Applicant: City initiated.

Location: Generally located from the 2300 block at the intersection of Euclid Avenue and the Des Moines River to the intersection of Euclid Avenue, Douglas Avenue, and north/south Martin Luther King, Jr. Parkway to the 3200 block at the intersection of Douglas Avenue and Lower Beaver Road.

Requested Action: Determination as to whether the proposed Douglas Avenue Urban Renewal Plan is in conformance with the PlanDSM Creating Our Tomorrow Plan.

I. GENERAL INFORMATION

1. Purpose of Request: Included in the Commission’s packet is a draft version of the Douglas Avenue Urban Renewal Plan (URP).

   The proposed urban renewal area consists of approximately 126 acres and is generally located from the 2300 block at the intersection of Euclid Avenue and the Des Moines River through the intersection of Euclid Avenue, Douglas Avenue, and north/south Martin Luther King, Jr. Parkway to the 3200 block at the intersection of Douglas Avenue and Lower Beaver Road.

II. ADDITIONAL APPLICABLE INFORMATION

1. Urban Renewal Plan: The purpose of the Douglas Avenue Urban Renewal Plan is to encourage the removal of and redevelopment of blighted, obsolete, and underutilized property within the Urban Renewal Area, to facilitate the development and re-development of commercial, mixed use and residential uses, to create and retain jobs in the City of Des Moines, to provide a diversity of housing options, and to activate new economic investment leading to increased taxable valuation.

2. PlanDSM Comprehensive Plan: A prerequisite for an urban renewal plan is a comprehensive plan for the municipality. After the municipality has adopted such a plan, the municipality may prepare, adopt, and implement an urban renewal plan for the purpose of rehabilitation, conservation, redevelopment, development, or a combination thereof, of a designated urban renewal area to promote the public health, safety, or welfare of the residents of the municipality.

   The City’s Comprehensive Plan, PlanDSM, was adopted by the City Council on April 25, 2016, by Roll Call 16-0717. The future land use would show the land outside the street Rights-Of-Way as a mix of Community Mixed Use, Medium Density Residential, and Low Density Residential all within a Community Node. Descriptions of each land use classification are provided below.
Community Mixed Use:  
Small to medium scale mixed use development located on high capacity transit corridors or at the intersection of transportation corridors. Community mixed use areas include both a mix of medium density residential and a mix of retail and service establishments designed to attract customers from a large service area encompassing multiple neighborhoods and may include specialty retail that attracts regional customers.

Medium Density Residential:  
Areas developed with mix of single family, two family and multi-family residential up to 17 dwelling units per net acre.

Low Density Residential:  
Areas developed with primarily single family and two family residential units with up to 6 dwelling units per net acre.

Parks and Open Space  
Land or water areas generally free from development. Primarily used for park and recreation purposes but may also indicate private or public open spaces reserved for natural resource conservation.

Development Control Zone  
Areas that are sensitive to development, such as airport runway protection zones, flood hazard areas, etc.

Development Reserve  
Accommodates areas within city’s corporate limits that are currently underserved or not served by public infrastructure.

Community Node  
Mid-sized centers providing a range of daily needs and specialized services within a larger neighborhood context. Consist of a mix of housing, retail, and offices serving a larger population and geographical area than a neighborhood node. May include a shopping district including a grocery and drug store. Residential development including medium and high densities may occur.

It should be noted that existing buildings located on the east end of the plan area are in an area indicated as “Parks and Open Space/Development Control Zone” due to the proximity to the Des Moines River. The existing buildings in this area are legal non-conforming structures where additional new development and impervious surface area should be restricted, with improvements limited to rehabilitation that includes appropriate flood-hardening or removal of existing flood prone buildings.

This Plan also is consistent with goals from the various sections throughout the PlanDSM: Creating Our Tomorrow comprehensive plan, including the following:

Housing:
• Goal 1: Provide a diversity of housing options to accommodate residents of all ages, income levels, household sizes, and cultural backgrounds;
• Goal 2: Preserve, maintain, and improve the existing inventory of single-family and multi-family housing;
• Goal 3: Promote sustainable housing development that utilizes existing resources and supports compact, walkable, and bike-able neighborhoods; and
• Goal 4: Support development of and access to quality housing affordable to all income level households.

Transportation:
• Goal 3: Provide opportunities for healthy lifestyles through walking as a primary mode of transportation
• Goal 4: Make transit a more attractive option for all City residents;
• Goal 5: Enhance the bicycle network by expanding bicycle facilities that are safe, comfortable, and easily accessible.

Economic Development:
• Goal 1: Foster economic prosperity and stability by retaining existing businesses and recruiting new businesses;
• Goal 2: Focus economic development efforts in strategic locations for continued vitality and growth;
• Goal 3: Recognize livability as a key aspect to economic development; and
• Goal 4: Foster a sustainable economy.

Public Infrastructure and Utilities:
• Goal 1: Provide safe and reliable public infrastructure and utilities for current residents as well as future development needs;
• Goal 2: Evaluate capacity for implementation of and adaptation to green infrastructure in the city; and
• Goal 3: Reduce the consumption of energy in City owned buildings.

Community Character and Neighborhoods:
• Goal 1: Embrace the distinct character offered in each of Des Moines’ neighborhoods;
• Goal CCN3: Establish a program to encourage public art installations, mural projects, and distinctive landscaping in neighborhood nodes and along corridors;
• Goal 2: Further Des Moines’ revitalization efforts to improve the strength, stability, and vitality of all neighborhoods;
• Goal 3: Promote the redevelopment and revitalization of neighborhood nodes and corridors;
• Goal 4: Protect Des Moines’ historic and cultural assets that contribute to neighborhood and community identity;
• Goal 5: Expand opportunities for healthy and active living for all residents; and
• Goal 6: Strengthen the walkability and connectivity within and between neighborhoods.
Social Equity:
- Goal 2: Ensure that all residents have convenient access to healthy food, health care, safe environments, and choices for an active lifestyle.

All goals and objectives of the Douglas Avenue Urban Renewal Plan are in conformance with the City’s Comprehensive Plan, *PlanDSM: Creating Our Tomorrow*, which was adopted by the City Council on April 25, 2016, by Roll Call No. 16-0717.

Possible additional amendments to *PlanDSM: Creating Our Tomorrow* may be identified through the ongoing planning process for the implementation of this Plan.

III. STAFF RECOMMENDATION

Staff recommends that the Commission find the proposed Douglas Avenue Urban Renewal Plan in conformance with the *PlanDSM: Creating Our Tomorrow Plan*. 
DOUGLAS AVENUE
URBAN RENEWAL PLAN

City of Des Moines, Iowa
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I. INTRODUCTION

A. General Description of the Douglas Avenue Urban Renewal Area

The general location and boundary of the Douglas Avenue Urban Renewal Area is shown on Map 1 – Boundary of Urban Renewal Area.

This Urban Renewal Area consists of approximately 105 acres and is generally located at the intersection of Douglas Avenue and Martin Luther King Jr Parkway. The area extends to the west on Douglas Avenue to Lower Beaver Road and to the east along Euclid Avenue to the Des Moines River. It extends north and south along Martin Luther King Jr Parkway from Urbandale Avenue to Lynner Drive.

The Plan Area includes properties with direct frontage on Douglas Avenue, Martin Luther King Jr Parkway, and Euclid Avenue and incorporates elements of two (2) Recognized Neighborhood Associations (Lower Beaver, and Prospect Park).

The Urban Renewal Area is more specifically described in the accompanying Appendix A - Legal Description.

B. Purpose of the Urban Renewal Plan

The purpose of the Douglas Avenue Urban Renewal Plan is to encourage the removal of and redevelopment of blighted, obsolete, and underutilized property within the Urban Renewal Area, to facilitate the development and re-development of commercial, mixed use and residential uses, to create and retain jobs in the City of Des Moines, to provide a diversity of housing options, and to activate new economic investment leading to increased taxable valuation. The City of Des Moines believes that the designation of the Urban Renewal Area and the adoption of this Plan will strengthen and revitalize the local economy through:

1. Guidance of the development of the Urban Renewal Area in a manner that is consistent with the Comprehensive Plan, and that provides for the physical and economic enhancement of the area.

2. Providing for planned and unified development of commercial, mixed use and residential construction or rehabilitation.

3. Creating a safe and attractive physical environment through the construction and installation of necessary infrastructure and other public improvements or actions supportive of the Urban Renewal Area.

4. Creation of financial incentives as necessary to remove blighted properties and to encourage new businesses to invest in the Urban Renewal Area.

5. Retaining and creating quality permanent employment opportunities for residents.

6. Directing new growth and redevelopment to an identified neighborhood node based on proximity to transit, shopping, services, and public amenities.

7. Creation of quality permanent employment opportunities for residents.
8. Retaining and creating a diversity of housing options. Preserving, maintaining, and improving existing housing inventories where feasible.

9. Providing safe and reliable public infrastructure and utilities for current residents. Evaluating opportunities to incorporate and implement green infrastructure and reducing the consumption of energy in city-owned buildings and facilities.

10. Expansion of the property tax base of the Urban Renewal Area, and subsequently contributing to the economic betterment of the entire City of Des Moines.

11. Creation of additional vitality to the area for residents and visitors through redevelopment of existing properties.

C. Authority to Adopt and Implement an Urban Renewal Plan
The State of Iowa has provided Iowa cities with the power to adopt and implement urban renewal plans through Chapter 403, Urban Renewal Law, Code of Iowa. If a slum, blighted or economic development area or combination of the three, as defined in Section 403.17, Code of Iowa, exists within the municipality, the municipality may designate such an area for urban renewal through the process provided for in Chapter 403. After a comprehensive plan for the municipality has been adopted, the municipality may prepare, adopt and implement an urban renewal plan for the purpose of rehabilitation, conservation, development, redevelopment, or a combination thereof, of a designated urban renewal project area to promote the public health, safety or welfare of the residents of this municipality.

On April 25, 2016 by Roll Call 16-0717, the City Council of the City of Des Moines adopted the PlanDSM, Creating our Tomorrow as its comprehensive plan. This plan designates the area defined in this Plan as a combination of Community Mixed Use, Neighborhood Mixed Use, and Low Density Residential, as shown on Map 2 - Existing Land Use.

For the reasons set forth below the proposed Douglas Avenue Urban Renewal Area qualifies for designation as an urban renewal area on the basis that the Area is a blighted area where the land assessed values are more than the building assessed values on over half of the parcels in the proposed area and but for tax increment financing, new investment in the area will not take place.

II. BACKGROUND INFORMATION

A. General Information

Originally, this area had two very diverse land uses. The lower area along the river was the home of tile manufacturers and mines. While the upper area primarily served an agricultural use. This changed around the turn of the 20th century when the Inter-Urban Railway was completed in 1908 and opened the area to development. The Great Depression and the war years stalled new housing development until the early 1950’s. Subdivisions of starter homes, built for returning veterans and their new families, sprouted up throughout the neighborhood.
A typical house in the area was a single story, approximately 1,000 square feet, and placed on large lots to allow for home additions in the future.

Commercial development in the northwest portion of Des Moines remained slow until the announcement of Merle Hay Plaza in 1957. This large, regional shopping center propelled commercial and office development along Douglas Avenue. Then in 1958, Douglas Avenue was widened to four lanes. This solidified the corridor as a major East-West thoroughfare in Des Moines. By 1960, 54 businesses and 146 residences existed on Douglas Avenue between the Des Moines River and Merle Hay Road. The completion of Interstate 235 to Interstate 80/35 in 1968 slowly took business interest away from Douglas Avenue. In 1975, the opening of Valley West Mall further negatively impacting the Douglas Avenue corridor.

Efforts to address the decline in the area took off in 2015 when a coalition of area residents, business owners and non-profit organizations formed the Douglas Avenue Coalition to discuss and seek out ways to work together to improve the area. In 2016, the City of Des Moines adopted a comprehensive land use plan, PlanDSM, Creating Our Tomorrow, that identified current land uses and future land uses in the area. The community desire to improve the area was once again on display when they came together in 2019 and created the Douglas Avenue Corridor Plan. This plan was approved by Council on February 24, 2020.

The Douglas Avenue Corridor Plan identified “Douglas Avenue struggles with vacancy rates, business turnover, and property disinvestment. Commercial buildings are tired, and many are obsolete for today’s business needs. Landscaping throughout the corridor is minimal – a reflection of 1950’s development patterns.” (page 10)

The reason for seeking both, a slum and blight and an economic development designation is evidenced by the parcels within the proposed Urban Renewal Area. The proposed area consists of approximately 108 total parcels with only 56 (51%) of the parcels being taxable. The remaining 52 parcels are owned by the state or the City of Des Moines. Of the 56 taxable parcels, 19 (33.9%) of the parcels have a designation of “Below Normal” from the Polk County Assessor’s Office and 28 of the 56 taxable parcels have an assessed land value that is higher than the building value on that parcel, which means that the land is more valuable that the buildings on the parcel. This situation is not helped by the recent fire and demolition of the Plaza Lanes site. This site is very visible and is large enough that it has and will continue to attract interest from developers. Until it is redeveloped, the site will remain an unattractive vacant parcel on one of the city’s main east/west corridors. But for Tax Increment Financing being available to incentivize a developer, this site will remain vacant and a blight on the surrounding area, negatively affecting the adjacent residential areas.

