



Date December 23, 2013

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING VACATION OF AN IRREGULAR SEGMENT OF INGERSOLL AVENUE RIGHT-OF-WAY LYING SOUTH OF THE TRAVELLED PORTION OF THE STREET BETWEEN 16TH AND 17TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 5, 2013, its members voted 13-0 in support of a motion to recommend APPROVAL of a request from Hubbell Realty Company (purchaser) represented by Steve Niebuhr (officer) for vacation of an irregular segment of Ingersoll Avenue right-of-way lying south of the travelled portion of the street between 16th Street and 17th Street, to incorporate within the proposed development site on that block.

MOVED by _____ to receive and file and refer to the Engineering Department, Real Estate Division.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

G:\SHARED\LEGAL\BROWN\P&Z Roll Calls 13-12-23\RC Vacate Ingersoll Ave - Hubbell.doc

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
VOSS				
MOORE				
TOTAL				

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.

MOTION CARRIED

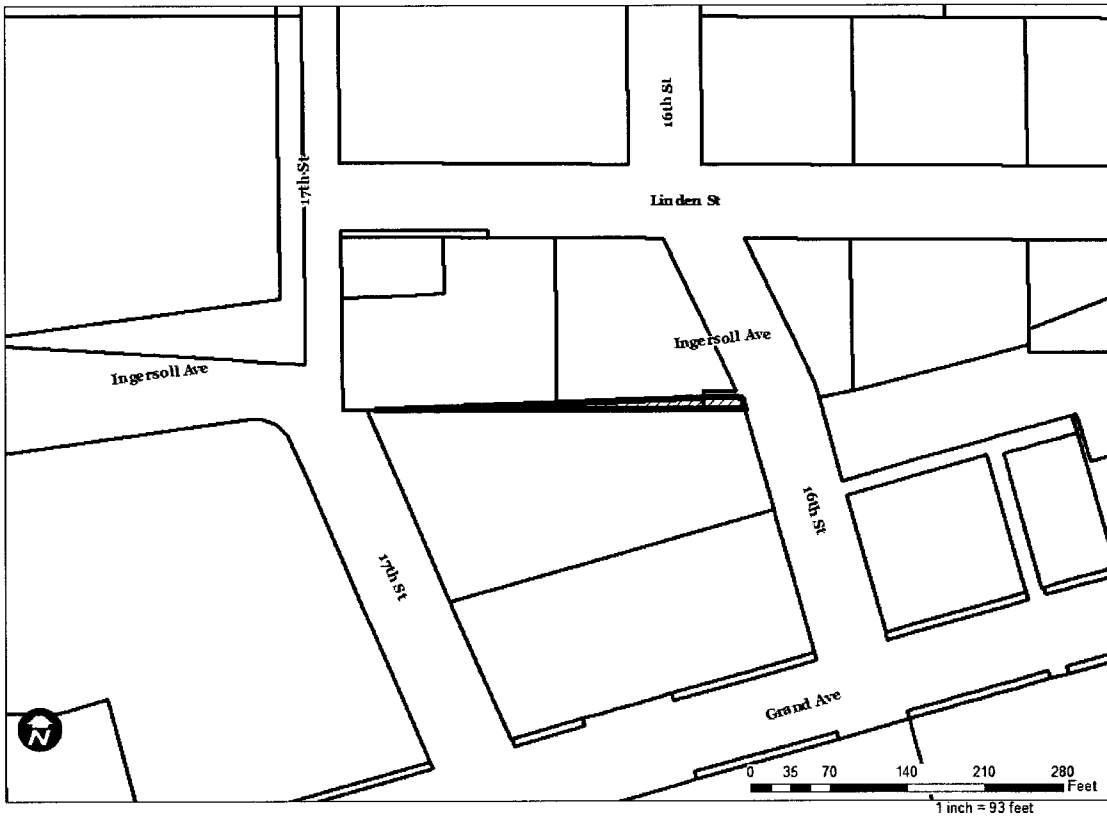
APPROVED

Mayor

City Clerk

Request from Hubbell Realty Company (purchaser), 525 17th Street, represented by Steve Niebuhr (officer). The adjoining subject property is owned by Meredith Corporation.		File # 11-2013-1.18			
Description of Action	Vacation of an irregular segment of Ingersoll Avenue right-of-way lying south of the travelled portion of the street between 16th Street and 17th Street, to incorporate within the proposed development site on that block				
2020 Community Character Plan	High-Density Residential (current & no change proposed)				
Horizon 2035 Transportation Plan	No Planned Improvements				
Current Zoning District	"R1-80" One-Family Residential and "R-3" Multiple-Family Residential				
Proposed Zoning District	N/A				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area					
Plan and Zoning Commission Action	Approval	13-0	Required 6/7 Vote of the City Council	Yes	N/A
	Denial			No	N/A

