

 **Roll Call Number**

Agenda Item Number

46

Date September 26, 2016

An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 2301 Ingersoll Avenue from the "NPC" Neighborhood Pedestrian Commercial District to "PUD" Planned Unit Development classification",

which was considered and voted upon under Roll Call No. 16-1570 of September 12, 2016; again presented.

Moved by _____ that this ordinance be considered and given second vote for passage.

(Second of three required readings)

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

CERTIFICATE

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

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

_____ City Clerk

82A
46

Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309
 Phone: 515/283-4530
 Return Address: City Clerk - City Hall, 400 Robert D. Ray Drive, Des Moines, IA 50309
 Title of Document: City of Des Moines, Ordinance No. _____
 Grantor/Grantee: City of Des Moines, Iowa
 Legal Description: See page 1, below.

ORDINANCE NO. _____

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 2301 Ingersoll Avenue from the "NPC" Neighborhood Pedestrian Commercial District to "PUD" Planned Unit Development classification.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 2301 Ingersoll Avenue, more fully described as follows, from the "NPC" Neighborhood Pedestrian Commercial District to "PUD" Planned Unit Development classification:

ALL OF THE FOLLOWING REAL PROPERTY SITUATED IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, TO WIT:

ALL THAT PART OF LOT TWENTY-ONE (21) IN BLOCK "C" IN WOODLAND PARK, LYING NORTH OF LOTS ONE (1), TWO (2), THREE (3), AND FOUR (4) IN OFFICIAL PLAT OF LOT THIRTEEN (13) OF OFFICIAL PLAT OF SOUTHWEST QUARTER (SW1/4) OF SECTION FIVE (5), TOWNSHIP SEVENTY-EIGHT (78), RANGE TWENTYFOUR (24), WEST

OF THE 5TH P.M., BEING A STRIP FIVE (5) FEET NORTH AND SOUTH, EXCEPT THE WEST THIRTY-THREE (33) FEET OF LOT TWENTY-ONE(21) IN BLOCK "C", WOODLAND PARK LYING WITHIN 24TH STREET, ALSO THE NORTH 54.68 FEET OF LOT FOUR (4) OFFICIAL PLAT OF LOT THIRTEEN (13) OF OFFICIAL PLAT OF SOUTHWEST QUARTER (SW1/4) OF SECTION FIVE (5), TOWNSHIP SEVENTY-EIGHT (78), RANGE TWENTY-FOUR (24), ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA; AND

THE SOUTH 14 (S 14) FEET OF LOT SIX (6), ALL OF LOT SEVEN (7), AND THE NORTH FORTY-SIX (N 46) FEET OF LOT EIGHT (8) IN BLOCK "C" IN WOODLAND PARK, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA; AND

THE SOUTH FOURTEEN (S 14) FEET OF LOT EIGHT (8) AND ALL OF LOTS NINE (9), TEN (10), ELEVEN (11), TWELVE (12), THIRTEEN (13), AND VACATED PORTION OF LINDEN STREET BETWEEN WEST LINE OF 23RD STREET AND EAST LINE OF 24TH STREET, AND VACATED ALLEYWAY RUNNING NORTH AND SOUTH FROM SOUTH SIDE OF HIGH STREET TO NORTH SIDE OF LINDEN STREET BETWEEN 23RD AND 24TH STREET, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA SUBJECT TO WARRANTY DEED RECORDED IN BOOK 5280, PAGE 564; AND

LOT FOURTEEN (14) AND SOUTH FOURTEEN (S 14) FEET OF LOT FIFTEEN (15) IN BLOCK "C" IN WOODLAND PARK, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA SUBJECT TO WARRANTY DEED RECORDED IN BOOK 5280, PAGE 564; AND

LOT ONE (1) (EXCEPT WEST THIRTY-THREE (W 33) FEET, IN OFFICIAL PLAT OF LOT THIRTEEN (13) OF OFFICIAL PLAT OF SOUTHWEST QUARTER (SW1/4) OF SECTION FIVE (5), TOWNSHIP SEVENTY-EIGHT (78), RANGE TWENTY-FOUR (24), WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, SUBJECT TO WARRANTY DEED RECORDED IN BOOK 5280, PAGE 564; AND

LOT TWO (2) OF OFFICIAL PLAT OF LOT THIRTEEN (13) OF OFFICIAL PLAT OF SOUTHWEST QUARTER (SW1/4) OF SECTION FIVE (5), TOWNSHIP SEVENTY-EIGHT (78), RANGE TWENTY-FOUR (24), WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA; AND

LOT THREE (3) OF OFFICIAL PLAT OF LOT THIRTEEN (13) OF OFFICIAL PLAT OF SOUTHWEST QUARTER (SW1/4) OF SECTION FIVE (5), TOWNSHIP SEVENTY-EIGHT (78), RANGE TWENTY-FOUR (24), WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA; AND

THE SOUTH 85.32 FEET OF LOT FOUR (4) OF OFFICIAL PLAT OF LOT THIRTEEN (13) OF OFFICIAL PLAT OF SOUTHWEST QUARTER (SW1/4) OF SECTION FIVE (5), TOWNSHIP SEVENTY-EIGHT (78), RANGE TWENTY-FOUR (24), WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA,

EXCEPT, ANY PORTION OF THE ABOVE DESCRIBED PROPERTY INCLUDED IN THAT LAND CONVEYED TO THE CITY OF DES MOINES, IOWA, BY JOHN E. SPENCE, SR. AND HELEN SPENCE, HUSBAND AND WIFE, BY WARRANTY DEED DATED JULY 30, 1983, FILED AUGUST 25, 1983, AND RECORDED IN BOOK 5280, PAGE 564 REFERENCE TO WHICH DEED IS HERE MADE FOR ALL PURPOSES.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance, vicinity map and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED:


Glenna K. Frank
Assistant City Attorney

August 30, 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 August 18, 2016, the following action was taken regarding a request from Roers Investments, LLC (purchaser) represented by Brian Roers (officer) to rezone property at 2301 Ingersoll Avenue. The subject property is owned by All People Re Investment, LLC.

COMMISSION RECOMMENDATION:

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

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
JoAnne Corigliano				X
David Courard-Hauri	X			
Jacqueline Easley	X			
Jann Freed	X			
John "Jack" Hilmes				X
Carolyn Jenison	X			
Greg Jones	X			
William Page				X
Mike Simonson	recused himself			
CJ Stephens	X			
Steve Wallace	X			
Greg Wattier	X			

APPROVAL of staff recommendation Part A) the proposed rezoning be found in conformance with the PlanDSM Comprehensive Plan, approval of Part B) the request to rezone the property from "NPC" Neighborhood Pedestrian Commercial District to "PUD Planned Unit Development and approval of Part C) the proposed 2301 Ingersoll PUD Conceptual Plan (including up to 192 units) subject to the following conditions:
 (ZON2016-00119)

