★ **Roll Call Number**

Agenda Item Number 48

Date January 23, 2017

RESOLUTION HOLDING HEARING FOR VACATION OF RIGHT-OF-WAY ADJOINING 401 SE 6TH STREET AND 400 SE 7TH STREET FOR INCORPORATION INTO THE MARKET DISTRICT ONE, LLC DEVELOPMENT

WHEREAS, on March 20, 2000, by Roll Call Nos. 00-788 and 00-789, the City Council of the City of Des Moines approved the Urban Renewal Plan for the Metro Center Urban Renewal Project, and such Plan has been amended eighteen times (the urban renewal plan as so amended is herein referred to as the "Plan"), encompassing an irregularly shaped area that includes the downtown core and the areas surrounding the downtown core; and

WHEREAS, on October 10, 2016, by Roll Call No. 16-1721, the City Council authorized the City Manager to negotiate an urban renewal development agreement based on preliminary terms of agreement with Market One, LLC n/k/a Market District One, LLC, represented by Frank Levy, Partner ("Developer"), for sale of City-owned property located at the intersections of SE 6th Street and East Martin Luther King Jr. Parkway, locally known as 401 SE 6th Street and 400 SE 7th Street (collectively "Property") and located in the Market District, for development of a 4-story, estimated 58-unit multi-family residential building and parking lot for residents; and

WHEREAS, on November 21, 2016, by Roll Call No. 16-2001, the City Council accepted the Developer's development proposal and the proposed revised form of Development Agreement in the Metro Center Urban Renewal Area and set a date for a hearing on the Agreement, including the conveyance of the Property to Developer; and

WHEREAS, on December 19, 2016, by Roll Call No. 16-2146, the City Council received a communication from the City's Plan and Zoning Commission recommending approval of a request from the Developer for the vacation of the following segments of City-owned right-of-way adjoining the Property, subject to retention by the City of a minimum 60-foot wide right-of-way for Raccoon Street, and whereas City staff have further determined that said vacation should be subject to retention by the City of a minimum 70-foot wide right-of-way for Southeast 7th Street:

(a) Segment of north/south alley between Southeast 6th Street and Southeast 7th Street to a point approximately 112 feet to the south of Raccoon Street;
(b) Irregular segment of undeveloped East Martin Luther King Jr. Parkway right-of-way south of and adjoining the Property;
(c) 6.01-foot by 318-foot segment of Raccoon Street right-of-way north of and adjoining the Property (as revised from reference to 14.6-foot by 244.8-foot segment referenced in Roll Call No. 17-0067); and
(d) The west 10 feet of Southeast 7th Street east of and adjoining the Property; and

WHEREAS, there is no known current or future public need or benefit for said right-of-way proposed to be vacated, and the City will not be inconvenienced by the vacation and sale thereof; and

★ **Roll Call Number**

Agenda Item Number 48

Date January 23, 2017

WHEREAS, on January 9, 2017, by Roll Call No. 17-0067, the City Council approved the sale of the above-described right-of-way to Market District One, LLC, for incorporation into and development of the Property, subject to Council approval of an ordinance vacating said right-of-way, and the City Council further set hearing on the proposed vacation for January 23, 2017, at 5:00 p.m. in the City Council Chamber, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, Des Moines, Iowa; and

WHEREAS, due notice of said proposal to vacate said right-of-way adjoining the Property was given as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with City Council direction, those interested in the proposed vacation, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed vacation of the right-of-way adjoining the Property, as described herein, are hereby overruled and the hearing is closed.
2. There is no public need or benefit for the fee interest within portions of City-owned right-of-way adjoining 401 Southeast 6th Street and 400 Southeast 7th Street, legally described as follows, subject to retention by the City of a minimum 60-foot wide right-of-way for Raccoon Street and Southeast 7th Street and a minimum 70-foot wide right-of-way for Southeast 7th Street, and the vacation thereof is hereby approved, subject to approval of an ordinance vacating said right-of-way:

(a) Segment of north/south alley between Southeast 6th Street and Southeast 7th Street to a point approximately 112 feet to the south of Raccoon Street:

ALL OF THE 18.00 FOOT WIDE NORTH - SOUTH ALLEY RIGHT OF WAY IN BLOCK 42, TOWN OF DE MOINE, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, LYING EAST OF AND ADJOINING LOTS 1 AND 2 IN SAID BLOCK 42, TOWN OF DE MOINE, TRACT OF LAND CONTAINS 2,011 SQUARE FEET.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

(b) Irregular segment of undeveloped East Martin Luther King Jr. Parkway right-of-way south of and adjoining the Property:

AN IRREGULAR SHAPED PORTION OF LOT 2 AND AN IRREGULAR SHAPED PORTION OF THE EAST ML KING JR PARKWAY RIGHT OF WAY LYING SOUTH OF AND ADJOINING LOTS 2 AND 9 AND THE INTERVENING ALLEY IN BLOCK 42, TOWN OF DE MOINE, AN OFFICIAL

PLAT, DES MOINES, POLK COUNTY, IOWA; ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE S14°53'27"E ALONG THE SOUTHEASTERLY EXTENSION OF THE EAST LINE OF SAID LOT 9, A DISTANCE OF 21.95 FEET; THENCE S74°57'52"W, A DISTANCE OF 267.81 FEET; THENCE NORTHWESTERLY ALONG A 77.50 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, A DISTANCE OF 56.76 FEET TO THE WEST LINE OF SAID LOT 2 , SAID CURVE HAVING A CHORD BEARING OF N79°48'35"W AND A CHORD LENGTH OF 55.50 FEET; THENCE N14°49'54"W ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 16.34 FEET; THENCE S76°08'47"E, A DISTANCE OF 37.22 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE N74°58'37"E ALONG THE SOUTH LINE OF SAID LOT 2, AND ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 2, AND ALONG THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 285.43 FEET TO THE POINT OF BEGINNING.
SAID TRACT OF LAND CONTAINS 6,500 SQUARE FEET.
SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

(c) 6.01-foot by 318-foot segment of Raccoon Street right-of-way north of and adjoining the Property (as revised from reference to 14.6-foot by 244.8-foot segment referenced in Roll Call No. 17-0067):

AN IRREGULAR SHAPED PORTION OF THE RACCOON STREET RIGHT OF WAY LYING NORTH OF AND ADJOINING BLOCK 42, TOWN OF DE MOINE, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 42; THENCE S74°57'52"W ALONG THE NORTH LINE OF SAID BLOCK 42, A DISTANCE OF 317.97 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 42; THENCE N30°00'30"E , A DISTANCE OF 8.51 FEET; THENCE N74°57'52"E, A DISTANCE OF 311.96 FEET; THENCE S14°53'27"E ALONG THE NORTHWESTERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 42, A DISTANCE OF 6.01 FEET TO THE POINT OF BEGINNING.
SAID TRACT OF LAND CONTAINS 1,894 SQUARE FEET.
SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

(d) The west 10 feet of Southeast 7th Street east of and adjoining the Property:

A 10.00 FOOT WIDE STRIP OF THE SE 7TH STREET RIGHT OF WAY LYING EAST OF AND ADJOINING BLOCK 42 AND ITS NORTHERLY AND SOUTHERLY EXTENSIONS, TOWN OF DE MOINE, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 42; THENCE N14°53'27"W ALONG THE NORTHERLY

Roll Call Number

Agenda Item Number
48

Date January 23, 2017

EXTENSION OF THE EAST LINE OF SAID BLOCK 42, A DISTANCE OF 6.01 FEET; THENCE N74°57'52"E, A DISTANCE OF 10.00 FEET; THENCE S14°53'27"E, A DISTANCE OF 139.83 FEET; THENCE S74°57'52"W, A DISTANCE OF 10.00 FEET; THENCE N14°53'27"W ALONG THE SOUTHEASTERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 42 AND ALONG THE EAST LINE OF SAID BLOCK 42, A DISTANCE OF 133.83 FEET TO THE POINT OF BEGINNING.
SAID TRACT OF LAND CONTAINS 1,398 SQUARE FEET.
SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

MOVED BY _____ TO ADOPT.