B. Existing Land Use
The Douglas Avenue Urban Renewal Area includes residential, commercial, and public/semi-public uses. These uses are shown in Map 2 – Existing Land Use.

C. Conformance with the City’s Comprehensive Land Use Plan
A prerequisite for an urban renewal plan is a comprehensive land use plan for the municipality. All goals and objectives of the Douglas Avenue Urban Renewal Plan are in
conformance with the City’s Comprehensive Plan, *PlanDSM*, which was adopted by the City Council on April 25, 2016, by Roll Call No. 16-0717.

Plan DSM shows the land outside the street rights-of-way designated as Low Density Residential, Low-Medium Density Residential, Neighborhood Mixed Use and Public/Semi-Public. The majority of the Plan Area is within a neighborhood node. Depending on the type of development projects that eventually occur throughout the Plan Area, a Land Use amendment may be required. *Map 3-PlanDSM Land Use Map* further details the proposed land uses for this general area.

This Plan will also include goals from the various sections throughout the PlanDSM document including the following:

**Housing:**
- Goal 1: Provide a diversity of housing options to accommodate residents of all ages, income levels, household sizes, and cultural backgrounds;
- Goal 2: Preserve, maintain, and improve the existing inventory of single-family and multi-family housing;
- Goal 3: Promote sustainable housing development that utilizes existing resources and supports compact, walkable, and bike-able neighborhoods; and
- Goal 4: Support development of and access to quality housing affordable to all income level households.

**Transportation:**
- Goal 3: Provide opportunities for healthy lifestyles through walking as a primary mode of transportation
- Goal 4: Make transit a more attractive option for all City residents;
- Goal 5: Enhance the bicycle network by expanding bicycle facilities that are safe, comfortable, and easily accessible.

**Economic Development:**
- Goal 1: Foster economic prosperity and stability by retaining existing businesses and recruiting new businesses;
- Goal 2: Focus economic development efforts in strategic locations for continued vitality and growth;
- Goal 3: Recognize livability as a key aspect to economic development; and
- Goal 4: Foster a sustainable economy.

**Public Infrastructure and Utilities:**
- Goal 1: Provide safe and reliable public infrastructure and utilities for current residents as well as future development needs;
- Goal 2: Evaluate capacity for implementation of and adaptation to green infrastructure in the city; and
- Goal 3: Reduce the consumption of energy in City owned buildings.

**Community Character and Neighborhoods:**
• Goal 1: Embrace the distinct character offered in each of Des Moines’ neighborhoods;
• Goal CCN3: Establish a program to encourage public art installations, mural projects, and distinctive landscaping in neighborhood nodes and along corridors;
• Goal 2: Further Des Moines’ revitalization efforts to improve the strength, stability, and vitality of all neighborhoods;
• Goal 3: Promote the redevelopment and revitalization of neighborhood nodes and corridors;
• Goal 4: Protect Des Moines’ historic and cultural assets that contribute to neighborhood and community identity;
• Goal 5: Expand opportunities for healthy and active living for all residents; and
• Goal 6: Strengthen the walkability and connectivity within and between neighborhoods.

Social Equity:
• Goal 2: Ensure that all residents have convenient access to healthy food, health care, safe environments, and choices for an active lifestyle.

All goals and objectives of the Douglas Avenue Urban Renewal Plan are in conformance with the City’s Comprehensive Plan, Plan DSM, which was adopted by the City Council on April 25, 2016, by Roll Call No. 16-0717.

Possible additional amendments to Plan DSM may be identified through the ongoing planning process for the implementation of this Plan.

D. Conformance with the City’s Zoning Requirements
The Plan Area (exclusive of the street rights-of-way) is zoned as NX2, MX3, P1, and F (Flood) as shown on Map 4 - Existing Zoning.

The majority of the area along Douglas Avenue is zoned MX3, with NX2 focused near the Veterans Administration Central Iowa Health Care facility and along Clarkson Avenue. The area to the east of Martin Luther King Jr Parkway to the Des Moines River is zoned F or P1. Possible additional amendments to the Zoning Ordinance may be identified through the ongoing planning process for the implementation of this Plan.

Mixed-Use (X) Districts
Establish an appropriate mix of building forms and uses to enhance existing and create new compact, walkable nodes and corridors throughout the city:

    MX3 is intended for mixed-use nodes and corridors in the city, where residents and visitors may access multiple uses by walking and automobile. The district accommodates higher intensity commercial uses at a smaller scale.

    NX2 is intended for a mix of single-household houses with appropriately scaled and detailed multiple-household building types in the same neighborhood.

P1 is intended for open space, including permanent parks and recreation areas.
F is intended for flood plain and floodways.

E. **Recognized Neighborhood Organizations**

The proposed Urban Renewal Area is centered on Douglas Avenue and serves as the boundary for two (2) Recognized Neighborhood Associations (Lower Beaver and Prospect Park) that have been recognized by the City Council as having met the specific minimum standards of a neighborhood organization and continue to communicate regularly with the City of Des Moines.

F. **Recognition of Blight Conditions**

The Area qualifies for designation as an Urban Renewal Area based on both slum and blight and economic development due to existing negative conditions in the commercial corridor that are impacting the adjacent residential neighborhoods and will accelerate the residential decline but for the utilization of TIF to stabilize and encourage new investment in the commercial areas. The 2021 esri forecast data for the residential census tracts that encompasses this Urban Renewal Area reports that the social and economic conditions in the residential sections of the census tract trail the state and national average in a number of categories and are a point where if investment does not occur in the commercial areas, the adjacent residential areas will fall farther behind the state and national numbers. The median household income in the census tract is 97% of the median household income in the state of Iowa and 91% of that in the U.S. The median home value in the census tract is 99% of the median home value in the state and 60% of that in the U.S. The per capita income is 90% of that in the state and less than half of the per capita income in the U.S. Within the census tract, 6.6% of the people earn less than $15,000 per year. This compares to 9.9% of the state and 25% of the U.S. Of the people over 25 years of age, 13.5% do not have a high school diploma. This compares to 8.3% in the state and 12.3% in the U.S.

The adjacent residential areas have seen a decrease in the amount of home ownership in the past 20 years. Home ownership has decreased from almost 60% to barely over 50%. In that same time period, renter occupied housing units in the adjacent residential area has increased from 37% to over 40%. The vacant housing units (owner occupied, and renter occupied) has more than doubled in the past 20 years from a low of 3% to over 7% in the esri forecast for 2021. This decline in home ownership, increase in rental units and doubling of vacant units will continue if the stabilization efforts focused on the commercial area within the Douglas Avenue Urban Renewal Plan are not assisted with economic development tools such as Tax Increment Financing to attract new development and investment.

In addition to the above information, of the approximately 100 parcels in the proposed Douglas Avenue Urban Renewal Plan area, half of them have an assessed land value that is higher than the assessed value of the buildings on them. That means that the land is more valuable than the existing buildings on half of the area in this proposed plan area. This is a strong indicator that commercial investment in this area must occur or the decline in assessed values will continue and start to negatively affect the adjacent residential areas.

All these conditions have the impact of pulling down the economic viability of the adjacent residential neighborhoods of the Area and create a need for revitalization to provide a stabilization of the commercial area.
III. URBAN RENEWAL PLAN ELEMENTS

A. Plan Goals and Objectives

The primary goal for the Douglas Avenue Renewal Plan is to encourage and assist with the redevelopment and/or removal of blighted, obsolete, and underutilized properties within the urban renewal area, facilitate the development and re-development of commercial, mixed use and residential uses for the creation and retention of jobs in the City of Des Moines, to provide a diversity of housing options, increase the overall tax base, and to maximize the return on past investment in road and public utility networks. Overarching goals identified from the City’s Comprehensive Plan, PlanDSM, that are consistent goals for this Plan include:

- Goal 2: Directing new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services, and public amenities, and
- Goal 4: Continue to embrace the distinct character of Des Moines’ neighborhoods while allowing for new development and redevelopment.

Objectives for the plan include:

- Encourage and facilitate high quality commercial, mixed use and residential uses and the associated employment opportunities and slum and blight elimination within the Plan area.
- Coordination of resources to attract new quality economic development investment.
- Provide an attractive and appealing physical environment for residents to improve the livability of the Urban Renewal Area.
- Encourage and facilitate high quality redevelopment of commercial and multi-family uses and the associated employment opportunities within the Plan Area.
- Expand housing opportunities for residents.
- Remove blighting physical conditions that cause or contribute to a shortage of decent, safe and sanitary housing and constitute a menace to the public health, safety, morals, and welfare.
- Ensure new development is of high quality, sustainable, and provides adequate parking and pedestrian connections and access.
- Encourage the incorporation of long-term sustainability into site development and building construction, particularly the efficient use of energy in heating, ventilation and cooling system design.
• Encourage the use of low-impact development strategies and on-site stormwater management best practices in the Plan area.

• Provide a diversity of housing options to accommodate residents of all ages, income levels, household sizes, and cultural backgrounds.

• Promote sustainable housing development that utilizes existing resources and supports compact, walkable, and bike-able neighborhoods.

• Foster economic prosperity and stability by retaining existing businesses and recruiting new businesses.

• Focus economic development efforts in strategic locations for continued vitality and growth.

• Recognize livability as a key aspect to economic development. Foster a sustainable economy.

• Provide safe and reliable public infrastructure and utilities for current residents as well as future development needs.

• Evaluate capacity for implementation of and adaptation to green infrastructure in the city.

• Further Des Moines’ revitalization efforts to improve the strength, stability, and vitality.

• Promote the redevelopment and revitalization to this neighborhood node and corridor.

• Expand opportunities for healthy and active living for all residents by strengthening the walkability and connectivity within and between neighborhoods.

• Provide opportunities for healthy lifestyles through walking as a primary mode of transportation.

• Make transit a more attractive option for all City residents.

• Enhance the bicycle network by expanding bicycle facilities that are safe, comfortable, and easily accessible.

• Further Des Moines’ social equity goals in ensuring that all residents have convenient access to healthy food, health care, safe environments, and choices for an active lifestyle.

• Further the goals of LiveDSM, the City’s Parks and Recreation Comprehensive Plan, in making parks and trails the heart of the community. Elements of this goal include all residents to be within a ten-minute walk to a park or trail and improving signage for wayfinding to the area’s parks and trails.
B. Public Purpose Activities to be Undertaken
To meet the objectives of this Plan, the City of Des Moines will support development and redevelopment of the Douglas Avenue Urban Renewal Area through, among other things, the following public purpose activities:

- Provision of technical support in furtherance of this Plan;
- Evaluation of properties’ potential for development and redevelopment purposes, including but not limited to activities such as appraisals and architectural, engineering and environmental studies;
- Improvement, installation, construction and reconstruction of streets, utilities, and other public improvements and rights-of-way;
- Enforcement of applicable local, state, and federal laws, codes, and regulations; and
- Use of tax increment financing, loans, grants, and other appropriate financial tools in support of eligible public and private development and redevelopment efforts.

All public purpose activities shall be conditioned upon and shall meet the restrictions and limitations placed upon the Area by this Plan.

C. Land and Development Requirements
The physical development of the Area will be regulated through the standards and guidelines contained within the City of Des Moines’ Zoning Ordinance, the Des Moines Site Plan Regulations, and other applicable local, state and federal codes and ordinances. In addition, all projects requesting financial assistance through tax increment financing must conform to Plan DSM and undergo review by the Urban Design Review Board.

The criteria to be used by the Board for making recommendations on design shall include but are not limited to:

- Scale, proportion, color, articulation, massing, patterning, setbacks and exterior materials. Permanence and quality of materials and site design, as well as details that add character and define depth are desired.
- How the project promotes an attractive and appealing physical environment.
- Encourage the incorporation of long-term sustainability into site development and building construction, particularly the efficient use of materials and energy in heating, ventilation and cooling system design.
- Encourage the use of low impact development and on-site stormwater management best practices in the Area and coordinate the evaluation and assessment of natural resources proactively.
D. **Financial Condition Report**
A portion of the Urban Renewal Area will be designated as a tax increment district. A financial condition report is included as *Appendix B - Financial Condition Report*. Property tax revenues anticipated to result from creation of the district would be available to service any indebtedness incurred in financing actions pursuant to this Plan.

IV. **URBAN RENEWAL PLAN IMPLEMENTATION**

The City of Des Moines will take necessary action to achieve the goals and objectives of the Douglas Avenue Urban Renewal Plan. This will include involvement in the following activities:

A. **Continued Planning Efforts**
The City shall continue to evaluate the needs of the Area, identifying issues and coordinating a response to these issues. A comprehensive approach will be taken to gathering input from landowners, neighborhoods, businesses and development interests.

B. **Technical Assistance**
The City may provide technical assistance to landowners and prospective developers where appropriate. The City will work to coordinate efforts related to development proposals, ongoing planning, coordination with other agencies and levels of government, and other activities that will assist with meeting the objectives of this Plan.

C. **Funding and Financing: Economic Development Assistance**
The City will pursue funding sources required to meet the objectives of this Plan. Sources may include, but are not limited to, loans, grants, general fund expenditures, tax increment financing, special assessments, bond issuance, and participation in state/federal programs.