1. The Concept Plan notes shall be revised to state that the PlanDSM Comprehensive Plan Future Land Use Map designates the property as Community Mixed-Use Corridor and Neighborhood Node.
2. Streetscape shall be provided along all street frontages subject to review and approval of the Planning Administrator. Ingersoll Avenue elements include but are not limited to class "A" sidewalk generally scored into 2-foot by 2-foot squares with an integrated street curb, planter beds with a raised curb and railing, street trees, shrub/flower plantings, a black LED Autobahn street light fixture with a black pole and the undergrounding of overhead utility lines.
3. All overhead utility and electrical service lines adjoining and within the site shall be undergrounded.
4. All building architecture and site landscaping shall be subject to review and approval by Planning Administrator and shall include provision of detailed elements such as full-dimensional brick, metal balconies, window and corner trim, concrete detailing on any exposed concrete foundation walls of the underground parking area, etc.
5. All grading is subject to an approved grading permit and soil erosion control plan. The applicant is required to demonstrate compliance with the City's storm water Management requirements to the satisfaction of the City's Permit and Development Center.
6. A grease interceptor will be provided for all restaurant uses.
7. A traffic signal at 23rd Street is not warranted at this time but the developer will provide conduit for a potential future signal installation at this location.
8. A cost share agreement between the developer, City and DART shall be reached regarding installation of a pedestrian crossing light on Ingersoll Avenue at 23rd Street that will connect new transit stops and shelters on the north and south sides of Ingersoll Avenue.
9. The applicant shall provide calculations and a section of 23rd Street to the City Traffic and Transportation Division with dimensions to show if the proposed back-in angle parking will comply with City code. If extra width is needed, it will have to come from the west side of the street. Otherwise, parallel parking will be provided.
10. Bike parking areas and bike racks shall be provided.
11. Any additional R-O-W width for on street parking on all street frontages shall be provided by the subject property.
12. Additional plantings shall be provided along the building foundations to soften the buildings' presence along the sidewalks.
13. Ornamental fencing shall be provided along the perimeters of the surface parking lots that adjoin public sidewalks to provide additional urban edge.

14. A tree protection and mitigation plan shall be submitted for administrative review by City staff pursuant to Chapter 42, Article X of the City Code.
15. Any building mounted utility meters shall not face public streets. All building mounted utility meters shall be located within the building or face off-street parking areas and be screened from view of public streets to the satisfaction of the Planning Administrator.
16. Any transformers shall be located within the buildings or within off-street parking areas and screened from view of public streets to the satisfaction of the Planning Administrator.
17. All mechanical and HVAC equipment shall be screened and/or architecturally compatible with the building and be designed to the satisfaction of the Planning Administrator.
18. All signage shall be building mounted and limited to the Ingersoll, 23rd and 24th Street frontages for the restaurant/retail portion of the mixed-use building. In addition, building mounted signage may be placed on the north façade of the restaurant/retail portion of the mixed use building facing the off-street parking lot that is at the center of the mixed use building. All other signage limitations (size and number of signs) shall be based on allowances of the NPC district regulations.
19. The PUD Conceptual Plan demonstrate the location of any outdoor refuse collection container enclosure and provide a statement that any such structure will be constructed with brick or stone materials that match the masonry materials used on the primary structure and 100% opaque steel gates. Any enclosure structure should also include non-gated pedestrian entrance and be sized to accommodate recycling containers. If no outdoor enclosures are proposed, then a note should be added to state that all refuse collection containers must be located within a building.
21. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height. Private light poles and pole mounted light fixtures are to be similar in style to a KIM Archetype light fixture, an AEL Autobahn LED Series ATBO light fixture, or of other similar esthetic quality as approved by the Planning Administrator.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the proposed rezoning be found in conformance with the PlanDSM Comprehensive Plan.

Part B) Staff recommends approval of the request to rezone the property from "NPC" Neighborhood Pedestrian Commercial District to "PUD Planned Unit Development.

Part C) Staff recommends approval of the proposed 2301 Ingersoll PUD Conceptual Plan subject to the following conditions:

1. The Concept Plan notes shall be revised to state that the PlanDSM Comprehensive Plan Future Land Use Map designates the property as Community Mixed-Use Corridor and Neighborhood Node.

2. Streetscape shall be provided along all street frontages subject to review and approval of the Planning Administrator. Ingersoll Avenue elements include but are not limited to class "A" sidewalk generally scored into 2-foot by 2-foot squares with an integrated street curb, planter beds with a raised curb and railing, street trees, shrub/flower plantings, a black LED Autobahn street light fixture with a black pole and the undergrounding of overhead utility lines.
3. All overhead utility and electrical service lines adjoining and within the site shall be undergrounded.
4. All building architecture and site landscaping shall be subject to review and approval by Planning Administrator and shall include provision of detailed elements such as full-dimensional brick, metal balconies, window and corner trim, concrete detailing on any exposed concrete foundation walls of the underground parking area, etc.
5. All grading is subject to an approved grading permit and soil erosion control plan. The applicant is required to demonstrate compliance with the City's storm water Management requirements to the satisfaction of the City's Permit and Development Center.
6. A grease interceptor will be provided for all restaurant uses.
7. A traffic signal at 23rd Street is not warranted at this time but the developer will provide conduit for a potential future signal installation at this location.
8. A cost share agreement between the developer, City and DART shall be reached regarding installation of a pedestrian crossing light on Ingersoll Avenue at 23rd Street that will connect new transit stops and shelters on the north and south sides of Ingersoll Avenue.
9. The applicant shall provide calculations and a section of 23rd Street to the City Traffic and Transportation Division with dimensions to show if the proposed back-in angle parking will comply with City code. If extra width is needed, it will have to come from the west side of the street. Otherwise, parallel parking will be provided.
10. Bike parking areas and bike racks shall be provided.
11. Any additional R-O-W width for on street parking on all street frontages shall be provided by the subject property.
12. Additional plantings shall be provided along the building foundations to soften the buildings' presence along the sidewalks.
13. Ornamental fencing shall be provided along the perimeters of the surface parking lots that adjoin public sidewalks to provide additional urban edge.
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19. The PUD Conceptual Plan demonstrate the location of any outdoor refuse collection container enclosure and provide a statement that any such structure will be constructed with brick or stone materials that match the masonry materials used on the primary structure and 100% opaque steel gates. Any enclosure structure should also include non-gated pedestrian entrance and be sized to accommodate recycling containers. If no outdoor enclosures are proposed, then a note should be added to state that all refuse collection containers must be located within a building.
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Written Responses

3 In Favor

10 In Opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking rezoning of the property to construct a mixed-use development of 189 multiple-family residential units and 10,000 square feet of first story retail/office/restaurant area within a 4-story building fronting the southern two-thirds of the property with minimal setback from Ingersoll Avenue. This building would have first level structured parking and minimal setbacks to portions of 23rd Street and 24th Street. The applicant also proposes to develop 30 multiple-family residential units within a 3-story apartment building fronting the entire north end of the block with a 10-foot setback from High Street.

2. **Size of Site:** 2.597 acres (113,136 square feet).
3. **Existing Zoning (site):** NPC, Neighborhood Pedestrian Commercial District with "FSO" Freestanding Sign Overlay District.
4. **Existing Land Use (site):** The property includes a vacant 11,315 square foot restaurant building (formerly China One Buffet) and associated surface parking lot.
5. **Adjacent Land Use and Zoning:**
 - East** - "NPC"; Uses are surface parking lots and offices (Mediacom).
 - West** - "NPC" and "R1-60"; Uses are office/retail (Vogue Vision Center) and single-family dwellings.
 - North** - "R1-60"; Uses are single-family dwellings.
 - South** - "NPC"; Uses are restaurant (Noah's Ark), office (Des Moines Public Schools), surface parking lots and multi-family residential.
6. **General Neighborhood/Area Land Uses:** The subject property fronts the Ingersoll mixed use corridor and is within the Woodland Heights Organization, which has a vibrant mix of retail, office, restaurant, multi-family residential and single-family residential uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Woodland Heights Organization. All neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on July 15, 2016. Additionally, separate notifications of the hearing for this specific item were mailed on July 15, 2016 (20 days prior to the August 4, 2016 hearing) and July 25, 2016 (10 days prior to the August 4, 2016 hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the requested rezoning. A Final Agenda for the meetings were mailed to all the recognized neighborhood associations on July 29, 2015 and August 12, 2016.