APPROVED AS TO FORM:
Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

_____ Mayor

CERTIFICATE

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

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

_____ City Clerk

48

CITY OF DES MOINES
COMMUNITY DEVELOPMENT

Date _____

Agenda Item 48

Roll Call # _____

December 12, 2016

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held December 1, 2016, the following action was taken regarding a request from Market District One, LLC (developer) represented by Matt Connolly (agent) for the following actions regarding property located at 401Southeast 6th Street and 400 Southeast 7th Street. The subject property is owned by the City of Des Moines.

A) Vacation of a segment of north/south alley between Southeast 6th Street and Southeast 7th Street from Raccoon Street to a point approximately 112 feet to the south, to assemble with adjoining property for development site.

B) Vacation of an irregular segment of undeveloped East Martin Luther King Jr. Parkway Right-Of-Way (ROW) south of and adjoining the subject property to assemble with adjoining property for development site and including additional air rights for encroachment of proposed balconies.

C) Vacation of a 14.6-foot by 244.8-foot segment of Raccoon Street ROW north of and adjoining the subject property, to assemble with adjoining property for development site.

D) Vacation of the west 13 feet of Southeast 7th Street east of and adjoining the subject property, to assemble with adjoining property for development site.

E) Review and approval of a Site Plan "Connolly Lofts" under design guidelines for multiple-family dwellings and under design guidelines in "C-3B" Districts, to allow the development of a 4-story multiple family dwelling with 58 residential units.

COMMISSION RECOMMENDATION:

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

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
JoAnne Corigliano	X			
David Courard-Hauri	X			

Jacqueline Easley	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Carolyn Jenison	X			
Greg Jones	X			
William Page				X
Mike Simonson			X	
Rocky Sposato				X
Steve Wallace				X
Greg Wattier	X			

APPROVAL of Parts A-D) right of way vacations subject to retention of a minimum 60-foot wide Right-Of-Way for Raccoon Street and Southeast 7th Street; and approval of Part E) the submitted Site Plan subject to the following conditions: (11-2016-1.24 A-D & 10-2017-7.43)

1. Compliance with all administrative review comments of the City's Permit and Development Center.

2. Review and approval of the finalized building elevations and materials by the Planning Administrator.

3. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.

4. All wall mounted mechanical grills shall be architecturally compatible with the building.

5. All utility meters and other utilities shall be placed on side or rear facades that are internal to the site.

6. All transformers and ground-mounted equipment shall be noted on the site plan in a location approved by the Planning Administrator.

7. All services lines to the building and all utility lines in the adjoining rights-of-way shall be located underground.

8. Compliance with Chapter 42, Article X of the City Code (Tree Removal and Mitigation Ordinance). Replacement trees for those affected within the East M.L. King Jr. streetscape area shall be of a minimum 3-inch caliper and of a species approved by the Municipal Arborist.

RECOMMENDATION TO THE P&Z COMMISSION

Parts A-D) Staff recommends approval of right of way vacations subject to retention of a minimum 60-foot wide Right-Of-Way for Raccoon Street and Southeast 7th Street.

Part E) Staff recommends approval of the submitted Site Plan subject to the following:

1. Compliance with all administrative review comments of the City's Permit and Development Center.

2. Review and approval of the finalized building elevations and materials by the Planning Administrator.

3. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.

4. All wall mounted mechanical grills shall be architecturally compatible with the building.

5. All utility meters and other utilities shall be placed on side or rear facades that are internal to the site.

6. All transformers and ground-mounted equipment shall be noted on the site plan in a location approved by the Planning Administrator.

7. All services lines to the building and all utility lines in the adjoining rights-of-way shall be located underground.

8. Compliance with Chapter 42, Article X of the City Code (Tree Removal and Mitigation Ordinance). Replacement trees for those affected within the East M.L. King Jr. streetscape area shall be of a minimum 3-inch caliper and of a species approved by the Municipal Arborist.

Written Responses
1 In Favor
0 In Opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed Site Plan would allow the construction of a 4-story apartment building containing 58 dwelling units. As proposed it would include 58 surface parking spaces.

2. **Size of Site:** 45,367 square feet (1.04 acres).

3. **Existing Zoning (site):** "C-3B" Central Business Mixed Use District, "CDO" Capitol Dominance Overlay District, "D-O" Downtown Overlay District, "GGP" Gambling Games Prohibition Overlay District and "FSO" Freestanding Sign Overlay.

4. **Existing Land Use (site):** Vacant land.

5. **Adjacent Land Use and Zoning:**

   North – "M-2": Use is Diamond Oil Company bulk distribution.

   South - "M-1": Use is garage for general motor vehicle repair.

   East – "M-1": Use is vacant land.

   West - "M-1" & Limited "C-3B": Uses are Margaritas restaurant and vacant land.

6. **General Neighborhood/Area Land Uses:** The subject site is located in the East Village, Market District subarea. The immediate area consists of a mix of vacant land and light industrial uses north of the East M.L King Jr. Parkway southeast connector.

7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Historic East Village Neighborhood. The neighborhood was notified of the Commission meeting by mailing of the Preliminary Agenda for the November 17, 2016 hearing on October 28, 2016. Additionally, separate notifications of the hearing for the Site Plan and ROW vacation requests were mailed on November 7, 2016 (10 days prior to the original November 17, 2016 hearing) to the neighborhood association and respectively to the primary titleholder on file with the Polk County Assessor for every owner of property or condominium within 250 feet of the site for the Site Plan, and every property owner adjoining or across the street for the ROW vacation requests. A Final Agenda was mailed on November 23, 2016.

   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 Historic East Village Neighborhood Association mailings were sent to Chris LoRang, P.O. Box 93904, Des Moines, IA 50393.

8. **Relevant Zoning History:** On October 6, 2014, the City Council rezoned the property to "C-3B" Central Business Mixed Use District with no conditions under Ordinance No. 15,320.

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

10. **Applicable Regulations:** In acting upon any Site Plan application for property located within the C-3B Central Business Mixed-Use District, the Plan and Zoning Commission shall apply the design regulations in section 82-213 of this article and the design guidelines in Section 82-214.7, which are in consideration of the criteria set forth in Chapter 18B of the Iowa Code. The decision to approve, approve subject to conditions or disapprove a proposed site plan shall be based upon the conformance of the site plan with such design regulations and the following guidelines. These guidelines shall be applied to the entire site when a new building is constructed or an existing building is expanded by more than 50 percent of its gross floor area as of the time it became part of the C-3B Central Business Mixed-Use District t. If a building is expanded by less than 50 percent of its gross floor area as of the time it became part of the C-3B Central Business Mixed-Use District, then these guidelines shall apply only to the expansion of the building.

