, AN OFFICIAL PLAT, AND ALL THAT PART OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN SAID BLOCK 44 LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF RACCOON STREET AND LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF EAST MARTIN LUTHER KING JR PARKWAY, SAID NORTH RIGHT OF WAY LINE BEING ESTABLISHED BY THE PLAT OF SURVEY RECORDED IN BOOK 14139 AND PAGE 432-433 AT THE RECORDER’S OFFICE OF POLK COUNTY, IOWA, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.53 ACRES (23,004 SQUARE FEET).

Date January 25, 2021

2. That the meeting of the City Council at which the adoption of said ordinance is to be considered shall be on February 8, 2021, said meeting to be held at 5:00 p.m., in the City Council Chamber, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, Des Moines, Iowa. Given Mayor Cownie's March 17, 2020 Proclamation, as amended, prohibiting indoor gatherings of ten or more persons on public property, Section One of the Governor's October 16, 2020 Proclamation strongly encouraging vulnerable Iowans to limit participation in gatherings of any size and any purpose during the COVID19 outbreak, and further given Section 109 of the Governor's October 16, 2020 Proclamation suspending the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, and further given the City Manager's decision to delay the opening of City buildings to the public due to the recent upwards spikes of positive COVID-19 cases and hospitalizations in Polk County and the need to maintain safety; it is impossible and impractical to have physical public access to the meeting location and the meeting will be conducted electronically with electronic public access to the meeting location as set forth below. To participate in the electronic meeting, access is available electronically and telephonically (details below):

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://dmgov-org.zoom.us/j/89292260565?pwd=VWZrVlhpRkFwb01qUjlRcstkTIRKQT09>

Passcode: 616663

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 720 928 9299 or 877 853 5257 (Toll Free) or 833 548 0276 (Toll Free)

Webinar ID: 892 9226 0565

In addition, the City Council shall receive written views, comments, objections and arguments from any resident or taxpayer of the City that are received by the City Clerk prior to 5:00 p.m. February 4, 2021 (City Clerk's Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1st Floor, Des Moines, IA 50309; Email cityclerk@dmgov.org).

3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

 **Roll Call Number**

Agenda Item Number

.....

..... *21*

Date January 25, 2021

Page 3

Moved by _____ to adopt.

APPROVED AS TO FORM:

/s/ Lisa A. Wieland

Lisa A. Wieland, Assistant City Attorney

PJW

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

CERTIFICATE

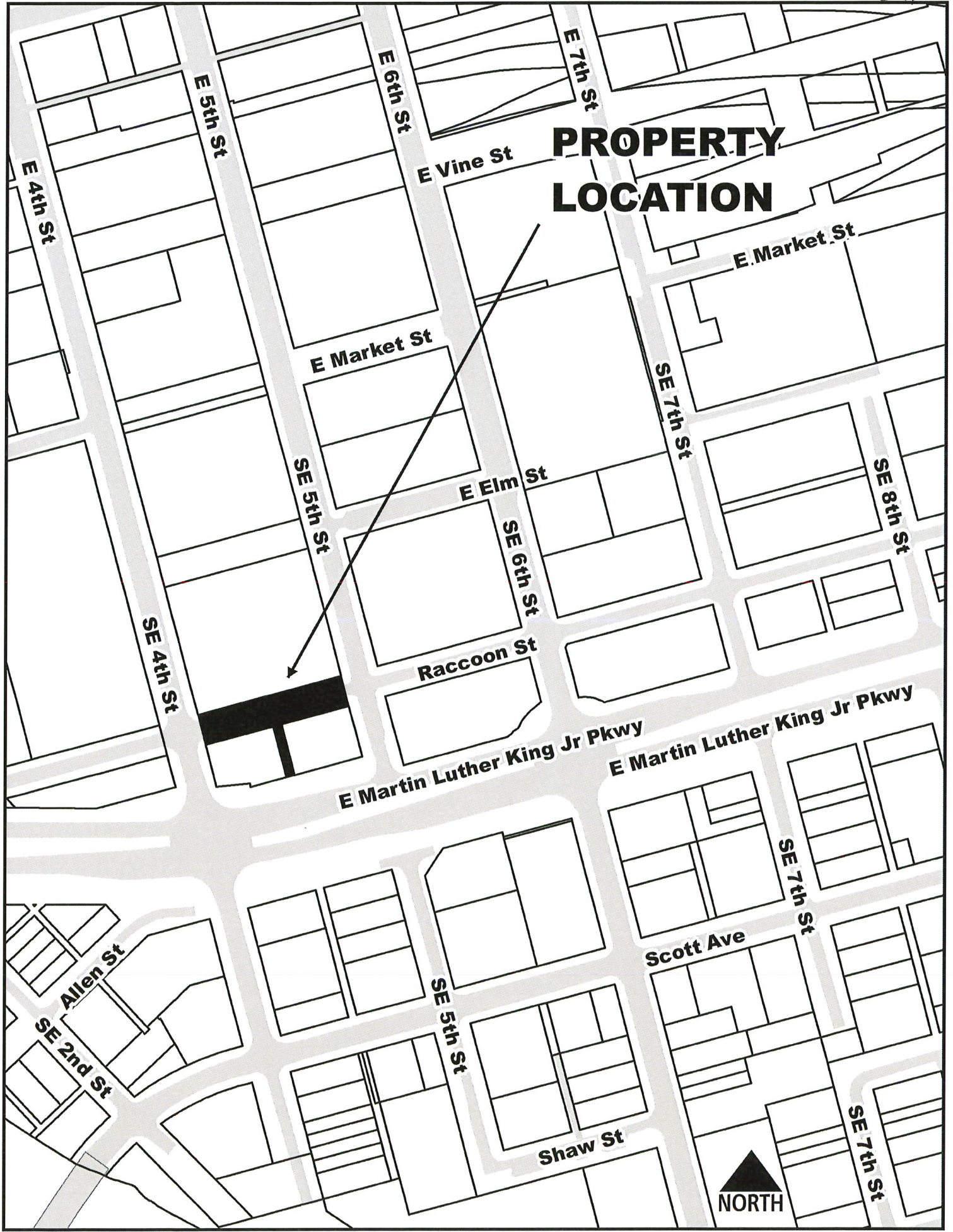
I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