More specifically, the use of tax increment financing and the review steps and requirements for proposed economic development assistance are specified as follows:

1. **Tax Increment Financing.** With half of the taxable parcels in the proposed area having a land assessed value higher than the building assessed value, the City believes that the use of tax increment revenues to assist in the financing of new development or redevelopment in the Douglas Avenue Urban Renewal Area is necessary in the public interest to achieve the objectives of this Plan. But for the use of this special financing tool, new investment may not otherwise occur or may occur within other jurisdictions. The use of tax increment financing to spur the development of the Area pursuant to this Plan is expected to provide greater future property tax revenues for the City, Polk County and Des Moines Independent School District, than would otherwise be available if this Plan were not implemented.

2. **Tax increment financing will be used where it is anticipated to provide a long-term payback in overall increased tax base for the City, County and School District.** The initial public investment required to generate new private investment is anticipated to ultimately increase the taxable value of the Area beyond its existing base value.
Tax increment reimbursement may be sought for, among other things, the following costs to the extent they are incurred by the City:

a. Planning and administration of this Plan;

b. Construction of public infrastructure improvements and facilities within the Area;

c. Acquisition, installation, maintenance and replacement of public investments throughout the Area;

d. Loans or grants to qualified businesses for redevelopment of property within the Douglas Avenue Urban Renewal Area in conformance with this Plan.

V. DURATION OF URBAN RENEWAL PLAN

Because the City is pursuing both a slum and blight and an economic development designation for this area, the plan for the Douglas Avenue Urban Renewal Area shall not have a pre-determined expiration date as allowed per Iowa Code Section 403.17. Any changes to the expiration date shall be caused by action from the City or by changes to the Iowa Code that regulates the length of terms for an Urban Renewal Area in the State of Iowa.

The Douglas Avenue Urban Renewal Area shall continue in effect until terminated by action of the City Council of the City but in no event before the City has received full reimbursement from incremental taxes of its advances to carry out the objectives of the Plan.

VI. SEVERABILITY

In the event one or more provisions contained in this Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, lack of authorization, or unenforceability shall not affect any other provision of this Plan and this Plan shall be construed and implemented as if such provision had never been contained herein.

VII. AMENDMENT OF URBAN RENEWAL PLAN

The City of Des Moines may amend this Plan from time to time in accordance with applicable state and local law. The amendments may include additional objectives, revised land use regulations, revised boundaries, and/or property to be acquired and disposed of for redevelopment.

The City Council shall request public input from, but not limited to designated neighborhood group(s) and City appointed committees as appropriate upon any proposed amendment to this Plan.
Appendix "A"
Legal Description – Douglas Avenue Urban Renewal Area

Beginning at the Intersection of the West Bank of the Des Moines River and the North Right of Way of Euclid Avenue; Thence South along said West Bank to the North Line of the Vacated Railroad Right of Way through Lot 13 of the Official Plat of the E 1/2 of the Northwest Quarter and Southwest Quarter of the Southeast Quarter and Government Lots 3, 4, 5 and 6 of Section 28, Township 79 North, Range 24 West of the 5th P.M.; Thence Westerly along said North Line of the Vacated Railroad Right of Way through Lot 13 to the West Line of the Northeast Quarter of said Section 28; Thence South along said West Line of the Northeast Quarter of said Section 28 to the North Line of Parcel C, said Parcel C being recorded in Book 7188 Page 99 at the Recorder’s Office of Polk County, Iowa; Thence Easterly along said North Line of said Parcel C to the Easterly Line of said Parcel C; Thence South along said Easterly Line of said Parcel C to the Southerly Line of said Parcel C; Thence Westerly along said Southerly Line of said Parcel C to the Easterly Right of Way Line of Martin Luther King Jr Parkway; Thence Northerly along said Easterly Right of Way Line of Martin Luther King Jr Parkway to the Easterly Extension of the North Right of Way Line of Urbandale Avenue; Thence West along said Easterly Extension of the North Right of Way Line of Urbandale Avenue and along said North Right of Way Line of Urbandale Avenue to a line that is 150 Feet West of and parallel to the Southerly Extension of the East Line of Lot 1, Carroll Place, an Official Plat; Thence North along said Line being parallel to the Southerly Extension of the East Line of said Lot 1 to the South Line of said Carroll Place; Thence East along said South Line of said Carroll Place to the Southeast Corner of said Carroll Place; Thence North along the East Line of said Carroll Place to the South Line of Winnie’s Place, an Official Plat; Thence East along said South Line of said Winnie’s Place to the Southeast Corner of said Winnie’s Place; Thence North along the East Line of said Winnie’s Place to the South Line of Lot A in said Winnie’s Place; Thence West along said South Line of said Lot A to the Southerly Extension of the East Line of Parcel D, said Parcel D being recorded in Book 15270 Page 86 at the Recorder’s Office of Polk County, Iowa; Thence North along said Southerly Extension of the East Line of said Parcel D and along said East Line of said Parcel D to the Northeast Corner of said Parcel D; Thence West along the North Line of Parcels A, B, C and D, said Parcels A, B, C and D also being recorded in Book 15270 Page 86 at the Recorder’s Office of Polk County, Iowa, to the Northwest Corner of said Parcel A; Thence South along the West Line of said Parcel A to the North Right of Way Line of Euclid Avenue; Thence West along said North Right of Way Line of Euclid Avenue to the East Line of the West 233.26 Feet of Lot 7, Euclid Heights, an Official Plat; Thence North and parallel to the West Line of said Lot 7 to the North Line of the South 160 Feet of said Lot 7; Thence West along said North Line of the South 160 Feet of said Lot 7 to the West Line of said Lot 7; Thence North along said West Line of said Lot 7 to the South Right of Way Line of Douglas Avenue; Thence Westerly along said South Right of Way Line of Douglas Avenue to a point on the North Line of Lot 3, Helen’s Woods, an Official Plat, said point being 38 Feet East along said North Line from the Northwest corner of said Lot 3; Thence Southwest along a Line to a point on the East Line of Lot 4 in said Helen’s Woods, said point being 97 Feet South of the Northeast Corner of said Lot 4; Thence South along said East Line of said Lot 4 to the Northeast Corner of Lot 8 in said Helen’s Woods; Thence continuing South along the East Line of said Lot 8, a distance of 41 Feet; Thence Westerly along a Line to a point of the West Line of said Lot 8, said point being 50 Feet South of the Northwest Corner of said Lot 8; Thence South along the West Line of said Lot 8 to the Southerly Line of said Helen’s Woods; Thence Southeasterly along said Southerly Line of said
Helen’s Woods to the Southeast Corner of Lot 12 in said Helen’s Woods; Thence South along the Southerly Extension of the East Line of said Lot 12 to the North Line of Lot 12 in said Euclid Heights; Thence West along the North Line of Lots 9, 10, 12 and 18 in said Euclid Heights and the Westerly Extension of said Lots to the West Right of Way Line of 30th Street; Thence North along said West Right of Way Line of 30th Street to the Southerly Right of Way Line of Euclid Avenue; Thence Northwest along said Southerly Right of Way Line of Euclid Avenue to the South Right of Way Line of Douglas Avenue; Thence West along said South Right of Way Line of Douglas Avenue to the Southerly Extension of the East Line of the West 60 Feet of Lot 1, Hallett Acres, an Official Plat; Thence North along said Southerly Extension of the East Line of the West 60 Feet of said Lot 1 to the North Line of the South 80 Feet of said Lot 1; Thence West along a Line that is parallel to the South Line of said Lot 1, a distance of 20 Feet; Thence North along a Line that is parallel to the West Line of said Lot 1 to the South Line of Lot 57 in said Hallett Acres; Thence East along said South Line of said Lot 57 to the Southeast Corner of said Lot 57; Thence Southeast along a Straight Line to the West Corner of Lot 12, Block G, Lawnwoods, an Official Plat; Thence Northeast along the Northwest Line of said Lot 12 to the Northeasterly Corner of said Lot 12; Thence Southeasterly along the Northeast Line of Lots 12, 13, 14 and 15 in said Block G to the East Corner of said Lot 15; Thence Southeast along the Southeasterly Extension of the Northeast Line of Lots 14 and 15 in said Block G to the Southerly Extension of the East Line of Lot 17 in said Block G; Thence Northeast along a Straight Line to the Southwest Corner of Lot 8 in Block H of said Lawnwoods; Thence East along the south Line of said Lot 8 to the West Line of Lot 16 in said Block H; Thence North along the West Line of Lots 16 and 63 in said Block H to the Northwest Corner of said Lot 63; Thence East along the North Line of Lots 58 through 63 in said Block H to the Northeast Corner of said Lot 58; Thence South along the East Line of said Lot 58 to the Southeast Corner of said Lot 58; Thence East along the South Line of Lots 56 and 57 in said Block H to the Southwest Corner of Lot 55 in said Block H; Thence North along the West Line of said Lot 55 to the North Line of the South 52 Feet of said Lot 55; Thence East along North Line of the South 52 Feet of Lots 40 through 55 to the West Right of Way Line of 30th Street; Thence South along said West Right of Way Line of 30th Street to the Westerly Extension of the North Line of Lot 1 in Euclid Heights Plat No.2, an Official Plat; Thence East along said Westerly Extension of the North Line of said Lot 1 in said Euclid Heights Plat No.2 and along said North Line of said Lot 1 in said Euclid Heights Plat No.2 to the West Line of Lot 6 in said Euclid Heights Plat No.2; Thence North along said West Line of said Lot 6 to the Northeast Corner of said Lot 6; Thence East along the North Line of said Lot 6 to the Northeast Corner of said Lot 6; Thence North 45°12’ East, 37.4 Feet; Thence North 72°50’ East, 160 Feet; Thence North 87°19 ½’ East, 170.18 Feet; Thence South 74°30 ¾’ East, 194.18 Feet; Thence South 00°00’ West, 115 Feet; Thence North 89°25 ½’ West, 113.87 Feet to the East Line of Lot 2 in said Euclid Heights Plat No.2; Thence South along said East Line of said Lot 2 to the North Line of said Euclid Heights; Thence East along said North Line of said Euclid Heights to the Southwest Corner of Carmel Heights Plat No.1, an Official Plat; Thence North along the West Line of said Carmel Heights Plat No.1 to the South Line of Lot 13 in said Carmel Heights Plat No.1; Thence East along the South Line of Lots 7 through 13 in said Carmel Heights Plat No.1 to the Southeast Corner of said Lot 7 in said Carmel Heights Plat No.1; Thence North along the East Line of said Lot 7 in said Carmel Heights Plat No.1 to the Southwest Corner of Lot 6 in said Carmel Heights Plat No.1; Thence East along the South Line of said Lot 6 in said Carmel Heights Plat No.1 to the Southeast Corner of said Lot 6 in said Carmel Heights Plat No.1; Thence North along the East Line of said Lot 6 in said Carmel Heights Plat No.1 to the Northeast Corner of said Lot 6; Thence Easterly long the North Line of Lot 5 in said Carmel Heights Plat No.1 and along the Easterly Extension of said North line of
said Lot 5 to the East Line of the 150 Feet wide Abandoned Railroad Right of Way in the Southeast 1/4 of the Southwest 1/4 of Section 21, Township 79 North, Range 24 West of the 5th P.M.; Thence South along said East Line of the Abandoned Railroad Right of Way in the Southeast 1/4 of the Southwest 1/4 of said Section 21 to the North Line of Section 28, Township 79 North, Range 24 West of the 5th P.M.; Thence East along said North Line of said Section 28 to the East Line of the 150 Feet wide Abandoned Railroad Right of Way in the Northeast 1/4 of the Northwest 1/4 of said Section 28; Thence South along said East Line of the 150 Feet wide Abandoned Railroad right of way in the Northeast 1/4 of the Northwest 1/4 of said Section 28 to the North Right of Way Line of Euclid Avenue; Thence East along said North Right of Way Line of Euclid Avenue to the Centerline of said Section 28; Thence continuing East along said North Right of Way Line of Euclid Avenue, a distance of 663.57 Feet; Thence North and parallel with said Centerline of said Section 28, a distance of 150 Feet; Thence East along a Line that is 150 Feet North of and parallel with said North Right of Way Line of Euclid Avenue to the West Bank of the Des Moines River; Thence South along said West Bank of the Des Moines River to the Point of Beginning.
Appendix “B”
Financial Condition Report
Douglas Avenue Urban Renewal Area

E. APPENDIX C – FINANCIAL CONDITION REPORT – DOUGLAS AVENUE URBAN RENEWAL AREA

The City has, by Ordinance No. ______ passed ______, 2021 designated the Douglas Avenue Urban Renewal Area as an urban renewal area in which "Tax Increment Financing," as defined in Chapter 403, Code of Iowa, may be utilized. The expected financial undertakings and tax increment revenue with regard to this urban renewal area are discussed in this Financial Condition Report.

Introduction

Urban renewal is one of the few ways an Iowa municipality can undertake and financially assist community revitalization and economic development. In Des Moines, especially in the older areas with limited redevelopment opportunities, urban renewal is an important way cities can assist the private sector in the creation and retention of jobs and in the development and redevelopment of blighted, vacant and underutilized parcels that would not occur without the City's assistance.