    A) *Building Heights.* Minimum height for all uses that are not built integral to the levee as part of the riverwalk redevelopment, should be the lesser of 36-feet or 3-stories.

        a. *The proposed apartment building would be four stories tall. The proposal complies with this guideline.*

    B) *Riverfront setbacks:* Riverfront setbacks for all new construction (that is not built integral to the levee and as part of a riverfront park) should be a minimum of 100 (horizontal) feet from the high water mark of the river. Redevelopment adjacent to a riverfront park (not part of the levee reconstruction) should front a continuous public

right-of-way. This could be either a road built to an urban standard, or an alternative profile of a minimum 20' width that clearly delineates a public right-of-way between new private development and the riverfront park.

a. *N/A.*

C) *Lighting:* All new exterior lighting upon private property should be pedestrian in scale. The use of private overhead floodlighting is discouraged.

a. *The submitted Site Plan indicates use of a pedestrian scale cut-off fixture type for the on-site parking lot lighting. A note should be added that "all on site exterior lighting shall be low glare cut-off type fixtures" and that "wall mounted lighting packs must be shielded and under 15-foot mounted height." In addition, the Site Plan should note that "all on site exterior pole mounted lighting shall be on poles not to exceed 20 feet in height in parking lots and not to exceed 15 feet in height along pedestrian ways." Lighting in the East M.L. King Jr. Parking Right-Of-Way is not proposed to be altered.*

D) *Residential building standards:* New residential buildings should also comply with the following guidelines:

1) Building front entrances should face public rights-of-ways. Those buildings with river frontage should be oriented towards the riverfront (except when located above street level retail).
2) At least one building entrance for the residential uses should directly access the street when located above street-level retail.
3) Buildings should have a building frontage on the principal street of not less than 70 percent of the lot frontage on the principal street.
4) Buildings should have a maximum setback of 15 feet from the public right-of-way.

The submitted Site Plan complies with the intent of these guidelines. The proposed building has minimal setbacks to the primary streets. There would be primary entrances from the main level accessing towards Southeast 6th Street and East M.L. King Jr. Parkway, which are identified as the primary street frontages. The proposed building would meet the minimum building frontage percentage on East M.L. King Jr. Parkway but not on the Southeast 6th Street frontage. The developer has provided a significant fenced dog exercise area with shelter within the additional frontage area along Southeast 6th Street. The fencing proposes substantial masonry columns to create an edge.

5) Service entrances, waste disposal areas and other similar uses should be located adjacent to service lanes and away from major streets and the public right-of-way adjacent to the river.

A proposed trash enclosure would be located in the parking lot east of the building, also extending the perceived edge along East M.L. King Jr. Parkway. It would be constructed of masonry materials to match the building and proposed to have metal gates. A separate entrance is shown for pedestrians. The structure is large enough for a dedicated recycling container which is required in order to obtain a Rental Certificate from the City's Neighborhood Inspection Division.

E) *Commercial building standards:* New commercial buildings should also comply with the following guidelines:

1) Buildings should have a building frontage on the principal street of not less than 70 percent of the lot frontage on the principal street.
2) A minimum of 70 percent of the building frontage should be set within one foot of the front lot line.
3) Building entrances on new development sites that have river frontage (and are not integral to the levy), should be oriented both towards the riverfront and the primary street.
4) Service entrances, waste disposal areas and other similar uses should be located adjacent to service lanes and away from major streets and the public right-of-way adjacent to the river.
5) Restaurants may operate outdoor cafes on public sidewalks while maintaining pedestrian circulation subject to obtaining an areaway permit.

N/A.

F) Storage of any and all materials and equipment should take place within completely enclosed buildings. All open areas should be paved or landscaped, properly maintained and kept free from refuse and debris. All refuse collection containers and dumpsters should be enclosed on all sides by the use of a permanent wall of wood, brick, or masonry. The enclosure, including any gates for pedestrian and/or disposal truck access, should be constructed to provide at least a 75% opaque screen of the receptacle from any street.

A proposed trash enclosure would be located in the parking lot east of the building, also extending the perceived edge along East M.L. King Jr. Parkway. It would be constructed of masonry materials to match the building and proposed to metal gates. A separate entrance is shown for pedestrians. The structure is large enough for a dedicated recycling container which is required in order to obtain a Rental Certificate from the City's Neighborhood Inspection Division.

G) All open areas not used for off-street loading or parking should be landscaped in accordance with the Des Moines Landscape Standards.

See subparagraph 4 of Section II for landscaping information.

H) Access doors for any warehouse use and any loading docks should not front on any public street. That portion of a building fronting on a public street should be used in an office or other commercial use.

N/A.

The Plan and Zoning Commission reviews and approves site plans for multiple family dwellings, boarding houses or rooming-houses in accordance with the design standards in section 82-213 of the City Code, which are in consideration of the criteria set forth in Chapter 18B of the Iowa Code. The decision to approve, approve subject to conditions, or disapprove a proposed site plan shall be based upon the conformance of the site plan with the following design standards.

1) *Architectural character.* New developments and alterations to existing development in or adjacent to existing developed areas shall be compatible with the existing architectural character of such areas by using a compatible design. Compatibility may be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, and/or the use of building materials that have color shades and textures similar to those existing in the immediate area of the proposed development. Brick and stone masonry shall be considered compatible with wood framing and other materials.

   The apartment building would be four stories tall. It would be constructed with a mix of masonry, metal and cementitious siding on the street facing facades. The brick material is proposed on the first two stories of the Southeast 6th Street facade and the first story of the East M.L. King Jr. Parkway facade, with it covering the first story on the remaining Raccoon Street and Southeast 7th Street facades. The brick rises above the first story in significant amounts on all sides of the building, wrapping corners and on projecting elements. The balconies are proposed to be constructed of steel.

2) *Building height and mass.* Buildings shall be either similar in size and height, or if larger, shall be articulated, setback or subdivided into massing that is proportional to the mass and scale of other structures on the same block and adjoining blocks. Articulation may be achieved through variation of roof lines, setbacks, patterns of door and window placement, and the use of characteristic entry features. To the maximum extent feasible, the height, setback and width of new buildings and alterations to existing buildings should be similar to those of existing buildings on the same block. Taller buildings or portions of buildings should be located interior to the site. Buildings at the ends of blocks should be of similar height to buildings on the adjoining blocks.

   The proposed apartment building would be four stories tall with some shed roof features over proposed projecting elements on the East M.L. King Jr Parkway face. There are significant articulations on all sides of the building. There is a proposed community roof top space with a pergola on top of the lower, three-story portion of the building on the Southeast 6th Street side. The pergola also helps bring up the appearance of the building height toward the street.

3) *Building orientation.* To the maximum extent feasible, primary facades and entries shall face the adjacent public street. A main entrance should face a connecting walkway with a direct pedestrian connection to the public street without requiring all pedestrians to walk through parking lots or across driveways.

   The primary frontages for the site are Southeast 6th Street and East M.L. King Jr. Parkway. The building setbacks from the ROW are minimal on both sides, tucking the building as close as possible to the intersection of those two streets. There are pedestrian links to both streets from the entrances. There is primary entrance on the west oriented toward Southeast 6th Street and direct connection of the primary entrance on the east to East M.L. King Jr. Parkway with the door oriented to the east.

4) *Garage access/location*. If the prominent character of garage access and/or location is located to the rear of the properties in the surrounding neighborhood, then new construction should be compatible with such character.

   N/A.

5) *Rooftop/second story additions*. A rooftop or second floor addition, including but not limited to stairs and emergency egress, should not overhang the front or sidewalls of the existing building.

   N/A.

6) *Emergency egress*. All stairs and means of emergency egress extending more than 15 feet above grade and visible from the adjoining street should be completely enclosed with materials compatible in color and texture with the balance of the building.

   All stairways and means of egress would be internal to the building.

7) *Parking.* Parking lots containing more than eight parking spaces should comply with the adopted landscape standards applicable to commercial development in the C-1 district.

   See subparagraph 4 of Section II for landscaping information.