_____ Mayor

_____ City Clerk

PROPERTY LOCATION





Roll Call Number

20-197a

Agenda Item Number

22A

21

Date November 23, 2020

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING CITY-INITIATED REQUEST FOR VACATION OF RACCOON STREET FROM SOUTHEAST 4TH STREET TO SOUTHEAST 5TH STREET AND NORTH/SOUTH SEGMENT OF ALLEY BETWEEN SOUTHEAST 4TH STREET TO SOUTHEAST 5TH STREET FROM RACCOON STREET TO EAST MARTIN LUTHER KING, JR. PARKWAY IN MARKET DISTRICT

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 5, 2020, its members voted 14-0 to recommend APPROVAL of a City-initiated request to vacate Raccoon Street right-of-way from Southeast 4th Street to Southeast 5th Street, and the north/south segment of alley right-of-way between Southeast 4th Street to Southeast 5th Street from Raccoon Street to East Martin Luther King, Jr. Parkway, within the proposed Market District to allow for incorporation and use in the redevelopment of the area in the Historic East Village in east downtown Des Moines.

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

FORM APPROVED:

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

(11-2020-1.09)

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, TOTAL. Includes MOTION CARRIED and APPROVED checkboxes, and a signature for J. M. Frank for Mayor.

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.

Signature of P. Kay Cmelik

City Clerk



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November 17, 2020

Date November 23, 2020
Agenda Item 22
Roll Call # _____

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their November 5, 2020 meeting, the following action was taken regarding a City initiate request for review and approval of items regarding the Market District in the vicinity of Southeast 4th Street and East Market Street, generally from the Des Moines River on the west to Southeast 5th Street on the east, and from East Vine Street on the north to East Martin Luther King Jr. Parkway on the south.

- A) City initiated vacation of Raccoon Street from Southeast 4th Street to Southeast 5th Street, and the north/south segment of alley between Southeast 4th Street to Southeast 5th Street from Raccoon Street to East Martin Luther King, Jr. Parkway.
- B) City initiated amendment to Section 135-2.18 of the City Code to revise regulations regarding applicability of Design Alternatives for maximum height requirements within the Capitol Dominance Area.
- C) Developer initiated request for review and approval of a Preliminary Plat "The Market District" covering a 10-block area.
- D) City initiated request to rezone property in the area west of Southeast 2nd Street from "DX2" Downtown District to "DXR" Downtown District, and rezone the property in the area east of Southeast 2nd Street from "DX2" Downtown District and "P2" Public, Civic and Institutional District to "DX1" Downtown District.
(11-2020-1.09, 10-2020-5.03, 13-2021-1.06 & ZON2020-00085)

COMMISSION RECOMMENDATION:

After public hearing, the members voted 14-0 as follows:

<u>Commission Action:</u>	<u>Yes</u>	<u>Nays</u>	<u>Pass</u>	<u>Absent</u>
Francis Boggus	X			
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Jann Freed	X			
Johnny Alcivar	X			
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones	X			
William Page	X			
Rocky Sposato	X			
Steve Wallace	X			
Greg Wattier	X			
Emily Webb	X			

APPROVAL of Part A) the City initiated vacation of Raccoon Street from Southeast 4th Street to Southeast 5th Street, and the north/south segment of alley between Southeast 4th Street to Southeast 5th Street from Raccoon Street to East Martin Luther King, Jr. Parkway, Part B) **APPROVAL** of the City initiated amendment to Section 135-2.18 of the City Code to revise regulations regarding applicability of Design Alternatives for maximum height requirements within the Capitol Dominance Area, Part C) **APPROVAL** of the submitted Preliminary Plat for "The Market District" subject to the following conditions:

1. Compliance with all administrative review comments.
2. Indication on the Plat that the cul-de-sac for Southeast 3rd Street south of Raccoon Street would be either a public or private with any Final Plat approval.
3. Indication that storm water management will be provided either shown with the submitted design or with detention volumes accommodated by nearby regional facilities to be constructed by the City of Des Moines.

Part D) **APPROVAL** of City initiated request to rezone property in the area west of Southeast 2nd Street from "DX2" Downtown District to "DXR" Downtown District, and rezone the property in the area east of Southeast 2nd Street from "DX2" Downtown District and "P2" Public, Civic and Institutional District to "DX1" Downtown District with the limitation of a Maximum Height for Buildings that is legally described based on the view corridor model established by the Large-Scale Development Plan.

Written Responses

4 in Favor
2 in opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends approval of the City initiated vacation of Raccoon Street from Southeast 4th Street to Southeast 5th Street, and the north/south segment of alley

between Southeast 4th Street to Southeast 5th Street from Raccoon Street to East Martin Luther King, Jr. Parkway.

Part B) Staff recommends approval of the City initiated amendment to Section 135-2.18 of the City Code to revise regulations regarding applicability of Design Alternatives for maximum height requirements within the Capitol Dominance Area.

Part C) Staff recommends approval of the submitted Preliminary Plat for "The Market District" subject to the following conditions:

1. Compliance with all administrative review comments.
2. Indication on the Plat that the cul-de-sac for Southeast 3rd Street south of Raccoon Street would be either a public or private with any Final Plat approval.
3. Indication that storm water management will be provided either shown with the submitted design or with detention volumes accommodated by nearby regional facilities to be constructed by the City of Des Moines.

Part D) Staff recommends approval of City initiated request to rezone property in the area west of Southeast 2nd Street from "DX2" Downtown District to "DXR" Downtown District, and rezone the property in the area east of Southeast 2nd Street from "DX2" Downtown District and "P2" Public, Civic and Institutional District to "DX1" Downtown District with the limitation of a Maximum Height for Buildings that is legally described based on the view corridor model established by the Large-Scale Development Plan.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The City Council initiated the requested rezoning to allow for more intensive, sustainable and smart redevelopment of the Market District area of the Historic East Village in the east Downtown. The proposed rezoning along with the accompanying Large-Scale Development Plan and text amendment to Chapter 135 Section 134-2.18 would provide more flexibility in building heights while still protecting important views toward and from the State Capitol Building. The Large-Scale Development Plan would also provide the framework for a street network that would improve the circulation grid and encourage multi-modal movement through the district. This would seek to implement the intentions of the Market District of the East Village Master Plan by becoming a component of the element of the PlanDSM Creating Our Tomorrow Plan.
2. **Size of Site:** Approximately 41 acres.
3. **Existing Zoning (site):** "DX2" Downtown District and "P2" Public, Civic and Institutional District.
4. **Existing Land Use (site):** The area is developed with a variety of public, industrial, and commercial uses and buildings.
5. **Adjacent Land Use and Zoning:**

North – “DX2” & “P2”; Uses are public, industrial, commercial and residential.