Hubbell Realty Company, Ingersoll Avenue Right-of-Way between 16th & 17th Streets 11-2013-1.18



Date _____
 Agenda Item 14
 Roll Call # _____

December 11, 2013

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 5, 2013, the following action was taken regarding a request from Hubbell Realty Company (purchaser) represented by Steve Niebuhr (officer) for review and approval of a Site Plan "Artisan Row" under design guidelines for multiple-family dwellings on property located at 1623 Grand Avenue and 525 17th Street to allow development of 27 two-story row dwellings and for vacation of an irregular segment of Ingersoll Avenue right-of-way lying south of the travelled portion of the street between 16th Street and 17th Street, to incorporate within the proposed development site on that block. The subject property is owned by Meredith Corporation.



CITY PLAN AND ZONING COMMISSION
 ARMORY BUILDING
 602 ROBERT D. RAY DRIVE
 DES MOINES, IOWA 50309-1881
 (515) 283-4182

ALL-AMERICA CITY
 1949, 1976, 1981
 2003

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles				X
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley				X
Tim Fitzgerald	X			
Jann Freed	X			
Dann Flaherty	X			
John "Jack" Hilmes	X			
Ted Irvine	X			
Greg Jones	X			
William Page	X			
Christine Pardee	X			
CJ Stephens	X			
Vicki Stogdill	X			
Greg Wattier	X			

APPROVAL of a Site Plan "Artisan Row" under design guidelines for multiple-family dwellings to allow development of 27 two-story row dwellings subject to the following conditions: (10-2014.7.53)

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

2. All overhead utility lines and poles shall be removed and replaced with underground lines and ground mounted switch gear boxes as necessary.
3. Provision of the Ingersoll Avenue Streetscape improvements as approved by the Planning Administrator. Streetscape elements include but are not limited to class "A" sidewalk generally scored into 2-foot by 2-foot squares with an integrated street curb, planter beds with a raised curb, street trees, shrub/flower plantings, planter urns, street furniture (bike racks, benches, trash cans), brick pavers and planter bed railings as associated with the beds that contain planter urns.
4. All site fencing in the vicinity of the Ingersoll Avenue shall consist of the established Ingersoll Avenue streetscape black metal fence design.
5. Provision of a bike rack near the entrance of the commercial building.
6. Provision of black Kim Lighting Archetype Street Light Fixtures.
7. All site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in the parking lot shall not exceed 20 feet in height. Private light poles and pole mounted light fixtures are to be similar in style to a black KIM Archetype light fixture.
8. Provision of parking lot interior plantings in accordance with the City's Landscape Standards.
9. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along facades that are internal to the site.
10. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building.

And

APPROVAL of the vacation of an irregular segment of Ingersoll Avenue right-of-way lying south of the travelled portion of the street between 16th Street and 17th Street, to incorporate within the proposed development site on that block subject to the provision of any necessary easements for existing utilities. (11-2013-1.18)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Item 2) Staff recommends approval of a Site Plan "Artisan Row" under design guidelines for multiple-family dwellings to allow development of 27 two-story row dwellings subject to the following conditions:

1. Compliance with all administrative review comments of the City's Permit and Development Center.
2. All overhead utility lines and poles shall be removed and replaced with underground lines and ground mounted switch gear boxes as necessary.

3. Provision of the Ingersoll Avenue Streetscape improvements as approved by the Planning Administrator. Streetscape elements include but are not limited to class "A" sidewalk generally scored into 2-foot by 2-foot squares with an integrated street curb, planter beds with a raised curb, street trees, shrub/flower plantings, planter urns, street furniture (bike racks, benches, trash cans), brick pavers and planter bed railings as associated with the beds that contain planter urns.
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8. Provision of parking lot interior plantings in accordance with the City's Landscape Standards.
9. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along facades that are internal to the site.
10. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building.

Item 3) Staff recommends approval subject to the provision of any necessary easements for existing utilities.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to retain the existing commercial building (aka Iowa Paint Building) and to construct 27 row house units on the balance of the site. Item 3 on the agenda would allow a triangular shaped portion of the Ingersoll Avenue right-of-way to be combined with the site to allow the Ingersoll buildings to be built in closer proximity to the Ingersoll Avenue sidewalk. The buildings need to frame the street in order to create an urban environment. The current irregular shape of the property and right-of-way would require the eastern building to be substantial setback from the Ingersoll Avenue sidewalk. The subject right-of-way is not needed for any current or foreseen future public use.
2. **Size of Site:** The site measures 1.86 acres (81,164 square feet). The portion of right-of-way proposed to be vacated measures 2,141 square feet.