In acting upon any site plan application for development of property located within the Downtown Overlay District, the community development director (or plan and zoning commission if applicable) shall apply the regulations and design guidelines in Section 82-213 of the City Code, which are in consideration of the criteria set forth in Chapter 18B of the Iowa Code. The decision to approve, approve subject to conditions or disapprove a proposed site plan shall be based upon the conformance of the site plan with such design regulations and the following guidelines. These guidelines shall be applied to the entire site when a new building is constructed or when an existing building is cumulatively expanded by more than 50% of its gross floor area as of the time it became part of the downtown overlay district. If a building is cumulatively expanded by less than 50% of its gross floor area as of the time it became part of the downtown overlay district, then these guidelines shall apply only to the expansion of the building.

A) Projects should demonstrate understanding of the micro and macro context for the project by offering place specific solutions for materiality, massing, uses, fabric and climate that are consistent with the vision of the "What's Next Downtown Plan". In most cases, corporate prototype architecture may not be an acceptable design.

   The apartment building would be four stories tall. It would be constructed with a mix of masonry, cementitious fiber cement board siding. Proposed balconies would be constructed entirely of steel. Within its context it would be consistent with the What's Next Downtown Plan.

B) Low impact development techniques should be utilized which implement site water quality control solutions, using materials which are locally available and creating projects which minimize energy consumption.

The proposed stormwater management improvements include underground storage within the parking lot with water quality detention. The project would also be redevelopment of a brownfield site.

C) Connectivity between adjacent properties should be provided or demonstrated for both pedestrian and vehicular circulation.

The proposed development would use the entire block. Connectivity to adjacent properties would be through the public street and sidewalk system.

D) The incorporation of 'soft (green) spaces' on site is encouraged.

There are green spaces proposed both to the north and east of the proposed building.

E) Where feasible, projects should provide outdoor spaces for people gathering.

A there is a proposed roof top outdoor patio space with pergola on the west end of the building that would be provided within the site for tenants. There is also a proposed fenced dog exercise area northwest of the building.

F) If feasible, connections to adjoining bike paths or on-street bike facilities and on-site bike racks should be provided in close proximity to building entrances.

Bike racks are proposed near the primary west entrance.

G) Building heights. Minimum height for all uses should be the lesser of 36 feet or three stories.

The proposed apartment building would be four stories tall. The proposal complies with this guideline.

H) Bulk standards, building setbacks, orientation, frontage and residential access:

1. All buildings with river frontage should orient towards the river and have building entrances that are oriented to the river and primary street(s).
2. All buildings without river frontage should have entrances oriented toward primary street(s).
3. All buildings should have frontage on principal street(s) of not less than 70 percent of the lot.

The submitted Site Plan complies with the intent of these guidelines. There are primary entrances from the main level accessing towards Southeast 6th Street and East M.L. King Jr. Parkway, which are identified as the primary street frontages. The proposed building would meet the minimum building frontage percentage on East M.L. King Jr. Parkway but not on the Southeast 6th Street

frontage. The developer has provided a significant fenced dog exercise area with shelter within the additional frontage area along Southeast 6th Street. The fencing proposes substantial masonry columns to create an edge.

4. For commercial and mixed-use buildings, at least 70 percent of the building frontage should be within one foot of the property line.

   N/A.

5. At least one building entrance for residential uses should directly access the street when a residential use is located above street-level retail or commercial uses.

   N/A.

6. For residential buildings, a maximum setback of 15 feet from the public right-of-way is permitted unless superseded by bulk regulations of the underlying zoning district (i.e. R-HD Residential Historic District, R1-60 Low Density Residential District, etc.).

   The proposed building would have minimal setbacks along the two primary frontage streets of Southeast 6th Street and East M.L. King Jr. Parkway.

I) Storage of all materials and equipment should take place within completely enclosed buildings.

No outdoor storage of materials and equipment is proposed.

J) All refuse collection containers and dumpsters should be enclosed on all sides by the use of a permanent wall of wood, brick or masonry and steel gates which are compatible in design with the principal structure.

A proposed trash enclosure would be located in the parking lot east of the building, also extending the perceived edge along East M.L. King Jr. Parkway. It would be constructed of masonry materials to match the building and proposed to metal gates. A separate entrance is shown for pedestrians. The structure is large enough for a dedicated recycling container which is required in order to obtain a Rental Certificate from the City's Neighborhood Inspection Division.

K) All open areas not used for off-street loading or parking should be landscaped in accordance with the Des Moines Landscape Standards for C-3 districts.

See subparagraph 4 of Section II for landscaping information.

L) Access doors for any warehouse use and any loading docks should not front on any public street.

N/A.

M) Gas stations/convenience stores should be limited to no more than six pumps and allow no more than 12 vehicles to be fueled at one time.

N/A.

N) Gas station / convenience stores and canopies, drive-thru facilities for restaurants, banks, parking garages and other auto-dominant uses should not front or have vehicular access on or to a pedestrian corridor as designated in the downtown pedestrian corridor map on file in the office of the city clerk as approved by city council resolution.

N/A.

O) Existing curb cuts should be consolidated to the minimum number necessary and be located as directed by the city traffic engineer and community development director.

Staff believes the proposed number of curb cuts is the minimum number necessary to adequately serve the development. There is one drive entrance on each of the non-primary frontage streets of Raccoon Street and Southeast 7th Street.

P) Parcels proposed for development that are greater than two acres should be rezoned to a planned unit development (PUD) zoning classification.

The site measures 1.05 acres.

Q) Auto-dominant uses as described in guideline "N" above should be located in a mixed use commercial center and with buildings possessing a unified commercial design.

N/A.

R) Parking ramps should either include ground floor retail or commercial space, be designed for conversion to retail or commercial space, or have significant architectural detail.

N/A.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Rights-Of-Way (ROW):** The developer is assembling the site area to include portions of the surrounding ROW, including the undeveloped north south alley. Traffic and Transportation Engineering staff have indicated a limitation in the amount of Raccoon Street which can be vacated in order to preserve the necessary 60 feet of ROW width.

2. **Natural Features:** A tree mitigation plan is required to be submitted for administrative review by City staff pursuant to Chapter 42, Article X of the City Code. Existing trees for the East M.L. King Jr. project that are affected but not large enough for mitigation by the proposed development are being transplanted to other locations with replacement trees being planted at a greater 3-inch caliper.

3. **Drainage/Grading:** All grading is subject to an approved grading permit and soil erosion control plan. The applicant is required to demonstrate compliance with the City's Stormwater Management requirements and State Storm Water Pollution

Protection Plan requirements to the satisfaction of the City's Permit and Development Center Engineering staff.

4. **Parking:** Off-street parking is not required in the "C-3B" District. A total of 58 off-street parking spaces are proposed for 58 residential units.

5. **Landscaping:** The landscaping standards generally applicable in the downtown include parkway plantings, parking lot perimeter and parking lot interior plantings. The submitted site plan includes parkway plantings in sidewalk planters on three street sides with the East M.L. King Jr. Parkway being kept with its existing streetscape design. The parking lot perimeter setback is not proposed to be setback and landscaped with trees dues to constraints of existing dimensions of the tolerable Right-Of-Way vacation. Raccoon Street must maintain a minimum of 60-feet in width to preserve the necessary sidewalk, on street parking and travelled lane widths. In lieu of the typical perimeter lot the developer is proposing a fenced edge between the parkway planting sidewalk and the parking lot. Additional landscaping is proposed along the perimeter of the foundation. Affected trees in place for the East M.L. King Jr. Parkway streetscape would be replaced with a slightly larger 3-inch caliper.

SUMMARY OF DISCUSSION

Greg Jones asked if anyone was present to speak on this item. None were present or requested to speak.