The Woodland Heights Organization mailings were sent to Laura Tofteland, 2723 High Street, Des Moines, IA 50312. Since the date of the mailings, Doug Macbride has assumed the role of primary contact for the Woodland Heights Organization.

The applicant attended a joint meeting with representatives of the Des Moines West Chamber, Ingersoll and Grand SSMID Board, and Restoration Ingersoll Board on June 7, 2016. The applicant hosted a meeting for neighboring property owners and residents of the Woodland Heights Organization on June 7, 2016. The applicant and staff also attended the Woodland Heights Organization regular meeting on June 21, 2016. Each of these meetings were held prior to submittal of the formal PUD zoning and conceptual plan application to the City of Des Moines on July 22, 2016.
8. **Relevant Zoning History:** The subject property was rezoned to NPC, Neighborhood Pedestrian Commercial District in 1998.

9. PlanDSM Land Use Plan Designation: Community Mixed-Use within a Neighborhood Node.

10. Applicable Regulations: The Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code, and taking into consideration the criteria set forth in Chapter 18B of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

The application, accompanying evidence and conceptual plan required 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 this division 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 conceptual plan and request for rezoning 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. PlanDSM Creating Our Tomorrow: The PlanDSM Comprehensive Plan was approved on April 25, 2016. The future land use designation for the property is Community Mixed Use, which is defined as areas developed primarily with small-to medium-scale mixed use development, located on high capacity transit corridors or at the intersection of transportation corridors. Community mixed use areas include both a mix of medium density residential and a mix of retail and service establishments designed to attract customers from a large service area encompassing multiple neighborhoods and may include specialty retail that attracts regional customers. Neighborhood Nodes are the smallest in size and offer services that provide for basic daily needs of the local population in the surrounding neighborhood. They may include restaurants, shops and smaller scale businesses. Residential development including low-medium and medium densities, may occur. In areas where a Neighborhood Node overlaps a Community Mixed Use Corridor medium and high density residential densities are appropriate. The PUD Conceptual Plan is supported by numerous PlanDSM Goals and Policies including:

Land Use Goal 2

Direct new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services, and public amenities.

LU9: Identify new neighborhood nodes and proposed land uses considering the following criteria:

The ability to create a compact, walkable structure within the identified node;
The capacity for employment and economic vitality;
The ability to provide housing in close proximity to jobs; and
Access via transit and other alternative modes of transportation.

LU10: Prioritize new mixed use development and redevelopment along proposed high capacity transit corridors and nodes.

LU13: Encourage high-density housing in identified nodes and along corridors that provide convenient access to public transit, public amenities and services, schools and open space, and are in close proximity to job centers.

LU15: Prioritize development and redevelopment in areas with existing infrastructure and properties included in adopted Urban Renewal Plans.

Land Use Goal 3

Prepare corridor plans for significant North-South and East-West transit routes to identify development and redevelopment opportunities aligning with the goals and policies of PlanDSM.

LU19: Identify alternative land uses and adaptive reuses for commercial properties that are both functionally and locationally obsolete as part of a corridor plan.

LU20: Revitalize or repurpose retail centers and commercial areas that are locationally or functionally obsolete or in decline.

LU22: Identify landscape enhancements, including green infrastructure, to beautify corridors and encourage private investment.

Land Use Goal 4

Continue to embrace the distinct character of Des Moines' neighborhoods while allowing for new development and redevelopment.

LU23: Create opportunities for a mixture of land uses within neighborhoods including mixed use centers, diverse housing products, recreational opportunities, public spaces, and schools.

LU24: Provide safe and pleasant walking and biking routes to neighborhood features including commercial areas, public spaces, recreational facilities, and schools.

LU25: Require new development and redevelopment to be compatible with the existing neighborhood character.

LU26: Strengthen the walkability and connectivity within and between neighborhoods focusing on completing and connecting the sidewalk network.

Transportation Goal 3

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

T11: Design safe and accessible pedestrian ways connecting major destinations throughout the City including transit corridors.

T13: Increase the mileage of continuous sidewalks throughout the City by prioritizing segments that fill in gaps and provide connections to destinations and transit corridors.

T15: Include sidewalks as required infrastructure for high-density multifamily development.

Transportation Goal 4

Make transit a more attractive option for all City residents.

T18: Increase neighborhood connectivity to transit corridors and bus stops.

T22: Encourage higher densities and mixed-use transit oriented development (TOD) to locate on transit corridors.

T24: Maintain, add, and improve bus shelters, particularly in the neighborhoods.

Coordinate their placement with the City.

Housing Goal 1

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

H1: Ensure an adequate supply of housing through a mix of new development, infill development, and redevelopment of existing properties.

H3: Achieve a balanced mix of subsidized rental housing, income restricted, and market rate rentals in all neighborhoods and across the city.

Housing Goal 3

Promote sustainable housing development that utilizes existing resources and supports compact, walkable, and bikeable neighborhoods.

H17: Encourage the use of existing public infrastructure by focusing housing development on infill, vacant, and under-developed land.

H19: Encourage mixed use development that incorporates affordable and market rate housing along transit corridors and in neighborhood nodes.

H20: Prioritize housing development at an increased density in locations that are close to public transit, shopping, public amenities, schools, and open spaces.

Economic Development Goal 2

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

ED6: Support revitalization of obsolete commercial locations and identify alternative land uses and adaptive reuses for commercial properties that are both functionally and locationally obsolete.

ED7: Focus economic development efforts in neighborhood, community, and regional

nodes and corridors served by transit.

Economic Development Goal 3

Recognize livability as a key aspect to economic development.

ED15: Expect quality in the creation of public places and private development.

Economic Development Goal 4

Foster a sustainable economy.

ED18: Assist redevelopment and infill development on sites with adequate infrastructure through incentives, intergovernmental coordination, and facilitated processes.

Public Infrastructure and Utilities Goal 1

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

PIU6: Work with utility companies to continue the burial and consolidation of overhead utility lines during street improvement projects, along new streets, and redevelopment proposals.

Public Infrastructure and Utilities Goal 4

In conjunction with local utility providers, ensure lighting standards and policies provide all residents with safe urban environments day and night while protecting views of the night sky.

PIU29: Require full cutoff, down-directional lighting in all new developments to minimize both upward and sideways light pollution.

Community Character and Neighborhood Goal 1

Embrace the distinct character offered in each of Des Moines' neighborhoods.

CCN1: Celebrate the City's culture and diversity through the creation of vibrant neighborhood nodes and corridors.

CCN2: Ensure a diverse mix of housing types, styles, scales, density, and affordability that complement existing neighborhood character.

CCN5: Ensure infill development is sensitive to the existing character of the neighborhood.

Community Character and Neighborhood Goal 2

Further Des Moines' revitalization efforts to improve the strength, stability, and vitality of all neighborhoods.

CCN9: Realize neighborhood potential through focused planning efforts that bring residents, community stakeholders, and partners together to make a greater impact.
CCN14: Ensure neighborhood edges and corridors are attractive and inviting through effective planning and revitalization strategies.

Community Character and Neighborhood Goal 3

Promote the redevelopment and revitalization of neighborhood nodes and corridors.

CCN18: Promote compact, mixed-use development to provide adequate density to support neighborhood commercial viability.

CCN19: Utilize incentives and economic development tools such as urban renewal plans, TIF, tax abatement, and façade improvement programs to encourage rehabilitation and/or redevelopment in targeted neighborhood nodes and corridors.