South – “DX2”; Uses are industrial, commercial and residential.

East – “DX2”; Uses are industrial, commercial and residential.

West – “F”; Uses are riverfront, river levee and the Des Moines River.

6. General Neighborhood/Area Land Uses: The subject property is in a mixed-use area of the east Downtown in the lower Historic East Village area known as the Market District. It contains a mix of public, industrial, commercial and residential uses.

7. Applicable Recognized Neighborhood(s): The subject property is in the Historic East Village Neighborhood. The neighborhood association was notified of the original August 20, 2020 public hearing by mailing of the Preliminary Agenda on July 31, 2020 and by mailing of the Final Agenda for the November 5, 2020 meeting on October 30, 2020. Additionally, separate notifications of the hearing for this specific item were mailed on July 31, 2020 (20 days prior to the original August 20, 2020 public hearing) and on August 10, 2020 (10 days prior to the original August 20, 2020 public hearing) to the Historic East Village Neighborhood 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 on the date of the mailing. The Historic East Village Neighborhood Association notices were mailed to Taylor Frame, PO Box 93904, Des Moines, IA 50393.

City Staff conducted a neighborhood outreach meeting via ZOOM teleconference on August 12, 2020. The meeting included participation by property owners within the area and within 250 feet of the area.

8. Relevant Zoning History: The subject property was zoned to “DX2” Downtown District as part of the citywide Zoning Ordinance and Map update effective on December 15, 2019.

9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation: Downtown Mixed Use within the Downtown Node.

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 along with amendments to the Comprehensive Plan 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.

Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews proposed Large Scale Development Plans per Chapter 135 Article 5 of the City Code. The recommendation of the Commission regarding the Large-Scale Development Plan will be forwarded to the City Council in this instance.

Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews proposed Preliminary Plats in accordance with Chapter 106 of the City Code and may approve the Preliminary Plat, approve the Preliminary Plat subject to revisions, or deny the Preliminary Plat. Record of the Commission's decision will be forwarded to the City Council to receive and file.

II. ADDITIONAL APPLICABLE INFORMATION

1. **PlanDSM Creating Our Tomorrow:** The subject area is designated "Downtown Mixed Use". Plan DSM describes this designation as follows:

Downtown Mixed Use

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.

Staff believes the proposed rezoning and Large-Scale Development Plan is appropriate given the location of the subject property within the Downtown Regional Node.

2. **Capitol Dominance Provision of Chapter 135 Planning and Design Ordinance:** Any redevelopment must comply with all applicable Site Plan and Design regulations of the Chapter 135 Planning and Design Ordinance. The current provisions of Chapter 135 Section 135-2.18 lay out limitations for protection of the Capitol Dominance Area. The current provisions set a Maximum Building Height within the defined area at 75 feet. Type 2 Design Alternative consideration may be given to exceed that building height with a provision of a detailed architectural and viewshed analysis.

The proposed text amendment to Chapter 135 Section 135-2.18 adds a provision for consideration of a Type 1 Design Alternative to exceed the 75-foot Building Height Maximum in instances where a Large-Scale Development Plan has been previously approved, where the building types and uses consistent with those shown in said approved Large-Scale Development Plan, and where the requested relief from Maximum Building Height limitation does not exceed the proposed maximum heights specified and shown in said approved Large-Scale Development Plan.

The submitted Large-Scale Development Plan does not show maximum heights for the blocks outside of the identified viewshed corridor on Sheet 3. Therefore, to work in concert with the proposed text amendment and modeling, staff recommends that a table with maximum building heights proposed by the Large Scale Development Plan for block areas outside of the viewshed protection corridor be added to Sheet 3 to provide the following maximum heights by block:

Block 2 – 190'
Block 3 – 170'
Block 4 – 75'
Block 5 – 80'
Block 6 – 110'
Block 7 – 100'

Block 8 – 185'
Block 9 – 200'
Block 10 – 185'

Staff would consider proposed buildings exceeding the Maximum Building Height for the Capitol Dominance Area as part of a Site Plan by reviewing them against the limitation in the Large-Scale Development Plan. The developer would still have the ability for consideration of buildings that would exceed those heights in the Large-Scale Development Plan, with a Type 2 Design Alternative. Staff recommends that a legally described maximum height plane for the view corridor identified in the Large-Scale Development Plan also be considered a limitation of the City Council initiated rezoning.

- 3. Large-Scale Development Plan/Preliminary Plat:** The submitted Large-Scale Development Plan (LSDP) and Preliminary Plat were prepared by a private developer working in close coordination with the City Staff over the past several months and accompanies the proposed City Council initiated rezoning. The Plan and Plat provides a master concept and platting document for the proposed redevelopment area and gives projected land uses, projected layouts of block areas and the street network, proposed infrastructure and utilities, and projected street sections showing more detail of the proposed green infrastructure to be installed with public improvement plans. The "DXR" District Zoning west of Southeast 2nd Street would provide the flexibility for Private Outdoor Sports and Recreation Use near the riverfront.

This LSDP aids and informs the submitted Preliminary Plat and rezoning process as well a future Site Plans. It proposes reconfiguring the block and street layout and infrastructure for the area. The Preliminary Plat would provide the basis for future public improvement plans and Site Plans. The LSDP includes the segment of Raccoon Street and perpendicular alley Right-Of-Way proposed for vacation. This specific vacation would allow for a large redevelopment block. Other areas previously occupied by City Public Works and MidAmerican Energy yards will now be opened by re-establishing a grid-like public street network.