Urban renewal can provide flexibility in phasing development over a long-term period. In Iowa, a city may designate an "urban renewal area" by following the requirements specified in Chapter 403, Code of Iowa, upon finding that the area qualifies for designation as a slum area, a blighted area or an economic development area as those terms are defined in Iowa Code §403.17. The Douglas Avenue Urban Renewal Plan Area was designated by the City as an urban renewal area upon a finding by the City Council that the area qualified as an economic development area.

As part of the designation of an urban renewal area, the city council must adopt an urban renewal plan. The plan text includes a legal description and map of the area; a description of existing land uses and conditions; the actions the city proposes to undertake in the area such as public improvements, public services, the sale or purchase of property; and any conditions the city may want to impose on the development projects. The Des Moines City Council adopted the original Urban Renewal Plan for the Douglas Avenue Urban Renewal Area on xxx xx, 2021, by Roll Call No. 21-XXXX. If the city wants to undertake an action not specified in the urban renewal plan, it must adopt the proposed change by an amendment. Before the urban renewal plan or any amendment can be adopted by the city council, notice of a public hearing on the plan or amendment must be published in the newspaper.

In addition, if the urban renewal area uses tax increment financing, a consultation and comment period with other taxing entities is offered prior to the public hearing. This document has been prepared in response to this consultation requirement.
**Tax Increment Financing**

Tax increment financing ("TIF") is a financing tool that is only available in designated urban renewal areas. It allows the use of a portion of the future property tax revenues of all taxing jurisdictions (the "Tax Increment Revenue") created by an increase in the total assessed value of all the taxable property within the urban renewal area, to be used to fund obligations incurred by the city in implementing the urban renewal plan.

The Tax Increment Revenue can only be used for the activities or items authorized in the urban renewal plan. If the Tax Increment Revenue is not used to pay eligible expenses incurred in the implementation of the urban renewal plan, the revenue is released back to general revenues of the local taxing jurisdictions. On March 24, 1997, the Des Moines City Council adopted a policy that commencing in FY1997/98, the City will use, and has used, no more than 75% of the total annual Tax Increment Revenues generated by all urban renewal areas. This assures that the local taxing entities receive the benefit of at least 25% any future growth in the valuation of taxable properties in the urban renewal areas utilizing tax increment financing.

**Current TIF Bonding and Outstanding Indebtedness**

Overall, as of July 1, 2021, the City of Des Moines has approximately $589.6 million in general obligation debt. Of this debt, approximately $120.5 million is being serviced with Tax Increment Revenues from various urban renewal areas. The State of Iowa Constitutional debt-limit for general debt obligations by the City of Des Moines is approximately $725.3 million. The Douglas Avenue Urban Renewal Area does not have any outstanding debt arising from the issuance of tax increment notes or bonds.

**Property Tax Assessments and Revenues**

The base assessed value used to calculate the projected Tax Increment Revenue for the Douglas Avenue Urban Renewal Area will be determined based upon the timing for the first certification of debt for this Area. As of January 1, 2021, there is approximately $31.0 million in assessed value within the Douglas Avenue Urban Renewal Plan Area. This section of the financial condition report will be updated to reflect base valuation information once debt has been certified and a base valuation date has been determined.

**Future Financial Condition**

Shown below is a table that projects estimated property tax revenues and expenditures from the Douglas Avenue Urban Renewal Area. In this Financial Condition Report, the estimated property tax revenues are based on a property tax levy rate of $37/$1,000. This levy rate reflects the tax levy rate after subtracting payment of the ‘protected debt levy’ (various mandated debt expenses collected as part of the property tax levy.)

The revenue projections shown are based on increases in property tax revenues conservatively estimated with an annual growth rate of 1.5%. The Tax Increment Revenue generated by the
assessed value existing on any January 1st is paid and collected in the fiscal year commencing 18 months later.

The following table and graphic present new and updated information formulated for this amendment.

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<th>Assessment Year</th>
<th>Base Valuation</th>
<th>Total Assessed Valuation</th>
<th>New Increment Valuation</th>
<th>TIF Valuation Used</th>
<th>Estimated TIF Revenue Available</th>
<th>Estimated TIF Revenue Used by City</th>
<th>Percent Valuation Used</th>
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The graphic below shows the projected property tax revenues and expenditure estimates detailed in the table above. Note: The Tax Increment Revenue generated by the assessed value existing on any January 1st is paid and collected in the fiscal year commencing 18 months later.
This information will change as future projects, subject to the urban renewal amendment process with the individual review of each amendment and projects by the City Council and other authorities as directed by the Code of Iowa, are approved.
Map 1 – Boundary of Urban Renewal Area

Douglas Avenue Urban Renewal Plan

Map 1 - Boundary of Urban Renewal Area

Map prepared by:
Development Services Department
City of Des Moines
Date: 10/5/2021
Map 2 – Existing Land Use
Map 4 - Existing Zoning

Douglas Avenue Urban Renewal Plan

Map 3 - Existing Zoning Map

Map prepared by:
Development Services Department
City of Des Moines
Date: 10/5/2021
Applicant: MidAmerican Energy Company (owner), represented by Ryan Stansbury (officer).

Location: Vicinity of 2399 East County Line Road.

Requested Action: Request for vacation of an east/west road Right-of-Way within the block bounded by East County Line Road on the north, SE 25th Street on the east, and Southridge Boulevard on the south west, to allow the Right-of-Way to be assembled with the parcel adjacent to the north.

I. GENERAL INFORMATION

1. Purpose of Request: The proposed vacation would allow the requested Right-of-Way to be assembled with the adjoining parcel.

2. Size of Site: The requested segment of Right-of-Way encompass a total 11,019 square feet of area.

3. Existing Zoning (site): “I2” Industrial District.

4. Existing Land Use (site): The subject area consists of public street Rights-of-Way.

5. Adjacent Land Use and Zoning:
   
   North – “N2b” & “EX”; Use is undeveloped land.

   South – “I2”, Use is MidAmerican Energy Company.

6. General Neighborhood/Area Land Uses: The requested Right-of-Way adjoins a property that is used by MidAmerican Energy Company. The surrounding area consists of a mix of residential, light industrial use, and agricultural production uses.

7. Applicable Recognized Neighborhood(s): The subject area is not located within 250 feet of any recognized neighborhood association. All neighborhoods were notified of the public hearing by mailing of the Preliminary Agenda on October 15, 2021. Additionally, separate notifications of the hearing for this specific item were mailed on October 25, 2021 (10 days prior to the hearing) to the primary titleholder on file with the County Assessor for each property adjoining the requested Right-of-Way site. A Final Agenda was mailed to all recognized neighborhoods on October 29, 2021.

   All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines on the date of the
mailing.

8. **Relevant Zoning History:** On October 18, 2021, the property adjacent to the south was rezoned from “EX-V” Mixed Use District to “I2” Industrial District by Ordinance 16,056.

9. **PlanDSM: Creating Our Tomorrow Land Use Plan Designation:** Industrial.

10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission 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:** While no utilities have been identified within the requested ROW, easements must be reserved for any existing utilities until such time that they are abandoned or relocated at the applicant’s expense.

2. **Traffic/Access:** The requested vacation would not negatively impact access to private properties or traffic patterns.

III. **STAFF RECOMMENDATION**

Staff recommends approval of the requested Right-of-Way vacation subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant’s expense.
Applicant: Hernandez Holdings, LLC (owner) represented by Doug Saltsgaver.

Location: 1451 East Grand Avenue.

Requested Action: Request for review and approval of a Public Hearing Site Plan “Hernandez Law Office” for a Type 2 Design Alternatives in accordance with City Code Sections 135-9-2.4(B) and 135-9-3.1(B), to waive the requirement to underground existing overhead utility lines, per City Code Section 135-9.2.1(E).

I. GENERAL INFORMATION

1. Purpose of Request: The applicant is requesting waiver of the requirement to route all overhead public utility lines underground. Design alternative review criteria can be found in Section I, subparagraph 10, of this report. Staff analysis of the proposal can be found in Section II of this report.

2. Size of Site: 11,814 square feet (0.271 acres).

3. Existing Zoning (site): “RX1” Mixed Use District.

4. Existing Land Use (site): The subject property contains a 1-story, 4,092 square-foot vacant office and commercial building.

5. Adjacent Land Use and Zoning:

   North – “RX1”; Use is a multi-family residential dwelling.
   South – “NX3”; Use is a one-household dwelling.
   East – “MX1”; Uses is a fueling station.
   West – “RX1”; Use is a State-owned office building.

6. General Neighborhood/Area Land Uses: The subject property is located on the southwest corner of the East Grand Avenue and East 15th Street intersection. The area is in the Capitol East neighborhood, which consists of mixed-use development with commercial development and single-family and multi-family residential dwelling units.

7. Applicable Recognized Neighborhood(s): The subject property is in the Capitol East neighborhood. The neighborhood association was notified of the public hearing by mailing of the Preliminary Agenda on October 22, 2021 and by mailing of the Final Agenda on October 29, 2021. Additionally, separate notifications of the hearing for this specific item was mailed on October 22, 2021 (10 days prior to the public
hearing) to the neighborhood association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the subject property.

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 Capitol East Association mailings were both sent to Jack Leachman, at 1921 Hubbell Ave, Des Moines, IA 50316.

8. Relevant Zoning History: None.

9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation: Community Mixed-Use

10. Applicable Regulations: Pursuant to Section 135-9.1.1(B) of the Planning and Design Ordinance, the site plan review requirements of Chapter 135 are designed to ensure the orderly and harmonious development of property in a manner that shall:

- Promote the most beneficial relation between present and proposed future uses of land and the present and proposed future circulation of traffic throughout the city;

- Permit present development of property commensurate with fair and orderly planning for future development of other properties in the various areas of the city with respect to the availability and capacity, present and foreseeable, of public facilities and services. The factors to be considered in arriving at a conclusion concerning proposed present development of property shall include the following:

  - The maximum population density for the proposed development, the proposed density of use, and consideration of the effect the proposal will have on the capacity of existing water and sanitary sewer lines to the end that existing systems will not become overloaded or capacity so substantially decreased that site use will inhibit or preclude planned future development;

  - Zoning restrictions at the time of the proposal;

  - The city’s comprehensive plan;

  - The city’s plans for future construction and provision for public facilities and services; and
• The facilities and services already available to the area which will be affected by the proposed site use;

• Encourage adequate provision for surface and subsurface drainage, in order to ensure that future development and other properties in various areas of the city will not be adversely affected;

• Provide suitable screening of parking, truck loading, refuse and recycling disposal, and outdoor storage areas from adjacent residential districts;

• Encourage the preservation of canopied areas and mature trees and require mitigation for the removal of trees; and

• Consider the smart planning principles set forth in Iowa Code Chapter 18B.

Based on Chapter Section 135-9.2.4 and 135-9.3.1(B) of the Planning and Design Ordinance, Type 2 Design Alternatives are to be considered by the Plan and Zoning Commission after a public hearing whereby the following criteria are considered:

• The design alternative provisions of Section 135-9.2.4 are intended to authorize the granting of relief from strict compliance with the regulations of this chapter as part of the site plan or alternate design documentation review process when specific site features or characteristics of the subject property, including the presence of existing buildings, creates conditions that make strict compliance with applicable regulations impractical or undesirable. The design alternative provisions are also intended to recognize that alternative design solutions may result in equal or better implementation of the regulation's intended purpose and greater consistency with the comprehensive plan.

• Consideration of requested design alternatives through the administrative and public hearing review processes will be evaluated on the merits of the applicable request and independently of prior requests from the same applicant, and may include the following criteria:

  ➢ An evaluation of the character of the surrounding neighborhood, such as:

    o Whether at least 50% of the developed lots within 250 feet of the subject property are designed and constructed consistently with the requested design alternative(s); and

    o Whether the directly adjoining developed lots are designed and constructed consistently with the requested design alternative(s);
For purposes of this subsection, if the lots that exist within 250 feet of the subject property are undeveloped, then the neighborhood character determination will be based upon the assumption that such lots, as if developed, comply with the applicable requirements of this chapter for which a design alternative(s) has been requested;

- The totality of the number and extent of design alternatives requested compared to the requirements of this chapter for each site plan or alternate design documentation reviewed;
- Whether the requested design alternative(s) is consistent with all relevant purpose and intent statements of this design ordinance and with the general purpose and intent of the comprehensive plan;
- Whether the requested design alternative(s) will have a substantial or undue adverse effect upon adjacent property, the character of the surrounding area or the public health, safety and general welfare;
- Whether any adverse impacts resulting from the requested design alternative(s) will be mitigated to the maximum extent feasible; and
- Other factors determined relevant by the community development director, plan and zoning commission, or city council as applicable.

II. ADDITIONAL APPLICABLE INFORMATION

1. Overhead Utility and Service Line Standards: Section 135-9.2.1.E of the Planning and Design Ordinance requires that all electrical, telephone, and cable television transmission systems shall be placed underground whenever reasonably practical.

The existing building is served by an overhead electrical service line that feeds from overhead transmission line poles along SE 15th Street, then runs west along the alley located to the south of the subject property to three, pole-mounted transformers where power is then fed to the building.

