



Date May 23, 2016

**RESOLUTION HOLDING HEARING ON REQUEST FROM JJ EQUITY, LLC TO REZONE PROPERTY LOCATED AT 3300 EAST 56<sup>TH</sup> STREET FROM “A-1” AGRICULTURAL DISTRICT TO “PUD” PLANNED UNIT DEVELOPMENT DISTRICT**

**WHEREAS**, on April 25, 2016, by Roll Call No. 16-0677, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on April 7, 2016, its members voted 12-0 to recommend **APPROVAL** of a request from JJ Equity, LLC (purchaser), represented by Jon Galloway (officer), to rezone property located at 3300 East 56<sup>th</sup> Street (“Property”) from “A-1” Agricultural District to “PUD” Planned Unit Development District, to allow development of a 66.4 acre tract with 60-foot wide single-family lot development and a 7.5-acre lot designated for religious assembly site development, and to approve the proposed PUD Conceptual Plan “Brook Landing” subject to conditions set forth in the communication from the Commission; and

**WHEREAS**, the Property is legally described as follows:

Outlot X Fini Acres Plat 2, an Official Plat, in Des Moines, Polk County, Iowa, and Outlot X Fini Acres Replat, an Official Plat in Des Moines, Polk County, Iowa, except Parcel A as identified by Plat of Survey at Polk County Recorder Book 10645, Page 526; and

**WHEREAS**, on April 25, 2016, by Roll Call No. 16-0677, it was duly resolved by the City Council that the application from JJ Equity, LLC to rezone the Property and for approval of the PUD Conceptual Plan “Brook Landing” for the Property, be set down for hearing on May 9, 2016 at 5:00 P.M., in the Council Chamber at City Hall; and

**WHEREAS**, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance and on the PUD Conceptual Plan “Brook Landing”; and

**WHEREAS**, on May 9, 2016, by Roll Call No. 16-0803, the City Council opened and continued the public hearing on said proposed amendment to the Zoning Ordinance and on the PUD Conceptual Plan “Brook Landing” to May 23, 2016, and directed the Community Development Department to incorporate developer-proposed revisions to Condition 17 and Condition 18 into the PUD Conceptual Plan “Brook Landing”; and

**WHEREAS**, in accordance with said notice and continuance, those interested in said proposed rezoning and proposed PUD Conceptual Plan, both for and against, have been given 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, as follows:

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed rezoning of the Property to “PUD” Planned Unit Development District, and any objections to the proposed PUD Conceptual Plan “Brook Landing”, are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, to “PUD” Planned Unit Development District, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

Date May 23, 2016

- The proposed PUD Conceptual Plan "Brook Landing", as on file in the Community Development Department, is hereby found to be in conformance with the PlanDSM Land Use Plan and is hereby approved, subject to the revisions identified in the communication from the Plan and Zoning Commission received by the City Council by Roll Call No. 16-0677, with Conditions 17 and 18 further revised as set forth in the developer's letter as received by City Council by Roll Call No. 16-0803, and further subject to the Community Development Director finding that such revisions have been satisfied by amendments to the Plan.

MOVED BY \_\_\_\_\_ TO ADOPT.

FORM APPROVED:

  
 Glenna K. Frank, Assistant City Attorney

(ZON2016-00049)

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

**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

\_\_\_\_\_  
 Mayor

16-0803 SS  
S3



CIVIL DESIGN ADVANTAGE L.L.C.

ENGINEERS, LANDSCAPE ARCHITECTS,  
PLANNERS & SURVEYORS

May 3, 2016

Mayor and City Council  
City of Des Moines  
400 Robert D. Ray Drive  
Des Moines, IA 50309

RE: Brook Landing PUD Rezoning

Dear Mayor and City Council:

We are requesting that Council reconsider items 17 and 18 of P & Z's recommended conditions.

Condition 17: Side yard setbacks

We are requesting 5' side yard setbacks instead of R1-60 7' minimum/15' total.

- The single family lots immediately to the west in Brook Run are 50' – 57' wide with 5' side setbacks and 20' front setbacks. Brook Landing lots are a minimum of 60' wide with a front setback of 30' for the house and garage, 25' for a porch.
- The reduced setback allows for flexibility and the most efficient use of the lot, as the side yards are nonfunctional areas, and most floor plans minimize, if not eliminate, windows on the sides.
- The reduced setback will allow a 3 car garage option and larger, nicer homes resulting in a greater overall tax base in the area.

Condition 18: 70' wide lots in phases 5 & 6

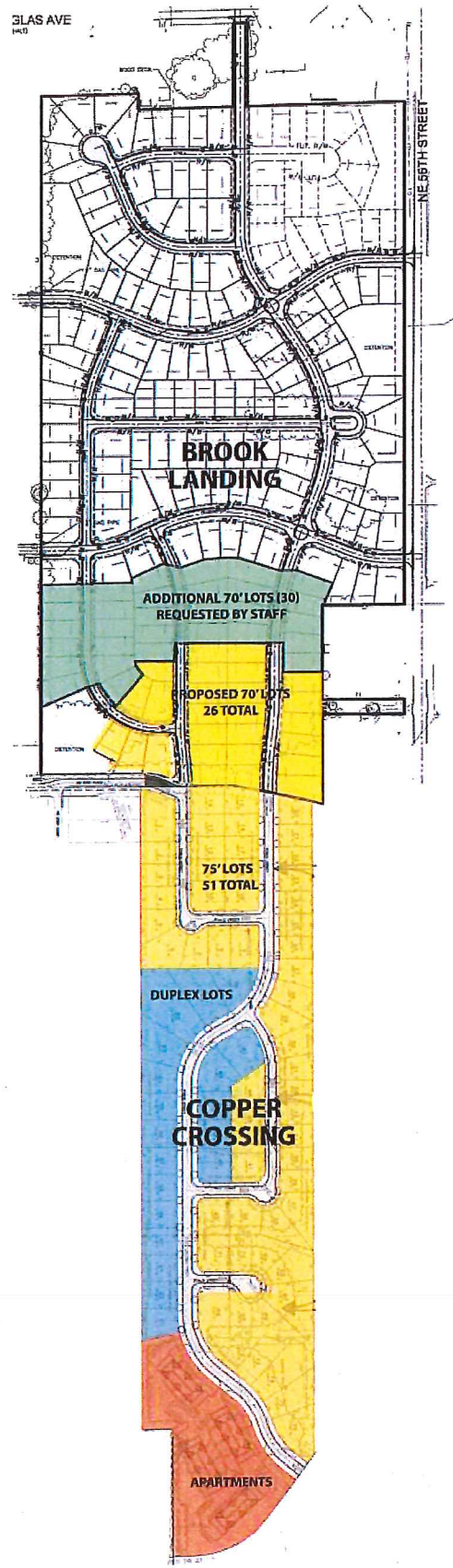
Staff has requested this to act as a transition to the approved, but not constructed Copper Crossing PUD to the south.

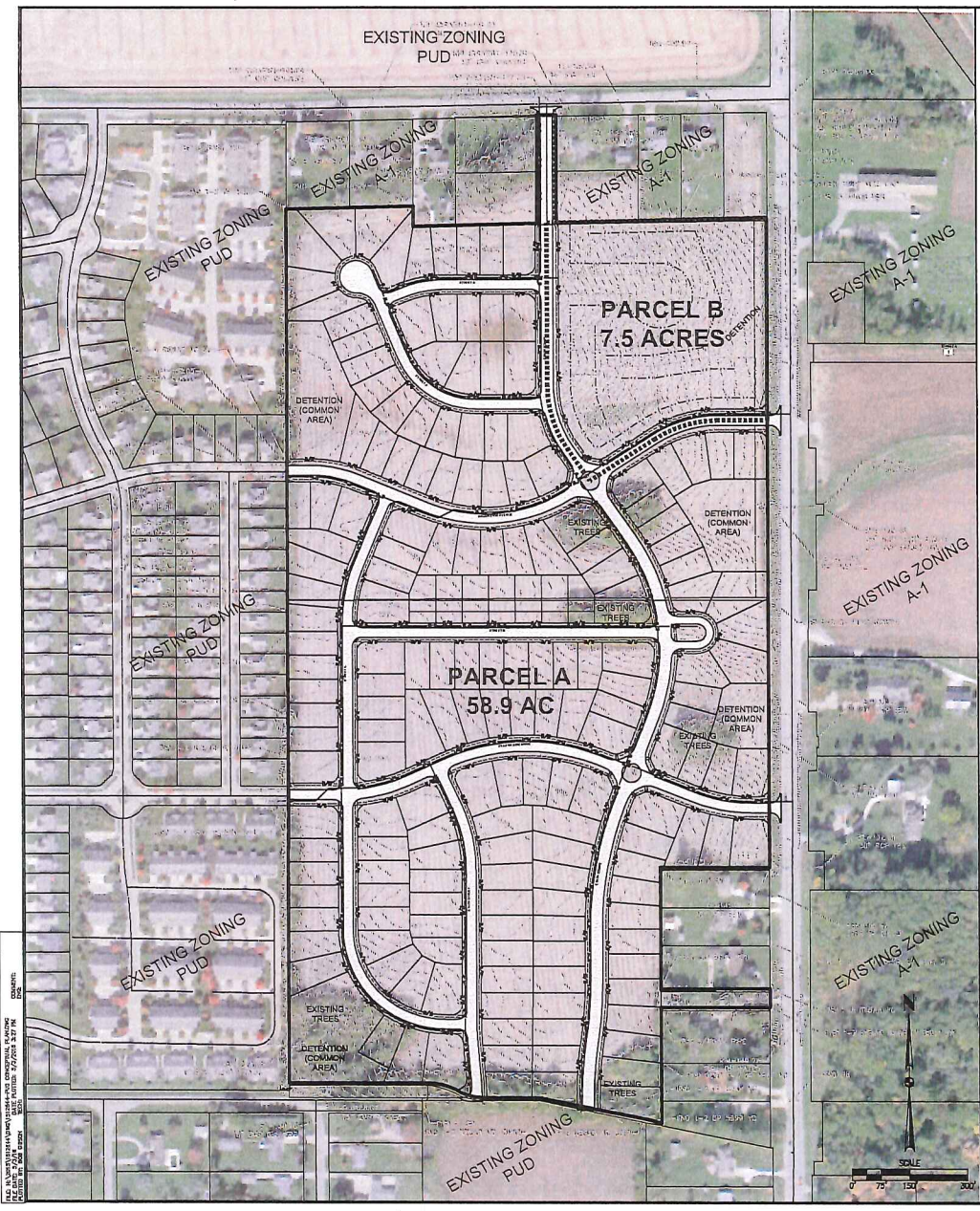
- We understand the desire for transition, but this requirement is excessive. It is asking that 56 lots provide a transition for 51 lots that themselves are adjacent to duplex lots and an apartment lot. See the attached sketch.
- With the reconfiguration of Brook Landing streets (Item #6) we have provided 26 lots at 70' wide. This is certainly an adequate transition.

Thank you for your consideration.

Bob Gibson  
Civil Design Advantage  
3405 SE Crossroads Drive Suite G  
Grimes, IA 50111  
Phone: 515 369 4400

~~16-0803~~ 55  
53





# CONCEPTUAL PLAN

# BROOK LANDING

A PLANNED UNIT DEVELOPMENT  
IN THE CITY OF DES MOINES  
POLK COUNTY, IOWA

**DEVELOPER**  
 JJ EQUITY, LLC  
 PO BOX 7502  
 URBANDALE, IOWA 50323  
 PH: 515-389-4400  
 CONTACT: JON GALLOWAY

**ENGINEER / SURVEYOR**  
 CIVIL DESIGN ADVANTAGE, LLC  
 3405 S.E. CROSSROADS DRIVE, SUITE G  
 GRIMES, IOWA 50111  
 PH: 515-389-4400  
 CONTACT: BOB GIBSON

**GENERAL PROJECT CONCEPT**  
 THE DEVELOPMENT PLAN IS TO CREATE A RESIDENTIAL COMMUNITY OF SINGLE FAMILY HOMES WITH A PARCEL DESIGNATED AS A CHURCH SITE. THE STREET SYSTEM WILL CONNECT BROOKVIEW AVENUE AND VILLAGE RUN DRIVE FROM THE BROOK RUN SUBDIVISION OUT TO THE 98TH STREET. PROVISION WILL ALSO BE MADE FOR A CONNECTION TO THE PROPOSED STREET SYSTEM OF THE PLANNED DEVELOPMENT TO THE SOUTH.

BUILDING TYPES WILL BE SINGLE FAMILY HOUSES OF 1, 1½, AND 2 STORIES WITH A MINIMUM OF 2 CAR ATTACHED GARAGE.

THE CHURCH PARCEL SITE SHALL BE SUBJECT TO STANDARD CITY OF DES MOINES REQUIREMENT DEVELOPMENT AND ARCHITECTURAL STANDARDS.

**LEGAL DESCRIPTION**  
 OUTLOT X FINI ACRES PLAT 2  
 AND  
 OUTLOT X FINI ACRES REPLAT EX PARCEL A BOOK 10645 PAGE 528

**TOTAL PROJECT AREA**  
 66.4 ACRES

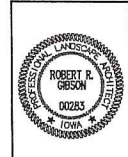
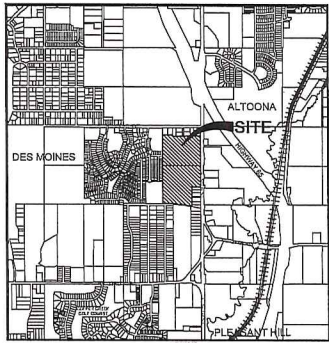
**EXISTING LAND USE**  
 AGRICULTURE

**ZONING**  
 EXISTING: A-1  
 PROPOSED: PUD

**CONDITIONS OF ZONING**  
 THE PUD DEVELOPMENT PLAN OF THE PROPERTY IS SUBJECT TO THE ESTABLISHED REVIEW AND APPROVAL BY THE CITY PLAN AND ZONING COMMISSION.