CCN22: Encourage neighborhood nodes that are accessible by pedestrians, bicyclists, and transit users, as well as motorists.

Community Character and Neighborhood Goal 6

Strengthen the walkability and connectivity within and between neighborhoods.

CCN32: Connect the existing sidewalk network.

CCN35: Emphasize transit usage in street design and land use on corridors with bus routes.

Social Equity Goal 2

Ensure that all residents have convenient access to healthy food, health care, safe environments, and choices for an active lifestyle.

SE9: Ensure healthy, safe, and sanitary housing for all residents.

The PUD Conceptual Plan incorrectly references the Des Moines 2020 Community Character Plan and future land use designation. The Plan should be revised to state that the PlanDSM Comprehensive Plan Future Land Use Map designates the property as Community Mixed-Use Corridor and Neighborhood Node.

- 2. Woodland Heights Organization Plan:** The original Woodland Heights Action Plan was approved in September of 1991. The subject property was designated for commercial land use in that plan. Commercial Goal 2 of the 1991 plan was “continue to preserve and promote the recent revitalization and beautification trends along the Ingersoll Avenue Business District.” The plan stated “monitor the design elements of new developments to ensure compatibility with the neighborhoods’ architectural characteristics”. The Woodland Heights Organization Plan update was approved on February 18, 2013. The site remained designated for “commercial corridor land use”. The Community Identity and Enhancement section of the 2013 Plan calls for improved connections between the neighborhood and businesses along Ingersoll Avenue. The Housing section calls for preservation of the distinct character of the neighborhood by promoting Woodland Heights’ historical architecture. The plan states that the

neighborhood's historical architectural guidelines "are intended for houses as well as outbuildings and garages". Staff encouraged the developer to concentrate the taller, denser mixed-use building at the middle and south portions of the site and to transition their development at the northern portion of the site with lower density multi-family residential along High Street. The 30-unit apartment building would have a 10 foot setback from High Street and has been designed with architectural features found in the surrounding neighborhood. It provides the appearance of row house units including ground floor unit entries and porches accessed from High Street. Given the commercial designation of the property by PlanDSM and the Woodland Heights Organization plan and the design features of the project, staff believes that the proposed development is compatible with the character of the neighborhood.

3. Ingersoll and Grand Avenue Revitalization Strategy: The Ingersoll and Grand Avenue Revitalization Strategy was approved by City Council in June of 2012. The Plan was funded by Restoration Ingersoll. Restoration Ingersoll worked closely with representatives of the West Side Chamber, Ingersoll Business Committee, Neighborhood Associations (North of Grand, Woodland Heights Organization, Ingersoll Park, Downtown, Sherman Hill, Salisbury Oaks, Linden Heights, Greenwood Historic, Westwood and Waterbury), the Downtown Community Alliance, DART and City of Des Moines. The plan recognizes the symbiotic relationship between the housing density, commercial uses along the Ingersoll and Grand Avenue corridors and the transportation network. It also recognizes that if the corridor is strengthened and beautified, the great neighborhoods adjoining the corridor will become even more desirable. Direct results of this strategy include creation/expansion of the Ingersoll Grand SSMID District; creation of an Ingersoll Grand Urban Renewal Plan and TIF District; extension of targeted multi-family residential tax abatement to properties fronting Ingersoll Avenue; installation of maintenance of streetscape; installation of public art; and marketing activities that promote the corridors and surrounding neighborhoods. The Ingersoll Grand Revitalization Strategy identified 2301 Ingersoll as a key development site whose development would lead to "a transformation of the area resulting in increased densities, a greater mix of uses, as well as increases in property and assessment values". Those increases in property and assessment values will ultimately expedite beautification efforts for the Ingersoll and Grand Avenues.

4. PUD Standards: The following are standards from Section 134-704 of the City Code that provide the foundation that all PUD Conceptual Plans should be based on.

A) All uses proposed in a PUD planned unit development district plan shall be in harmony with the existing or anticipated uses of other properties in the surrounding neighborhood and shall generally be in conformance with the city's land use plan. The design of a PUD development shall be based on harmonious architectural character; compatible materials; orderly arrangement of structures and open space; and conservation of woodlands, streams, scenic areas, open space and other natural resources.

The proposed 2301 Ingersoll Avenue PUD Conceptual Plan would allow mixed-use development of 159 multiple-family residential units and 10,000 square feet of first story retail/office/restaurant area within a 4-story building on the southern two-thirds of the property with a minimal setback from Ingersoll Avenue. This building would have first level structured parking and minimal setbacks to portions of 23rd Street

and 24th Street. The PUD Conceptual Plan would also allow development of 30 multiple-family residential units within a 3-story apartment building fronting the entire north end of the block with a 10-foot setback from High Street. The design of the 30-unit apartment building provides an appropriate transition in use, density and architecture between the proposed urban and mixed-use building fronting Ingersoll Avenue and the single-family housing in the Woodland Heights Organization. Vehicular access to the development has been concentrated on 23rd Street facing surface parking lots for adjoining commercial uses. On-street parking is proposed to be added along all property frontages. It is expected that the addition of on-street parking will provide a traffic calming effect on adjoining streets including High Street. The combination of off-street and on-street parking immediately adjoining the site provides a total number of parking spaces for the development that exceeds the parking that would be required by the existing NPC zoning district. The development plan includes bus stops and a proposed pedestrian crossing of Ingersoll Avenue at the intersection of 23rd Street that will increase access for the development and existing neighborhood to commercial uses and transit services. The proposal provides attractive streetscape on all four frontages and buries existing overhead utilities adjoining the site. Ingersoll Avenue streetscape elements include but are not limited to class "A" sidewalk generally scored into 2-foot by 2-foot squares with an integrated street curb, planter beds with a raised curb and railing, street trees, shrub/flower plantings, a black LED Autobahn street light fixture with a black pole and the undergrounding of overhead utility lines. The proposed architecture includes an attractive mix of masonry, metal panels, fiber cement siding, horizontal wood siding with a maximum width of six inches. No vinyl siding is allowed. The urban and mixed-use building would have a flat roof. The 30-unit apartment building has gable and shed roof elements with asphalt shingles that appropriately breaks up the length of the roof line. All building architecture and site landscaping shall be subject to review and approval by Planning Administrator and shall include provision of detailed elements such as metal balconies, window and corner trim, concrete detailing on any exposed concrete foundation walls of the underground parking area, etc. Staff believes the proposed uses and general layout of the site are appropriate for the area.

- B) Setbacks and other appropriate screens shall be provided around the boundary of a PUD development to protect the adjoining district properties. Only in exceptional circumstances shall such a setback be less than the amount of the setback which the adjoining district is required to maintain from the PUD development.

The urban, mixed use building on the southern two-thirds of the property would have minimal setbacks from adjoining frontages which is appropriate given the presence of the Ingersoll Avenue mixed-use corridor. The 30-unit apartment building fronting High Street would have a 10-foot front yard setback that allows an appropriate residential setback for a "row house like" building design and provides appropriate transition to the setbacks of existing single-family dwellings in the surrounding neighborhood. The buildings, addition of streetscape and burying of overhead utility lines would substantially enhance the appearance of a site that is currently an obsolete former restaurant and sea of off-street parking.

- C) A PUD development shall comply with all applicable city ordinances, specifications and standards relating to all dedicated street, sanitary sewer and storm sewer facilities and to surface drainage and floodwater retention.