3. **Existing Zoning (site):** "C-3A" Central Business Support Commercial District, Downtown Overlay District, and "GGP" Gambling Games Prohibition Overlay District.

4. **Existing Land Use (site):** Vacant commercial building and surface parking.

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

North – "C-2"; Uses are commercial.

South – "C-3A"; Use is office.

East – "C-3A"; Uses are multiple-family residential and commercial.

West – "C-3A"; Use is a mixed residential and commercial development.

6. **General Neighborhood/Area Land Uses:** The subject site is located in the western portion of the downtown along the Grand Avenue and Ingersoll Avenue corridors. The area consists of a mix of large and small scale commercial buildings and multiple-family residential development.

7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Downtown Des Moines Neighborhood and within 250 feet of the Sherman Hill Neighborhood. These neighborhoods were notified of the Commission meeting by mailing of the Preliminary Agenda on November 1, 2013. A Final Agenda for the November 21, 2013 meeting was mailed to the neighborhood associations on November 15, 2013. Additionally, separate notifications of the hearing for the site plan were mailed on November 8, 2013 (10 days prior to the hearing) to the Downtown Des Moines Neighborhood Association, the Sherman Hill Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda for the December 5, 2013 meeting was mailed to the neighborhood associations on November 27, 2013. Additionally, separate notifications of the proposed vacation of right-of-way were mail to the neighborhood associations on November 25, 2013 (10 days prior to the hearing).

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 Association notices were mailed to Larry Bradshaw, 418 6th Avenue, Suite 902, Des Moines, IA 50309. The Sherman Hill Neighborhood Association notices were mailed to Ryan Howell, 831 16th Street, Des Moines, IA 50314.

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

9. **2020 Community Character Land Use Plan Designation:** Downtown Support Commercial.

10. Applicable Regulations: 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 in section 82-213 of this article and the design guidelines in this section except as to those site plan applications for development of property located in the R1-60 and R-HD zoning districts within the downtown overlay district. 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.

The Plan and Zoning Commission also 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. 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 proposed row house development is an appropriate architectural type for the downtown. The buildings would be sided with a mix of brick and cement board siding. The submitted elevations indicated that the majority of the street facing facades would be sided with brick.

- 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 buildings would be 36 feet tall. The "C-3A" District has no minimum height requirement. The Downtown Overlay District requires a minimum height of the lesser of 36 feet or three stories.

- 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 front of each building would be oriented to an adjoining street.

- 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.

Each unit would have its own garage that is accessed from within the site.

- 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.

The proposed development meets this guideline.

- 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.

The "C-1" District standards require a minimum of one overstory tree and three shrubs per 20 parking spaces. The site plan includes trees in the parking lot but no shrubs. Staff recommends that shrubs be provided, as well.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Downtown Overlay District Design Guidelines:** These additional design guidelines are applicable to any development within the Downtown Overlay District.

- 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 subject site is located on the Ingersoll Avenue corridor, which has an established streetscape design. This is a design solution that is specific to Ingersoll Avenue. The site plan includes Ingersoll Avenue streetscape improvements. However, some of the elements need to be refined. Staff recommends that

approval be subject to the provision of the Ingersoll Avenue streetscape as approved by the Planning Administrator. This will allow staff to continue to work with the applicant's design team to refine the details. Staff also recommends that overhead utility lines and poles along 16th Street, Ingersoll Avenue and 17th Street be removed. Underground utilities are a standard design solution expected in the downtown. The site is highly visible along the Ingersoll Avenue and Grand Avenue corridors and in the downtown in general.

The "What's Next Downtown Plan" envisions a dense and pedestrian friendly downtown. The proposed row house development is an appropriate downtown housing type in furthering this goal.

- 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 site would include underground storm water detention facilities.

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

The site encompasses an entire city block with an internal parking lot accessed from 16th Street and 17th Street.

- D) The incorporation of 'soft (green) spaces' on site is encouraged.
- E) Where feasible, projects should provide outdoor spaces for people gathering.

The site plan includes the established Ingersoll Avenue streetscape improvement along Ingersoll Avenue and standard class "A" sidewalks with street trees along 16th Street, Grand Avenue, and 17th Street. A quality public sidewalk experience is the backbone of public space in the downtown. The site does not include any internal gathering spaces. However, staff believes the proposed Ingersoll Streetscape improvements compensate in addressing this guideline.

- 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.

The Site Plan shows a 5-foot by 15-foot bike parking pad within the site. Staff believes bike racks should be provided near the entrance to the commercial building.

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

The proposed buildings are 36 feet tall.

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).

N/A.