WE ACKNOWLEDGE THAT THE REZONING OF THE PROPERTY DOES NOT CONSTITUTE APPROVAL OF ANY CONSTRUCTION, AND THAT ALL NECESSARY PERMITS AND APPROVALS MUST BE OBTAINED BEFORE ANY CONSTRUCTION BEGINS, AND THAT A CERTIFICATE OF OCCUPANCY MUST BE OBTAINED BEFORE ANY STRUCTURE IS OCCUPIED.

VICINITY MAP



I HEREBY CERTIFY THAT THE PORTION OF THIS TECHNICAL SUBMISSION DESCRIBED BELOW WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND RESPONSIBLE CHARGE. I AM A DAILY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF IOWA.

*Robert R. Gibson*  
 ROBERT R. GIBSON, ALSA  
 MARCH 8, 2016  
 DATE

MY LICENSE RENEWAL DATE IS JUNE 30, 2013  
 PAGES OR SHEETS COVERED BY THIS SEAL:  
 THIS SHEET

DATE	
REVISIONS	
SECOND SUBMITTAL	
FIRST SUBMITTAL	

3405 S.E. CROSSROADS DRIVE, SUITE G  
 GRIMES, IOWA 50111  
 PHONE: (515) 389-4400 FAX: (515) 389-4410

TECH: ENGINEER:

**CIVIL DESIGN ADVANTAGE, LLC**

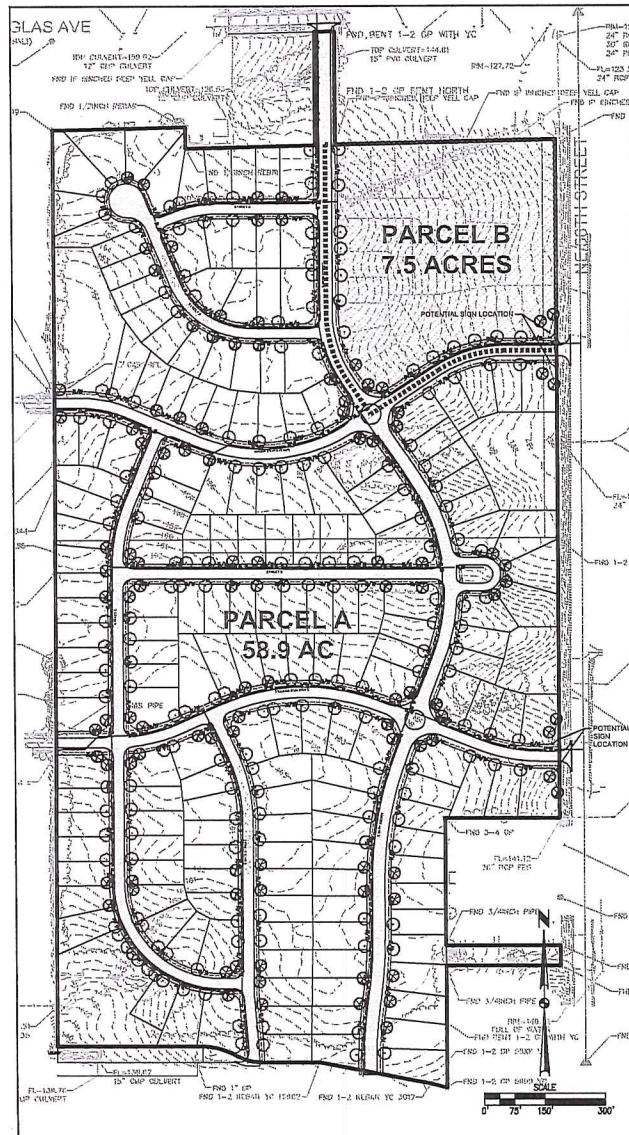
DES MOINES, IOWA

**BROOK LANDING**  
**PUD CONCEPTUAL PLAN**

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# CONCEPTUAL PLAN BROOK LANDING

## A PLANNED UNIT DEVELOPMENT IN THE CITY OF DES MOINES POLK COUNTY, IOWA



### DEVELOPMENT STANDARDS

#### PARCEL A

**USE:** PARCEL A SHALL CONFORM TO R1-80 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT

**BULK REGULATIONS:** PARCEL A SHALL CONFORM TO R1-80 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT WITH THE FOLLOWING EXCEPTIONS:

**LOT AREA:** 7500 S.F. MINIMUM  
**FRONT SETBACK:** GARAGE/HOUSE - 30'  
**FRONT PORCH - 25'**  
**SIDE SETBACK:** 5' MINIMUM

**PARKING:** PARCEL A SHALL CONFORM TO R1-80 OFF-STREET PARKING AND LOADING REGULATIONS.

**SIGNAGE:** PARCEL A SHALL CONFORM TO R1-80 SIGN REGULATIONS

#### PARCEL B

**OPTION A USE:** PARCEL B SHALL CONFORM TO R1-80 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT

**BULK REGULATIONS:** PARCEL B SHALL CONFORM TO R1-80 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT FOR CHURCH USE WITH THE FOLLOWING EXCEPTIONS:

**MAXIMUM BUILDING HEIGHT:** 45'  
**MAXIMUM HEIGHT OF STEEPLE ELEMENT:** 85'

**PARKING:** PARCEL B SHALL CONFORM TO R1-80 OFF-STREET PARKING AND LOADING REGULATIONS AND BUFFERING AS REQUIRED BY THE CITY'S PARKING ORDINANCE WITH REGARD TO CHURCHES.

**SIGNAGE:** PARCEL B SHALL CONFORM TO R1-80 SIGN REGULATIONS

#### OPTION B USE:

PARCEL B SHALL CONFORM TO R1-80 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT

**BULK REGULATIONS:** PARCEL B SHALL CONFORM TO R1-80 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT WITH THE FOLLOWING EXCEPTIONS:

**LOT AREA:** 7200 S.F. MINIMUM  
**FRONT SETBACK:** GARAGE/HOUSE - 30'  
**FRONT PORCH - 25'**  
**SIDE SETBACK:** 5'

**PARKING:** PARCEL B SHALL CONFORM TO R1-80 OFF-STREET PARKING AND LOADING REGULATIONS.

**SIGNAGE:** PARCEL B SHALL CONFORM TO R1-80 SIGN REGULATIONS

#### OPTION C USE:

PARCEL B SHALL CONFORM TO R1-80 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT

**BULK REGULATIONS:** PARCEL B SHALL CONFORM TO R1-80 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT WITH THE FOLLOWING EXCEPTIONS:

**LOT AREA:** 7200 S.F. MINIMUM  
**FRONT SETBACK:** GARAGE/HOUSE - 30'  
**FRONT PORCH - 25'**  
**SIDE SETBACK:** 5'

**PARKING:** PARCEL B SHALL CONFORM TO R1-80 OFF-STREET PARKING AND LOADING REGULATIONS.

**SIGNAGE:** PARCEL B SHALL CONFORM TO R1-80 SIGN REGULATIONS

#### OPTION D USE:

PARCEL B SHALL CONFORM TO R1-80 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT

**BULK REGULATIONS:** PARCEL B SHALL CONFORM TO R1-80 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT WITH THE FOLLOWING EXCEPTIONS:

**LOT AREA:** 7200 S.F. MINIMUM  
**FRONT SETBACK:** GARAGE/HOUSE - 30'  
**FRONT PORCH - 25'**  
**SIDE SETBACK:** 5'

**PARKING:** PARCEL B SHALL CONFORM TO R1-80 OFF-STREET PARKING AND LOADING REGULATIONS.

**SIGNAGE:** PARCEL B SHALL CONFORM TO R1-80 SIGN REGULATIONS

#### OPTION E USE:

PARCEL B SHALL CONFORM TO R1-80 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT

**BULK REGULATIONS:** PARCEL B SHALL CONFORM TO R1-80 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT WITH THE FOLLOWING EXCEPTIONS:

**LOT AREA:** 7200 S.F. MINIMUM  
**FRONT SETBACK:** GARAGE/HOUSE - 30'  
**FRONT PORCH - 25'**  
**SIDE SETBACK:** 5'

**PARKING:** PARCEL B SHALL CONFORM TO R1-80 OFF-STREET PARKING AND LOADING REGULATIONS.

### LANDSCAPE STANDARDS

#### PLANT MATERIAL

1. ALL REQUIRED OVERSTORY TREES SHALL BE MINIMUM 2" CALIPER.
2. ALL REQUIRED UNDERSTORY TREES SHALL BE MINIMUM 1.5" CALIPER.
3. ALL REQUIRED CONIFEROUS TREES SHALL BE A MINIMUM OF 5' IN HEIGHT.
4. ALL PLANT MATERIAL SHALL MEET THE MINIMUM STANDARDS ESTABLISHED BY THE MOST RECENT EDITION OF THE "AMERICAN STANDARDS FOR NURSERY STOCK" PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
5. ALL PLANT MATERIAL SHALL BE GUARANTEED TO REMAIN ALIVE AND HEALTHY FOR A PERIOD OF ONE YEAR FROM DATE OF INSTALLATION.

#### OPEN SPACE

A MINIMUM OF 20% OF EACH LOT SHALL BE OPEN SPACE. EACH LOT SHALL BE LANDSCAPED TO INCLUDE A MINIMUM OF 2 OVERSTORY TREES, 1 UNDERSTORY TREE/CONIFEROUS TREE, AND 4 SHRUBS PER LOT, EXCLUSIVE OF FOUNDATION PLANTINGS WITHIN 8' OF THE HOUSE. STREET TREES MAY BE COUNTED TOWARD REQUIRED LOT TREES.

#### STREET TREES

EACH LOT SHALL RECEIVE A MINIMUM OF 1 OVERSTORY TREE, LOCATED GENERALLY PER THE STREET TREE PLAN ON THIS SHEET. TREES SHALL BE LOCATED 7.5' FROM BACK OF CURB ALONG 31' PUBLIC STREET WITH 60' R.O.W. AND SETBACK 5' FROM 28' PUBLIC STREET WITH 50' R.O.W.

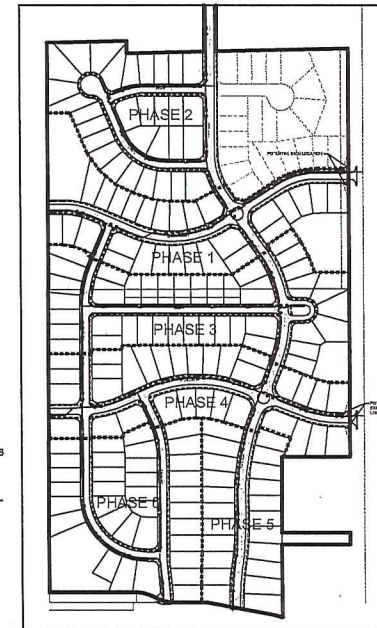
### MEETING SCHEDULE

PRE-APPLICATION MEETING:	JANUARY 12, 2016
CONCEPT PLAN SUBMITTAL:	MARCH 7, 2016
NEIGHBORHOOD MEETING:	MARCH 31, 2016
PLAN & ZONING MEETING:	APRIL 8, 2016
CITY COUNCIL MEETING PUBLIC HEARING:	MAY 9, 2016
PRELIMINARY PLAT SUBMITTAL:	MAY - JUNE 2016
CONSTRUCTION DRAWINGS PHASE 1:	MAY - JULY 2016
FINAL PLAT:	SEPTEMBER-OCTOBER 2016

### NOTES

1. SITE DEVELOPMENT SHALL COMPLY WITH THE TREE REMOVAL PRESERVATION AND MITIGATION ORDINANCE OF CHAPTER 42, ARTICLE 4, OF THE CITY CODE OF DES MOINES.
2. DEVELOPER SHALL BE RESPONSIBLE FOR ALL COSTS AND CONNECTION FEES ASSOCIATED WITH CONSTRUCTING THE NECESSARY SANITARY AND WATER CONNECTIONS.
3. A HOME OWNER'S ASSOCIATION SHALL BE ESTABLISHED TO OWN AND MAINTAIN COMMON AREAS, INCLUDING DETENTION BASINS, TRAFFIC CIRCLES, AND ENTRY MONUMENT SIGNS.
4. A SOILS REPORT AND STORM WATER MANAGEMENT PLAN IS REQUIRED PER CITY CODE SECTION 109-135. A GRADING PERMIT AND EROSION CONTROL PLAN ARE REQUIRED PRIOR TO ANY GRADING ACTIVITIES.
5. 5' WIDE SIDEWALKS SHALL BE PROVIDED ALONG ANY STREET FRONTAGE.
6. A 20' LANDSCAPE BUFFER SHALL BE PROVIDED ALONG E 56TH STREET. NO FENCING WILL BE ALLOWED WITHIN THE BUFFER. A PLANTING PLAN FOR THE BUFFER SHALL BE APPROVED BY STAFF.
7. FENCING SHALL BE IN ACCORDANCE WITH STANDARDS APPLICABLE IN THE R1-80 DISTRICT. ANY CHAIN LINK FENCE SHALL BE CLAD IN BLACK VINYL.
8. THE DEVELOPMENT WILL BE PERMITTED ONE FREESTANDING ENTRANCE SIGN AT EACH STREET CONNECTION ON E 56TH STREET AND ON DOUGLAS AVENUE. EACH SIGN SHALL NOT BE GREATER THAN 24 S.F. IN AREA, NOT ILLUMINATED, AND SHALL BE LOCATED OUTSIDE OF ANY REQUIRED SIGHT VISION TRIANGLE. SIGNS SHALL BE CONSTRUCTED OF PRIMARILY MASONRY MATERIALS. SIGN DESIGN SHALL BE APPROVED BY THE CITY'S PLANNING ADMINISTRATOR. SIGNS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
9. ANY FUTURE USE DEVELOPMENT OF A RELIGIOUS ASSEMBLY USE IN "PARCEL B" SHALL BE SUBJECT TO AN AMENDMENT OF THE "PUD" CONCEPTUAL PLAN SO THAT THE ARCHITECTURAL CHARACTER AND SITE LAYOUT CAN BE REVIEWED AND APPROVED BY THE CITY AT SUCH TIME.