Mid-American Energy provided the cost and feasibility information on Friday, October 8, 2021. They have indicated that in this location the undergrounding of this portion of the project will require two new poles to build risers and that one of the 3ph banks (120/240) is not an offered service to be undergrounded by Mid-American. Additionally, the estimated cost for undergrounding the overhead utilities is to be around $200,000, approximately 66% of the total cost for the entire project ($300,000). Staff has concluded that it is not reasonably practical to require the undergrounding of all overhead, electrical, telephone, and cable television transmission systems due to the negative impact that the work would have on other property owners in the area.
III. STAFF RECOMMENDATION

Staff recommends approval of the Type 2 Design Alternative to waive the undergrounding of overhead utility requirement as it is not reasonably practical to do so in this case and approval of the Public Hearing Site Plan subject to compliance with all administrative review comments.
2'x6' bike parking envelopes.

Bike parking should not impede upon the required pedestrian clear space.

2' clear space is required between planters and the bike parking envelope.

1' clear space is required between Face of curb and the bike parking envelope.

Adhere to the American with Disabilities Act (ADA) standards for protrusions in the right-of-way including the ability to detect the rack with a white cane. To be detected by a white cane the protruding or leading edge of the rack shall be 27" or less above the sidewalk surface. Between 27" and 80" above the sidewalk surface, protruding or leading may overhang a maximum of 12". This applies to relatively tall racks with horizontal protrusions.

Unless maintained pursuant to a SSMID agreement, an areaway permit will be required for any bike racks located in the ROW. Once a site plan is approved, the property owner will need to contact Toni Agan in the Traffic & Transportation office (TLAgan@dmgov.org) to complete the permit and pay the one-time $25 permit fee.

Provide a minimum of 2 inches of cover for all reinforcing.

Ensure all slabs are at an equal height and all slabs are an equal depth within a flight of stairs.

Minimum height is 4 inches. Maximum height is 7 inches.

Minimum tread depth is 11 inches.

Maximum existing slope of landing to match adjacent sidewalk.

Maximum depth of landing is 3%.

Minimum riser height is 4 inches. Maximum riser height is 7 inches.

Minimum tread depth is 1 inch.

Match existing sidewalk width.

Construct cross slope of landing to match adjacent sidewalk.

Slope tread 1% minimum to 2% maximum in any direction.

Weld post to anchor plate with 1/4 inch weld.

Grind weld to provide smooth surface, free of burrs.
AGENDA ITEM #4  SITE-2021-000022

Applicant: Central Iowa Shelter & Services (owner) represented by Denise Hurt (consultant).

Location: 1420 Mulberry Street.

Requested Action: Review and approval of a Public Hearing Site Plan “CISS Greenhouse” for the following Type 2 Design Alternative in accordance with City Code Section 135-9.2.1.E, to reduce the minimum overall height requirement for a Downtown General Building type in a “DX2” District from 3 stories to 1 story, per City Code Section 135-2.4.C.

I. GENERAL INFORMATION

1. Purpose of Request: The applicant is proposing to demolish a pre-existing greenhouse dome and construct a new 3,600 square foot greenhouse building. Staff analysis of the proposal can be found in Section II of the report.

2. Size of Site: 0.083 acres (approximately 3,600 square feet).


4. Existing Land Use (site): The property is currently a group living, shelter/temporary housing building with accessory urban gardening.

5. Adjacent Land Use and Zoning:

   North – “DX2”; Uses are commercial and multi-family residential.

   South – “DX2”; Uses are undeveloped land and right of way.

   East – “P2”; Use is a municipal building fire station.

   West – “DX2”; Uses are undeveloped land.

6. General Neighborhood/Area Land Uses: The subject property is located on the south side of Mulberry Street to the west of Falcon Drive and north of West Martin Luther King Jr. Parkway. The surrounding area contains a mix of vacant lots, a municipal fire station, and multi-family residential uses.

7. Applicable Recognized Neighborhood(s): The subject property is within the Downtown Des Moines Neighborhood. The neighborhood association was notified of the public hearing by mailing of the Preliminary Agenda on October 15, 2021, and by
mailing of the Final Agenda on October 29, 2021. Additionally, separate notifications of the hearing for this specific item were mailed on October 25, 2021 (10 days prior to the public hearing) to the Downtown Des Moines 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. The Downtown Des Moines Neighborhood was emailed the agenda on October 15, 2021.

8. **Relevant Zoning History:** Rezoned from P2 to DX2 for expansion of Central Iowa Shelter and Services to add multiple household units on April 20, 2020.

9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Downtown Mixed Use.

10. **Applicable Regulations:** Pursuant to Section 135-9.1.1. B of the Planning and Design Ordinance, the site plan review requirements of Chapter 135 are designed to ensure the orderly and harmonious development of property in a manner that shall:

- Promote the most beneficial relation between present and proposed future uses of land and the present and proposed future circulation of traffic throughout the city;

- Permit present development of property commensurate with fair and orderly planning for future development of other properties in the various areas of the city with respect to the availability and capacity, present and foreseeable, of public facilities and services. The factors to be considered in arriving at a conclusion concerning proposed present development of property shall include the following:

  ➢ The maximum population density for the proposed development, the proposed density of use, and consideration of the effect the proposal will have on the capacity of existing water and sanitary sewer lines to the end that existing systems will not become overloaded, or capacity so substantially decreased that site use will inhibit or preclude planned future development;

  ➢ Zoning restrictions at the time of the proposal;

- The city’s comprehensive plan;

- The city’s plans for future construction and provision for public facilities and services; and
• The facilities and services already available to the area which will be affected by the proposed site use;

• Encourage adequate provision for surface and subsurface drainage, in order to ensure that future development and other properties in various areas of the city will not be adversely affected;

• Provide suitable screening of parking, truck loading, refuse and recycling disposal, and outdoor storage areas from adjacent residential districts;

• Encourage the preservation of canopied areas and mature trees and require mitigation for the removal of trees; and

• Consider the smart planning principles set forth in Iowa Code Chapter 18B.

Based on Chapter Section 135-9.2.4 and 135-9.3.1. B of the Planning and Design Ordinance, Type 2 Design Alternatives are to be considered by the Plan and Zoning Commission after a public hearing whereby the following criteria are considered:

• The design alternative provisions of Section 135-9.2.4 are intended to authorize the granting of relief from strict compliance with the regulations of this chapter as part of the site plan or alternate design documentation review process when specific site features or characteristics of the subject property, including the presence of existing buildings, creates conditions that make strict compliance with applicable regulations impractical or undesirable. The design alternative provisions are also intended to recognize that alternative design solutions may result in equal or better implementation of the regulation's intended purpose and greater consistency with the comprehensive plan.

• Consideration of requested design alternatives through the administrative and public hearing review processes will be evaluated on the merits of the applicable request and independently of prior requests from the same applicant, and may include the following criteria:

  ➢ An evaluation of the character of the surrounding neighborhood, such as:

    o Whether at least 50% of the developed lots within 250 feet of the subject property are designed and constructed consistently with the requested design alternative(s); and

    o Whether the directly adjoining developed lots are designed and constructed consistently with the requested design alternative(s);

• For purposes of this subsection, if the lots that exist within 250 feet of the subject property are undeveloped, then the neighborhood character determination will be made.
based upon the assumption that such lots, as if developed, comply with the applicable requirements of this chapter for which a design alternative(s) has been requested;

➢ The totality of the number and extent of design alternatives requested compared to the requirements of this chapter for each site plan or alternate design documentation reviewed;

➢ Whether the requested design alternative(s) is consistent with all relevant purpose and intent statements of this design ordinance and with the general purpose and intent of the comprehensive plan;

➢ Whether the requested design alternative(s) will have a substantial or undue adverse effect upon adjacent: property, the character of the surrounding area or the public health, safety, and general welfare;

➢ Whether any adverse impacts resulting from the requested design alternative(s) will be mitigated to the maximum extent feasible; and

➢ Other factors determined relevant by the community development director, plan and zoning commission, or city council as applicable.

II. ADDITIONAL APPLICABLE INFORMATION

1. Minimum Overall Height: Section 135-2.4-C of the Planning and Design Ordinance requires the minimum height of Downtown General buildings in DX2 to be 3 stories.

Staff does not believe that it is reasonably practicable to require the greenhouse to meet the three-story requirement. The proposed greenhouse is on the rear of the property with no primary frontage. The current CISS building with primary frontage meets the requirements for minimum height requirements.

II. STAFF RECOMMENDATION

Staff recommends approval of the requested Type 2 Design Alternative and Public Hearing Site Plan subject to compliance with all administrative comments.
**Applicant:** CFI Properties, LLC (owner), represented by Cui Dong Davis (officer).

**Location:** 2400 E 14th Street.

**Requested Action:**

A) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

B) Amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Neighborhood Mixed Use and Low-Medium Density Residential to Industrial. (ZONG-2021-000038)

C) Rezone property from “MX1” Mixed-Use District to “I1” Industrial District, to allow a use that includes outdoor storage. (ZONG-2021-000032)

## GENERAL INFORMATION

1. **Purpose of Request:** The requested rezoning to “I1” Industrial District would allow the property to be occupied by a business that involves outdoor storage. The City’s Zoning Ordinance only allows outdoor storage to be located within an “I1” Industrial District.

2. **Size of Site:** 38,679 square feet or 0.888-acre.

3. **Existing Zoning (site):** “MX1” Mixed Use District.

4. **Existing Land Use (site):** The property consists of a 3,763-square foot laundromat and paved surface parking.

5. **Adjacent Land Use and Zoning:**
   - **East** - “MX1”; The use is a medical clinic.
   - **West** - “N5”; Uses are one-household residential.
   - **North** - “NX1”, Uses are one-household residential.
   - **South** - “MX1” The use is a used car dealership.

6. **General Neighborhood/Area Land Uses:** The subject property is located in a small cluster of commercial uses located at the intersection of Guthrie Avenue and East 14th Street. The surrounding area consists of primarily one-household residential and church uses.
6. **Applicable Recognized Neighborhood(s):** The subject property is in the Union Park Neighborhood. The neighborhood associations were notified of the public hearing by mailing of the Preliminary Agenda on October 15, 2021 and by mailing of the Final Agenda on October 25, 2021. Additionally, separate notifications of the hearing for this specific item were mailed October 15, 2021 (20 days prior to the public hearing) and October 29, 2021 (10 days prior to the public hearing) 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 Union Park Neighborhood Association notices were mailed to Jack Daugherty, P.O. Box 16113, Des Moines, IA 50316.

The applicant is required to conduct neighborhood outreach. They will be available to provide a summary of that outreach during the public hearing.

7. **Relevant Zoning History:** None.

8. **PlanDSM Land Use Plan Designation:** Low Density Residential and Low Medium Density Residential.

9. **Applicable Regulations:** The Commission reviews all proposals to amend zoning boundaries or regulations 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, and taking into consideration the criteria set forth in Chapter 18B 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.

II. **ADDITIONAL APPLICABLE INFORMATION**

1. **PlanDSM: Creating Our Tomorrow:** The applicant is proposing to rezone the subject property from “MX1” District to “I1” District. The proposed rezoning would require the Future Land Use Map to be amended to the “Industrial” designation which is currently designated as Low Density Residential and Low-Medium Density Residential.

   Plan DSM describes the existing Low Density Residential and Low-Medium Density Residential designations as follows:

   **LOW DENSITY RESIDENTIAL**
   Areas developed with primarily single family and two family residential units with up to 6 dwelling units per net acre.
LOW-MEDIUM DENSITY RESIDENTIAL
Areas developed with a mix of single family, duplex and small multi-family units up to 12 units per net acre.

In order for the proposed rezoning to “I1” District to be in conformance with PlanDSM, the future land use designation must be revised to Industrial.

The Industrial designation is described as follows:

INDUSTRIAL
Accommodates industrial development and limited supporting commercial uses. Development in this classification could have a large impact on adjoining properties and the environment which would need to be mitigated.

The Zoning Ordinance states that “I1” District is intended for general industrial uses, warehousing, and transportation terminals. Building types allowed in this district include the Storefront, Commercial Cottage, General Building, Workshop/Warehouse, Civic Building and Principal-Use Parking Structure.

The applicant has proposed “I1” Industrial District in order to have outdoor storage of commercial vehicles, trailers, and equipment.

Staff believes that industrial development should be focused in areas of the City that are already designated for those types of uses. The subject property is located along East 14th Street in an area that is primarily residential use with a cluster of commercial uses. Accommodating industrial uses could have a large impact on adjoining properties and the environment. Furthermore, the property is surrounded predominantly by areas designated as Low Density Residential on the Future Land Use Map.

Should the rezoning be denied, the applicant would have up to one (1) year following that denial to seek a Use Variance from the Zoning Board of Adjustment to allow use of the property for a specific commercial use. Such a Use Variance would not require an amendment to the PlanDSM Creating Our Tomorrow future land use plan.

2. Planning and Design Ordinance: Any development must comply with all applicable site plan and design regulations of the Planning and Design Ordinance. Should the rezoning be approved, the applicant would be required to prepare a Site Plan for any proposed site modifications including screening and landscaping of the outdoor storage of commercial vehicles, trailers, and equipment.

III. STAFF RECOMMENDATION

A) Staff recommends that the proposed rezoning be found in not in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.
B) Staff recommends denial of the requested amendment to the PlanDSM future land use designation from Low Density Residential to Industrial since the Industrial designation should be focused in areas of the City that are already designated for those types of uses and not within areas that comprise primarily residential and commercial uses.