Jason Van Essen pointed out for this item the staff recommendation the Commissioners received was missing the recommendation for Parts A-D. Staff recommends approval of Parts A-D) right of way vacations subject to retention of a minimum 60-foot wide Right-Of-Way for Raccoon Street and Southeast 7th Street.

COMMISSION ACTION:

JoAnne Corigliano moved staff recommendation for approval of Parts A-D) right of way vacations subject to retention of a minimum 60-foot wide Right-Of-Way for Raccoon Street and Southeast 7th Street; and Part E) approval of the submitted Site Plan subject to the following:

1. Compliance with all administrative review comments of the City's Permit and Development Center.

2. Review and approval of the finalized building elevations and materials by the Planning Administrator.

3. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.

4. All wall mounted mechanical grills shall be architecturally compatible with the building.

5. All utility meters and other utilities shall be placed on side or rear facades that are internal to the site.

6. All transformers and ground-mounted equipment shall be noted on the site plan in a location approved by the Planning Administrator.

7. All services lines to the building and all utility lines in the adjoining rights-of-way shall be located underground.

8. Compliance with Chapter 42, Article X of the City Code (Tree Removal and Mitigation Ordinance). Replacement trees for those affected within the East M.L. King Jr. streetscape area shall be of a minimum 3-inch caliper and of a species approved by the Municipal Arborist.

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

Respectfully submitted,

Michael Ludwig, AICP
Planning Administrator

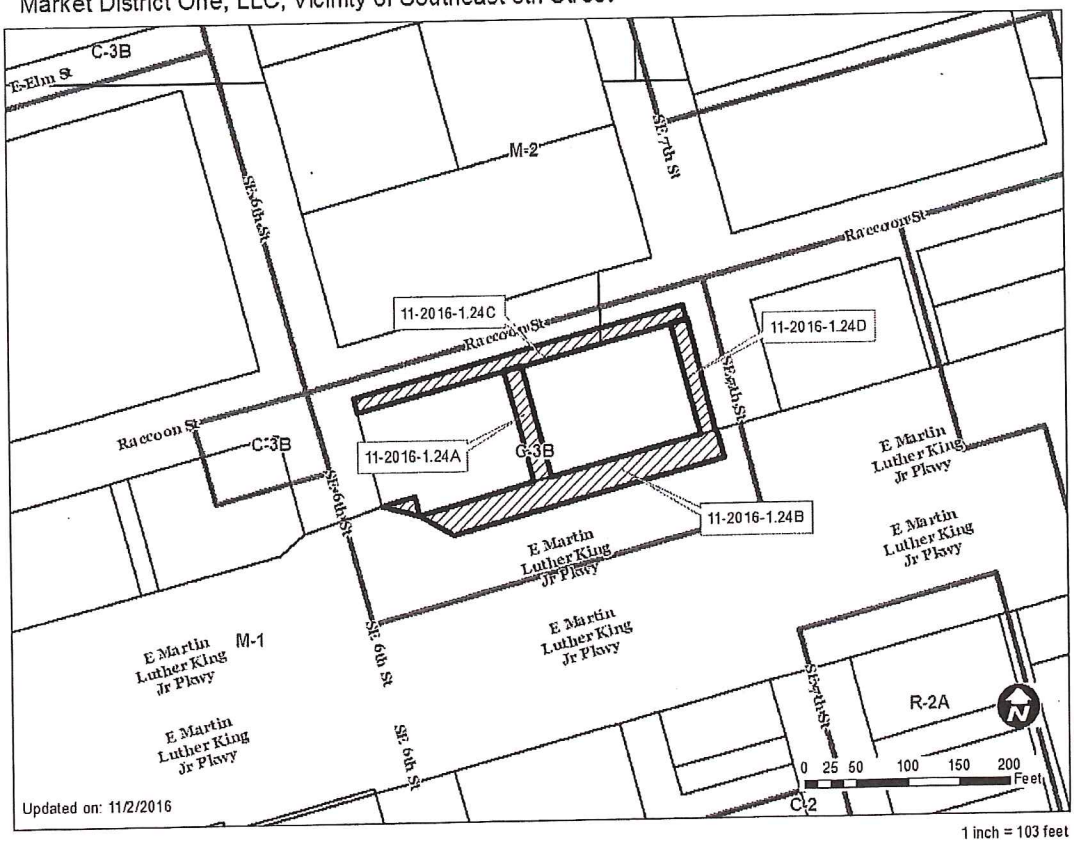
MGL:clw
Attachment

Market District One, LLC (developer) represented by Matt Connolly (agent) for property located at 401Southeast 6th Street and 400 Southeast 7th Street. The subject property is owned by the City of Des Moines.	File # 11-2016-1.24
Description of Action	Approval of vacation of ROW adjoining the subject property to include a segment of north/south alley between Southeast 6th Street and Southeast 7th Street from Raccoon Street to a point approximately 112 feet to the south, an irregular segment of undeveloped East Martin Luther King Jr. Parkway Right-Of-Way (ROW), a 14.6-foot by 244.8-foot segment of Raccoon Street ROW, and the west 13 feet of Southeast 7th Street.
PlanDSM Future Land Use	Current: Downtown Mixed Use. Proposed: N/A.
Mobilizing Tomorrow Transportation Plan	No planned improvements.
Current Zoning District	Limited "C-3B" Central Business Mixed Use District, "CDO" Capitol Dominance Overlay District, "GGP" Gambling Games Prohibition Overlay District, "D-O" Downtown Overlay District and "FSO" Freestanding Signs Overlay District.
Proposed Zoning District	N/A.

Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area	1			
Outside Area				

Plan and Zoning Commission Action			**Required 6/7 Vote of the City Council**		
	Approval	10-0-1		Yes	
	Denial			No	X