### PHASING PLAN



### TENTATIVE PROJECT TIMING

PHASE 1:	2016
PHASE 2:	2016
PHASE 3:	2017
PHASE 4:	2017
PHASE 5:	2018
PHASE 6:	2018

DATE	
REVISED	
SECOND SUBMITTAL	
FINAL SUBMITTAL	

3405 S.E. CROSSROADS DRIVE, SUITE G  
DES MOINES, IOWA 50311  
PHONE: (515) 369-4400 FAX: (515) 369-4410



CIVIL DESIGN ADVANTAGE  
DES MOINES, IOWA

BROOK LANDING  
PUD CONCEPTUAL PLAN

16.08.2016

Handwritten initials/signature

# CONCEPTUAL PLAN BROOK LANDING

## A PLANNED UNIT DEVELOPMENT IN THE CITY OF DES MOINES POLK COUNTY, IOWA

DATE	
REVISIONS	
DESIGNED BY	
DRAWN BY	
CHECKED BY	
DATE	

3405 S.E. CROSSROADS DRIVE, SUITE G  
GRIMES, IOWA 50111  
PHONE: (515) 365-4400 FAX: (515) 365-4410



DES MOINES, IOWA

BROOK LANDING  
PUD CONCEPTUAL PLAN

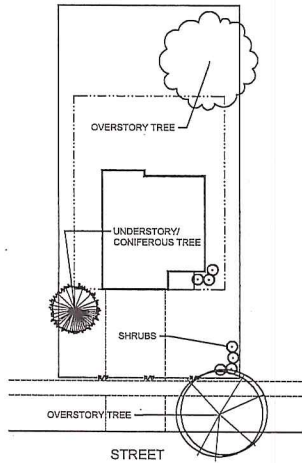
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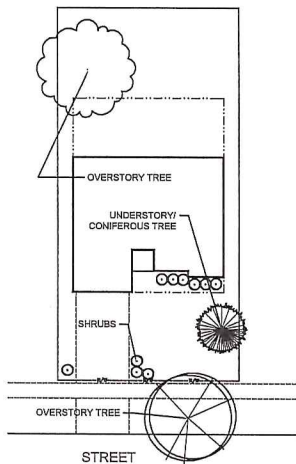
TYPICAL TWO STORY HOME



TYPICAL ONE STORY HOME



TYPICAL TWO STORY HOME



TYPICAL ONE STORY HOME

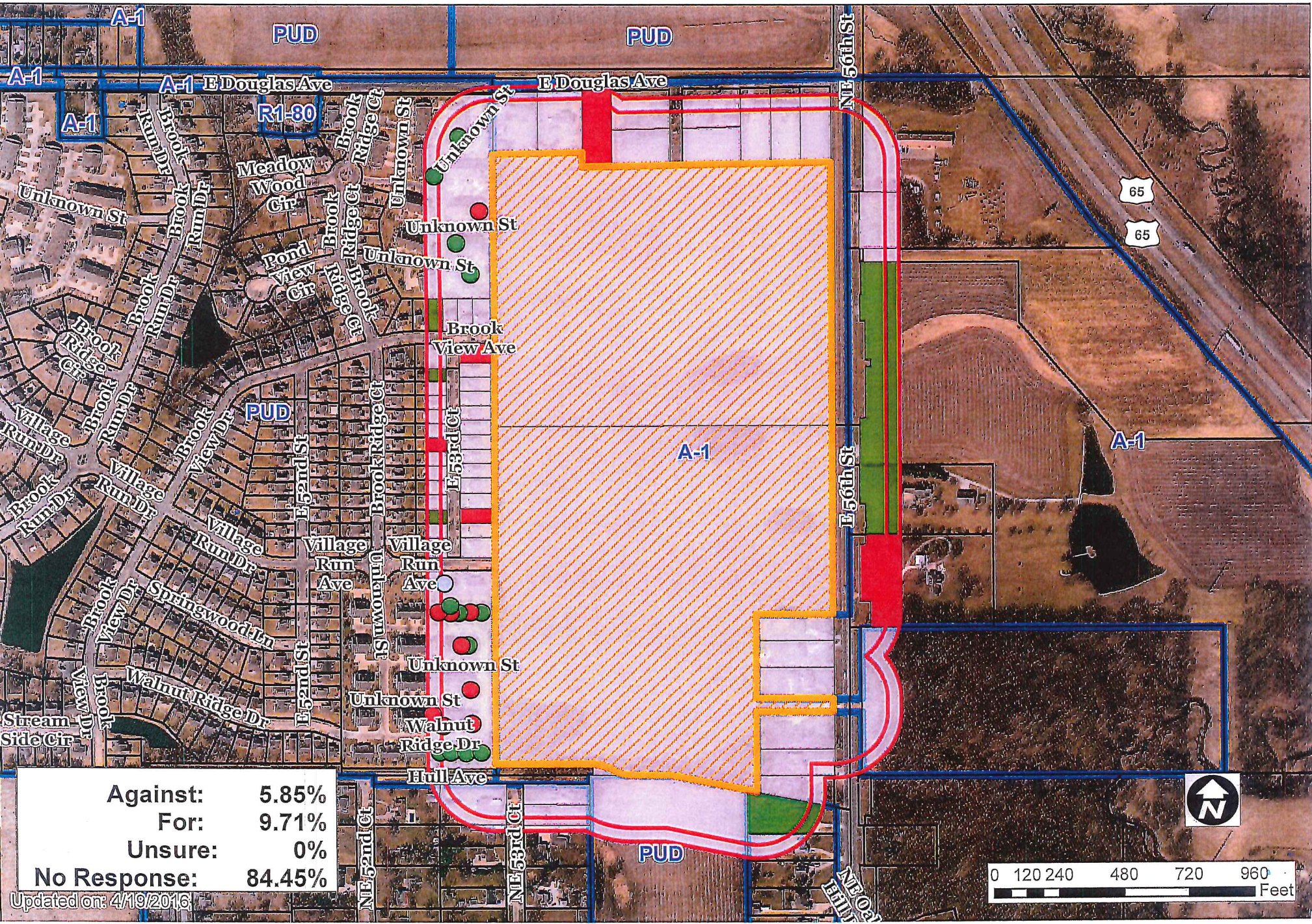
### ARCHITECTURAL STANDARDS

1. BUILDING TYPES WILL BE SINGLE FAMILY HOUSES OF 1, 1½, AND 2 STORIES WITH A MINIMUM OF 2 CAR ATTACHED GARAGE. SINGLE STORY HOMES WILL HAVE A MINIMUM OF 1,200 SQUARE FEET OF LIVING AREA. 1½ AND 2 STORY HOMES SHALL HAVE A MINIMUM OF 1,400 S.F. OF LIVING AREA.
2. ALL BUILDING WILL USE SIMILAR ARCHITECTURAL STYLES USING WOOD FRAME CONSTRUCTION AND STANDARD EXTERIOR MATERIALS INCLUDING VINYL SIDING, ASPHALT SHINGLES, BRICK, STONE AND GLASS. MATERIALS SUCH AS METAL OR "DRYIT" MAY BE USED AS AN ACCENT OR TRIM ONLY. PROHIBITED EXTERIOR SURFACE MATERIALS WOULD INCLUDE PLYWOOD, PLASTIC PLASTER, AND COMPOSITE WOOD BASED PANEL SIDING.
3. PRIMARY EXTERIOR COLORS SHALL BE EARTH TONES INCLUDING SHADES OF BROWN, TAN, GREY, WHITE, AND MUTED TONES OF GREEN, BLUE, AND YELLOW. SECONDARY ACCENT COLORS MAY INCLUDE DARKER OR BRIGHTER VERSIONS OF THE AFOREMENTIONED COLORS AND MAY INCLUDE COMPLIMENTARY REDS. NO PINK, PURPLE, ORANGE, OR FLUORESCENT/REFLECTIVE COLORS WILL BE PERMITTED.
4. NO SAME HOUSE PLAN SHALL BE BUILT ON ADJACENT LOTS.
5. EACH HOUSE SHALL HAVE A FULL BASEMENT.
6. EACH HOUSE SHALL HAVE AN ATTACHED 2 OR 3 CAR GARAGE.
7. EXTERIOR MATERIAL SHALL BE MASONRY (BRICK OR STONE), VINYL OF NO LESS THAN .042 THICKNESS, CEDAR, OR CEMENT FIBER BOARD.
8. THE FRONT FACADE OF ANY HOUSE SHALL HAVE A FRONT PORCH OF NO LESS THAN 60 S.F. OR AT LEAST 33% OF THE FRONT SHALL BE CLAD WITH BRICK OR STONE MASONRY.
9. THE WINDOWS OF ANY STREET FACING FACADE SHALL HAVE A TRIM BORDER OF NO LESS THAN 4" IN WIDTH.
10. ROOFS SHALL BE ARCHITECTURAL PROFILE ASPHALT TYPE SHINGLES OR CEDAR SHAKES. STANDARD 3-TAB SHINGLES ARE PROHIBITED.

### LOT LANDSCAPE STANDARDS

1. A MINIMUM OF 20% OF EACH LOT SHALL BE OPEN SPACE.
2. EACH LOT SHALL BE LANDSCAPED TO INCLUDE A MINIMUM OF 2 OVERSTORY TREES, 1 UNDERSTORY TREE/CONIFEROUS TREE, AND 4 SHRUBS PER LOT, EXCLUSIVE OF FOUNDATION PLANTINGS WITHIN 5' OF THE HOUSE. STREET TREES MAY BE COUNTED TOWARD REQUIRED LOT TREES.
3. FOUNDATION PLANTINGS SHALL BE PROVIDED ALONG THE FRONT OF EACH HOME.
4. MINIMUM ONE STREET TREE PER STREET FRONTAGE SHALL BE PROVIDED. CORNER LOTS HAVE 2 FRONTAGES AND REQUIRE A TREE FOR EACH.

SS



Against:	5.85%
For:	9.71%
Unsure:	0%
No Response:	84.45%

Updated on: 4/19/2016

16-0803 5653



Date 5/6/16  
 Agenda Item 16.0800

REVISED



April 27, 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 April 7, 2016, the following action was taken regarding a request from JJ Equity, LLC (purchaser) represented by Jon Galloway (officer) to rezone property located at 3300 East 56th Street. The subject property is owned by Darlene A. Fini.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 12-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
JoAnne Corigliano	X			
David Courard-Hauri	X			
Jacqueline Easley	X			
Tim Fitzgerald	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Greg Jones	X			
Sasha Kamper				X
William Page	X			
Mike Simonson	X			
CJ Stephens				X
Greg Wattier	X			

**APPROVAL** of staff recommendation Part A) that the proposed rezoning and "PUD" Conceptual Plan be found in conformance with the existing Des Moines' 2020 Community Character Plan and the proposed PlanDSM: Creating Our Tomorrow Plan; **APPROVAL** of Part B) the request to rezone the property from "A-1" Agricultural District to "PUD" Planned

Unit Development District and **APPROVAL** of Part C) the proposed “PUD” Conceptual Plan for “Brook Landing”, subject to the following revisions: (ZON2016-00049)

1. Provision of a note that states development of the site must comply with the Tree Removal Preservation and Mitigation Ordinance contained in Chapter 42, Article X, of the City Code.
2. Provision of a note that states the developer is responsible for all costs and connection fees associated with constructing the necessary sanitary sewer connections.
3. Provision of a note that states the developer is responsible for all costs associated with constructing the necessary water connections.
4. Provision of a note that states the City will require the entire subdivision to be located within a horizontal property regime, with the detention basins designated as common areas shared by the owners of all the residential units. Common areas within a horizontal property regime are not separately taxed. In a horizontal property regime, the value of the common areas is allocated among the residential units.
5. Provision of a note that states that a soils report and stormwater runoff control plan per City Code Section 106-136 is required and that all grading is subject to an approved grading permit and soil erosion control plan.
6. Revision of the proposed street network to provide two (2) street connections that align with the two (2) street connections provided in the approved “Copper Crossing PUD Conceptual Plan”.
7. Provision of a note that states all traffic circles will be maintained by a homeowners association.
8. Provision of a note that states final approval of the “PUD” Conceptual Plan shall be conditioned upon the review of the required traffic review analysis by the City’s Traffic & Transportation Division staff for a determination by staff as to whether modifications or improvements to the proposed street network are necessary.
9. Provision of a note that states a minimum 5-foot wide sidewalk shall be provided along any street frontage.
10. Provision of a note that states one (1) street tree shall per lot frontage and that corner lots shall provide one (1) street tree for each frontage. Any corner lot shall provide (1) street tree per frontage.
11. Provision of a note that states foundation plantings shall be provided along the front of each home.
12. There shall be a 20 foot landscape buffer, the planting plan in the buffer shall be approved by staff. There shall be no fencing within that 20 foot buffer.
13. Provision of a note that states any fence shall be in accordance with the fencing standards applicable in the “R1-60” District, so long as any chain link fence shall have black vinyl-cladding.
14. Provision of a note that states the development shall be permitted to have one (1) entrance freestanding monument sign at each street connection along East Douglas Avenue and East 56th Street, where each sign would be no greater than 24 square feet

in area, shall not be illuminated, shall not be located within any required vision clearance triangle, and shall be constructed primarily of masonry materials with a design approved by the City's Planning Administrator. Any entry sign shall be owned and maintained by a homeowners association.