C) Staff recommends denial of rezoning the property from “MX1” Mixed-Use District to “I1” Industrial District since the “I1” District is not in conformance with the existing PlanDSM Future land use designation of Low Density Residential.
AGENDA ITEM #6

Applicant: Shelden Holdings, LLC (owner), represented by Dennis and Shelley Kay (officers).

Location: 2551 Douglas Avenue.

Requested Action: Review and approval of Public Hearing Site Plan “2551 Douglas Avenue Vehicle Sales and Service” for the following Type 2 Design Alternatives in accordance with City Code Sections 135-9-2.4(B) and 135-9-3.1(B):

A) Waiver of the requirement that any portion of a property to be used for outside storage, display, and parking of vehicles for a vehicle sales display lot is required to contain at least one-half acre of land, per City Code Section 135-8.2.3(A).

B) Waiver of the requirement for placement of all electrical, telephone, and cable transmission systems underground, per City Code Section 135-9.2.1(E).

I. GENERAL INFORMATION

1. Purpose of Request: The applicant is proposing site improvements for a new user of the property. Previously, an auto repair business operated at this site. The new tenant is proposing to continue the previous auto repair use, while also adding a vehicle sales use. Design Alternative review criteria can be found in Section I, subparagraph 10 of this report. Staff analysis of the proposal can be found in Section II of the report.

2. Size of Site: 18,493 square feet (.425 acres).


4. Existing Land Use (site): The property contains an auto repair facility and accompanying office space. There is also a cell tower in the northwest corner of the property.

5. Adjacent Land Use and Zoning:
   
   North – “MX3”; Uses are outdoor storage and undeveloped parcels.
   
   South – “MX3”; Uses are offices, general commercial uses, and a one-household dwelling unit.
   
   East – “MX3”; Use is a retail strip mall.
   
   West – “MX3”; Uses are outdoor storage, wholesale sales, and an office.
6. **General Neighborhood/Area Land Uses:** The subject property is located along Douglas Avenue, in a portion of this commercial corridor that contains a mix of uses such as restaurants, retail stores, vehicle sales lots, and offices.

7. **Applicable Recognized Neighborhood(s):** The subject property is in the Lower Beaver Neighborhood and within 250 feet of the Prospect Park Neighborhood. The neighborhood associations were notified of the public hearing by mailing of the Preliminary Agenda on October 15, 2021, and by mailing of the Final Agenda on October 29, 2021. Additionally, separate notifications of the hearing for this specific item were mailed on October 25, 2021 (10 days prior to the public hearing) to the neighborhood association 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 Lower Beaver Neighborhood mailings were sent to Jeremy Geerdes, 4025 Lower Beaver Road, Des Moines, IA 50310. The Prospect Park Neighborhood mailings were sent to Mark Gordon, 2400 26th Street, Des Moines, IA 50310.

8. **Relevant Zoning History:** None.

9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Community Mixed Use.

10. **Applicable Regulations:** Pursuant to Section 135-9.1.1.B of the Planning and Design Ordinance, the site plan review requirements of Chapter 135 are designed to ensure the orderly and harmonious development of property in a manner that shall:

- Promote the most beneficial relation between present and proposed future uses of land and the present and proposed future circulation of traffic throughout the city;

- Permit present development of property commensurate with fair and orderly planning for future development of other properties in the various areas of the city with respect to the availability and capacity, present and foreseeable, of public facilities and services. The factors to be considered in arriving at a conclusion concerning proposed present development of property shall include the following:

  - The maximum population density for the proposed development, the proposed density of use, and consideration of the effect the proposal will have on the capacity of existing water and sanitary sewer lines to the end that existing systems will not become overloaded or capacity so

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substantially decreased that site use will inhibit or preclude planned future development;

➢ Zoning restrictions at the time of the proposal;
➢ The city’s comprehensive plan;
➢ The city’s plans for future construction and provision for public facilities and services; and
➢ The facilities and services already available to the area which will be affected by the proposed site use;
➢ Encourage adequate provision for surface and subsurface drainage, in order to ensure that future development and other properties in various areas of the city will not be adversely affected;
➢ Provide suitable screening of parking, truck loading, refuse and recycling disposal, and outdoor storage areas from adjacent residential districts;
➢ Encourage the preservation of canopied areas and mature trees and require mitigation for the removal of trees; and
➢ Consider the smart planning principles set forth in Iowa Code Chapter 18B.

Based on Chapter Section 135-9.2.4 and 135-9.3.1.B of the Planning and Design Ordinance, Type 2 Design Alternatives are to be considered by the Plan and Zoning Commission after a public hearing whereby the following criteria are considered:

• The design alternative provisions of Section 135-9.2.4 are intended to authorize the granting of relief from strict compliance with the regulations of this chapter as part of the site plan or alternate design documentation review process when specific site features or characteristics of the subject property, including the presence of existing buildings, creates conditions that make strict compliance with applicable regulations impractical or undesirable. The design alternative provisions are also intended to recognize that alternative design solutions may result in equal or better implementation of the regulation’s intended purpose and greater consistency with the comprehensive plan.

• Consideration of requested design alternatives through the administrative and public hearing review processes will be evaluated on the merits of the applicable request and independently of prior requests from the same applicant, and may include the following criteria:
➢ An evaluation of the character of the surrounding neighborhood, such as:
  o Whether at least 50% of the developed lots within 250 feet of the subject property are designed and constructed consistently with the requested design alternative(s); and
  o Whether the directly adjoining developed lots are designed and constructed consistently with the requested design alternative(s);

• For purposes of this subsection, if the lots that exist within 250 feet of the subject property are undeveloped, then the neighborhood character determination will be based upon the assumption that such lots, as if developed, comply with the applicable requirements of this chapter for which a design alternative(s) has been requested;

➢ The totality of the number and extent of design alternatives requested compared to the requirements of this chapter for each site plan or alternate design documentation reviewed;

➢ Whether the requested design alternative(s) is consistent with all relevant purpose and intent statements of this design ordinance and with the general purpose and intent of the comprehensive plan;

➢ Whether the requested design alternative(s) will have a substantial or undue adverse effect upon adjacent property, the character of the surrounding area or the public health, safety and general welfare;

➢ Whether any adverse impacts resulting from the requested design alternative(s) will be mitigated to the maximum extent feasible; and

➢ Other factors determined relevant by the community development director, plan and zoning commission, or city council as applicable.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Vehicle Display Lot Standards:** Section 135-8.2.3 of the Planning and Design Ordinance requires that any portion of a site to be used for outside storage, display, or parking of vehicles or equipment shall contain at least one-half acre of land. The subject site is 0.425 acres in size. The submitted site plan proposes to reserve 6 spaces for vehicle display within the existing 12-stall parking lot.

   Staff is supportive of the proposed vehicle sales as a use that is secondary to the auto repair activities that have previously operated at this site. However, staff is concerned about the multiple uses competing for parking within a small site. The proposed site plan depicts 3 spaces for customer parking, 3 spaces for employees, and 6 spaces for vehicle display (in addition to the auto repair facility’s 2 service bays). A smaller vehicle display area would reduce the potential for parking conflicts and vehicle overcrowding within the property,
allowing the site to meet the intent of Section 135-8.2.3 of the Planning and Design Ordinance. Staff posits that a proposal to allocate 50% of the site’s parking spaces toward vehicle display is not appropriate given the site’s size (0.425 acres) and physical constraints (cell tower and accompanying easement).

Staff supports this Type 2 Design Alternative request on the condition that a revised site plan is submitted depicting that only the 3 parking spaces closest to Douglas Avenue be utilized for vehicle display.

2. **Overhead Utility and Service Line Standards**: Section 135-9.2.1.E of the Planning and Design Ordinance requires that all electrical, telephone, and cable television transmission systems shall be placed underground whenever reasonably practicable. Currently, electrical transmission lines run along the southern edge of the property. Additionally, there are 2 service lines present within this site: One that runs to a parking lot light pole and one that runs to the building. Mid-American Energy calculated a preliminary estimate of $85,000-$100,000 to underground all of the utility lines and transformers at this site. Total cost estimates for the proposed site work (landscaping and other aesthetic improvements) are roughly $5,400. Furthermore, Mid-American Energy has noted that their cost estimate does not take into account financial and logistical burdens that would be borne by surrounding property owners should the transformers sitting at the southern edge of the property go underground.

Staff does not believe it would be reasonably practicable to require the site’s utility lines to be undergrounded. There is limited practicality in requiring a project with this minor of a scope (landscaping improvements for a new building tenant) to take on the intense logistical challenges and incongruent financial costs that utility undergrounding would add to the proposed site improvements. Staff supports this Type 2 Design Alternative request.

### III. STAFF RECOMMENDATION

Staff recommends approval of the proposed Public Hearing Site Plan subject to compliance with all administrative review comments and recommends the following as it relates to the requested Design Alternatives:

Part A) Staff recommends approval of a Type 2 Design Alternative to waive the requirement that any portion of a property to be used for outside storage, display, and parking of vehicles for a vehicle display lot is required to contain at least one-half acre of land, provided that only the 3 parking spaces closest to Douglas Avenue be utilized for vehicle display.

Part B) Staff recommends approval of a Type 2 Design Alternative to waive the requirement to place all overhead utility systems underground, as it would not be reasonably practicable at this location.

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· 2’x6’ bike parking envelopes.
· Bike parking should not impede upon the required pedestrian clear space.
· 2’ clear space is required between planters and the bike parking envelope.
· 1’ clear space is required between Face of curb and the bike parking envelope.
· Adhere to the American with Disabilities Act (ADA) standards for protrusions in the right-of-way including the ability to detect the rack with a white cane. To be detected by a white cane the protruding or leading edge of the rack shall be 27” or less above the sidewalk surface. Between 27” and 80” above the sidewalk surface, protruding or leading may overhang a maximum of 12”. This applies to relatively tall racks with horizontal protrusions.

Unless maintained pursuant to a SSMID agreement, an areaway permit will be required for any bike racks located in the ROW. Once a site plan is approved, the property owner will need to contact Toni Agan in the Traffic & Transportation office (TLAgan@dmgov.org) to complete the permit and pay the one-time $25 permit fee.
**AGENDA ITEM #7**  

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**Applicant:** 1925 High Street, LLC (owner) represented by Tallis and Tyler Strub (consultant).

**Location:** 1925 High Street.

**Requested Action:** Review and approval of a Public Hearing Site Plan “Des Moines Ballroom” for the following Type 2 Design Alternative in accordance with City Code Section 135-9.2.1.E, to waive the requirement for placement of all electrical, telephone, and cable transmission systems underground, per City Code Section 135-9.2.1.E.

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**I. GENERAL INFORMATION**

1. **Purpose of Request:** The applicant is proposing to renovate the pre-existing building for a dance studio. Staff analysis of the proposal can be found in Section II of the report.

2. **Size of Site:** 0.390 acres (approximately 16,988 square feet).

3. **Existing Zoning (site):** “RX1” Mixed Use.

4. **Existing Land Use (site):** The property is currently an office use.

5. **Adjacent Land Use and Zoning:**
   - **North** – “NX2a”; Uses is a grocery store with surface parking.
   - **South** – “RX1”; Uses are multi-family residential.
   - **East** – “RX1”; Uses are single-family residential.
   - **West** – “RX1”; Use is a grocery store with surface parking.

6. **General Neighborhood/Area Land Uses:** The subject property is located on the north side of High Street to the east of Martin Luther King Jr. Parkway and west of 19th Street. The surrounding area contains a mix of single-family residential, multi-family residential, and commercial uses.

7. **Applicable Recognized Neighborhood(s):** The subject property is within the Sherman Hill Neighborhood. The neighborhood association was notified of the public hearing by mailing of the Preliminary Agenda on October 15, 2021, and by mailing of the Final Agenda on October 29, 2021. Additionally, separate notifications of the hearing for this specific item were mailed on October 25, 2021 (10 days prior to the public hearing) to the Sherman Hill 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.

8. **Relevant Zoning History:** None.

9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Downtown Mixed Use.

10. **Applicable Regulations:** Pursuant to Section 135-9.1.1. B of the Planning and Design Ordinance, the site plan review requirements of Chapter 135 are designed to ensure the orderly and harmonious development of property in a manner that shall:

- Promote the most beneficial relation between present and proposed future uses of land and the present and proposed future circulation of traffic throughout the city;

- Permit present development of property commensurate with fair and orderly planning for future development of other properties in the various areas of the city with respect to the availability and capacity, present and foreseeable, of public facilities and services. The factors to be considered in arriving at a conclusion concerning proposed present development of property shall include the following:
  - The maximum population density for the proposed development, the proposed density of use, and consideration of the effect the proposal will have on the capacity of existing water and sanitary sewer lines to the end that existing systems will not become overloaded, or capacity so substantially decreased that site use will inhibit or preclude planned future development;
  - Zoning restrictions at the time of the proposal;
- The city's comprehensive plan;
- The city's plans for future construction and provision for public facilities and services; and
- The facilities and services already available to the area which will be affected by the proposed site use;
- Encourage adequate provision for surface and subsurface drainage, in order to ensure that future development and other properties in various areas of the city will not be adversely affected;
• Provide suitable screening of parking, truck loading, refuse and recycling disposal, and outdoor storage areas from adjacent residential districts;

• Encourage the preservation of canopied areas and mature trees and require mitigation for the removal of trees; and

• Consider the smart planning principles set forth in Iowa Code Chapter 18B.