There are two elements of the LSDP and Preliminary Plat which may have alternate considerations. The first is whether the proposed cul-de-sac segment of Southeast 3rd Street south of Raccoon Street would be developed and final platted as a public street or private street. City Traffic is recommending that the segment be developed as a private street. A note should be added to the both the LSDP and Preliminary Plat addressing the segment as either a public or private street. Any final plat approved by the City Council would determine if the street would be dedicated as a public street or not.

The second element of the proposed LSDP and Preliminary Plat that would need to have alternate consideration for the provided storm water detention volume. The City has proposed regional detention basin to serve the area as a future project in the Capital Improvements Program. This regional basin would be projected to handle much of the necessary volume for the projected development under the LSDP and Preliminary Plat. The submitted Preliminary Plat contemplates storm water management with the submitted design but may be revised based on available volumes provided by the future basin to be constructed by the City.

Because there are streets on the periphery with adjoining property not immediately proposed for redevelopment, the City is also proposing that the developer submitted LSDP become an amendment to the PlanDSM Creating Our Tomorrow Plan. This would then guide consideration of other future redevelopment proposals and platting and provide continuity with the area proposed for development in the near term. One specific example of this would be the continued extension of the green infrastructure into the adjoining street network.

The submitted LSDP also includes a view protection corridor in furtherance of the Capitol Dominance Protection in Chapter 135 to define projected maximum heights for buildings in a viewshed projection area for a view of the State Capitol from home plate at Principal Park. The private developer and City Information Technology have coordinated to provide a form model for the redevelopment in the area and identifies the view corridor to be protected. This has provided enough detailed data to provide a legal description of the plane for the maximum height of the view protection corridor.

SUMMARY OF DISCUSSION

Erik Lundy Presented the staff report and recommendation.

Will Page asked if the massing within the viewshed are the same as the massing previously proposed?

Mike Ludwig stated the massing matches what was shown during the workshop session in August.

Will Page stated his concern would be the Capitol Building looking as if it was framed up in a picture.

Jim MacRae 1390 Lawrence, Denver Colorado Representing Design Workshop presented a Power Point Presentation to the commission.

Greg Wattier asked how we can ensure we don't end up with vertical swatches of vision angles?

Mike Ludwig stated there isn't any intent to build out everything to the maximum height for the entire width of the block. As projects come in, staff will compare that design to the model and be conscious of not framing up the Capitol with buildings all the same height. Without the maximum heights, DX1 zoning would allow for 200 feet or more so they had to find a way to match the model. The vision conveyed by the model is a tiered or organic frame as you move away from the view corridor.

Paul Hayes stated if everything was built out to 75 feet, the view of the Capitol would be nonexistent. He believes the organic look will be something that happens naturally as it did in the Central Business District.

Jim MacRae stated with the zoning ordinance, they will be able to manage the Urban form. They are seeing more outdoor deck spaces and rooftop gardens being proposed which will naturally provide that organic look as well.

CHAIRPERSON OPENED THE PUBLIC HEARING

No one was present or requested to speak.

CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION:

Rocky Sposato made a motion for approval of Part A) the City initiated vacation of Raccoon Street from Southeast 4th Street to Southeast 5th Street, and the north/south segment of alley between Southeast 4th Street to Southeast 5th Street from Raccoon Street to East Martin Luther King, Jr. Parkway, Part B) **APPROVAL** of the City initiated amendment to Section 135-2.18 of the City Code to revise regulations regarding applicability of Design Alternatives for maximum height requirements within the Capitol Dominance Area, Part C) **APPROVAL** of the submitted Preliminary Plat for "The Market District" subject to the following conditions:

1. Compliance with all administrative review comments.
2. Indication on the Plat that the cul-de-sac for Southeast 3rd Street south of Raccoon Street would be either a public or private with any Final Plat approval.
3. Indication that storm water management will be provided either shown with the submitted design or with detention volumes accommodated by nearby regional facilities to be constructed by the City of Des Moines.

Part D) **APPROVAL** of City initiated request to rezone property in the area west of Southeast 2nd Street from "DX2" Downtown District to "DXR" Downtown District, and rezone the property in the area east of Southeast 2nd Street from "DX2" Downtown District and "P2" Public, Civic and Institutional District to "DX1" Downtown District with the limitation of a Maximum Height for Buildings that is legally described based on the view corridor model established by the Large-Scale Development Plan.

Motion passed: 14-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

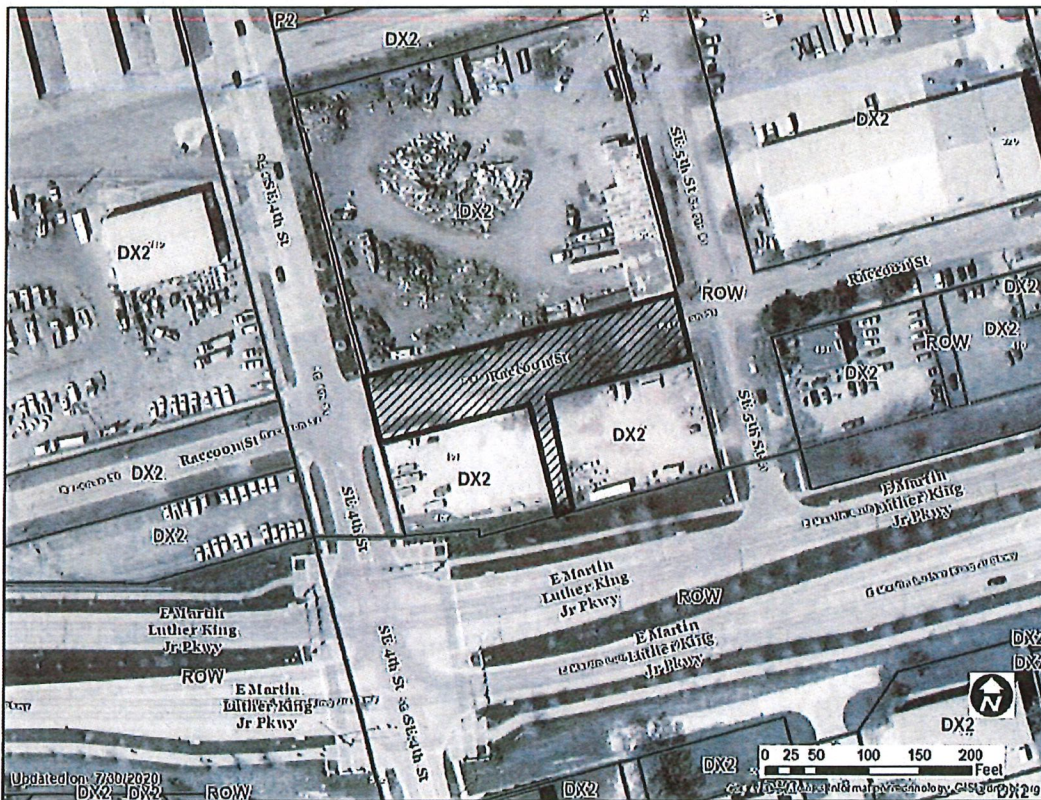
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22-21