15. Provision of a note that states any future development of a religious assembly use within "Parcel B" shall be subject to an amendment of the "PUD" Conceptual Plan so that the architectural character and the site layout can be reviewed and approved at such time.
16. Provision of a note that states each lot shall have a minimum lot area in accordance the standards applicable to the "R1-60" District (7,500 square feet minimum).
17. Provision of a note that states each lot shall have minimum side yard setbacks in accordance the standards applicable to the "R1-60" District (15 feet total, with a minimum 7 feet on any side).
18. Provision of a note that states lots within the areas designated as "Phase 5" and "Phase 6" shall have minimum lot widths of 70 feet.
19. Provision of a note stating that any single-family dwelling shall be constructed in accordance with the following design guidelines:
  - a. No same house plan shall be built on adjacent lots.
  - b. Each house shall have a full basement.
  - c. Each house shall have an attached 2- or 3-car garage.
  - d. Exterior material for any home constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, or cement fiber board.
  - e. The front façade of any house constructed must contain one of the following:
    - i. A front porch of not less than 60 square feet; or
    - ii. At least 1/3 of the front façade shall be clad with stone or brick masonry.
  - f. The windows on any street-facing façade of any house constructed shall have either of the following:
    - i. Shutters on each side; or
    - ii. Trim border not less than 4 inches in width.
  - g. The roof on any house constructed shall be of architectural profile asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
  - h. 1-story homes shall be constructed with a minimum of 1,200 square feet of above-grade finished floor area.
    - i. 1-½- and 2-story homes shall be constructed with a minimum of 1,400 square feet of above-grade finished floor area.
20. The Final Development Plan return to the Plan and Zoning Commission for review.

## STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the proposed rezoning and “PUD” Conceptual Plan be found in conformance with the existing Des Moines’ 2020 Community Character Plan and the proposed PlanDSM: Creating Our Tomorrow Plan.

Part B) Staff recommends approval of the request to rezone the property from “A-1” Agricultural District to “PUD” Planned Unit Development District.

Part C) Staff recommends approval of the proposed “PUD” Conceptual Plan for “Brook Landing”, subject to the following revisions:

1. Provision of a note that states development of the site must comply with the Tree Removal Preservation and Mitigation Ordinance contained in Chapter 42, Article X, of the City Code.
2. Provision of a note that states the developer is responsible for all costs and connection fees associated with constructing the necessary sanitary sewer connections.
3. Provision of a note that states the developer is responsible for all costs associated with constructing the necessary water connections.
4. Provision of a note that states the City will require the entire subdivision to be located within a horizontal property regime, with the detention basins designated as common areas shared by the owners of all the residential units. Common areas within a horizontal property regime are not separately taxed. In a horizontal property regime, the value of the common areas is allocated among the residential units.
5. Provision of a note that states that a soils report and stormwater runoff control plan per City Code Section 106-136 is required and that all grading is subject to an approved grading permit and soil erosion control plan.
6. Revision of the proposed street network to provide two (2) street connections that align with the two (2) street connections provided in the approved “Copper Crossing PUD Conceptual Plan”.
7. Provision of a note that states all traffic circles will be maintained by a homeowners association.
8. Provision of a note that states final approval of the “PUD” Conceptual Plan shall be conditioned upon the review of the required traffic review analysis by the City’s Traffic & Transportation Division staff for a determination by staff as to whether modifications or improvements to the proposed street network are necessary.
9. Provision of a note that states a minimum 5-foot wide sidewalk shall be provided along any street frontage.
10. Provision of a note that states one (1) street tree shall per lot frontage and that corner lots shall provide one (1) street tree for each frontage. Any corner lot shall provide (1) street tree per frontage.
11. Provision of a note that states foundation plantings shall be provided along the front of each home.

12. Provision of a berm along East 56th Street to buffer the dwellings from East 56th Street, which includes significant vegetation. Any fencing on residential lots containing this berm shall be placed to the west of the berm.
13. Provision of a note that states any fence shall be in accordance with the fencing standards applicable in the "R1-60" District, so long as any chain link fence shall have black vinyl-cladding.
14. Provision of a note that states the development shall be permitted to have one (1) entrance freestanding monument sign at each street connection along East Douglas Avenue and East 56th Street, where each sign would be no greater than 24 square feet in area, shall not be illuminated, shall not be located within any required vision clearance triangle, and shall be constructed primarily of masonry materials with a design approved by the City's Planning Administrator. Any entry sign shall be owned and maintained by a homeowners association.
15. Provision of a note that states any future development of a religious assembly use within "Parcel B" shall be subject to an amendment of the "PUD" Conceptual Plan so that the architectural character and the site layout can be reviewed and approved at such time.
16. Provision of a note that states each lot shall have a minimum lot area in accordance the standards applicable to the "R1-60" District (7,500 square feet minimum).
17. Provision of a note that states each lot shall have minimum side yard setbacks in accordance the standards applicable to the "R1-60" District (15 feet total, with a minimum 7 feet on any side).
18. Provision of a note that states lots within the areas designated as "Phase 5" and "Phase 6" shall have minimum lot widths of 70 feet.
19. Provision of a note stating that any single-family dwelling shall be constructed in accordance with the following design guidelines:
  - a. No same house plan shall be built on adjacent lots.
  - b. Each house shall have a full basement.
  - c. Each house shall have an attached 2- or 3-car garage.
  - d. Exterior material for any home constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, or cement fiber board.
  - e. The front façade of any house constructed must contain one of the following:
    - i. A front porch of not less than 60 square feet; or
    - ii. At least 1/3 of the front façade shall be clad with stone or brick masonry.
  - f. The windows on any street-facing façade of any house constructed shall have either of the following:
    - i. Shutters on each side; or
    - ii. Trim border not less than 4 inches in width.
  - g. The roof on any house constructed shall be of architectural profile asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.

- h. 1-story homes shall be constructed with a minimum of 1,200 square feet of above-grade finished floor area.
- i. 1-½- and 2-story homes shall be constructed with a minimum of 1,400 square feet of above-grade finished floor area.

Written Responses

18 In Favor

13 In Opposition

**STAFF REPORT TO THE PLANNING COMMISSION**

**I. GENERAL INFORMATION**

**1. Purpose of Request:** The applicant seeks to develop the 66.4-acre tract primarily for single-family residential use, with a 7.5-acre area at the northeast corner designated for a possible religious assembly use. The “PUD” Conceptual Plan that has been submitted indicates that the development would generally comply with the “R1-60” One-Family Low-Density Residential District requirements, with some variations detailed in Section II of this report.

**2. Size of Site:** 66.4 acres.

**3. Existing Zoning (site):** “A-1” Agricultural District.

**4. Existing Land Use (site):** Agricultural production.

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

**North** - “A-1”; Uses are single-family dwellings along East Douglas Avenue.

**South** - “Copper Crossing PUD”; Use is currently agricultural production. However, the approved “Copper Crossing PUD Conceptual Plan” allows this land to be developed with a mix of one- and two-family dwellings. The area immediately adjoining the subject property would have lot widths of approximately 75 feet.

**East** - “A-1”; Use is agricultural production and single-family residential.

**West** - “Brook Run PUD”; Uses are townhome dwellings and single-family dwellings on lots that have lot widths of approximately 55 feet.

**6. General Neighborhood/Area Land Uses:** The subject property is in a developing area that includes a mix of residential and agricultural production uses.

**7. Applicable Recognized Neighborhood(s):** The subject property is located within the Brook Run Neighborhood. The neighborhood association was notified of the public hearing by mailing of the Preliminary Agenda on March 22, 2016 and a Final Agenda on April 1, 2016. Additionally, separate notifications of the hearing for this specific item were mailed on March 18, 2016 (20 days prior to public hearing) and March 28, 2016 (10 days prior to the public hearing) to the Brook Run 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 Brook run Neighborhood Association notices were mailed to Tai Duong, 3428 Village Run Drive, Des Moines, IA 50317.

8. **Relevant Zoning History:** The site was annexed to the City of Des Moines in 2009, at which time it became zoned "A-1" Agricultural District.
9. **2020 Community Character Land Use Plan Designation:** The subject property is located within an area designated on the Des Moines' 2020 Community Character Plan future land use map as Low Density Residential. The plan defines this category as "Areas developed with exclusively single family and any duplex legal as of Dec. 31, 1996, up to 6 units per net acre". The proposed "PUD" Conceptual Plan would not require this designation to be amended.
10. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** The subject property is located within an area designated on the proposed PlanDSM future land use map as Low-Density Residential. The plan defines this category as "Areas developed with primarily single-family and two-family residential units with up to 6 dwelling units per net acre". The proposed "PUD" Conceptual Plan would not require this designation to be amended.
11. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

The application, accompanying evidence and Conceptual Plan shall be considered by the Plan and Zoning commission at a public hearing. The Commission shall review the conformity of the proposed development with the standards of the City Code and with recognized principles of civic design, land use planning, and landscape architecture. At the conclusion of the hearing, the Commission may vote to recommend either approval or disapproval of the amended PUD Conceptual Plan as submitted, or to recommend that the developer amend the plan or request to preserve the intent and purpose of this chapter to promote public health, safety, morals and general welfare. The recommendations of the Commission shall be referred to the City Council.

## **II. ADDITIONAL APPLICABLE INFORMATION**

- 1. Natural Site Features:** The site has been used for row crop production for an extended period. Some tree growth has occurred along fence rows and waterways. Development of the site must comply with the Tree Removal Preservation and Mitigation Ordinance contained in Chapter 42, Article X, of the City Code as part of any grading permit or subdivision plat.
- 2. Utilities:** The submitted "PUD" Conceptual Plan states that sanitary sewer will be extended from Brook View Avenue to the west and from a future connection to the south. The City's Engineering Department has indicated that while the existing sanitary sewer system within the Brook Run area to the west has the capacity to serve 292 single-family homes, it does appear to have the depth necessary to provide basement service to the entire proposed development. Therefore, a portion of the development may need to be connected to a proposed future "Little Four Mile East Sanitary Sewer", which when completed could serve the areas along East 56<sup>th</sup> Street. The developer is responsible for all costs and connection fees associated with constructing the necessary sanitary sewer connections.

The proposed "PUD" Conceptual Plan states that an 8-inch water main will be extended throughout the development. The developer is responsible for all costs associated with constructing the necessary water connections.

- 3. Drainage:** The submitted "PUD" Conceptual Plan proposes a network of public storm sewers throughout the development and four (4) stormwater detention basins on outlots located at the periphery of the site. It states that "the detention facilities will be maintained by a homeowner's association". The City will require the entire subdivision to be located within a horizontal property regime, with the detention basins designated as common areas shared by the owners of all the residential units. Common areas within a horizontal property regime are not separately taxed. In a horizontal property regime, the value of the common areas is allocated among the residential units.
- 4. Grading:** A note must be added to the "PUD" Conceptual Plan to state that a stormwater runoff control plan per City Code Section 106-136 is required and that all grading is subject to an approved grading permit and soil erosion control plan.
- 5. Traffic/Street System:** The submitted "PUD" Conceptual Plan indicates that the development would be accessed by two (2) east/west street connections that connect both to East 56<sup>th</sup> Street and to internal street connections from the Brook Run subdivision to the west (Brook View Avenue and Village Run Avenue). The development also would be accessed by a street connection from East Douglas Avenue to the north through an existing undeveloped segment of right-of-way. Finally, the submitted "PUD" Conceptual Plan indicates that one street connection would be provided to connect with the future development to the south. This must be revised to provide two (2) street connections that align with the two (2) street connections provided in the approved "Copper Crossing PUD Conceptual Plan".

The submitted "PUD" Conceptual Plan indicates that two (2) traffic circles would be



provided where the main north/south street intersections with the two (2) main east/west streets through the development. The "PUD" Conceptual Plan must state that these traffic circles will be maintained by a homeowners association.

Final approval of the "PUD" Conceptual Plan must be conditional upon the review of the required traffic review analysis by the City's Traffic & Transportation Division staff for a determination by staff as to whether modifications or improvements to the proposed street network are necessary.

A note must be added to the "PUD" Conceptual Plan to state that a minimum 5-foot wide sidewalk shall be provided along any street frontage.

- 6. Landscaping:** The proposed "PUD" Conceptual Plan states that one (1) street tree will be provided for each lot. Staff recommends that this be clarified to require one (1) street tree per lot frontage so that corner lots would provide two (2) street trees.

The proposed "PUD" Conceptual Plan also states that 20% of each lot would be open space and that each lot would have a minimum of two (2) overstory trees (including any street trees), one (1) understory or coniferous tree, and four (4) shrubs, exclusive of foundation plantings. Staff recommends that the planting requirements also state that foundation plantings will be provided along the front of each home.

Staff believes that a berm should be provided along East 56<sup>th</sup> Street to buffer the dwellings from East 56<sup>th</sup> Street, which will experience increased traffic counts as development occurs in the area. In order to enhance the character of the East 56<sup>th</sup> Street corridor, staff recommends that this berm include significant vegetation and that any fencing shall be placed to the west of the berm.

- 7. Fencing:** Staff recommends a note to state that fence shall be in accordance with the fencing standards applicable in the "R1-60" District, so long as any chain link fence shall have black vinyl-cladding.
- 8. Signage:** The proposed "PUD" Conceptual Plan states that any signage shall be in accordance with the standards applicable to the "R1-60" District. Staff recommends that this be expanded to state that the development shall be permitted to have one (1) entrance freestanding monument sign at each street connection along East Douglas Avenue and East 56<sup>th</sup> Street, where each sign would be no greater than 24 square feet in area, shall not be illuminated, shall not be located within any required vision clearance triangle, and shall be constructed primarily of masonry materials with a design approved by the City's Planning Administrator. The "PUD" Conceptual Plan must state that these entry signs will be owned and maintained by a homeowners association.
- 9. Primary and Accessory Uses:** The "PUD" Conceptual Plan states that the permitted uses shall be those as permitted in the "R1-60" District. While the "R1-60" District allows for some home office uses (such as the home office of a physician, dentist, artist, attorney, architect, etc.), any future use that would not be allowed in the "R1-60" District would be subject to an amendment of the "PUD" Conceptual Plan.

**10. Proposed Church Use:** The proposed "PUD" Conceptual Plan designates a 7.5-acre parcel at the northeast corner of the development for either Option A) a church or religious assembly use, or Option B) more single-family residential development in accordance with the standards applicable to the rest of the development. In order to provide for proper review of any future religious assembly use, the narration for "Option A" must state that "any future development of this area for a religious assembly use shall be subject to an amendment to the "PUD" Conceptual Plan so that the architectural character and the site layout can be reviewed and approved at such time".

