

★ Roll Call Number  
20-1974

Agenda Item Number

20C

Date November 23, 2020

**SET HEARING ON ADDITION OF THE MARKET DISTRICT LARGE-SCALE DEVELOPMENT PLAN AS AN AMENDMENT TO THE MARKET DISTRICT OF THE EAST VILLAGE MASTER PLAN ELEMENT OF THE PLANDSM: CREATING OUR TOMORROW PLAN**

**WHEREAS**, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted PlanDSM: Creating Our Tomorrow; and

**WHEREAS**, as part of said adoption of the PlanDSM: Creating Our Tomorrow comprehensive plan, the City Council adopted the Market District of the East Village Master Plan as an element thereof, covering real property in the vicinity of Southeast 4<sup>th</sup> Street and East Market Street, generally from the Des Moines River on the west to Southeast 5<sup>th</sup> Street on the east, and from East Vine Street on the north to East Martin Luther King, Jr. Parkway on the south; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on November 5, 2020, its members voted 14-0 in support of a motion to **APPROVE** a Large-Scale Development Plan for the Market District development area submitted by The District Developer, LLC (developer/purchaser), represented by Paul Hayes (officer), in form on file with the Development Services Department, to allow for a master-planned, mixed-use urban redevelopment of the area and incorporated viewshed protection corridor to respect State Capitol Building dominance requirements, subject to addition of a table on Sheet 3 thereof requiring the following maximum building heights outside the identified viewshed protection corridor, as identified by corresponding block number shown on the Large-Scale Development Plan:

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’; and

**WHEREAS**, the City Plan and Zoning Commission further voted 14-0 in support of a motion to recommend **APPROVAL** of amendment to the adopted Market District of the East Village Master Plan element of PlanDSM: Creating Our Tomorrow Comprehensive Plan to add the above-described developer-initiated Large-Scale Development Plan as part thereof, subject to the above-stated maximum building heights outside the identified viewshed protection corridor for the corresponding block number.

**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.

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2. That the meeting of the City Council at which the proposed amendment to the Market District of the East Village Master Plan element of PlanDSM: Creating Our Tomorrow Comprehensive Plan is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposals, shall be held at 5:00 p.m. on December 7, 2020, by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location, at which time the City Council will hear both those who oppose and those who favor the proposal.
3. 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. The City Clerk is instructed to provide this notice including information about participation in the electronic meeting as indicated above.

MOVED BY Gatto TO APPROVE.

APPROVED AS TO FORM:

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

(21-2020-4.16)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		

T. M. Frankin Cownie  
 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.

P. Kay Cmelik  
 City Clerk