Based on Chapter Section 135-9.2.4 and 135-9.3.1. B of the Planning and Design Ordinance, Type 2 Design Alternatives are to be considered by the Plan and Zoning Commission after a public hearing whereby the following criteria are considered:

• The design alternative provisions of Section 135-9.2.4 are intended to authorize the granting of relief from strict compliance with the regulations of this chapter as part of the site plan or alternate design documentation review process when specific site features or characteristics of the subject property, including the presence of existing buildings, creates conditions that make strict compliance with applicable regulations impractical or undesirable. The design alternative provisions are also intended to recognize that alternative design solutions may result in equal or better implementation of the regulation’s intended purpose and greater consistency with the comprehensive plan.

• Consideration of requested design alternatives through the administrative and public hearing review processes will be evaluated on the merits of the applicable request and independently of prior requests from the same applicant, and may include the following criteria:

  ➢ An evaluation of the character of the surrounding neighborhood, such as:

    o Whether at least 50% of the developed lots within 250 feet of the subject property are designed and constructed consistently with the requested design alternative(s); and

    o Whether the directly adjoining developed lots are designed and constructed consistently with the requested design alternative(s);

• For purposes of this subsection, if the lots that exist within 250 feet of the subject property are undeveloped, then the neighborhood character determination will be based upon the assumption that such lots, as if developed, comply with the applicable requirements of this chapter for which a design alternative(s) has been requested;

  ➢ The totality of the number and extent of design alternatives requested compared to the requirements of this chapter for each site plan or alternate
design documentation reviewed;

➢ Whether the requested design alternative(s) is consistent with all relevant purpose and intent statements of this design ordinance and with the general purpose and intent of the comprehensive plan;

➢ Whether the requested design alternative(s) will have a substantial or undue adverse effect upon adjacent property, the character of the surrounding area or the public health, safety, and general welfare;

➢ Whether any adverse impacts resulting from the requested design alternative(s) will be mitigated to the maximum extent feasible; and

➢ Other factors determined relevant by the community development director, plan and zoning commission, or city council as applicable.

II. ADDITIONAL APPLICABLE INFORMATION

1. Overhead Utilities: Section 135-9.2.1.E of the Planning and Design Ordinance requires that all electrical, telephone, and cable television transmission systems shall be placed underground whenever reasonably practicable.

The Sherman Hill Neighborhood has a SSMID (Self-Supported Municipal Improvement District) in place to facilitate the installation of historic decorative street light fixtures that meet the character of the neighborhood. The original SSMID area has the historic style fixtures. The SSMID boundary was expanded a few years ago to allow the fixtures to be installed in the rest of the neighborhood. The subject property is in the expansion area. The new lighting needs to be installed collectively. Therefore, developers have been asked to pay into an escrow account instead of doing any of the work themselves.

There are two existing above ground utility poles on the 1925 High Street property. The property owners have agreed to underground and replace the utility pole on the southeast corner of the property with the required historic decorative fixture. This will be done through contributions to a temporary escrow account and future contributions to the Sherman Hill SSMID. The utility pole on the northwest corner of the property along the alley access will require further analysis by MidAmerican Energy Company for feasibility of undergrounding.

II. STAFF RECOMMENDATION

Staff has requested additional information from MidAmerican Energy Company on the feasibility and cost of undergrounding the northwest utility pole and will present an updated report at the meeting.

Agenda Items #7
Page 4

Revised 10/29/21
AGENDA ITEM #8 10-2021-7.170

Applicant: 6450, LLC (owner), represented by Blake Pagliai (officer).

Location: 3921 Delaware Avenue.

Requested Action: Review and approval of Public Hearing Site Plan “Delaware Avenue Outdoor Storage improvements” and for the following Type 2 Design Alternatives in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B):

A) Further consideration of the following denied Type 1 Design Alternative requests related to landscaping and screening of two (2) outdoor storage areas associated with industrial uses on the site:
   i.) Waiver of 135-7.11.4(C) to utilize a six-foot chain link fence with vinyl slats along the northern, western, and southern extent of the outdoor storage area on the west portion of the site, being the front yard of the building.
   
   ii.) Waiver of six-foot fence with a minimum 80% opacity requirement along the northern, eastern, and southern portions of the outdoor storage area on the east portion of the site, in accordance with City Code Section 135-8.2.2(A) and (D).
   
   iii.) Waiver of landscaping requirements along the southern portion of the outdoor storage area on the east portion of the site, in accordance with City Code Section 135-8.2.2(D).
   
   iv.) Utilization of the existing landscaping along the western edge of the eastern outdoor storage area exposed beyond the south of the existing building, in accordance with City Code Section 135-8.2.2(D).

B) Waiver of the requirement to underground all electric, phone, cable television, transmission system, per Section 135-9.2.1.E.

I. GENERAL INFORMATION

1. Purpose of Request: The applicant is proposing to construct a total of 189,537 square feet of outdoor storage between two different areas on the site; a smaller 99-foot by 171-foot existing area on the western portion of the property, and a larger 248-foot by 696-foot expansion of an existing area on the eastern portion of the property. Design alternative review criteria can be found in Section I, subparagraph 10 of this report. Staff analysis of the proposal can be found in Section II of the report.

2. Size of Site: 11.7 acres.
3. **Existing Zoning (site):** “I1” Industrial District.

4. **Existing Land Use (site):** The property is currently used as a warehouse, exterior storage, and outdoor construction material storage.

5. **Adjacent Land Use and Zoning:**
   - **North** – “I1”; Use is trucking & transportation terminal (construction/grading service).
   - **South** – “I1”; Uses are industrial services, and warehouse, storage & distribution.
   - **East** – Interstate 235, “NX2”; Use is the Interstate 235 Corridor.
   - **West** – “I2”; Use is an intensive industrial service (material testing laboratory).

6. **General Neighborhood/Area Land Uses:** The subject property is located on the east side of Delaware Avenue to the west of Interstate 235. The surrounding area contains a mix of industrial uses.

7. **Applicable Recognized Neighborhood(s):** The subject property is not within a designated neighborhood. However, the subject site is within 250 feet of the Douglas Acres Neighborhood. The neighborhood association was notified of the public hearing by mailing of the Preliminary Agenda on October 15, 2021 and by mailing of the Final Agenda on October 29, 2021. Additionally, separate notifications of the hearing for this specific item were mailed on October 25, 2021 (10 days prior to the public hearing) to the Douglas Acres Neighborhood Association 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. The Douglas Acres Neighborhood Association mailings were sent to Joe Youngwirth, 3824 Lay Street, Des Moines, IA 50317.

8. **Relevant Zoning History:** None.

9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Industrial uses.

10. **Applicable Regulations:** Pursuant to Section 135-9.1.1.B of the Planning and Design Ordinance, the site plan review requirements of Chapter 135 are designed to ensure the orderly and harmonious development of property in a manner that shall:

    - Promote the most beneficial relation between present and proposed future uses of land and the present and proposed future circulation of traffic throughout the
city;

- Permit present development of property commensurate with fair and orderly planning for future development of other properties in the various areas of the city with respect to the availability and capacity, present and foreseeable, of public facilities and services. The factors to be considered in arriving at a conclusion concerning proposed present development of property shall include the following:

  - The maximum population density for the proposed development, the proposed density of use, and consideration of the effect the proposal will have on the capacity of existing water and sanitary sewer lines to the end that existing systems will not become overloaded or capacity so substantially decreased that site use will inhibit or preclude planned future development;

  - Zoning restrictions at the time of the proposal;

- The city’s comprehensive plan;

- The city's plans for future construction and provision for public facilities and services; and

- The facilities and services already available to the area which will be affected by the proposed site use;

- Encourage adequate provision for surface and subsurface drainage, in order to ensure that future development and other properties in various areas of the city will not be adversely affected;

- Provide suitable screening of parking, truck loading, refuse and recycling disposal, and outdoor storage areas from adjacent residential districts;

- Encourage the preservation of canopied areas and mature trees and require mitigation for the removal of trees; and

- Consider the smart planning principles set forth in Iowa Code Chapter 18B.

Based on Chapter Section 135-9.2.4 and 135-9.3.1.B of the Planning and Design Ordinance, Type 2 Design Alternatives are to be considered by the Plan and Zoning Commission after a public hearing whereby the following criteria are considered:

- The design alternative provisions of Section 135-9.2.4 are intended to authorize the granting of relief from strict compliance with the regulations of this chapter as part of the site plan or alternate design documentation review process when specific site features or characteristics of the subject property, including the
presence of existing buildings, creates conditions that make strict compliance with applicable regulations impractical or undesirable. The design alternative provisions are also intended to recognize that alternative design solutions may result in equal or better implementation of the regulation’s intended purpose and greater consistency with the comprehensive plan.

- Consideration of requested design alternatives through the administrative and public hearing review processes will be evaluated on the merits of the applicable request and independently of prior requests from the same applicant, and may include the following criteria:
  
  - An evaluation of the character of the surrounding neighborhood, such as:
    
    - Whether at least 50% of the developed lots within 250 feet of the subject property are designed and constructed consistently with the requested design alternative(s); and
    
    - Whether the directly adjoining developed lots are designed and constructed consistently with the requested design alternative(s);

  - For purposes of this subsection, if the lots that exist within 250 feet of the subject property are undeveloped, then the neighborhood character determination will be based upon the assumption that such lots, as if developed, comply with the applicable requirements of this chapter for which a design alternative(s) has been requested;

  - The totality of the number and extent of design alternatives requested compared to the requirements of this chapter for each site plan or alternate design documentation reviewed;

  - Whether the requested design alternative(s) is consistent with all relevant purpose and intent statements of this design ordinance and with the general purpose and intent of the comprehensive plan;

  - Whether the requested design alternative(s) will have a substantial or undue adverse effect upon adjacent property, the character of the surrounding area or the public health, safety and general welfare;

  - Whether any adverse impacts resulting from the requested design alternative(s) will be mitigated to the maximum extent feasible; and

  - Other factors determined relevant by the community development director, plan and zoning commission, or city council as applicable.
II. ADDITIONAL APPLICABLE INFORMATION

1. Uses on Site: The applicant is proposing to store clean portable restrooms on the site, which is allowed within an “I1” district. However, emptying and cleaning those restrooms is not an allowed use within an “I1” district. To provide those services on the site, a rezone of the site to “I2” would be required. Staff recommends a note be added to the plans to make this clear to the applicant.

2. Western Outdoor Storage Area: The site features two separate outdoor storage areas, each with specific design alternative requests related to screening and buffering of those areas. The first is the western outdoor storage area, located in the front yard along Delaware Avenue, measuring 99 feet by 171 feet (approximately 16,929 square feet). This location is an existing outdoor storage area that previously had no buffering or screening measures. Typical outdoor storage area screening for this site would consist of a medium buffer along all sides of the outdoor storage area, and a minimum 10-foot setback from all property lines except street frontages, where the setback increases 25 feet. The applicant proposes providing landscaping as the code requires along the northern and western edges of the outdoor storage area. However, the applicant has requested the following alternatives:

   a. Construction of a 6-foot tall chain link fence with vinyl slats installed to provide the minimum 80% opacity along the western, northern, and southern sides.

      Analysis: Staff is not supportive of this request as Section 135-7.11.4(C) specifically prohibits use of chain link fencing in the front yard of any district, with the exception of the P1 district. Staff finds that a more appropriate fencing type to provide a cleaner design for the site.

   b. Construction of a 6-foot tall chain link fence with no opacity measures along the eastern side, as this side faces the primary building of the site.

      Analysis: While staff does find that screening and buffering is less necessary while facing the primary building, staff believes it will likely be easier to maintain a consistent fencing throughout the perimeter of the area, and thus encourages continuing the fencing choice, additionally in compliance of 135-7.11.4(C), throughout the entire perimeter.

   c. Utilization of an existing landscape buffer across the driveway from the outdoor storage area along the southern edge. The buffer presently meets the minimum width required, stretches the length of the outdoor storage area, and already consists of landscaping.
**Analysis:** Staff is supportive of this request, provided one additional tree is added within this area to bring the total number of trees within this area to four, which is the minimum required for medium buffer landscaping a length of 171 feet.

d. Along the eastern edge, the applicant is requesting a full waiver of landscaping, as the space between existing outdoor storage area and employee parking is just wide enough to provide sufficient maneuvering for vehicles.

**Analysis:** Staff is supportive of this request, as this portion of the outdoor storage area faces the primary structure, and full screening is obtained by the building itself.

3. **Eastern Outdoor Storage Area:** The second outdoor storage area is the eastern area, located in the rear of the property and within a newly acquired portion of land behind the neighbor to the south, approved via Plat of Survey (PLAT-2021-000017 - 13-21-1.68). The outdoor storage area consists of an existing outdoor storage area in the northern 25% of the plans, as well as an expansion of the southern 75% of the proposed area, being a total of 248 feet by 696 feet (approximately 172,608 square feet or 3.97 acres) in size. The applicant has requested the following design alternatives:

a. Utilization of the existing 10-foot tall chain link fence along the property line on the northern edge, and to provide a 10-foot wide landscape buffer to meet setback requirements.