**11. Bulk Regulations:** The proposed "PUD" Conceptual Plan states that the single-family dwellings shall generally comply with the bulk regulations applicable to the "R1-60" District, with the following modifications:

- Minimum required lot area would be 7,200 square feet, whereas the "R1-60" District requires 7,500 square feet.
- Minimum required front yard setback shall be 30 feet, except any front porch shall be allowed to have a 25-foot front yard setback.
- Minimum required side yard setbacks shall be 5 feet on each side, whereas the "R1-60" District requires 15 feet of total side yard setbacks with 7 feet minimum on any side.

Staff recommends that the minimum required lot area and minimum required side yard setbacks be those as applicable in the "R1-60" District.

The "Copper Crossing PUD Conceptual Plan" that has been approved for the property adjacent to the south, which would be internally connected to this proposed development, requires that the northern portion of that development to be developed in accordance with the bulk regulations applicable to the "R1-70" District. Therefore, Staff believes that it is reasonably necessary to require the lots within the areas designated as "Phase 5" and "Phase 6" (generally the southern 1/3 of the development) to have minimum lot widths of 70 feet in order to provide proper transition between the developments.

**12. Urban Design:** The proposed "PUD" Conceptual Plan provides two (2) typical home designs, including a two-story design and a ranch design. The "PUD" Conceptual Plan states that all homes will have a minimum 2-car attached garage and a minimum 1,200 square feet of living area. It also states that that the homes will be sided with asphalt shingles, vinyl, brick, stone, and/or glass, and that metal or dryvit may be used as an accent or trim.

In place of the proposed guidelines, Staff recommends the following design standards to ensure a level of quality that is compatible with the adjoining developments and that will support the long term stability of the proposed development.

- a. No same house plan shall be built on adjacent lots.
- b. Each house shall have a full basement.
- c. Each house shall have an attached 2- or 3-car garage.

- d. Exterior material for any home constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, or cement fiber board.
- e. The front façade of any house constructed must contain one of the following:
  - i. A front porch of not less than 60 square feet; or
  - ii. At least 1/3 of the front façade shall be clad with stone or brick masonry.
- f. The windows on any street-facing façade of any house constructed shall have either of the following:
  - g. Shutters on each side; or
  - h. Trim border not less than 4 inches in width.
- i. The roof on any house constructed shall be of architectural profile asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
- j. Single story homes shall be constructed with a minimum of 1,200 square feet of above-grade finished floor area.
- k. 1½ and 2-story homes shall be constructed with a minimum of 1,400 square feet of above-grade finished floor area.

## SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendation.

Bob Gibson Civil Design Advantage pointed out the following conditions they are not in agreement with staff on:

- #12 the landscaping and the berm along East 56<sup>th</sup> Street. In the comment staff did not specify an area, height or width for a berm. Their concern is the size that would be required because it could possibly consume a significant amount of space. – Their proposal is a 20 foot landscape buffer that would be planted with a significant amount of evergreen trees.
- #15 the church use concern is having to go through the whole PUD amendment process all over if a church does come in. – Their proposal is to write in architectural guidelines for any church that might come in to be worked out before Council.
- #16 the bulk regulations and the square footage of the lots. They only have a few that drops below that 7500 square foot threshold. Their proposal is 7200 limit to accommodate the few they have below the 7500 square foot. They would be willing to put a limit on that i.e. 10% of the total number of lots.
- #17 sideyard setbacks. They propose to stick with the 5 foot sideyard setback because it gives a greater amount of flexibility and the type of house that can go in.
- #18 –Phase 5 and Phase 6 in 70 feet lots. They have been asked to connect to the road from Copper Crossing so the lots will change a little bit because of the layout of those streets. Their proposal is since they have the two streets connecting the first three or four lots north of Copper Crossing would be the 70 foot lots and after that they move down to the 60 foot lots.
- #19 – Architectural Standard. Their concern is the same house not being allowed on adjacent lots. They believe it is restrictive for builders, but they do understand what is desired there. Their proposal is to allow the same floor plan there but not the same elevation.

They did have a neighborhood meeting last week and he believes that it was pretty well attended. Some are here tonight.

JoAnne Corigliano asked if 56<sup>th</sup> Street is higher or lower than the development.

Bob Gibson stated it is generally lower.

Francis Boggus asked how many housing lots will be on this project.

Bob Gibson stated without the church about 206 and with the church 184.

Mike Ludwig asked Mr. Gibson if any of the numerous changes they are proposing were presented to the staff prior to tonight's meeting. The things that staff recommended are typical requirements for PUD. PUD requirements are a higher standard than just a residential plat for instance. This applicant is proposing less than what is normal for PUDs.

Bob Gibson stated they are offering more architectural control by the standards that are being set for the homes.

Mike Ludwig stated Brook Run was noted by Mr. Gibson so he pointed out that in Brook Run development there were garages that were recessed from the front of the house as a trade off for some of the setbacks. Asked if the garages in this PUD recessed from the front of the house?

Bob Gibson stated they hadn't addressed that aspect of it.

Mike Ludwig stated the concern regarding the applicant's proposal to define architectural design guidelines for the church between now and Council.

Bob Gibson stated that if this PUD gets approved and then a church comes in later, they would have to go through the PUD amendment process which would be a whole rezoning process again.

Mike Ludwig stated the property would already be zoned PUD. They just would be asking for an amendment to the concept plan. They would have to come to the Plan and Zoning Commission for a recommendation and then it would go to Council for one hearing.

Bob Gibson stated they are fine with that.

### **CHAIRPERSON OPENED THE PUBLIC HEARING**

Marilyn Vicker 5221 Village Run Avenue #101 stated she is concerned with the street connections to the Brook Run development. They have two-lane roads only throughout the development and one side is for parking. Adding another 200 people feeding through those streets they will not be able to get up and down the streets at all. Her other concern is the stormwater runoff. Removing the hill and all those trees will only exasperate the stormwater problem.

Marty Chebuhar 3717 Book Run Drive, serving as the vice president of the Brook Run Neighborhood Association stated personally, he looked at the plans for this development and overall he believes it is a good use for that land and a forgone conclusion it will be developed some day. On behalf of the neighborhood association one of their biggest concern is the stormwater drainage. They are currently having problems with the stormwater runoff in their neighborhoods. They spent \$15,000 to have an engineering firm come and assess the problems. The neighborhood association believes the Brook Run subdivision was not built properly. Now, they are facing \$1.5 million to put potential corrective work with their streams and detention ponds. He understands the new development's detention ponds will hold water, but eventually some of that water is coming their way on private land since the ponds in Brook Run are privately owned. His and others in his neighborhood other concern is the proposed PUD will cause for the creation of a Homeowner Association to maintain a proposed stormwater detention facilities. New homeowners will not know what they are getting into. He is asking that the Commission think about the neighborhood's concern and relay the message to the City Council. He believes that Brook Run is the only neighborhood association in Des Moines that is faced to pay for its own little taxing district with maintenance fee for something that should be a City service.

Connie Kennedy 5205 Walnut Ridge Drive asked if a traffic study been done on 56<sup>th</sup> Street where there is going to be two entrances going out and no traffic lights. This will be a deadly and dangerous situation. She understands that Douglas is supposed to be widened and if it is that will create more traffic going to 56<sup>th</sup> Street while it is being done. Her last two concerns are not receiving notice of the development and the stormwater issues.

Patrick Havens 3523 Brook Run Drive stated he has a pond in his backyard that has been overtopped about a dozen times. He is going to have to put about \$5,000 into reconstructing the creek because it is up to the property owners. He believes that the proposed development is very nice looking. He asked that the traffic circles be large enough to facilitate fire trucks and/or snow clearing equipment because the current ones can be a hang up or just eliminate them because even though they are pretty to look at it doesn't really help the traffic flow. He also would like to see some bicycle friendly streets and/or paths in this new development to help link up with the existing bicycle trail that is in Pleasant Hill and Altoona.

Mark Schweers 5141 Pond View Circle stated his concern is he was not notified. He believes that he should have been notified since he is also impacted. He wants to know where the stormwater goes from that northwest detention pond. He pointed out that between Pond View Circle and Brook View there is a small creek that currently is washing away the ground so much so that the trees roots are showing. Therefore, with more water coming their way will only aggravate the creek by 100%. He would like to be notified of any meetings pertaining to this project.

Karen Armstrong 3341 E. 56<sup>th</sup> Street stated she does not oppose the development. However, she owns the 47 acres east of E. 56<sup>th</sup> Street. She pointed out the run-offs in a couple of locations on her and her neighbor's property currently. She stated when 56<sup>th</sup> Street was rebuilt into three lanes it created a lot more run-off. It was not fixed properly to retain the same kind of run-off they previously had. Now she is wondering how the new

development will affect her property if she spends the \$8,000 grant she has been awarded through NRCS to correct some of the erosion on her farm land. She would like the Council to consider how the detention basins will create less run off, more run off or control run off. She also sold 10 acres to the church next to her property and the City required that church to buy 10 acres and nothing less, so she is not sure how the church site on the PUD can be 7.5 acres.

### Rebuttal

Bob Gibson stated the City provides a list and requires that the applicant notify people within 250 feet of the property. Ms. Kennedy did not get notified because she lives beyond that 250 feet. He remembers seeing the Schweers on the list and is unsure why they weren't notified. The big issue is the stormwater. Currently, the water flows off of this property onto Brook Run and across the street to the east and there is nothing controlled about it. Yes there is more impervious surface but with the stormwater detention, it is all calculated for and accommodated in the stormwater basins. The basins will hold back that water, release it at what is called the 5 year storm event rate in a more controlled manner, particularly on the west side. One of the basins is going to release in that creek that Mr. Schweers spoke of because that is where the water currently flows. Listening to the people who spoke, it sounds as if they have a problem within Brook Run and the development will not exasperate them, if anything they will help them by controlling the uncontrolled sheet flow of water. A traffic study will be done next week. The concern that the traffic will go from the development into Brook Run is unfounded. This development will provide the Brook Run people more direct access to 56<sup>th</sup> Street. Some of the trees will have to go, particularly in the southwest corner where that is the low area where the big detention basin will be. They will follow the mitigation process.

Mike Ludwig asked if the Brook Run Neighborhood Association president was included in the notices they mailed.

Bob Gibson stated yes and everybody in the condominiums.

Mike Ludwig clarified that the state code requires a notification of property owners within 200 feet of a property subject to rezoning and the City code requires 250 feet minimum plus any neighborhood association that is within that 250 foot limit. All of the notices sent out by staff were sent to the Brook Run Neighborhood Association. We assume they have a method of distribution to their membership of the notices that are sent out. There are other options for people to get notices of meetings. The City has a list serve that is available on the City's website that they can sign up for. He pointed out that street connectivity is called for in the subdivision ordinance. He asked that the Mr. Gibson describe the general areas which are draining to each stormwater detention basin.

Bob Gibson pointed out that the plan before them doesn't really show all that is getting produced and actually has been produced with various drainage basins and areas are. Looking at this as four quadrants each quadrant has a basin because it is high in the middle and slopes off on the other side. He pointed to the one in the northwest which would drain into the creek Mr. Schweers' spoke of. The two basins on 56<sup>th</sup> discharge into

the existing culverts under 56<sup>th</sup>. Of the last two one of them drain into a ditch and the other on the east side goes into a culvert under 56<sup>th</sup> Street.

Mike Ludwig pointed out that the church site on the east side of E. 56<sup>th</sup> Street was required to have 10 acres because it is zoned "A1" Agriculture which specifies a 10 acre minimum lot size requirement. Different zoning requires different lot sizes. That is why a church in this PUD proposal is only 7.5 acre lot size. The Brook Run Homeowners Association is not the only homeowners association in the City that manages stormwater. There are others. One of the benefits of having the homeowners association as it is described in the staff report is when there is a transfer of title of property within that subdivision the homeowners association filings are in the title work for the property. He believes the homeowners association can file to make sure that homeowners association dues are paid before a property can be sold. With that structure in place, it protects future buyers of a property

### **CHAIRPERSON CLOSED THE PUBLIC HEARING**

Mike Simonson moved staff recommendation with modification to revision #12. He recommended that a minimum 20' landscape buffer be provided along E. 56<sup>th</sup> Street without fencing instead of a berm. The planting plan would need to be reviewed and approved by staff.

Jacqueline Easley stated she believed that people had discomfort in not hearing the plans for the church. She asked if the recommendation that the church plan come back to Plan and Zoning Commission.

Mike Simonson stated yes.

Will Page asked the review process of a PUD.

Mike Ludwig stated tonight the Commission is making a recommendation to the City Council on the zoning change and the PUD Concept Plan as it is shown tonight with the recommended conditions. After tonight the City Council would set a date of public hearing on the rezoning and concept plan and then hold that public hearing and three readings. If they get a Planned Unit Development Concept Plan approved by the Council then the final development plan is submitted to staff for review. That and all final drainage documents, calculations etc. are reviewed administratively by staff. There have been some Planned Unit Developments where the final development plan has come back to the Commission at their request. If that is of interest there needs to be a friendly amendment to the motion, then the Council will have to approve conditions that are imposed on the Planned Unit Development. Finally, in the case of the church site the process for that would be it would come to the Commission for a public hearing to amend the concept plan and then that would go to the City Council for one reading on the change to the Planned Unit Development Concept Plan.

John "Jack" Hilmes asked if City staff rigorously reviews the drainage and retention calculations based upon the final grade plan.

Mike Ludwig stated yes and then in some instances where there have been really significant issues or concerns the Commission and has asked that the final development plan come back to them. This is not code to how a PUD gets processed so it would have to be in agreement by the applicant in writing prior to approval of the zoning.

John "Jack" Hilmes stated the dispersal of water which has been a big issue with the land owners adjacent to this property will be vetted once again thoroughly by City staff after things are a little more finalized in terms of the grading plans and streets etc.