All grading is subject to an approved grading permit and soil erosion control plan. The applicant is required to demonstrate compliance with the City's Storm water Management requirements to the satisfaction of the City's Permit and Development Center. This would be reviewed at the PUD Development Plan (site plan) stage should the rezoning be approved. The Conceptual Plan notes that underground storm water detention would be provided within the parking lot between the 30-unit apartment building and the urban, mixed-use building. A grease interceptor would be provided for all restaurant uses.

- D) The streets surrounding a PUD development must be capable of accommodating the increased traffic that would be generated by the new development. The development shall be designed to provide maximum feasible separation of vehicular traffic from pedestrian ways and recreational areas. If turning lanes or other forms of traffic controls within or adjacent to the development are deemed necessary by the city council, the developer shall provide the necessary improvements.

The site is bounded by Ingersoll Avenue, High Street, 23rd and 24th Streets. A traffic study was prepared by the applicant and reviewed by the City's Traffic and Transportation Division staff. The traffic narrative on the PUD must be revised to reflect the final development layout, number of dwelling units and square feet of commercial space. Vehicular access is concentrated on the 23rd Street frontage across from existing surface parking lots for commercial use. Right and left turn lanes would be constructed for southbound traffic on 23rd Street at the intersection with Ingersoll Avenue. The Traffic and Transportation Division has determined that a traffic signal at 23rd Street is not warranted at this time but the developer will provide conduit for a potential future signal installation at this location. A cost share agreement between the developer, City and DART is anticipated for a pedestrian crossing light on Ingersoll Avenue at 23rd Street that will connect new transit stops and shelters on the north and south sides of Ingersoll Avenue. The applicant must provide calculations and a section of 23rd Street to the City Traffic and Transportation Division with dimensions to show if the proposed back-in angle parking will comply with City code. If extra width is needed, it will have to come from the west side of the street. Otherwise, parallel parking will be provided. The applicant must show on the concept plan an area for bike parking. It is likely that one of the proposed trees along Ingersoll Avenue will be replaced with a bike parking area. It is expected that the addition of on-street parking will provide a traffic calming effect on adjoining streets including High Street. The City Traffic and Transportation Division will continue to monitor traffic circulation after the development is complete to determine if enhanced traffic control is necessary along High Street, such as a four-way stop at 23rd and High Street. Any additional R-O-W width for on street parking on all street frontages shall be provided by the subject property.

- E) Off-street parking and loading spaces shall be provided as appropriate to the size and character of the development. Each off-street loading space shall be not less

than ten feet in width and 25 feet in length. All off-street parking spaces shall be provided in accordance with the requirements of subsection 134-1377(g).

The Zoning Ordinance normally requires a minimum of 1.5 spaces per multi-family dwelling unit, and 1 parking space per 150 square feet of restaurant use. Based upon 189 dwelling units and 10,000 square feet of restaurant/retail space, a total of 351 off-street parking spaces would normally be required by Section 134-1377(g). However, the existing NPC zoning for the site allows a 40% reduction in the minimum required parking standard and allows on-street parking immediately adjoining the site to be counted towards the provided parking. As a result of this code provision, a minimum total of 211 parking spaces would be required for the development. The submitted Conceptual Plan includes 113 structured parking spaces, 107 on-site surface spaces and 55 on-street parking spaces adjoining the development equaling a total of 275 parking spaces. Even if 42 optional structured spaces are eliminated beneath the portion of the urban and mixed-use building fronting Ingersoll Avenue, a total of 233 parking spaces would still be provided. Staff believes that the opportunity exists for shared off-street parking agreements with surrounding commercial uses and the lighted pedestrian crossing on Ingersoll Avenue will provide increased access to underutilized off-street parking on the south side of Ingersoll Avenue. Given these factors and the immediate proximity of transit services to the site, staff believes the proposed parking is sufficient for this site and its urban environment.

- F) Where appropriate to the size and character of a PUD development, provision shall be made therein for open space for recreation and other outdoor uses, and for places of worship, convenience shopping and other community services.

This standard is not applicable as the proposed PUD consists of a single site and not multiple properties comprising a new neighborhood or district.

- 5. Landscaping & Buffering:** The submitted Conceptual Plan identifies formal streetscape plantings along all property frontages as well as plantings at the perimeter and interior of on-site surface parking lots. Ingersoll Avenue Streetscape elements include but are not limited to class "A" sidewalk generally scored into 2-foot by 2-foot squares with an integrated street curb, planter beds with a raised curb and railing, street trees, shrub/flower plantings, a black LED Autobahn street light fixture with a black pole and the undergrounding of overhead utility lines. Additional plantings are needed along the building foundations to soften the buildings' presence along the sidewalks. Staff recommends that ornamental fencing be provided along the perimeters of the surface parking lots that adjoin public sidewalks to provide additional urban edge. A tree protection and mitigation plan is required for administrative review by City staff pursuant to Chapter 42, Article X of the City Code should the property be rezoned as noted on the PUD Conceptual Plan. The Concept Plan indicates that utility meters placed on new building facades shall not face parking lots or public streets. Staff believes that this note should be revised to state that any building mounted utility meters shall not face public streets. All building mounted utility meters shall be located within the building or face off-street parking areas and be screened from view of public streets to the satisfaction of the Planning Administrator. The Conceptual Plan indicates that any transformers, junction boxes, air conditioner units, or other mechanical equipment over 3 feet in height cannot be located within a required setback. Staff recommends that this

note be revised state that any transformers shall be located within the buildings or within off-street parking areas and screened from view of public streets to the satisfaction of the Planning Administrator. All mechanical and HVAC equipment shall be screened and/or architecturally compatible with the building and be designed to the satisfaction of the Planning Administrator.

6. **Signage:** The PUD Conceptual Plan indicates that signage shall be monument or directory, but in no case pole mounted. Staff recommends that all signage be building mounted and limited to the Ingersoll, 23rd and 24th Street frontages for the restaurant/retail portion of the urban, mixed-use building. In addition, building mounted signage could be placed on the north façade of the restaurant/retail portion of the urban and mixed use building facing the off-street parking lot that is at the center of the mixed use building. All other signage limitations (size and number of signs) shall be based on allowances of the NPC district regulations.
7. **Refuse Collection:** The proposed PUD Conceptual Plan does not indicate the locations of refuse collection containers. The Plan includes a note that trash containers will be screened by enclosures constructed with masonry walls and steel gates to match the primary structures. Staff recommends that the PUD Conceptual Plan demonstrate the location of any outdoor refuse collection container enclosure and provide a statement that any such structure will be constructed with brick or stone materials that match the masonry materials used on the primary structure and 100% opaque steel gates. Any enclosure structure should also include non-gated pedestrian entrance and be sized to accommodate recycling containers. If no outdoor enclosures are proposed, then a note should be added to state that all refuse collection containers must be located within a building.
8. **Site Lighting:** The proposed PUD Conceptual Plan includes a note that lighting must be low glare, cut-off type fixtures to reduce glare. Staff recommends that a note be added to state that any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height. Private light poles and pole mounted light fixtures are to be similar in style to a KIM Archetype light fixture, an AEL Autobahn LED Series ATBO light fixture, or of other similar esthetic quality as approved by the Planning Administrator.

SUMMARY OF DISCUSSION

Mike Simonson recused himself.

Mike Ludwig presented the staff report and recommendation.

David Courard-Hauri asked for clarification of the purpose and intent of the parking requirements.

Mike Ludwig stated the property is currently zoned Neighborhood Pedestrian Commercial District and that district was approved by the City in 1998. A majority of the Ingersoll Corridor was rezoned to that district in 1999. NPC corridors have significant pedestrian facilities, activities and transit service. It was the Commission and Council's desire to reduce the amount of onsite parking that was required for development.