Market District One, LLC, Vicinity of Southeast 6th Street 11-2016-1.24

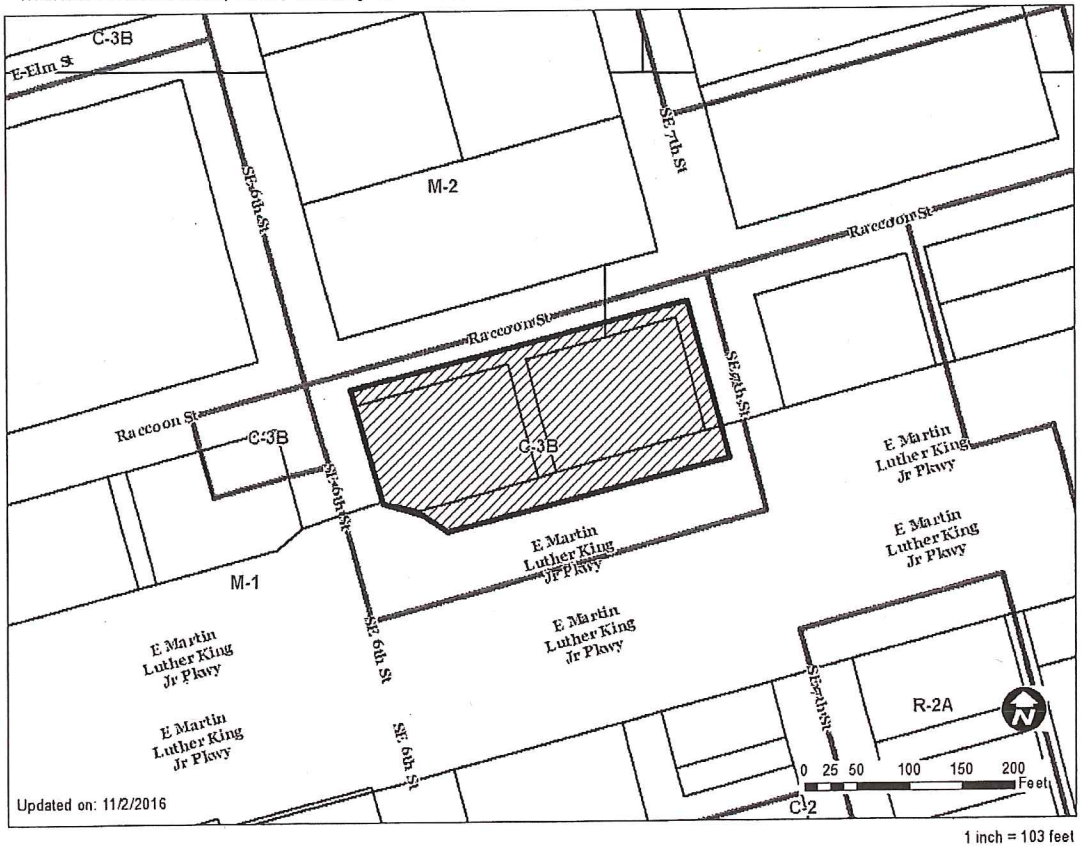


1 inch = 103 feet

Market District One, LLC (developer) represented by Matt Connolly (agent) for property located at 401Southeast 6th Street and 400 Southeast 7th Street. The subject property is owned by the City of Des Moines.				File # 10-2017-7.43
Description of Action	Approval of a Site Plan "Connolly Lofts" under design guidelines for multiple-family dwellings and under design guidelines in "C-3B" Districts, to allow the development of a 4-story multiple family dwelling with 58 residential units subject to conditions.			
PlanDSM Future Land Use	Current: Downtown Mixed Use. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	Limited "C-3B" Central Business Mixed Use District, "CDO" Capitol Dominance Overlay District, "GGP" Gambling Games Prohibition Overlay District, "D-O" Downtown Overlay District and "FSO" Freestanding Signs Overlay District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area	1			
Outside Area				

Plan and Zoning Commission Action			**Required 6/7 Vote of the City Council**		
	Approval	10-0-1		Yes	
	Denial			No	X

Market District One, LLC, Vicinity of Southeast 6th Street 10-2017-7.43



1 inch = 103 feet

Item 11-2016-1.24 Date 11/9/16

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT
NOV 14 2016

Print Name SAMUEL WARE

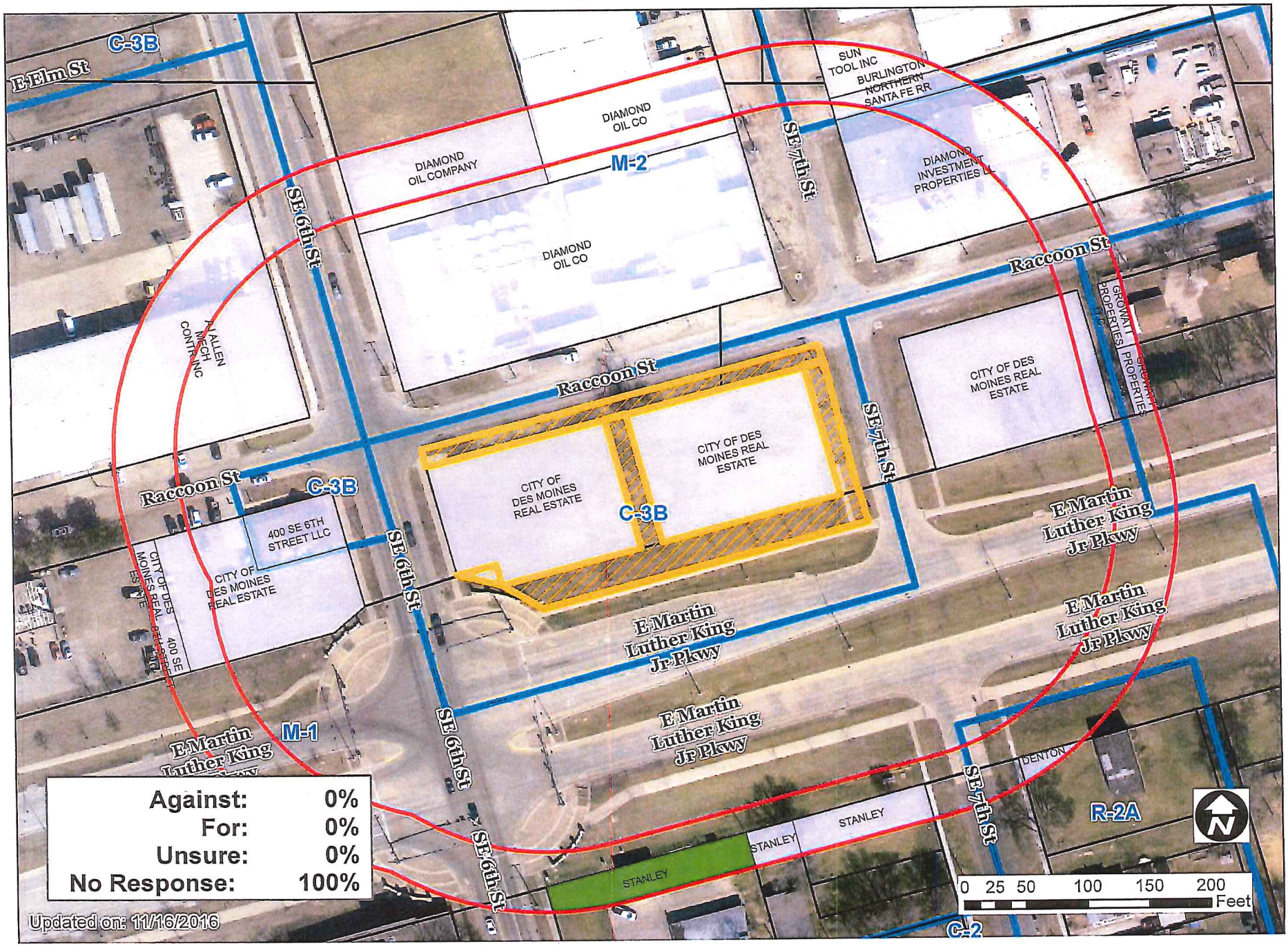
Signature Samuel Ware

Address 509 SE 6th St.

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

Market District One, LLC, Vicinity of Southeast 6th Street

11-2016-1.24



Against:	0%
For:	0%
Unsure:	0%
No Response:	100%

Updated on: 11/16/2016

48

CITY OF DES MOINES
COMMUNITY DEVELOPMENT

November 4, 2016

Steven Venard
Bishop Engineering
3501 104th Street
Des Moines, IA 50322

RE: 401 SE 6th Street and 400 SE 7th Street, Connolly Lofts

10-17-7.43 (edited on 11/7/16)

Dear Steve:

We have reviewed the first (1st) submittal of the site plan for the Connolly Lofts project, located at 401 SE 6th Street and 400 SE 7th Street in Des Moines, and have determined that the following conditions must be satisfied before plan approval can be granted.

Engineering

1. Please provide public improvement plans and private construction contract documents for the proposed public improvements. Contact Adam Prilipp apprilipp@dmgov.org for questions regarding the plans and Ron DeGroot radegroot@dmgov.org for questions regarding the contract documents. More information can be found at the City website here: https://www.dmgov.org/Departments/Engineering/PDF/Private%20Const%20Contract%20Instructions%204-25-2016.pdf

2. The improvement plans should include the construction of the modified pavement, new curb, and new or modified storm sewer and structures in the public right-of-way.