David Courard-Hauri stated it will be vetted but at the same time there are issues where water flows increase after the development. His concern is regarding getting rid of the berm and cutting out the fencing. He asked for a friendly amendment to keep condition #12 per staff report.

Greg Jones stated he prefers a berm over the landscaping because he believes it is more long term solution.

Mike Ludwig clarified the vote is no fence in the landscape buffer. Any fence would be outside the landscape buffer.

Mike Simonson stated that is correct. Also he will not accept the friendly amendment by Commissioner Courard-Hauri.

Will Page asked for a friendly amendment that the final Development plan come back to the Plan and Zoning Commission.

Mike Simonson agreed to the friendly amendment for the purpose of the drainage that the final development plan review come back to the Commission.

### **COMMISSION ACTION:**

Mike Simonson moved approval of Part A) that the proposed rezoning and "PUD" Conceptual Plan be found in conformance with the existing Des Moines' 2020 Community Character Plan and the proposed PlanDSM: Creating Our Tomorrow Plan, approval of Part B) the request to rezone the property from "A-1" Agricultural District to "PUD" Planned Unit Development District and approval of Part C) the proposed "PUD" Conceptual Plan for "Brook Landing", subject to the following revisions:

1. Provision of a note that states development of the site must comply with the Tree Removal Preservation and Mitigation Ordinance contained in Chapter 42, Article X, of the City Code.
2. Provision of a note that states the developer is responsible for all costs and connection fees associated with constructing the necessary sanitary sewer connections.
3. Provision of a note that states the developer is responsible for all costs associated with constructing the necessary water connections.
4. Provision of a note that states the City will require the entire subdivision to be located within a horizontal property regime, with the detention basins designated as common areas shared by the owners of all the residential units. Common areas within a



horizontal property regime are not separately taxed. In a horizontal property regime, the value of the common areas is allocated among the residential units.

5. Provision of a note that states that a soils report and stormwater runoff control plan per City Code Section 106-136 is required and that all grading is subject to an approved grading permit and soil erosion control plan.
6. Revision of the proposed street network to provide two (2) street connections that align with the two (2) street connections provided in the approved "Copper Crossing PUD Conceptual Plan".
7. Provision of a note that states all traffic circles will be maintained by a homeowners association.
8. Provision of a note that states final approval of the "PUD" Conceptual Plan shall be conditioned upon the review of the required traffic review analysis by the City's Traffic & Transportation Division staff for a determination by staff as to whether modifications or improvements to the proposed street network are necessary.
9. Provision of a note that states a minimum 5-foot wide sidewalk shall be provided along any street frontage.
10. Provision of a note that states one (1) street tree shall per lot frontage and that corner lots shall provide one (1) street tree for each frontage. Any corner lot shall provide (1) street tree per frontage.
11. Provision of a note that states foundation plantings shall be provided along the front of each home.
12. There shall be a 20 foot landscape buffer, the planting plan in the buffer shall be approved by staff. There shall be no fencing within that 20 foot buffer.
13. Provision of a note that states any fence shall be in accordance with the fencing standards applicable in the "R1-60" District, so long as any chain link fence shall have black vinyl-cladding.
14. Provision of a note that states the development shall be permitted to have one (1) entrance freestanding monument sign at each street connection along East Douglas Avenue and East 56th Street, where each sign would be no greater than 24 square feet in area, shall not be illuminated, shall not be located within any required vision clearance triangle, and shall be constructed primarily of masonry materials with a design approved by the City's Planning Administrator. Any entry sign shall be owned and maintained by a homeowners association.
15. Provision of a note that states any future development of a religious assembly use within "Parcel B" shall be subject to an amendment of the "PUD" Conceptual Plan so that the architectural character and the site layout can be reviewed and approved at such time.
16. Provision of a note that states each lot shall have a minimum lot area in accordance the standards applicable to the "R1-60" District (7,500 square feet minimum).
17. Provision of a note that states each lot shall have minimum side yard setbacks in accordance the standards applicable to the "R1-60" District (15 feet total, with a minimum 7 feet on any side).
18. Provision of a note that states lots within the areas designated as "Phase 5" and "Phase 6" shall have minimum lot widths of 70 feet.
19. Provision of a note stating that any single-family dwelling shall be constructed in accordance with the following design guidelines:
  - a. No same house plan shall be built on adjacent lots.
  - b. Each house shall have a full basement.

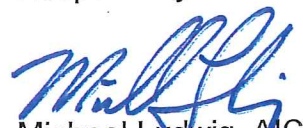
~~55~~  
16-0803  
53

- c. Each house shall have an attached 2- or 3-car garage.
- d. Exterior material for any home constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, or cement fiber board.
- e. The front façade of any house constructed must contain one of the following:
  - i. A front porch of not less than 60 square feet; or
  - ii. At least 1/3 of the front façade shall be clad with stone or brick masonry.
- f. The windows on any street-facing façade of any house constructed shall have either of the following:
  - i. Shutters on each side; or
  - ii. Trim border not less than 4 inches in width.
- g. The roof on any house constructed shall be of architectural profile asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
- h. 1-story homes shall be constructed with a minimum of 1,200 square feet of above-grade finished floor area.
- i. 1-½- and 2-story homes shall be constructed with a minimum of 1,400 square feet of above-grade finished floor area.

20. The Final Development Plan return to the Plan and Zoning Commission for review.

Motion carried 12-0.

Respectfully submitted,

  
Michael Ludwig, AICP  
Planning Administrator

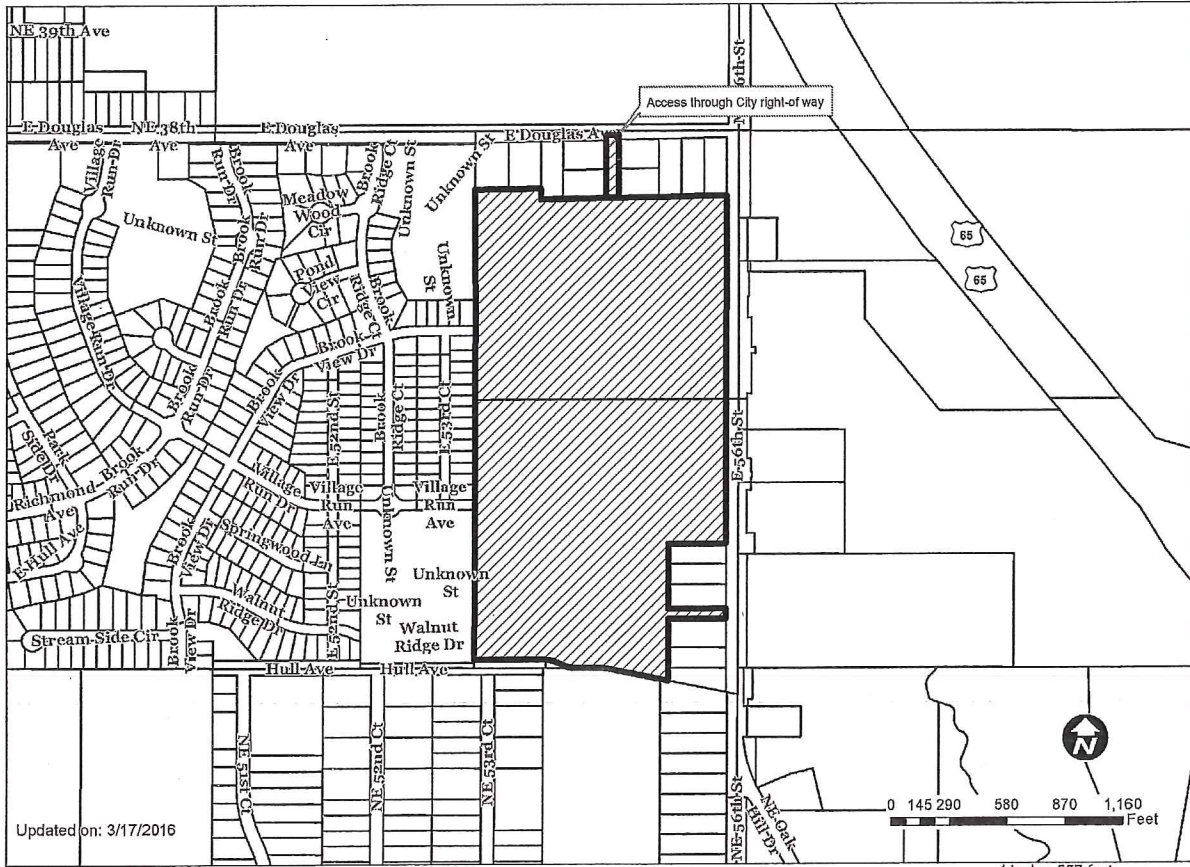
MGL:clw  
Attachment

58  
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<b>JJ Equity, LLC (purchaser) represented by Jon Galloway (officer) to rezone property located at 3300 East 56th Street. The subject property is owned by Darlene A. Fini.</b>			<b>File #</b> <b>ZON2016-00049</b>	
<b>Description of Action</b>	Approval of request to rezone property from "A-1" Agricultural District to "PUD" Planned Unit Development District. Approval of a PUD Conceptual Plan for "Brook Landing", to allow development of a 66.4-acre tract with 60-foot wide single-family lot development and a 7.5-acre lot designated for religious assembly site development subject to conditions.			
<b>2020 Community Character Plan</b>	Current: Low Density Residential. Proposed: N/A.			
<b>Mobilizing Tomorrow Transportation Plan</b>	No planned improvements.			
<b>Current Zoning District</b>	"A-1" Agricultural District and "FSO" Freestanding Signs Overlay District.			
<b>Proposed Zoning District</b>	"PUD" Planned Unit Development and "FSO" Freestanding Signs Overlay District.			
<b>Consent Card Responses</b>	<b>In Favor</b>	<b>Not In Favor</b>	<b>Undetermined</b>	<b>% Opposition</b>
Inside Area	18	13		
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	<b>12-0</b>	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No <b>X</b>

JJ Equity, LLC, 3300 East 56th Street

ZON2016-00049



ZON2016-00049

16-0803 53

Item

Date 3/30/16

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

RECEIVED  
COMMUNITY DEVELOPMENT DEPARTMENT

APR 05 2016

Print Name Linda Grathwohl

Signature Linda Grathwohl

Address 3701 Break Ridge Ct. Unit 108

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

ZON2016-00049

Item

Date 4-4-2016

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

RECEIVED  
COMMUNITY DEVELOPMENT DEPARTMENT

APR 12 2016

Print Name Dorothy A. Woods

Signature Dorothy A. Woods

Address 5221 Village Run Ave #601

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

Have concerns about water run off - Drainage trees on East side of our area. The extra traffic, noise and congestion. Homes will be nice & attractive.

ZON2016-00049

Item

Date 04/07/16

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

RECEIVED  
COMMUNITY DEVELOPMENT DEPARTMENT

APR 07 2016

Print Name Derek Nelson

Signature Derek C. Nelson

Address 3421 E 53rd St

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

58/53

ZON2016-00049

Item Request from J.J. Equity, LLC Date 4-5-2016

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

(Circle One)  
APR 11 2016

Print Name Shirley M. Fox

Signature Shirley M. Fox

Address 3701 Brook Ridge Ct. #804 Des Moines, IA 50319

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

Something needs to be done to improve the property to reduce rain water runoff to adjacent properties.

ZON2016-00049

Item \_\_\_\_\_ Date 3-29-16

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

RECEIVED  
COMMUNITY DEVELOPMENT  
APR 02 2016

Print Name Bonnie Rising

Signature Bonnie Rising

Address 5221 Village Run Ave #2001

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

ZON2016-00049

Item \_\_\_\_\_ Date 4/4/16

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

RECEIVED  
COMMUNITY DEVELOPMENT  
APR 12 2016

Print Name Nichole Parnell

Signature Nichole Parnell

Address 5234 Brook View Ave

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

I am in favor of growing the neighborhood.

ZON2016-00049

16-0803  
53

Item \_\_\_\_\_

Date 4-1-16

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

Dennis L. Anderson

RECEIVED  
COMMUNITY DEVELOPMENT  
DEPARTMENT  
APR 03 2016

Print Name Linda Anderson

Signature Linda Anderson

Address 5221 Village Run Ave #1602

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

The retention areas are a must BRS Assoc. has major water run off from the field where it has almost gone into some of the town homes in the SW corner that backs up to the field. Without this I would vote No.

ZON2016-00049

Item \_\_\_\_\_

Date 3-31-16

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

RECEIVED  
COMMUNITY DEVELOPMENT  
DEPARTMENT  
APR 07 2016

Print Name KAREN S. ARMSTRONG

Signature Karen Armstrong

Address 3341 NE 56th St, PO Box 496 Altamonte Springs, FL 32714

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

I would be interested in the City pursuing Sewer from the SE corner of my land. Also want to insure that water runoff from this project will not exceed the existing water shed on to my property.

ZON2016-00049

85  
53

Item \_\_\_\_\_

Date 4-1-16

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

(Circle One)  
**RECEIVED**  
COMMUNITY DEVELOPMENT  
APR 05 2016

Print Name Jean Merrifield

Signature J Merrifield

Address 5221 Village Run Ave.