Greg Wattier asked if this project has gone to Urban Design Review Board.

Mike Ludwig stated currently, the project is in a 10-year targeted multi-family residential tax abatement district, which is a by right incentive from the City. There is no TIF involved with this project at this time. There is no review by the Urban Design Review Board at this time.

CJ Stephens asked if this site is located in a TIF district.

Mike Ludwig stated yes. This property is located in the Ingersoll Grand Urban Renewal Area. If TIF is used for a residential project it limits the life of the urban renewal area to 10 years instead of 20 years. Tax abatement is the preferred incentive from the City's viewpoint.

Jacqueline Easley asked about the cost share agreement between the city and the developer for the pedestrian crossing light and how is it determined.

Mike Ludwig stated that would have to be a negotiated element.

Brian Roers one of the owners of Roers Investments stated they are a midwest based development firm. With the cooperation of the City and neighborhoods they are trying to put products in towns that cities really appreciate and respect. He pointed out there is an article in the Des Moines Register stating they are bringing product to Des Moines, and that is their goal. They see a void in town where they could build higher end product with higher amenities such as pools, hot tubs and exercise rooms and things they are seeing that are very popular now in the apartment world. They looked up Ingersoll-Grand Corridor Plan, the Des Moines Comprehensive Plan and the Woodland Heights Neighborhood Plan. One of the key concerns noted in these plans is there are a lot of vacant properties and vacant houses they would like to see developed. They see that this project fits into that plan. They met with the business owners group, the chamber, the SSMID group and they were very supportive of the plan. Their concern was parking and they wanted more density. The applicant met with the neighbors. They recommended the applicant go to the Woodland Height Neighborhood Association meeting. They did meet with them and they brought up a lot of concerns and they have made some adjustments. They are aware of the traffic concerns and with more density comes more traffic.

Jeff Koch another owner or Roers Investments stated they obtained a purchase agreement for the property and scheduled a pre-application meeting with the City in April. In June they spoke to the neighborhood and business group. The business group was mostly in support. They wanted more density along Ingersoll, which they were able to achieve in their most recent plan. They believe they have integrated enough parking on-site and provide more than is required. To address some of Woodland Heights Neighborhood concerns, they changed all of the major egress and ingress onto 23rd Street. A lowered density 3-story building along High Street to create more of a buffer between the mixed use commercial type building and the single-family neighborhood. They moved the majority of the density of the project up along Ingersoll. They lowered the building from 5-story to 4-story above ground. They put a 10 foot setback along High Street.

Brian Roers stated they will work with staff and they are in agreement to all of the conditions. He also wanted to point out that there could be as much as 192 units which is more than the 189 units stated and asked that 192 units be allowed.

Francis Boggus asked how many parking spaces will be underground.

Jeff Koch stated 115 underground parking spaces and a total of 275 stalls.

CJ Stephens asked if they are in agreement to all 21 conditions and are the units market rate.

Brian Roers stated yes they are in agreement and yes the units are market rate.

CJ Stephens asked about the pool and whether it faces Ingersoll and is it all windows.

Brian Roers stated they will be looking at the pool, but cannot guarantee the pool over the restaurant.

CJ Stephens asked if there is any opportunity to have a trolley come up Ingersoll.

Mike Ludwig stated the D-Line does not go to this area and there are no plans. There is transit in front of the site and a bumpout is proposed in front of the development for a bus shelter and a bumpout and bus shelter on the south side of Ingersoll with a pedestrian crossing light.

Brian Roers stated the building will have a bike café. It will have bike storage spots and a little bike fix it station, couch and maybe a coffee machine.

Greg Wattier asked where the residential entry will be located.

Jeff Koch pointed out on the plan there will be a lobby coming off of Ingersoll and along 24th Street there will be another residential entry.

CHAIRPERSON OPENED THE PUBLIC HEARING

Matt Coen 711 41st Street stated he works at 3706 Ingersoll stated he is in favor of the applicant's request. The planning process was conducted by Restoration Ingersoll to allow this area to continue to grow and be vibrant. The developer and the City staff in this case have worked very diligently in letting everyone know where the project stood and to take feedback and go back to the key plans including Plan DSM, Ingersoll-Grand strategy as well as the Woodland Heights Neighborhood Plan to find a solution for this site that will be successful and contribute to the neighborhood. It is a proposal for a higher density, mixed use development which is part of the strategic plan and Plan DSM. The goal and the approach that is shown tonight has everything to do with where the density is onsite. The goal is to push that as far towards Ingersoll as possible and scale the project down as it moves into the neighborhood. This is a targeted site, which was identified in the plans as a huge opportunity. They have been working closely with DART to expand the Route 60 offering.

Glen Lyons 3209 Ingersoll, Executive Director of the Neighborhood Development Corporation and the current president of the Ingersoll-Grand SSMID. Mr. Cohen, Mr. Irvine and he were the authors of the Ingersoll-Grand Revitalization strategy. Mr. Irvine provided the heart, Mr. Cohen provided the design context and he wrote the land use and

development strategy. They wanted the applicant to provide more density on Ingersoll and to turn the building to hide the parking and provide a larger building. That makes this a transformational site. The project provides everything the Comprehensive Plan and the Ingersoll-Grand strategy ask for.

Ted Irvine stated he has two businesses on Ingersoll and he lives in the district as well. When the original revitalization strategy was written there were 10 to 12 neighborhood associations that participated in focus groups and talked about what they want more of, less of, improve on and eliminated. They talked about preserving the architecture. They didn't want any more single-story block buildings, they wanted more density. This project has met all of these things. Roers Development is fantastic to work with and he asked the Commissioners to vote in favor of the applicant's request.

Mitch Gluzzi 2421 High Street, his father lives at 655 27th, sister in law lives at 648 26th and he owns a 4-plex on the corner of 24th and Woodland. Each are in favor of the applicant's request. They look forward to what this is going to do for the neighborhood. He strongly encourages the Commissioners vote in favor of the applicant's request.

Alana Stamas 2710 Woodland Avenue stated she is in favor of the applicant's request. She supports higher density and more business.

Dave Nagel 558 28th Street board member of Restoration Ingersoll and the co-director of the Des Moines West Side Chambers. Des Moines West Side Chambers voted unanimously in favor of the applicant's request and would like to see things move forward.

Susie McBroom 5502 Waterbury Road owns a business on Ingersoll. She is the co-chair of Restoration Ingersoll. Restoration Ingersoll has been around for 18 years. She stated the Restoration Ingersoll board is in favor of the applicant's request.

Lyla Dozier 741 27th Street stated she has lived in Woodland Heights for 35 years and has been a member of the neighborhood association for 32 years. She believes most of the objections made at the first Woodland Height Neighborhood meeting were residents from High Street. The disagreement is mostly about the units on High Street and the units that face High Street. Not the retail or the businesses on Ingersoll or how it is configured for the business. Woodland Heights have always been supportive. The disagreements are the following:

- The 2013 Woodland Heights Plan does not call for improved connection to Ingersoll business. It calls for better communication.
- They disagree that this plan is compatible with the neighborhood on High Street. They believe to be compatible the street setback should be 40 feet like the homes on High Street. The applicant's configuration does not comply with Woodland Heights Character Plan. The 10 foot setback the applicant propose at 24th and High Street would reduce visibility so much that it would be dangerous.
- They disagree with staff that the 30 unit apartment building facing High provides appropriate transition to the single-family housing.
- They disagree with staff on the possibility of a 4-way stop at 23rd & High due to the typography
- They disagree with staff that the surrounding residential streets are capable of accommodating increased traffic.