**Analysis:** Staff is open to utilizing the existing fence, staff is concerned that the applicant does not actually own the fence, and that there is some visibility of the site from the Interstate 235 Corridor to the north. Staff would prefer the fence meet the opacity requirements, and if the fence along the property line were utilized, some form of secondary barrier (such as a chain and bollard system) be installed to ensure that the outdoor storage area does not encroach into the required setback or damage/destroy landscaping. Unlike the western outdoor storage area, the eastern outdoor storage area could utilize a chain link with vinyl slats as an appropriate style of screening, as none of that outdoor storage area is within a front yard.

b. Utilization of the existing 10-foot chain link fence along the property line on the eastern edge, and to utilize an existing heavily forested buffer.

**Analysis:** Staff is supportive of utilizing these features as the eastern boundary is a hill of substantial size (over 25 feet upward elevation change), that is fully forested. In this location and with these features,
visibility from the Interstate 235 corridor is impossible. However, staff recommends that a secondary barrier (such as a chain and bollard system) should be utilized to ensure the outdoor storage area does not expand beyond its proposed location and does not damage or destroy any of the existing forested area serving as the buffer.

c. Along the southern edge, a request to utilize an existing 4-foot tall chain link fence and landscaping on the site.

**Analysis:** While this portion of the site does feature a berm of sorts, the berm provides a 4- to 6-foot incline on the southern property, and an 8-foot downward slope to the proposed outdoor storage area. Staff notes that the parking and outdoor areas of the site immediately south of the property may have some visibility impacts as the outdoor storage area is utilized closer to the property line. As such, staff recommends allowing a 4-foot fence to be utilized (as opposed to the minimum 6-foot required) as the berm provides the additional height necessary. However, staff also recommends applicant improves the 4-foot fence to meet opacity requirements, and that a secondary barrier (such as a chain and bollard system) is added to ensure proposed outdoor storage area does not encroach further into any landscaping or setbacks.

d. Along the western edge, a request to utilize an existing 10-foot tall chain-link fence and qualify the detention pond/existing landscaping as the landscape buffer.

**Analysis:** Staff finds that the existing use of the neighboring site including outdoor storage, as well as the primary building itself, with no windows or doors opening to this property, does provide sufficient screening to allow waiver of opacity requirements. However, staff does note concerns of ownership of the fence, and recommends if that fence is removed for any reason in the future, that the applicant be required to replace the fence with full requirements of 135-8.2.2. Additionally, the space utilized for the detention pond should be sufficient to provide landscaping along the eastern edge of the outdoor storage area. Staff also notes concern that the detention pond is only 2 to 3 feet deep along any portion of the eastern edge and finds encroachment could easily occur along that edge. As such, staff recommends providing the opacity requirements within the existing fence, that section 135-7.8.3.D.1 is met, and that a secondary barrier (such as a chain and bollard system) be installed to ensure outdoor storage area does not encroach into required setbacks or into the detention pond.

4. **Overhead Utilities:** Section 135-9.2.1.E of the Planning and Design Ordinance requires that all electrical, telephone, and cable television transmission systems
shall be placed underground whenever reasonably practicable. The applicant has requested a waiver of this requirement. They have submitted a proposed total project value of approximately $500,000. The applicant has contacted MidAmerican Energy for a project estimate to underground those utilities. However, at the completion of this report, the applicant has not received an estimate. Additionally, staff has reached out to MidAmerican Energy, with their staff noting that the project cost of undergrounding, while still in development, will likely exceed $100,000. Understanding that the base estimate exceeds 20% of total project cost, staff supports waiver of undergrounding utilities as the cost of doing so not reasonably practical.

II. STAFF RECOMMENDATION

Staff recommends approval of the Public Hearing Site Plan subject to the following conditions:

1. Provision of a note that states: “no dumping and/or cleaning of any portable restrooms shall occur on site.”

2. Provision of a note that states: “all existing and proposed landscaping utilized as a buffer for the outdoor storage areas shall be replaced if damaged or destroyed in any manner.”

3. Provision of a note that states: “any fencing declared to meet the screening requirements of 135-8.2.2 shall be replaced by the applicant in full compliance of the current code standards if it is ever removed for any reason.”

4. Compliance with all administrative review comments.

Staff recommends approval of the following Type 2 Design Alternatives:

A. Use of existing landscaping along the north, south, and east sides of the eastern outdoor storage area.

B. Waiver of undergrounding of utilities as the cost of doing so in this case is not reasonable practical as compared to the project budget.

Staff recommends approval of the following Type 2 Design Alternative requests subject to conditions:

A. Use of existing landscaping along the south portion of the western outdoor storage area, provided one additional tree is added to ensure the minimum 1 tree per 40 linear feet requirement is met per section 135-7.8.3.D.1.
B. Utilization of existing fencing along the north edge of the eastern outdoor storage area, provided opacity requirements are met.

C. Utilization of existing fencing along all sides of the eastern outdoor storage area, and of landscaping along the eastern and southern sides of the outdoor storage area, so long as a secondary barrier is provided (such as a chain and bollard system) that outlines the extent of the outdoor storage area to prevent encroachments of the outdoor storage area into any required setbacks, landscaping, or the detention pond.

D. Use of existing landscaping along the western side of the eastern outdoor storage area, provided that the applicant note the number of shade trees in this area, and that any gaps or shortage of shade trees are filled to meet the requirements of section 135-7.8.3.D.1.

Staff recommends denial of the following Type 2 Design Alternatives:

E. Waiver of 135-7.11.4(C) to utilize chain link fence or chain link fence with vinyl slats for the western outdoor storage area, being in the front yard of the site.
1. PROVIDE BELOW GRADE INLET PROTECTION IN PAVED AREAS FOLLOWING PAVING
   ESTABLISHED. COMPLY WITH EROSION CONTROL LAW.

2. CONTRACTOR TO STRIP AND STOCKPILE TOPSOIL ON ALL AREAS TO BE CUT OR FILLED.

3. THE VOLUME OF THE DETENTION BASIN WILL NEED TO BE VERIFIED AND PROVIDED TO
   THE CITY BEFORE A FINAL C.O. IS ISSUED.

4. THE COLUMN OF WATER CONCENTRATION AREAS, OR AS REQUIRED TO ADEQUATELY
   SUPPORT TYPICAL SILT FENCE DITCH CHECK

5. PROVIDE SILT FENCE DETAIL

6. INSTALL "A-HOOD" AT EACH END OF AN INDIVIDUAL SECTION OF SILT FENCE

7. PROVIDE SILT FENCE DETAIL AS LONGITUDINAL SLOPES

8. ATTACHMENT TO POST

9. INSERT 12 INCHES OF FABRIC A MINIMUM OF 6 INCHES DEEP (FABRIC MAY BE
   FOLDED BELOW THE GROUND LINE.

10. REDUCE POST SPACING TO 5'-0" AT WATER CONCENTRATION AREAS, OR AS
    REQUIRED TO ADEQUATELY SUPPORT TYPICAL SILT FENCE DITCH CHECK

11. 200'-0" SPACING FOR SECTION PER BENCHMARK.

BENCHMARKS

BM400
NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88 - GEOID12A)
ARROW ON HYDRANT SOUTH OF WINSUPPLY BUILDING, CENTER OF SITE.

BM401
ARROW ON HYDRANT 40' SOUTHWEST OF MCANINCH SIGN & 45' NORTH OF DES

BM500
N=7504014.09 E=18537826.10 ELEV=906.00

BM501
N89°59'16"W

BM502
S89°58'55"E

BM503
N0°04'16"E

BM504
N0°04'16"E

BM506
581.13'

BM507
175.00'

BM508
1003

BM509
IRON MARKER FND (FND 1/2IN GAS PIPE YPC 3169(101)) 0.00

BM510
IRON MARKER FND (FND 1/2IN GAS PIPE YPC 3169(101)) 0.00

BM511
ST-1, SW-511
INLET: 899.05 E
INV: 900.64 S
RIM: 903.96
FIELD VERIFY INLETS AND RECONNECT

BM512
ST-2, SW-511
INLET: 899.25 N
INV: 899.15 W
F.L.=898.93 8" CPP N
F.L.=895.07 8" CPP N
F.L.=894.73 15" RCP S

BM513
ST-3, SW-513
INLET: 899.9
FLOW

BM514
ST-4, 12" RCP FES

BM515
20" MIN

BM516
580'-0" IF SLOPE IS FLATTER THAN 5%

BM517
SEE PLANS FOR SPACING

BM518
200'-0" MAX LENGTH PER SECTION

BM519
110'-0" MAX

BM520
20 LF OF 12" RCP @ 0.50%

BM521
277 LF OF 12" RCP @ 0.50%

BM522
200 LF OF 6" HDPE CORRUGATED @ 1.00%

BM523
400 LF OF 6" HDPE CORRUGATED @ 1.00%

BM524
220 LF OF 6" HDPE CORRUGATED @ 1.00%

BM525
80 LF OF 6" HDPE CORRUGATED @ 1.00%

BM526
1385.26'

BM527
1400 LF OF 8" CPP @ 1.00%

BM528
1450 LF OF 8" RCP @ 1.00%

BM529
NARTN DERIVED - US SURVEY FEET

BM530
NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88 - GEOID12A)
PLANTING PLAN GENERAL NOTES

A. ALL PLANT MATERIAL SHALL BE OF U.S. OR FOREIGN ORIGIN.

B. CONTRACTOR SHALL QUANTIFY ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR PRIOR TO DATE OF INSTALLATION.

C. PROVIDE 4" X 4" FOOT PERIMETER RINGS AROUND ALL PROPOSED TREES. PROVIDE VERTICAL-CUT NATURAL BARK TO A DEPTH OF 6" INCHES.

D. SOW ALL AREAS DISTURBED BY CONSTRUCTION WITH TYP-1 SUSSA PERMANENT LAWN SEED MIX, UNLESS NOTED OTHERWISE.

E. PROVIDE REQUIRED TRADE-ENDS SHORT-LEAF SHORT-LEAF STYLIZED VARIATION AVAILABILITY.

F. PROVIDE MECHANICALLY REMOVED HERBICIDE IMMEDIATELY FOLLOWING SEED APPLICATION ON ALL AREAS SEeded WITH A LAYER OF 4 TO 6 INCHER ACCEPTABLE PRODUCTS MANUFACTURERS.

G. PROFILE PRODUCTS LLC., 750 LAKE COOK ROAD - SUITE 400

H. INSTALLATION.

PLANTING PLAN CONSTRUCTION NOTES

1. F. E. D. B. G.

2. A. LANDSCAPE REQUIREMENTS AND CALCULATIONS:

- INTERIOR PARKING LOT LANDSCAPES: WAIVER WILL BE FILED TO BE EXEMPT FROM THIS. WILL UTILIZE EXISTING FENCE FRONTAGE BUFFER: WAIVER WILL BE FILED TO BE EXEMPT FROM THIS.

- STREET TREES: WAIVER WILL BE FILED TO BE EXEMPT FROM THIS.

- SITE TREES: EXISTING TREE CANOPY TO THE EAST EXCEEDS THE 15% MIN. REQUIREMENT.

- DEVELOPMENT OR GRADING ON THIS SITE IS SUBJECT TO THE TREE REMOVAL AND MITIGATION ORDINANCE OF ONE SHADE TREE EVERY 40 FEET OF BUFFER.

- MINIMUM FIVE FOOT WIDE LANDSCAPE STRIP MEASURED FROM THE PUBLIC FACING SIDE OF THE FENCING.

CONTACT THE MUNICIPAL FORESTRY DIVISION PRIOR TO PLANTING IN THE PUBLIC ROW AT 283-4950.

PROVIDE 1 1/2 INCH-2 INCH DIAMETER RIVER ROCK AT 3-INCH DEPTH. INCLUDE LANDSCAPE FABRIC IN PLANT BED.

USE TREE PROTECTION FENCING-BORDER AREA, PER FIGURE TP-2.

BUFFALO GROVE, IL 60089

PROFILE PRODUCTS LLC., 750 LAKE COOK ROAD - SUITE 400

PROVIDE MECHANICALLY BONDED FIBER MATRIX (MBFM) IMMEDIATELY FOLLOWING SEED APPLICATION ON ALL AREAS SEeded WITH A MINIMUM SLOPE OF 6:1 OR GREATER. ACCEPTABLE PRODUCTS MANUFACTURERS:

APPROVED EQUAL. APPLY AT 30 LBS/ACRE.

ALL PLANT MATERIAL SHALL AT LEAST MEET MINIMUM REQUIREMENTS SHOWN IN THE "AMERICAN STANDARDS FOR LANDSCAPE MATERIALS" OR SIMILARLY RECOGNIZED CLASSIFICATIONS.

PROJECT NO:

SNYDER & ASSOCIATES, INC.

DES MOINES, IA

515-964-2020 | www.snyder-associates.com

PROVISIONAL PROCESSING PERMITS.

PLANT SCHEDULE

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<th>CITY</th>
<th>MAP</th>
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<td>maple</td>
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<td>24&quot; Ht.</td>
<td>1 1/2&quot; Cal.</td>
<td>SBM</td>
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TYPICAL TREE PROTECTION FENCING - BORDER AREA

TYPICAL TREE PLANTING DETAIL