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

ZON2016-00049

Item Zoning

Date 4-1-16

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

(Circle One)  
**RECEIVED**  
COMMUNITY DEVELOPMENT  
APR 05 2016

Print Name DAle + Shirley Wilson

Signature Shirley Wilson

Address 5221 Village Run Ave #1902

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

Our main concern is control of  
water run off to the SW corner of  
property. We live in a townhouse in  
Brookline Run South- the last row of town  
house - We have a water problem now

ZON2016-00049

Item \_\_\_\_\_

Date 4-1-16

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

(Circle One)  
**RECEIVED**  
COMMUNITY DEVELOPMENT  
APR 05 2016

Print Name Michael Christianson

Signature Michael Christianson

Address 2990 NE 56th St

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

I am reluctantly in favor. I would prefer  
to see the land remain undeveloped, but  
that's not realistic. So I would rather  
see this type of development as opposed

ZON2016-00049

Item

Date 4-1-16

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

RECEIVED  
(Circle One)

COMMUNITY DEVELOPMENT Print Name Mary Stahowick

APR 05 2016

Signature Mary Stahowick

DEPARTMENT

Address 3701 Brook Ridge Ct, #403

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

ZON2016-00049

Item rezoning 3300 E 56th St

Date 3-30-16

from A-1 to PUD

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

(Circle One)

RECEIVED  
COMMUNITY DEVELOPMENT  
APR 05 2016

Print Name Robert R Crawford

Signature Robert R Crawford

5221 Village Run Ave., Unit 603

Address Des Moines, Ia., 50317

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

DEPARTMENT

ZON2016-00049

Item

Proposed Zone Change

Date 3-31-16

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

RECEIVED  
(Circle One)

COMMUNITY DEVELOPMENT

Print Name MARILYN VICKER

Signature Marilyn Vicker

Address 5224 Village Run Pkwy

APR 05 2016

DEPARTMENT

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

I'd want to know about the west border of proposed site - grass, fence, hedge, wall - any streets from west border into Brook Run

Community Development



ZON2016-00049

Item

Date

53 55  
3-31-16 ka 0803

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

RECEIVED

COMMUNITY DEVELOPMENT

(Circle One)

APR 07 2016

Print Name

Cheryl B. Wetmore (co-owner)

Condo address

DEPARTMENT  
Signature

Cheryl B. Wetmore

3701 Brook Run Ct  
Unit 1004

Address

2319 Alava Ct.  
Waldorf, MD 20600

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

ZON2016-00049

Item

Date

4/1/16

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

RECEIVED

COMMUNITY DEVELOPMENT

(Circle One)

APR 05 2016

Print Name

KAYLA J. KING

Signature

Kayla J. King

DEPARTMENT

Address

5221 Village Run Ave Unit 701

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

It appears that this will give me easier  
access to E. 56th st.

ZON2016-00049

Item

Date

4-1-16

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

RECEIVED

COMMUNITY DEVELOPMENT

(Circle One)

APR 07 2016

Print Name

James and Sharon Onvig

Signature

JK Onvig

Address

5221 Village Run Ave

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

I am very concerned about adding all the traffic  
that will be created by 167 homes to our Brook  
Run South private streets, and the water  
run off that will be created. Our stream  
is a small stream and it is very sensitive to  
run off. The stream is very narrow and it is  
very shallow. It is very easy to pollute.  
#504, SM  
So 50317

ZON2016-00049

Item \_\_\_\_\_ Date 3-5-16

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

RECEIVED  
COMMUNITY DEVELOPMENT DEPARTMENT

APR 03 2015

Print Name Steven Robiette

Signature [Signature]

Address 3506 E. 53<sup>rd</sup> Ct DSM, IA

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ZON2016-00049

Item \_\_\_\_\_ Date 4/1/16

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

RECEIVED  
COMMUNITY DEVELOPMENT DEPARTMENT

APR 05 2016

Print Name Laurie Dickinson

Signature [Signature]

Address 3513 E. 53<sup>rd</sup> Ct  
Des Moines, IA 50317

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

Fear of flood issues / noise

\_\_\_\_\_  
\_\_\_\_\_

ZON2016-00049

Item Rezone Date 4-1-16

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

RECEIVED  
COMMUNITY DEVELOPMENT DEPARTMENT

APR 05 2016

Print Name Beverly Nolte

Signature [Signature]

Address 5221 Village Run ave<sup>th</sup> 6004  
DM 50317

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

I live near the tree line that separates Brook Run South from the ~~prop~~ agricultural development. I would be very, very concerned about water drain off & the destroying the tall, shady trees should rezoning take place.

\_\_\_\_\_  
\_\_\_\_\_

ZON2016-00049

Item \_\_\_\_\_

Date 3-29-16

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

RECEIVED  
COMMUNITY DEVELOPMENT  
APR 04 2016  
DEPARTMENT

Print Name Mark & Jennifer Crawford

Signature Mark Crawford Jennifer Crawford

Address 3309 E. 53<sup>rd</sup> St Des Moines 50317

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

We have enjoyed having the field and nature as our eastern view from our house. We enjoy the sirenity and quiet. A development will have a negative impact to the east of our entire block.

ZON2016-00049

Item \_\_\_\_\_

Date 4/2/2016

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

RECEIVED  
COMMUNITY DEVELOPMENT  
APR 07 2016  
DEPARTMENT

Print Name AUDREY BUNGER

Signature Audrey Bunger

Address 5221 Village Run Ave #180

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

I am opposed to connecting two of the streets in the planned development with the streets in Brook Run Village, giving access to Brook Run from NE 56<sup>th</sup> St - a very busy street. This means more traffic through Brook Run Village which is currently a quiet, peaceful neighborhood. More traffic = more crime

ZON2016-00049

Date 3/29/16 16-0803  
53

I (am)  in favor of the request.

RECEIVED  
COMMUNITY DEVELOPMENT

Print Name: Justin Anderson

APR 04 2016

Signature: [Signature]

DEPARTMENT

Address: 5221 Village Run Ave #1503, Des Moines IA

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

Increased noise and traffic will create a nuisance.

ZON2016-00049

Item: Re Zoning @ 3300 E 56<sup>th</sup> St Date: April 1, 2016

I (am)  in favor of the request.

RECEIVED  
COMMUNITY DEVELOPMENT

Print Name: SHARON Baker

APR 07 2016

Signature: [Signature]

Address: 5221 Village Run Ave #301

Reason for opposing or approving this request may be listed below: Des Moines Ia 5031

If more information had been available, my vote might have been different. Too many unanswered questions regarding traffic flow and water shed regarding proposed rezoning at 3300 E. 56<sup>th</sup> St. DM Many Unanswered Questions Sharon Baker

ZON2016-00049

Item: \_\_\_\_\_ Date: April 3, 2014

I (am)  in favor of the request.

Received after 4/7 11:30

RECEIVED  
COMMUNITY DEVELOPMENT

Print Name: Nancy Mitchell

APR 08 2016

Signature: [Signature]

Address: 5221 Village Run Avenue #503

DEPARTMENT

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

I am not in favor of a religious group popping up in this location.

ZON2016-00049

Item

Date

4/11/2016

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

(Circle One)

RECEIVED  
COMMUNITY DEVELOPMENT

Print Name

Alyssa Donegan

Signature

Alyssa Donegan

Address

5221 Village Run Ave #904

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

Des Moines IA 50317

APR 11 2016

ZON2016-00049

Item

Date

4-4-16

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

(Circle One)

RECEIVED  
COMMUNITY DEVELOPMENT

Print Name

Paula Wylie

Signature

Paula Wylie

Address

5221 Village Run Ave #303

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

TOO MUCH TRAFFIC

APR 08 2016

DEPARTMENT

ZON2016-00049

Item

Date

4-4-16

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

(Circle One)

RECEIVED  
COMMUNITY DEVELOPMENT

Print Name

Joe Konrad

Signature

Joe Konrad

Address

3701 Brookridge Ct 604

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

Why do you have to ruin productive crop land? Find places to build that are not currently being used for growing food and grain. That would do too much work to do it as it is not as profitable

APR 08 2016

DEPARTMENT

ZON2016-00049

Date March 30, 2016 <sup>85</sup> <sub>53</sub>

Item \_\_\_\_\_  
I (am)  (am not) in favor of the request.

COMMUNITY DEVELOPMENT  
(Circle One)

APR 11 2016

DEPARTMENT

Print Name Donnie Waugh

Signature Donnie Waugh

Address 5411 E. Douglas Ave

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

I strongly oppose an  
entrance on E. Douglas  
Avenue.

ZON2016-00049

Date 4/5/16

Item \_\_\_\_\_  
I (am)  (am not) in favor of the request.

COMMUNITY DEVELOPMENT  
(Circle One)

APR 11 2016

DEPARTMENT

Print Name Kathryn Spragg

Signature Kathryn Spragg

Address 5221 Village Run Ave #1402 DSM, 50317

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

ZON2016-00049

Date 5 Apr 16

Item \_\_\_\_\_  
I (am)  (am not) in favor of the request.

COMMUNITY DEVELOPMENT  
(Circle One)

APR 12 2016

DEPARTMENT

Print Name Matthew L. Murphy

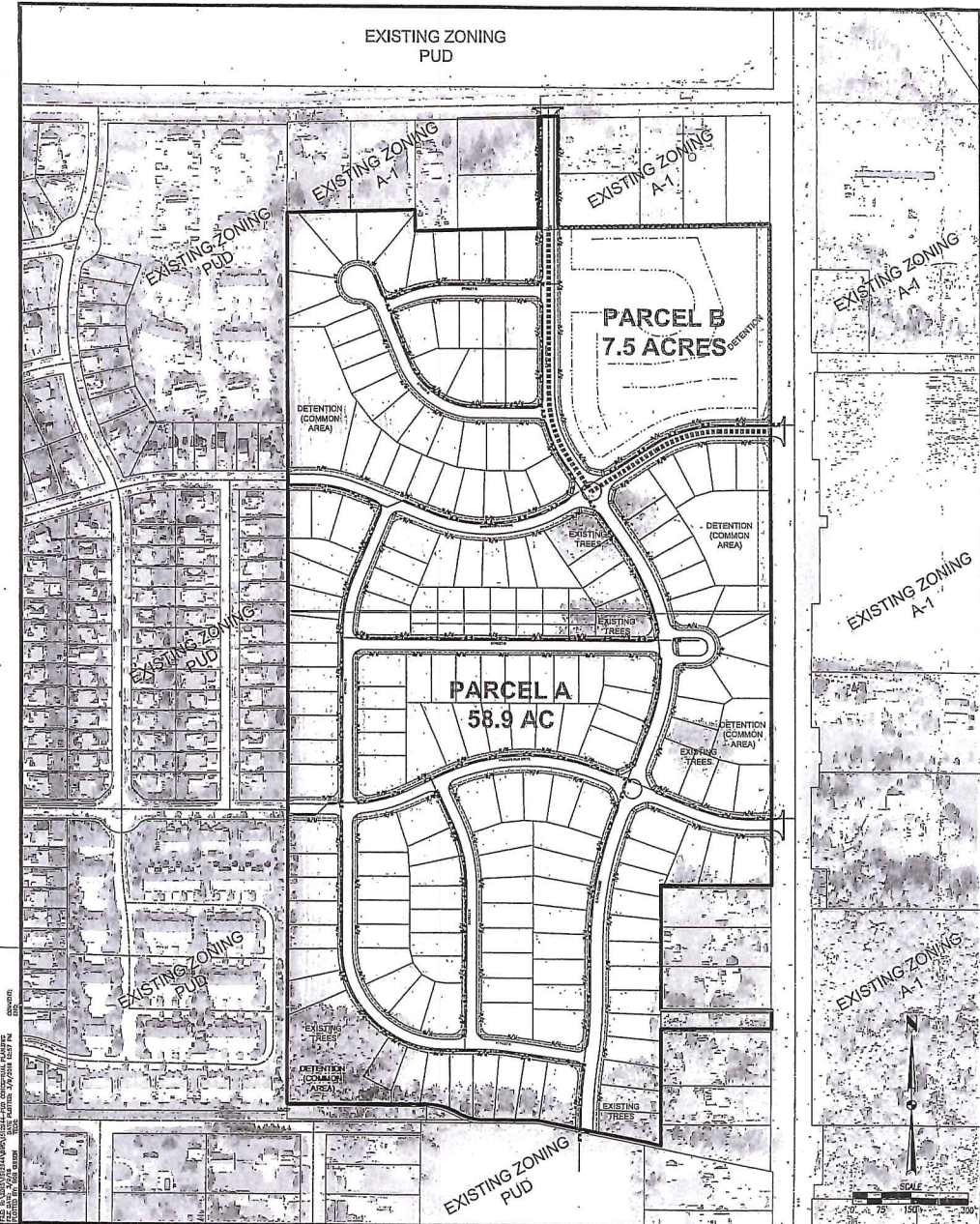
Signature Matthew Murphy

Address 3301 E 56<sup>th</sup> Altoona, IA

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

Concerned about water run off  
and how that may affect my  
property.

EXISTING ZONING  
PUD



# CONCEPTUAL PLAN BROOK LANDING

A PLANNED UNIT DEVELOPMENT  
IN THE CITY OF DES MOINES  
POLK COUNTY, IOWA

**DEVELOPER**  
 JJ EQUITY, LLC  
 PO BOX 7902  
 URBANDALE, IOWA 50323  
 PH: 515-369-4400  
 CONTACT: JON GALLOWAY

**ENGINEER / SURVEYOR**  
 CIVIL DESIGN ADVANTAGE, LLC  
 3405 S.E. CROSSROADS DRIVE, SUITE G  
 GRIMES, IOWA 50111  
 PH: 515-369-4400  
 CONTACT: BOB GIBSON

**GENERAL PROJECT CONCEPT**  
 THE DEVELOPMENT PLAN IS TO CREATE A RESIDENTIAL COMMUNITY OF SINGLE FAMILY HOMES WITH A PARCEL DESIGNATED AS A CHURCH SITE. THE STREET SYSTEM WILL CONNECT BROOKVIEW AVENUE AND VILLAGE RUN DRIVE FROM THE BROOK RUN SUBDIVISION OUT TO NE 56TH STREET. PROVISION WILL ALSO BE MADE FOR A CONNECTION TO THE PROPOSED STREET SYSTEM OF THE PLANNED DEVELOPMENT TO THE SOUTH.

**LEGAL DESCRIPTION**  
 OUTLOT X FINI ACRES PLAT 2  
 AND  
 OUTLOT X FINI ACRES REPLAT EX PARCEL A BOOK 10645 PAGE 528

BUILDING TYPES WILL BE SINGLE FAMILY HOUSES OF 1, 1½, AND 2 STORES WITH A MINIMUM OF 2 CAR ATTACHED GARAGE. THE HOMES WILL HAVE A MINIMUM OF 1,200 SQUARE FEET OF LIVING AREA.