- They are opposed to the apartments and business using the residential streets to park.
- They disagree with staff that the parking partnership with Mediacom could alleviate some of the parking problems.
- There is not a complete traffic study for this PUD. Many of their concerns had to do with traffic. Safety, volume and parking.

The new Ingersoll-Grand “The Avenues Plan” strategies and action states “New developments and transportation changes contemplated must be designed to protect the adjacent residential properties from excessive traffic, over flow street parking and other potential negative effects associated with growth along the corridor”. This development offers High Street no protection. It takes the on-street parking and adds more traffic to the residential street. The Avenues Land Use planning team recommendation states “establishing acceptable, transitional uses between commercial and residential including row-houses, multi-family dwelling, buffers etc.” They want single-family row-houses on High Street. Under their infrastructure points in their 2013 updated plan they work to keep their street in the neighborhood safe and calm. They identify the need to establish more traffic calming and to address the ongoing parking problems that already exist in the neighborhood, especially around three schools, the day care and on Woodland Avenue by the park. They need and want what is stated in their plan and also the Avenues Plan, more compatible infill development with similar setback requirements and historic neighborhood preservation and continued neighborhood safety. When they partnered with the City of Des Moines in 1991 and 2013 Woodland Avenue and High Street were already not safe. Mediacom trucks speed on High Street and speed onto Woodland. By adding a new bus route on Woodland, it is worse now than in 1991. This development would make a bad situation worse. They want and need more home owner occupied housing. They was hoping for more compatible row housing on High Street. Woodland Heights neighborhood is already mixed use, 20% of structure is either business or apartments. They understand highest and best use. It is truly a balancing act. Most of the buildings on Ingersoll is not the highest and best use, but that is why it’s very unique. The success of Ingersoll business is also related in its customer base they have been successful because of the people who live nearby and use their business and live in a stable historical neighborhood. Keep their neighborhood stable, safe and viable and at the same time it helps the business. They are very concerned about High Street and need help to protect that part of the neighborhood.

Jacqueline Easley asked about the three schools identified in her statement.

Lyla Dozier stated Smouse, Van Meter and Calanan. There are parking problems related to the school, daycare and other things.

Steven Herbert 614 23rd Street stated his concern is the winter time parking. He explained that due to the amount of ice on the street and the snow ordinance parking is already a concern and Mediacom parking is historically flooded.

Kelly Adair 2402 High Street stated she lives across the street from the proposed development. She likes the charm, location and revitalization. The diverse community has a small town feel. This proposal will not enhance the Ingersoll corridor and blend with the Woodland Heights neighborhood. She is not anti-development but she is anti this development. Her concerns are increased traffic and noise that is unbearable.

Alice Bodson she owns several properties in the Woodland Heights neighborhood. The nature gardens area is very peaceful and she believes the neighborhood has enjoyed it. She would like to see owner-occupied town homes on the opposite side of the street of the nature garden. She is concerned that there will be an absentee landlord for all those units. She is willing to work with the Ingersoll corridor to help make this a more of a community oriented space.

Rebuttal

Brien Roers stated there will be onsite management. They love the community and are putting a big investment in this community because they believe in it.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Greg Wattier stated he applauds the sound planning and high density towards Ingersoll and less density towards residential High Street. This adds to the viability of the area. There are plenty of owner-occupied properties where the owner doesn't take care of their property and plenty of renters that take awesome care of the property. He is in support of this project and believes the applicant has some really sound ideas.

CJ Stephens stated she supports Commissioner Wattier's comments. Projects like this do not come around every day. This property has been an eyesore and what the applicant is doing is a huge benefit to the City of Des Moines. To support those business on Ingersoll and downtown we need density and also take care of our neighborhood. She believes the applicant has been very sensitive to that. She is sympathetic with the neighbors and hopes something can be done with the nature garden.

COMMISSION ACTION

David Courard-Hauri moved staff recommendation for Part A) the proposed rezoning be found in conformance with the PlanDSM Comprehensive Plan, approval of Part B) the request to rezone the property from "NPC" Neighborhood Pedestrian Commercial District to "PUD Planned Unit Development and approval of Part C) the proposed 2301 Ingersoll PUD Conceptual Plan (including up to 192 units) subject to the following conditions:

1. The Concept Plan notes shall be revised to state that the PlanDSM Comprehensive Plan Future Land Use Map designates the property as Community Mixed-Use Corridor and Neighborhood Node.
2. Streetscape shall be provided along all street frontages subject to review and approval of the Planning Administrator. Ingersoll Avenue elements include but are not limited to class "A" sidewalk generally scored into 2-foot by 2-foot squares with an integrated street curb, planter beds with a raised curb and railing, street trees, shrub/flower plantings, a black LED Autobahn street light fixture with a black pole and the undergrounding of overhead utility lines.
3. All overhead utility and electrical service lines adjoining and within the site shall be undergrounded.

4. All building architecture and site landscaping shall be subject to review and approval by Planning Administrator and shall include provision of detailed elements such as full-dimensional brick, metal balconies, window and corner trim, concrete detailing on any exposed concrete foundation walls of the underground parking area, etc.
5. All grading is subject to an approved grading permit and soil erosion control plan. The applicant is required to demonstrate compliance with the City's storm water Management requirements to the satisfaction of the City's Permit and Development Center.
6. A grease interceptor will be provided for all restaurant uses.
7. A traffic signal at 23rd Street is not warranted at this time but the developer will provide conduit for a potential future signal installation at this location.
8. A cost share agreement between the developer, City and DART shall be reached regarding installation of a pedestrian crossing light on Ingersoll Avenue at 23rd Street that will connect new transit stops and shelters on the north and south sides of Ingersoll Avenue.
9. The applicant shall provide calculations and a section of 23rd Street to the City Traffic and Transportation Division with dimensions to show if the proposed back-in angle parking will comply with City code. If extra width is needed, it will have to come from the west side of the street. Otherwise, parallel parking will be provided.
10. Bike parking areas and bike racks shall be provided.
11. Any additional R-O-W width for on street parking on all street frontages shall be provided by the subject property.
12. Additional plantings shall be provided along the building foundations to soften the buildings' presence along the sidewalks.
13. Ornamental fencing shall be provided along the perimeters of the surface parking lots that adjoin public sidewalks to provide additional urban edge.
14. A tree protection and mitigation plan shall be submitted for administrative review by City staff pursuant to Chapter 42, Article X of the City Code.
15. Any building mounted utility meters shall not face public streets. All building mounted utility meters shall be located within the building or face off-street parking areas and be screened from view of public streets to the satisfaction of the Planning Administrator.
16. Any transformers shall be located within the buildings or within off-street parking areas and screened from view of public streets to the satisfaction of the Planning Administrator.

- 17. All mechanical and HVAC equipment shall be screened and/or architecturally compatible with the building and be designed to the satisfaction of the Planning Administrator.
- 18. All signage shall be building mounted and limited to the Ingersoll, 23rd and 24th Street frontages for the restaurant/retail portion of the mixed-use building. In addition, building mounted signage may be placed on the north façade of the restaurant/retail portion of the mixed use building facing the off-street parking lot that is at the center of the mixed use building. All other signage limitations (size and number of signs) shall be based on allowances of the NPC district regulations.
- 19. The PUD Conceptual Plan demonstrate the location of any outdoor refuse collection container enclosure and provide a statement that any such structure will be constructed with brick or stone materials that match the masonry materials used on the primary structure and 100% opaque steel gates. Any enclosure structure should also include non-gated pedestrian entrance and be sized to accommodate recycling containers. If no outdoor enclosures are proposed, then a note should be added to state that all refuse collection containers must be located within a building.
- 20. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height. Private light poles and pole mounted light fixtures are to be similar in style to a KIM Archetype light fixture, an AEL Autobahn LED Series ATBO light fixture, or of other similar esthetic quality as approved by the Planning Administrator.