3. All proposed "public" work that is shown on the private plans should be labeled as "reference only" or "constructed under separate cover" and should refer to the public improvement plans.

4. It is understood after talk with the Office of Economic Development that the property lines as shown on this submittal have been changed. The location of any new property lines will need to be reviewed with the next submittal. As shown, the proposed property line along Raccoon Street is not ideal. It may be beneficial to have "curved" property lines at the corners.

5. Clearly label all roof drain outlet location as such.

6. Indicate the site disturbed area for this project, inclusive of all work on both public and private property.

7. Label right-of-way widths for all adjacent streets.

8. The driveway approaches from the edge of the street through the back of sidewalk must be specified to have a minimum thickness of 7 inches.

9. Remove the detectable warning panels at the commercial drive approaches. The approach should be graded such that it matches the elevation of the sidewalk without the need of curb ramps. This may require replacing 12'-16' of sidewalk on either side of the approach to transition sidewalk grades appropriately.

10. The Stormwater Management Report is incomplete, and the following information is required:
- A narrative that includes project information and discusses both existing and proposed drainage conditions on site.
- Existing and proposed drainage area maps.
- List of assumptions used for stormwater calculations, including time of concentration calculations.
- Provide details and specifications for the proposed underground stormwater system, including a plan view layout of the piping and storage calculations directly from the manufacturer.
- Provide intake analysis for both the public and private storm intakes. The intakes should be analyzed assuming a 100-yr storm event, Tc = 5 minutes. Another intake may be necessary in the parking lot if the curb is overtopped during this event.

11. Label emergency overflow location(s) and elevation(s).

12. It appears the disturbed area of this site exceeds one acre, therefore stormwater quality control is required. For detention practices, rainfall events that total 1.25" in a 24-hour period should be controlled such that the resulting volume (water-quality volume) is released at a rate that allows for a detention time of 24 hours. Alternative methods to treat the water quality volume include bioretention, infiltration, filtration, permeable pavement, and other approved LID methods.

13. Calculate the Water Quality Volume (WQv) based on the Iowa Stormwater Management Manual, Chapter 2B-1.

14. Along with submitting one signed paper copy, please e-mail a PDF copy of the Stormwater Management Report for this project to: apprilipp@dmgov.org

15. The owner/developer must apply for a NPDES General Permit No. 2 through the IDNR. Submit a copy of the completed SWPPP (including certifications) and the NPDES documents for review and acceptance.

16. A Grading Permit will be required prior to commencement of site work. Per City Code Sec. 42-182, a Certificate of Completion will be required to be completed by the applicant's engineer to certify the grading work on site. You may download the application at the city web site: https://www.dmgov.org/Departments/CommunityDevelopment/PDF/Grading%20Permit%20Appl%20v2014%20-%20Fillable%20Form.pdf

17. To assure compliance with City Code Sec. 106-136, the site plan shall include the following information (preferably on one sheet):
- A scale drawing of the stormwater management facilities to include all piping and structures directly connected to it.

- A detail of the outlet control structure(s).
- A listing of the Stormwater Management Facilities components (includes piping and associated structures directly connected to the treatment unit).
- List the following: WQv volume; 100-year storm volume, basin bottom elevation, WQv water surface elevation, and the design 100-year storm water surface elevation.
- A listing of long-term maintenance requirements, verbatim, as follows:

City Code Section 106-136(h) Land Owner/ Manager Stormwater Facilities Maintenance Requirements

A. This Stormwater Management Facilities, including pipes, inlets and outlets, shall be annually inspected and maintained in substantial compliance with the approved Stormwater Management Plan.
B. Litter, silt, sediment and debris shall be promptly removed from such facilities.
C. The plantings and vegetation within the Stormwater Management Facilities shall be maintained in conformance with the approved Stormwater Management Plan. If any vegetation dies, it shall be replaced with vegetation in conformance with the Plan as soon as the weather permits.
D. No grass clippings, leaves or other yard wastes, soil, rocks, concrete, or similar materials, shall be placed within a swale, or retention or detention pond without the prior written consent of the City Engineer.
E. No portion of the Stormwater Management Facilities shall be altered or removed without the prior written consent of the City Engineer.
f. Records of inspection, maintenance and repair must be maintained and kept for at least five years and made available upon request to the City Engineer.
F. Inspect the "Isolator Row(s)" of the system semi-annually the first two (2) years and annually thereafter at a minimum. When sediment is found to be approaching 3 inches in depth, clean the entire Isolator Row with JetVac as per StormTech recommendations.

Traffic

18. A commercial driveway approach radius should be 10'-20'.

19. The beginning of a driveway approach curb opening must be at least 5 feet from the end of the intersection radius. Show dimensions to demonstrate that this requirement is met.

20. Detectable warning panels are not needed at the driveway approaches. The sidewalk elevations should be maintained whenever possible and not utilize ramps. If drive approach slopes are excessive, transition the sidewalk grades over a distance of 12 to 16 feet on each side of the approach.

21. Show a 20' x 70' vision triangle, measured from the curb, at each of the Raccoon street intersections. No sight obstruction between 2 and 10 feet high is allowed in this area.

22. Provide street lighting layout/analysis for Raccoon Street and SE 7th Street. The proposed lighting layout should be a staggered pattern including both sides of the street. The developer for this site will only be responsible for the lighting on the south side of Raccoon and the west side of SE 7th. The average lighting requirement in the downtown area is 2.0 fc, with a uniformity ratio of 3:1. These requirements will need to be met for the streets adjacent to this site.

23. For clear zones, per Federal funding requirements, no trees are allowed within 10 feet of the face of the ML King Parkway street curb.

Fire

24. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to ¼ of the perimeter of the building. D105.1

25. Site plan does not include buildings heights. If an alternative design is intended, including but not limited to the 2015 IFC amendments, to be used it needs to be submitted to the DMFD prior to approval.

Planning

26. As this site will be reviewed by the Plan and Zoning Commission, provide the meeting date and all applicable conditions of approval on the next site plan submittal.

27. As shown on the site plan, the following Design Guidelines within C-3B districts are not fulfilled:

- Residential building standards:
  - Building front entrances should face public right-of-ways.
  - Buildings should have a building frontage on the principal street of not less than 70 percent of the lot frontage on the principal street.
  - Buildings should have a maximum setback of 15 feet from the public right-of-way.

28. 12 foot – "Class A" sidewalk with parkway planters is required along Raccoon Street, SE 6th Street and SE 7th Street.

29. Provide a note stating that all parcels will be combined into one taxable parcel.

30. This site must comply with the City of Des Moines landscape standards. A landscape plan must meet the following landscape requirements:

- Interior Parking Lot minimum planting requirements are one (1) overstory deciduous tree and three (3) shrubs for every 25 parking stalls which must be contained within a planter bed of no smaller than nine (9) by seventeen (17) or 153 square feet.
- Parkway planters will be required along Raccoon Street, SE 6th Street, and SE 7th Street. Planters are typically 5' wide by 15' long, 1' back of curb with a 6' walk.
- A 7' wide landscaped perimeter parking area is required (2' car overhang, 5' landscape area) measured from the right-of-way line along all sides of parking lot fronting public right-of-way.
- Provide additional landscaping on the SE corner of the site in addition to screening for the proposed transformer location.

- Shrubs within 8 feet of the building are considered foundation plantings and do not count toward the fulfillment of a landscape requirement.

31. American Hornbeam (Carpinus caroliniana) is not a shade tree and its will need to be replaced along Martin Luther King Jr Parkway. American Hophornbeam (Ostrya virginiana) can be considered an alternative to stay with the same design scheme. Alternatively, Accolade elm is recommended for this southern edge in order to maximize summer shade, reduce heat, and dampen MLK traffic noise while seasonal leaves are on the tree.