**TOTAL PROJECT AREA**  
 66.4 ACRES

THE CHURCH PARCEL SIT SHALL BE SUBJECT TO STANDARD CITY OF DES MOINES REQUIREMENT DEVELOPMENT AND ARCHITECTURAL STANDARDS.

**EXISTING LAND USE**  
 AGRICULTURE

ALL BUILDING WILL USE SIMILAR ARCHITECTURAL STYLES USING WOOD FRAME CONSTRUCTION AND STANDARD EXTERIOR MATERIALS INCLUDING VINYL SIDING, ASPHALT SHINGLES, BRICK, STONE AND GLASS. MATERIALS SUCH AS METAL OR "DRYVIT" MAY BE USED AS AN ACCENT ON TRIM ONLY. PROHIBITED EXTERIOR SURFACE MATERIALS WOULD INCLUDE PLYWOOD, PLASTIC, PLASTER, AND COMPOSITE WOOD BASED PANEL SIDING.

**ZONING**  
 EXISTING: A-1  
 PROPOSED: PUD

**CONDITIONS OF ZONING**

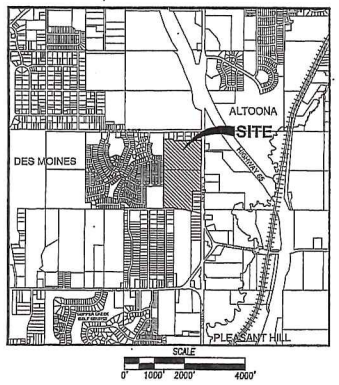
PRIMARY EXTERIOR COLORS SHALL BE EARTH TONES INCLUDING SHADES OF BROWN, TAN, GREY, WHITE, AND MUTED TONES OF GREEN, BLUE, AND YELLOW. SECONDARY ACCENT COLORS MAY INCLUDE DARKER OR BRIGHTER VERSIONS OF THE AFOREMENTIONED COLORS AND MAY INCLUDE COMPLEMENTARY REDS, NO PINK, PURPLE, ORANGE, OR FLUORESCENT/REFLECTIVE COLORS WILL BE PERMITTED.

THE PUD DEVELOPMENT PLAN OF THE PROPERTY IS SUBJECT TO THE ESTABLISHED REVIEW AND APPROVAL BY THE CITY PLAN AND ZONING COMMISSION.

THE FOLLOWING ADDITIONAL REQUIREMENTS MAY BE APPLIED BY THE CITY AS A CONDITION OF APPROVAL OF A PRELIMINARY PLAT:  
 CITY MAY REQUIRE A TREE SURVEY OF ALL TREES OVER 6" IN DIAMETER MEASURED ONE FOOT ABOVE THE GROUND.  
 CITY MAY REQUIRE THE OWNER TO SUBMIT A TREE PRESERVATION/MITIGATION PLAN FOR THE PROTECTION OF TREES OVER 6" IN DIAMETER MEASURED ONE FOOT ABOVE THE GROUND.  
 NO TREES OVER 6" IN DIAMETER MEASURED ONE FOOT ABOVE THE GROUND SHALL BE REMOVED FROM THE PROPERTY PRIOR TO THE APPROVAL OF A TREE MITIGATION PLAN.

WE ACKNOWLEDGE THAT THE ZONING OF THE PROPERTY DOES NOT CONSTITUTE APPROVAL OF ANY CONSTRUCTION, AND THAT ALL NECESSARY PERMITS AND APPROVALS MUST BE OBTAINED BEFORE ANY CONSTRUCTION BEGINS, AND THAT A CERTIFICATE OF OCCUPANCY MUST BE OBTAINED BEFORE ANY STRUCTURE IS OCCUPIED.

**VICINITY MAP**



I HEREBY CERTIFY THAT THE PORTION OF THIS TECHNICAL SUBMISSION DESCRIBED BELOW WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND RESPONSIBLE CHARGE. I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF IOWA.

*Robert R. Gibson*  
 ROBERT R. GIBSON, ALSA DATE: MARCH 9, 2016

MY LICENSE RENEWAL DATE IS JUNE 30, 2013  
 PAGES OR SHEETS COVERED BY THIS SEAL:  
 THIS SHEET

DATE	REVISIONS	FIRST SUBMITTAL

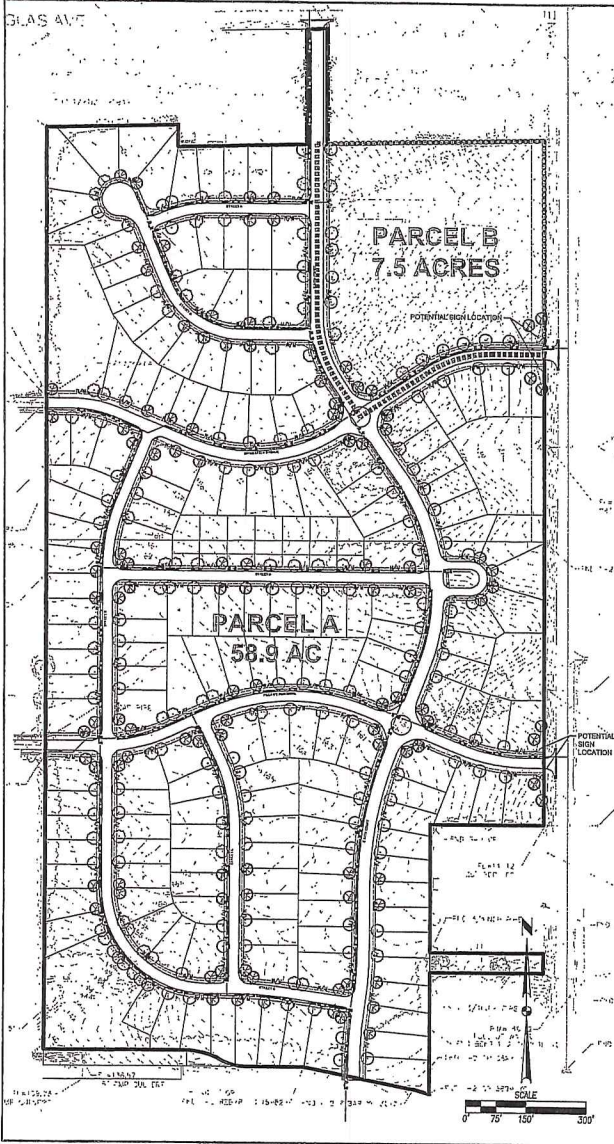
3405 S.E. CROSSROADS DRIVE, SUITE G  
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BROOK LANDING  
 PUD CONCEPTUAL PLAN

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# CONCEPTUAL PLAN BROOK LANDING

A PLANNED UNIT DEVELOPMENT  
IN THE CITY OF DES MOINES  
POLK COUNTY, IOWA

### DEVELOPMENT STANDARDS

**PARCEL A**

**USE:**  
PARCEL A SHALL CONFORM TO R1-60 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT

**BULK REGULATIONS:**  
PARCEL A SHALL CONFORM TO R1-60 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT WITH THE FOLLOWING EXCEPTIONS:  
LOT AREA: 7200 S.F. MINIMUM  
FRONT SETBACK: GARAGE/HOUSE - 30'  
FRONT PORCH - 25'  
SIDE SETBACK: 5' MINIMUM

**PARKING:**  
PARCEL A SHALL CONFORM TO R1-60 OFF-STREET PARKING AND LOADING REGULATIONS.

**SIGNAGE:**  
PARCEL A SHALL CONFORM TO R1-60 SIGN REGULATIONS

**OPTION A USE:**  
PARCEL B SHALL CONFORM TO R1-60 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT.

**BULK REGULATIONS:**  
PARCEL B SHALL CONFORM TO R1-60 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT WITH THE FOLLOWING EXCEPTIONS:  
MAXIMUM BUILDING HEIGHT: 45'  
MAXIMUM HEIGHT OF STEEPLE ELEMENT: 65'

**PARKING:**  
PARCEL B SHALL CONFORM TO R1-60 OFF-STREET PARKING AND LOADING REGULATIONS AND BUFFERING AS REQUIRED BY THE CITY'S PARKING ORDINANCE WITH REGARD TO CHURCHES.

**SIGNAGE:**  
PARCEL B SHALL CONFORM TO R1-60 SIGN REGULATIONS

**OPTION B USE:**  
PARCEL B SHALL CONFORM TO R1-60 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT

**BULK REGULATIONS:**  
PARCEL B SHALL CONFORM TO R1-60 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT WITH THE FOLLOWING EXCEPTIONS:  
LOT AREA: 7200 S.F. MINIMUM  
FRONT SETBACK: GARAGE/HOUSE - 30'  
FRONT PORCH - 25'  
SIDE SETBACK: 5'

**PARKING:**  
PARCEL B SHALL CONFORM TO R1-60 OFF-STREET PARKING AND LOADING REGULATIONS.

**SIGNAGE:**  
PARCEL B SHALL CONFORM TO R1-60 SIGN REGULATIONS

### UTILITY & STORMWATER MANAGEMENT

**STORM WATER:**  
PUBLIC STORM SEWER WILL BE EXTENDED THROUGHOUT THE DEVELOPMENT PRIMARILY ALONG PUBLIC STREETS. STORM WATER DETENTION FACILITIES WILL BE LOCATED WITHIN THE DEVELOPMENT IN COMMON AREAS/OUTLOTS, GENERALLY IN THE AREAS AS SHOWN, IN ACCORDANCE WITH THE CITY REQUIREMENTS. DETENTION FACILITIES WILL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION. STORM WATER WILL BE DISCHARGED INTO THE PUBLIC SEWER SYSTEM. DISCHARGE POINTS WILL BE AT BROOKVIEW AVENUE, THE SOUTHEAST CORNER OF THE SITE INTO THE DITCH ALONG NE 30TH PLACE, AND INTO THE EXISTING CULVERTS ON NE 50TH STREET.

**SANITARY SEWER:**  
SANITARY SEWER WILL BE EXTENDED FROM BROOKVIEW AVENUE TO THE WEST AND FROM XXX TO THE SOUTH. PUBLIC SANITARY SEWER WILL BE EXTENDED THROUGHOUT THE DEVELOPMENT.

**WATER:**  
PUBLIC 8" WATER MAIN WILL BE EXTENDED THROUGHOUT THE DEVELOPMENT

### LANDSCAPE STANDARDS

**PLANT MATERIAL**

- ALL REQUIRED OVERSTORY TREES SHALL BE MINIMUM 2" CALIPER.
- ALL REQUIRED UNDERSTORY TREES SHALL BE MINIMUM 1.5" CALIPER.
- ALL REQUIRED CONIFEROUS TREES SHALL BE A MINIMUM OF 5' IN HEIGHT.
- ALL PLANT MATERIAL SHALL MEET THE MINIMUM STANDARDS ESTABLISHED BY THE MOST RECENT EDITION OF THE "AMERICAN STANDARDS FOR NURSERY STOCK" PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
- ALL PLANT MATERIAL SHALL BE GUARANTEED TO REMAIN ALIVE AND HEALTHY FOR A PERIOD OF ONE YEAR FROM DATE OF INSTALLATION.

**OPEN SPACE**

A MINIMUM OF 20% OF EACH LOT SHALL BE OPEN SPACE. EACH LOT SHALL BE LANDSCAPED TO INCLUDE A MINIMUM OF 2 OVERSTORY TREES, 1 UNDERSTORY TREE/CONIFEROUS TREE, AND 4 SHRUBS PER LOT EXCLUSIVE OF FOUNDATION PLANTINGS WITHIN 6' OF THE HOUSE. STREET TREES MAY BE COUNTED TOWARD REQUIRED LOT TREES.

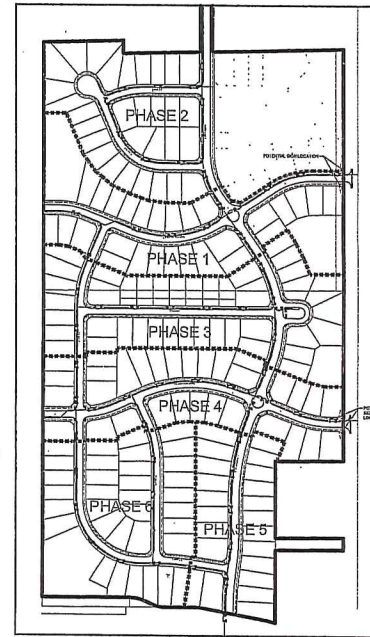
**STREET TREES**

EACH LOT SHALL RECEIVE A MINIMUM OF 1 OVERSTORY TREE, LOCATED GENERALLY PER THE STREET TREE PLAN ON THIS SHEET. TREES SHALL BE LOCATED 7.5' FROM BACK OF CURB ALONG 31' PUBLIC STREET WITH 80' R.O.W. AND SETBACK 6' FROM 25' PUBLIC STREET WITH 50' R.O.W.

### MEETING SCHEDULE

PRE-APPLICATION MEETING:	JANUARY 12, 2016
CONCEPT PLAN SUBMITTAL:	MARCH 7, 2016
NEIGHBORHOOD MEETING:	MARCH
PLAN & ZONING MEETING:	JUNE 20, 2016
CITY COUNCIL MEETING PUBLIC HEARING:	JUNE 30, 2016
PRELIMINARY PLAN SUBMITTAL:	MAY - JUNE 2016
CONSTRUCTION DRAWINGS/PHASE 1:	MAY - JULY 2016
FINAL PLAN:	SEPTEMBER-OCTOBER 2016

### PHASING PLAN



### TENTATIVE PROJECT TIMING

PHASE 1: 2016  
PHASE 2: 2016  
PHASE 3: 2017  
PHASE 4: 2017  
PHASE 5: 2018  
PHASE 6: 2018

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 PHONE: (515) 369-4400 FAX: (515) 369-4410  
 3/2016

DATE

REVISIONS

FIRST SUBMITTAL

TECH:

ENGINEER:

DES MOINES, IOWA

CIVIL DESIGN ADVANTAGE

BROOK LANDING

PUD CONCEPTUAL PLAN

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