3. All buildings should have frontage on principal street(s) of not less than 70 percent of the lot.

The proposed row house buildings would represent 86% of the Ingersoll Avenue frontage, 71% of the 16th Street frontage, 93% of the Grand Avenue frontage and 68% of the 17th Street frontage.

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

The existing commercial building does not comply with this guideline. However, no alterations are proposed to the building that would trigger compliance. This guideline does not apply to the row house buildings.

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.).

Most of the row house buildings would be setback 15 feet or less from all street frontages. In some cases portions of the buildings are setback greater than 15 feet due to the irregular shape of the block. Staff believes the proposed setbacks meet the intent of this guideline.

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

No outdoor storage 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.

Trash enclosures are not proposed.

- 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.

The open space landscaping complies with the "C-3" District landscape standards.

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

The existing commercial building has an overhead door that faces east towards the middle of the site. No additional access doors are proposed.

- 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.

The proposed development would have two curb cuts along 16th Street and one curb cut along 17th Street. Staff believes the site plan includes the minimum number of curb cuts possible.

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

The subject site is 1.86-acres in size.

- 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.

2. **Parking:** Off-street parking is not required in the "C-3A" District for residential uses and for commercial uses allowed in the "C-1" District. Each dwelling unit includes an attached garage. The development would include 30 off-street parking spaces to serve the commercial building and to provide visitor parking for the dwelling units.

SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendation.

Steve Niebuhr Hubbell Realty Company, 6900 Westown Parkway, West Des Moines presented Artisan Row stating it is a brownstone product they have done successfully down on 2nd and Grand. The architecture has been changed but a lot of the amenity package that was successful on 2nd and Grand has been incorporated in this project. The rooftop garden with pergola is something the buyers have liked. They will also have two car garages attached to the unit. The units are 1350 square feet minimum each. The project will probably be built in multiple phases. They will build them and sell them. Total of 27 units with quite a bit of green space for real home product. They have an interior green space that was purposely created for the residents for exercising their pets. They have found that pets are really important in the downtown market. A bump out was created along Grand as a feature to calm the traffic, there will be additional parking on the site for visitors. Their plan is to retain the Iowa Paint building next door so the parking can be shared with the guests of the residents and the 6,000 square foot commercial building.

John "Jack" Hilmes stated he has great interest in the way that things are being developed in downtown thinking it is generally great. He would like to hear from Mr. Schiffler on his intention to have this project stand apart from some of the other projects that have popped up.

Brian Shiffler, Shiffler Associates Architects 1440 Locust St. #100 stated when he got a call from Mr. Niebuhr to design a whole block in the City of Des Moines he was very excited about it. They set off to design 27 different buildings. A new trend in Community Development is to establish design parameters and then give individual designers freedom within those parameters. A series of high water marks was given to his office where the brick always terminates and which gives them seal point throughout the block. Then they gave themselves other arbitrary rules. By deciding to change the windows and where the light and dark bricks go 27 different units were created. Since the internal design guidelines were created the project will hold together as a unit but will be still individual diversity. He also showed a perspective drawing of the buildings.

Will Page thanked Commissioner Hilmes for requesting to hear the presentation. However, he does question the pallet of color and would like to hear Mr. Schiffler walk through the color selection.

Brian Schiffler stated one of his favorite color combinations is red brick and black or dark brown. As an architect you try to create a unique image and this is a look he has not seen in Des Moines.

Greg Wattier stated this is a nice project and hopes they stay with the gray and hope the pergolas are white.

JoAnne Corigliano stated what she finds so interesting about this design is all of the windows and doors are pretty much the same shape, same position, everything is the same but then you look at what has been done to the façade of each unit and it is totally different. This design is very nice.

COMMISSION ACTION:

Greg Wattier moved staff recommendation for **approval** of a Site Plan "Artisan Row" under design guidelines for multiple-family dwellings to allow development of 27 two-story row dwellings subject to the following conditions:

1. Compliance with all administrative review comments of the City's Permit and Development Center.
2. All overhead utility lines and poles shall be removed and replaced with underground lines and ground mounted switch gear boxes as necessary.
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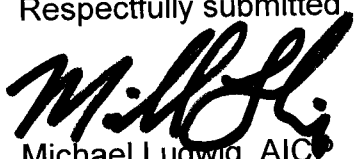
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- 9. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along facades that are internal to the site.
- 10. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building.

AND

Approval for vacation of an irregular segment of Ingersoll Avenue right-of-way lying south of the travelled portion of the street between 16th Street and 17th Street, to incorporate within the proposed development site on that block subject to the provision of any necessary easements for existing utilities.

Motion passed 13-0.

Respectfully submitted,



Michael Ludwig, AIC
Planning Administrator

MGL:clw
Attachment