32. Provide a parkway planting illustration and note the growing conditions or soil amendment to be provided on the site plan. Add the following notes relative to the illustration:

- Contact the Municipal Forestry Division prior to planting in the public R.O.W. at 283-4950.
- All wire, twine and burlap shall be removed from the rootball of street trees prior to planting.
- No tree over 2" in caliper size is allowed in the right-of-way.
- No staking of trees is allowed.

33. Development or grading on this site is subject to the Tree Removal & Mitigation Ordinance of the City Code. This will require identification of existing mature trees over 12 inches in caliper size to be identified on the plan prior to removal, as well as plans to protect mature trees when feasible. Mitigation is required for mature trees of approved species being removed.

All trees over 12" caliper, regardless of species, must be mitigated. In addition, a tree survey must be provided which identifies the species, caliper, and location of trees removed; and the number of trees required for mitigation.

34. Provide protection plan for existing crabapple trees onsite. Provide a diagram of tree protection measures on the site plan and identify the trees to be protected.

35. Per the Municipal Arborist, a tree moving plan, detailing methods and warranties, will be required for the seven (7) honeylocusts trees onsite. As part of the transplanting, replacement trees will be required along the southern border of the development and those trees should be specified at a minimum 3" dbh. Contact the Municipal Arborist (283-4105) for potential moving locations.

36. Provide alternative location for dumpsters out of the parking area closest to the street and screened from Martin Luther King Jr. Parkway.

37. Trex boards fastened to metal are not an approved dumpster material. Dumpster enclosures must be made of durable permanent materials which include masonry with steel gates and must be 100% opaque. The enclosure shall match the associated building and shall be noted on the plans. Please provide the following note within proximity of the dumpster diagram:

> The dumpster enclosure shall be constructed in substantial conformance with this diagram and this development plan drawing shall supersede, for construction purposes, any and all dumpster enclosure diagrams proposed.

38. Detail building materials on elevations.

39. Add bike racks to the project. Show the location of the bike racks, and provide a detail of the racks that are proposed. If applicable, you may use this to satisfy 1 of 4 necessary tax abatement sustainability criteria.

40. Revise note regarding parking provided stating 52 stalls. Site plan shows 56.

41. Are there any encroachments such as door swings, canopies, building overhangs, subsurface footings, fencing, parking proposed, etc. within City R.O.W.? These items should typically be identified in advance of 1st submittal of the site plan, with proper notification to City staff, as there are additional processes that may be needed to approve such plans.

42. The property owner is responsible for coordinating street lighting / utility pole removal/replacement necessary with Mid-American Energy. Black LED "Autobahn" series light fixtures with a black pole is required for all street lights associated with the project area, and undergrounding of overhead utilities is required. The property owner is responsible for the cost of this pole/fixture. The relocation of street lighting will require a plan for the new layout and an evaluation of the lighting levels. In addition, a fixture illustration shall be provided on the site plan.

43. Parking lot lighting shall be pedestrian in scale having poles no taller than 20 feet with cut-off down-directional light fixtures. This shall be clearly noted on the site plan.

44. As tax abatement is now available City Wide for conforming commercial projects outside of the Downtown Overlay District, this project would need to meet minimum C-2 landscape standards (including open space) and the Commercial Construction and Sustainability Design Guidelines to be eligible. If the applicant intends to seek commercial tax abatement, the Acknowledgement and Intent Form will need to be filled out and returned to City Staff upon second submittal of the site plan. No further tax abatement analysis shall take place until such acknowledgement letter has been submitted. In addition, the following Tax Abatement notes and relative site plan adjustments should be provided on the site plan:

- (Tax Abatement Projects Only) Any ground-mounted or wall-mounted utilities and meters shall be screened and not visible from a public street.
- (Tax Abatement Projects Only) Any wall-mounted utilities shall be screened on all sides and finished to match building.
- (Tax Abatement Projects Only) All utilities shall be underground unless otherwise allowed per site plan.
- (Tax Abatement Projects Only) Signage shall be monument or directory but in no case shall be pole signage.

45. All new exterior signs are reviewed separately and must be approved with Zoning Enforcement (283-4200) before sign permits can be issued. This note is for your information only and requires no formal addressing on the future submittal.

46. The final copy of the landscape plan will need to be signed and dated by an architect, landscape architect, or certified nurseryman.

47. The final copy of the site plan must have the preparer's certification statement signed and dated.

48. A reminder that all new water services 2 inches in diameter or larger require SEPARATE submittals for review by the Des Moines Water Works Engineering Department.

Please submit **three (3) review copies and a digital copy** of the revised plan satisfying the above listed items. Failure to resubmit such amended plan within 90 days from the date of this letter shall cause the application to lapse, and will require the payment of a new application fee to resume the application process.

If you have any questions contact me @ **283-4746** or by email @ **jgalcivar@dmgov.org**.
Sincerely,

Johnny Alcivar
Assistant City Planner

② NORTH ELEVATION
3/32" = 1'-0"

① SOUTH ELEVATION
3/32" = 1'-0"

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Connolly Lofts

SE 6th and MLK

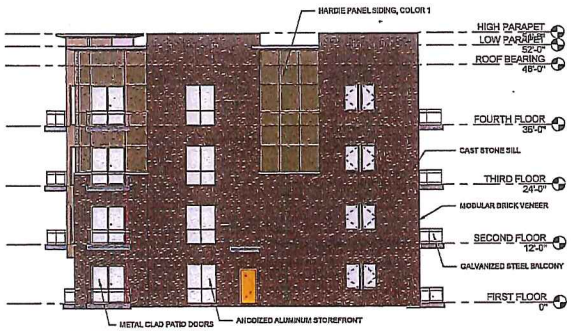
11-22-2016

NORTH

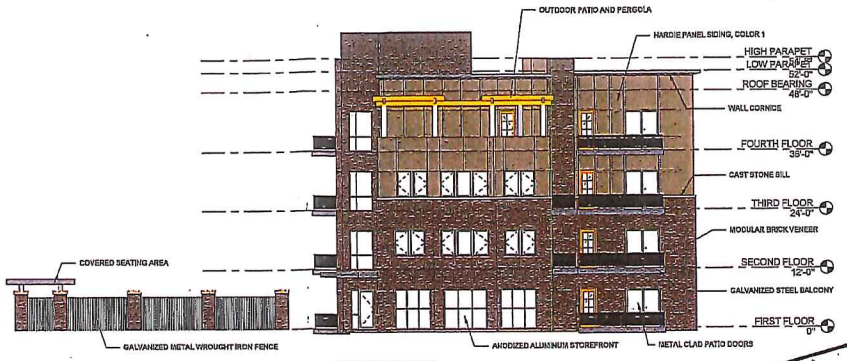
302" = 1'-0" @ 24"x36" Sheet
12"x18" SHEET (HALF SIZE)
- SCALE IS ONE-HALF OF WHAT IS NOTED
OTHER SHEET SIZES NOT TO SCALE
JOB NO.:15100

simonson

simonson & associates architects LLC
1717 ingersoll avenue suite 117 des moines ia 50309
ph: 515 440 5626 www.simonsonassoc.com



① EAST ELEVATION
3/32" = 1'-0"



② WEST ELEVATION
3/32" = 1'-0"

③ View from SW

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Connolly Lofts

SE 6th and MLK

11-22-2016

NORTH

3/32" = 1'-0" @ 24"x36" Sheet
JOB NO.:15103

simonson

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