Review and approval of items regarding the Market District in the vicinity of Southeast 4 th Street and East Market Street, generally from the Des Moines River on the west to Southeast 5 th Street on the east, and from East Vine Street on the north to East Martin Luther King Jr. Parkway on the south.				File # 11-2020-1.09	
Description of Action	Vacation of Raccoon Street from Southeast 4 th Street to Southeast 5 th Street, and the north/south segment of alley between Southeast 4 th Street to Southeast 5 th Street from Raccoon Street to East Martin Luther King, Jr. Parkway.				
PlanDSM Future Land Use	Current: Downtown Mixed Use. Proposed: N/A.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	"DX2" Downtown District and "P2" Public, Civic and Institutional District.				
Proposed Zoning District	"DXR" Downtown District and "DX1" Downtown District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Outside Area (200 feet)	0	1			
Within Subject Property					
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council		Yes
	Denial				No
					X

City initiated, Raccoon St. & N/S alley btw. S.E. 4th and 5th St., & E. MLK, Jr. Pkwy.

11-2020-1.09

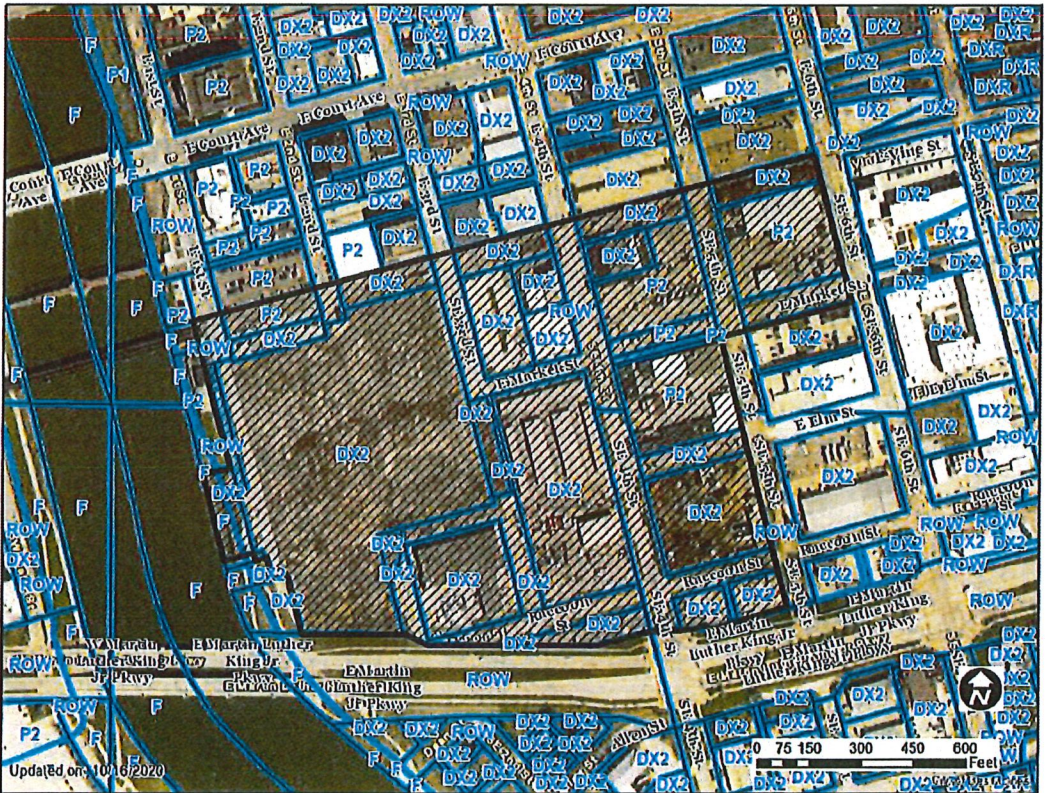


1 Inch = 103 feet

22 21

Review and approval of items regarding the Market District in the vicinity of Southeast 4th Street and East Market Street, generally from the Des Moines River on the west to Southeast 5th Street on the east, and from East Vine Street on the north to East Martin Luther King Jr. Parkway on the south.				File # 13-2021-1.06	
Description of Action	Developer initiated request for review and approval of a Preliminary Plat "The Market District" covering a 10-block area.				
PlanDSM Future Land Use	Current: Downtown Mixed Use. Proposed: N/A.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	"DX2" Downtown District and "P2" Public, Civic and Institutional District.				
Proposed Zoning District	"DXR" Downtown District and "DX1" Downtown District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Outside Area (200 feet)	0	0			
Within Subject Property					
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

Developer initiated, The Market District, SE 4th St.-E. Market St., E. Vine St.-E. MLK Jr. Pkwy 13-2021-1.06

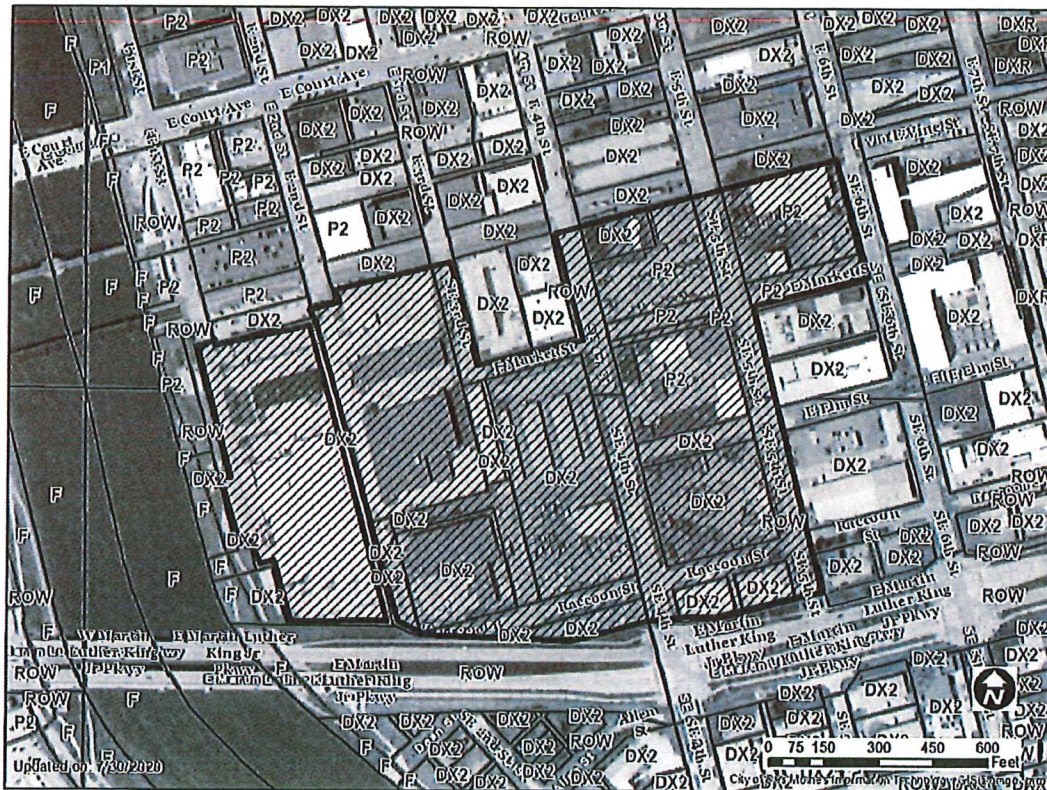


1 Inch = 299 feet

22-21

Review and approval of items regarding the Market District in the vicinity of Southeast 4 th Street and East Market Street, generally from the Des Moines River on the west to Southeast 5 th Street on the east, and from East Vine Street on the north to East Martin Luther King Jr. Parkway on the south.				File # ZON2020-00085	
Description of Action	Rezone property in the area west of Southeast 2 nd Street from "DX2" Downtown District to "DXR" Downtown District, and rezone the property in the area east of Southeast 2 nd Street from "DX2" Downtown District to "DX1" Downtown District.				
PlanDSM Future Land Use	Current: Downtown Mixed Use. Proposed: N/A.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	"DX2" Downtown District and "P2" Public, Civic and Institutional District.				
Proposed Zoning District	"DXR" Downtown District and "DX1" Downtown District.				
Consent Card Responses Outside Area (200 feet)	In Favor	Not In Favor	Undetermined	% Opposition	
	4	1			
Within Subject Property					
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

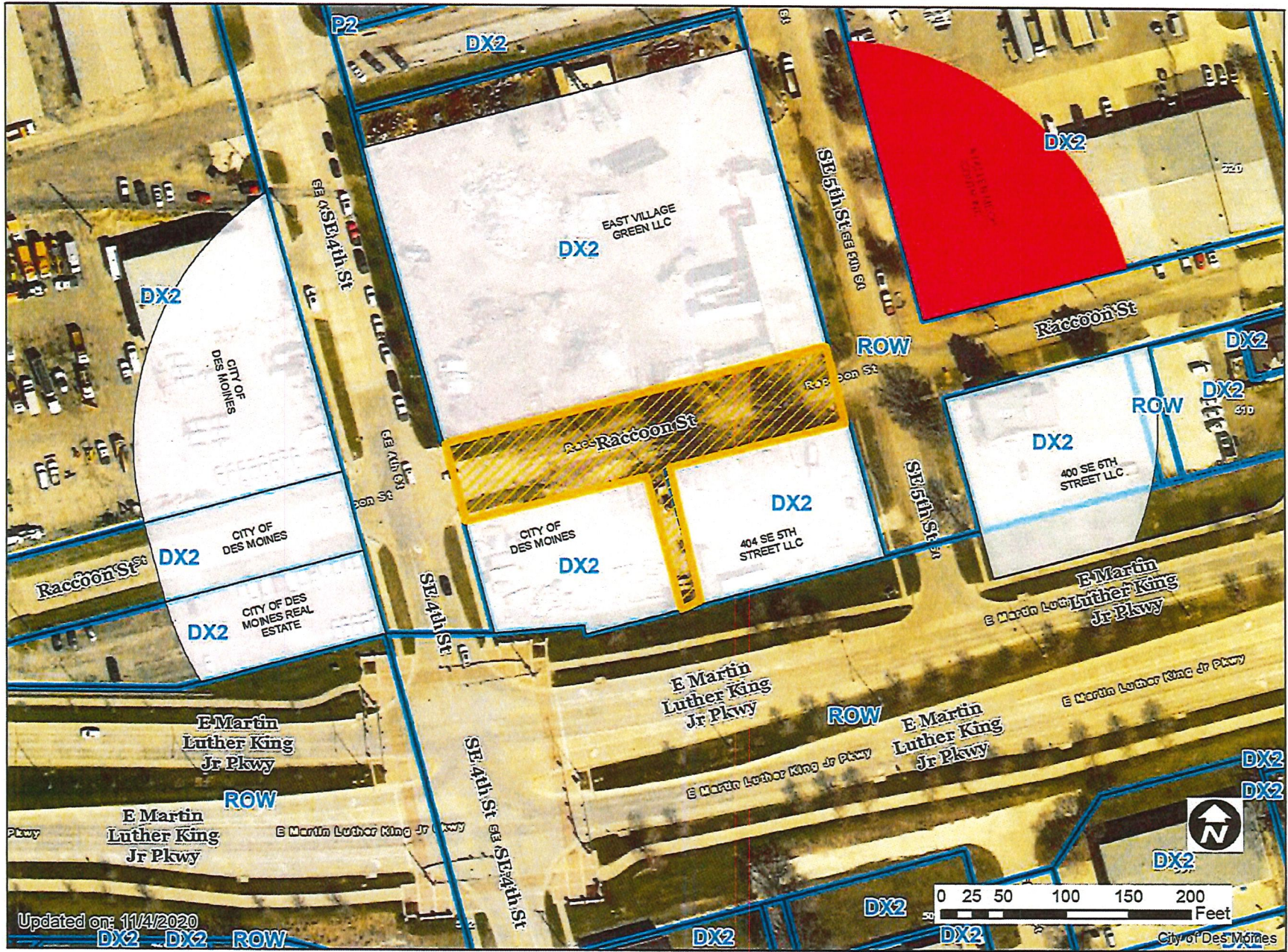
City Initiated, Bounded generally by E. Market St., DSM River, E. MLK Jr. Pkwy & S.E. 5th St. ZON2020-00085



1 inch = 288 feet

City initiated, Raccoon St. & N/S alley btw. S.E. 4th and 5th St., & E. MLK, Jr. Pkwy. 11-2020-1.09

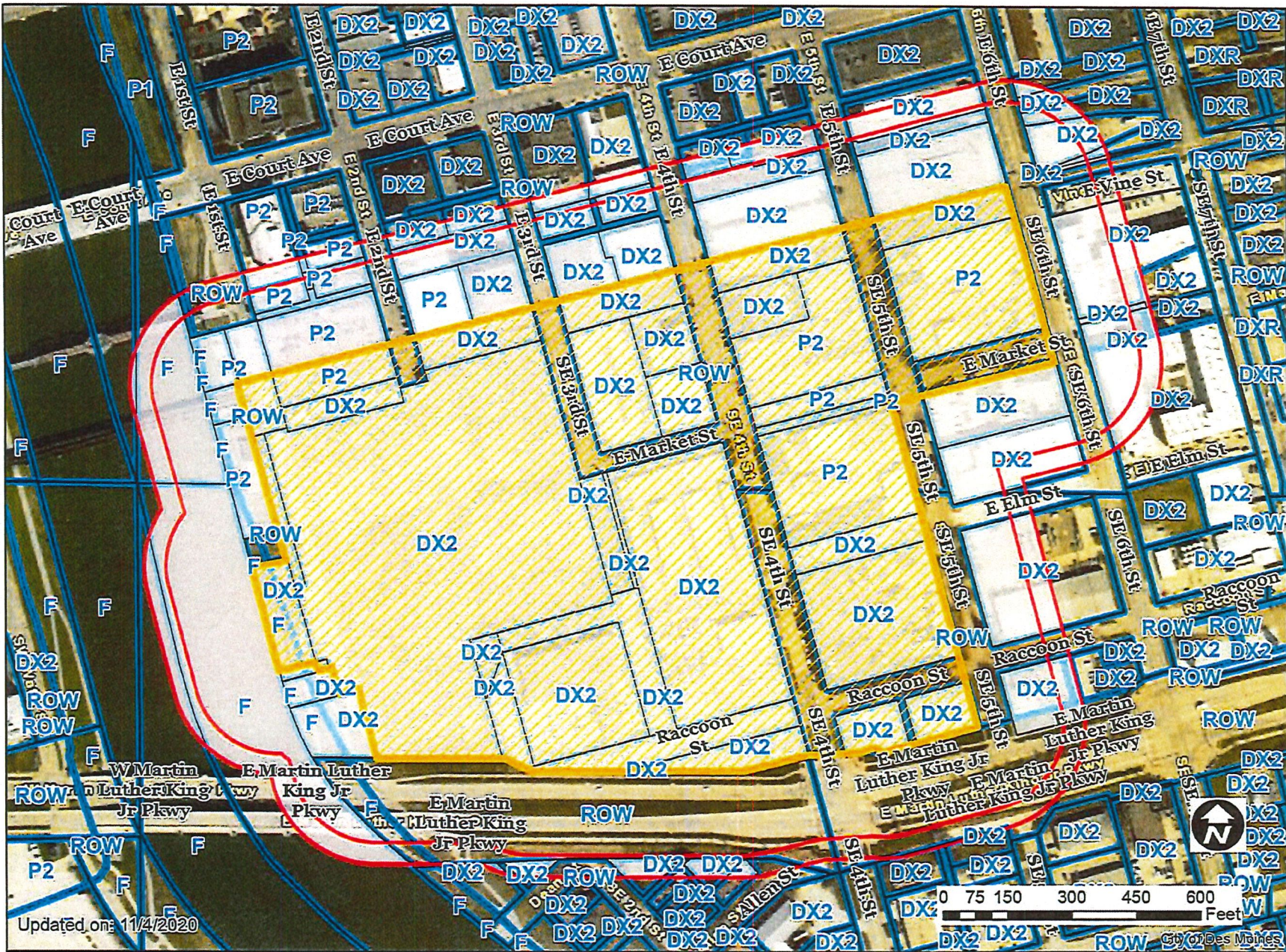
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1 inch = 103 feet

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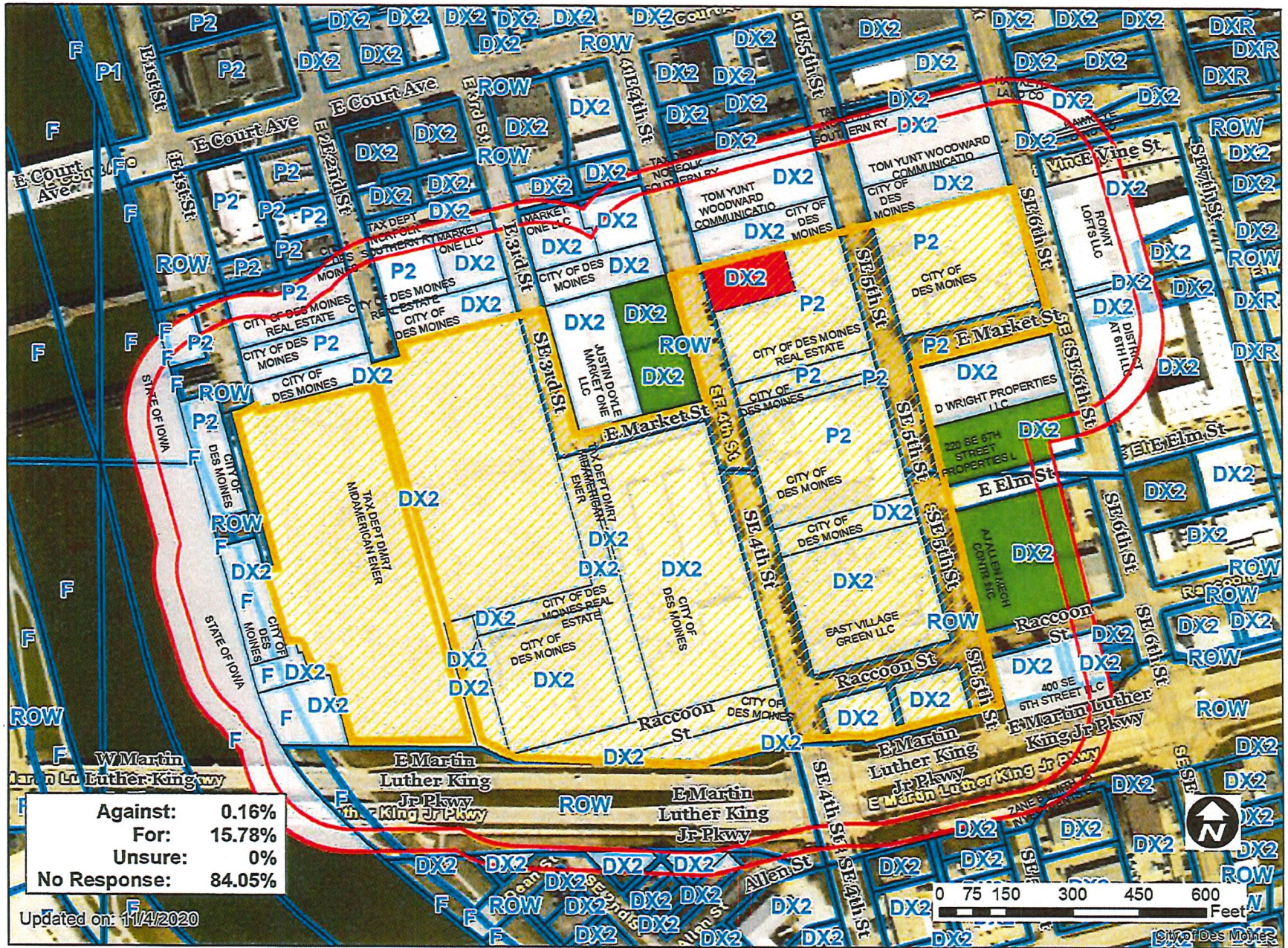
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1 inch = 299 feet

21

City initiated, Bounded generally by E. Market St., DSM River, E. MLK Jr. Pkwy & S.E. 51st St. 2020-00085



Item: 11-2020-1.09 Date: AUG. 19, 2020

I (am) (am not) in favor of the request:
(Circle One)
RECEIVED
COMMUNITY DEVELOPMENT
AUG 21 2020
Print Name: MARK W. ALLEN FOR A. J. ALLEN MECHANICAL CONTRACTORS INC.
Signature: [Handwritten Signature]
Address: 320 S.E. 6th ST, DSM, Ia. 50309

Reason for opposing or approving this request may be listed below:
RESULTS WOULD CUT OFF OUR TRAVEL GOING WEST
ON RACCOON AND IN GENERAL MAKE THE STREETS
MORE CONGESTED THAN THEY ARE ALREADY.

27 21

Item: ZON2020-00085 Date: 8-14-2020

(am) (am not) in favor of the request:
(Circle One)

Print Name: 220 SE 6th St Properties

RECEIVED
COMMUNITY DEVELOPMENT
AUG 18 2020

Signature: [Signature] Eric Nint, Member

Address: 220 SE 6th St, Ste 100, OSM, IA 50305

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

22

Item: ZON2020-00085 Date: 8/12/20

I (am) (am not) in favor of the request:
(Circle One)

Print Name: JEREMY CORTRIGHT

Signature: [Handwritten Signature]

Address: 112 SE 4TH ST. DSM, IA 50309

RECEIVED
COMMUNITY DEVELOPMENT
AUG 19 2020

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

Item: ZON2020-00085 Date: 8/12/20

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

(Circle One)

Print Name: J Brian Vincent

RECEIVED
COMMUNITY DEVELOPMENT

Signature: 

AUG 19 2020

Address: 109 SE 4TH STREET

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

I think spending money on
something like this is foolish
at this time!!! Wait till after
covid is over!!!!!!

ZON2020-00085

Item: _____ Date: AUG. 19, 2020

I (am) (am-not) in favor of the request:

(Circle One)

MARK W. ALLEN FOR:

Print Name: A.S. ALLEN MECHANICAL CONTRACTORS, INC.

RECEIVED
COMMUNITY DEVELOPMENT
AUG 21 2020

Signature: 

Address: 320 SE. 6th ST., DSM, IA. 50309

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

ZON2020-00085

Item: _____ Date: _____

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT
AUG 21 2020

Print Name: JAKE CHRISTENSEN

Signature: 

Address: 113 East 4th

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

21
25

135-2.18 Capitol Dominance Area

2.18.2 HEIGHT LIMITATIONS

A. **MAXIMUM BUILDING HEIGHT.** Any lot within the highlighted area in Figure 135-2.18-A shall have a maximum height of 75 feet. Refer to the city's GIS system for specific location.

B. **HEIGHTS OF TOWERS, UTILITIES, AND OTHER APPURTENANCES.** Within the boundaries of the capitol dominance area established by this section, no structure shall be constructed or enlarged to a height in excess of the maximum elevation established. Chimneys, cooling towers, elevator bulkheads, antennas, and necessary mechanical appurtenances extending above the roof of a building may exceed the maximum elevation established for such district by not more than 15 feet provided they are set back at least 15 feet from all faces of the building adjacent to a street.

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:

~~A~~1. Compliance with the purpose statement above in this section.

~~B~~2. 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:

~~i~~i. Proximity to the Capitol;

~~ii~~ii. Proximity to view corridors identified in the Capitol Gateway East Urban Design Plan or most recent similar plan;

~~iii~~iii. Impact on views to and from the Capitol; and

~~iv~~iv. 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.