Motion carried 10-0. (Mike Simonson recused himself)

Respectfully submitted,

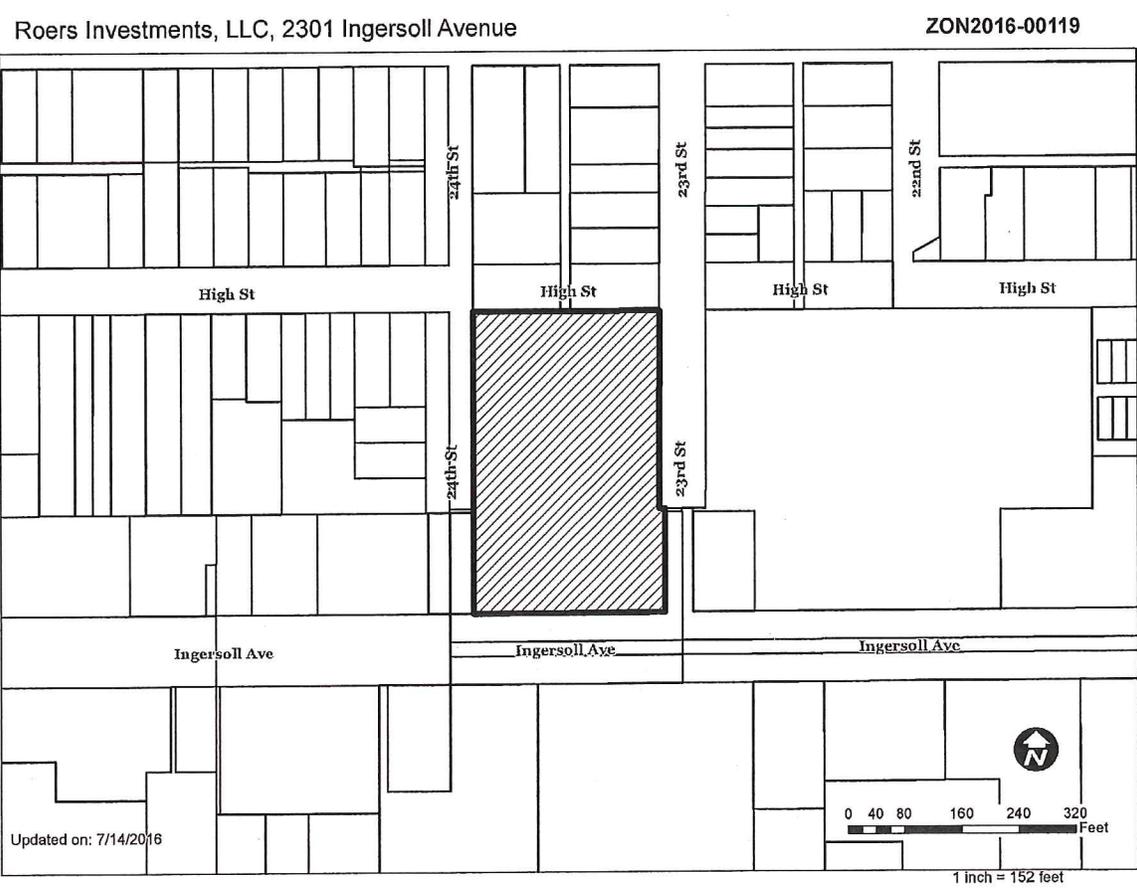


Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment

Roers Investments, LLC (purchaser) represented by Brian Roers (officer) for property at 2301 Ingersoll Avenue. The subject property is owned by All People Re Investment LLC.		File # ZON2016-00119	
Description of Action	Approval of request to rezone property from "NPC" Neighborhood Pedestrian Commercial District to "PUD Planned Unit Development. Approve the proposed 2301 Ingersoll Avenue PUD Conceptual Plan to allow mixed-use development of up to 162 multiple-family residential units and 10,000 square feet of first story retail/office area within a 4-story building fronting the entire block with minimal setback from Ingersoll Avenue. This building would have first level structured parking and minimal setbacks to portions of 23rd Street and 24th Street through the center portion of the block. Also development of 30 multiple-family residential units within a 3-story apartment building fronting the entire north end of the block with minimal setback from High Street.		
PlanDSM Future Land Use	Current: Community Mixed Use with neighborhood node. Proposed: N/A.		
Mobilizing Tomorrow Transportation Plan	No planned improvements.		
Current Zoning District	"NPC" Neighborhood Pedestrian Commercial District and "FSO" Freestanding Signs Overlay District.		
Proposed Zoning District	N/A.		
Consent Card Responses	In Favor	Not In Favor	Undetermined
Inside Area	3	10	% Opposition
Outside Area	0	0	0
Plan and Zoning Commission Action	Approval	10-0	Required 6/7 Vote of the City Council
Denial	0-0	0-0	Yes
0-0	0-0	0-0	No
0-0	0-0	0-0	X



46#

Des Moines West Side Chamber of Commerce

558 – 28th Street, Des Moines, IA 50312
(515)238-2913

Email: director@desmoineswestsidechamber.org
Website: www.desmoineswestsidechamber.org

RECEIVED
COMMUNITY DEVELOPMENT
AUG 16 2016
DEPARTMENT

August 12, 2016

Des Moines City Council &
Des Moines P&Z Commission
c/o Planning and Urban Design Division
602 Robert D Ray Drive
Des Moines, IA 50309-1881

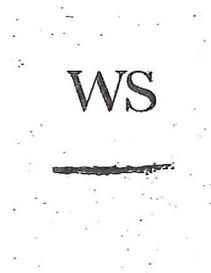
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A motion was made and unanimously supported by a vote of the board at the meeting to express our support of this development. Please accept this letter as our support from the Des Moines West Side Board of Directors and express our appreciation for the development plans being made in this area of our neighborhood.

Respectfully submitted,

Susan Huppert



Our mission is to serve our community by supporting and enhancing the unique quality of life and commerce that defines the Des Moines West Side.

46 #

RECEIVED
COMMUNITY DEVELOPMENT

AUG 16 2016

DEPARTMENT

Board of Directors

Soozie McBroom
Co-Chair

Janis Ruan
Co-Chair

Kaye Lozier
Treasurer

Chris Irvine
Secretary

Chris Diebel
Mark Holub
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Mike Woody

August 12, 2016

Des Moines City Council &
Des Moines P&Z Commission
c/o Planning and Urban Design Division
602 Robert D Ray Drive
Des Moines, IA 50309-1881

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We applaud this project and look forward to the energy it will bring to this part of Ingersoll Avenue.

Regards,



Soozie McBroom
Janis Ruan
Co-Chairs
Restoration Ingersoll



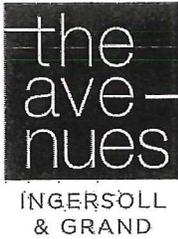
INGERSOLL
& GRAND

Community Development Department

46

AUG 15 2016

RECEIVED



Ingersoll & Grand Self-Supported Municipal Improvement District

August 15, 2016

Des Moines City Council &
Des Moines P&Z Commission
c/o Planning and Urban Design Division
602 Robert D Ray Drive
Des Moines, IA 50309-1881

Dear Members of the Commission and City Council,

The Ingersoll Grand Self-Supported Municipal Improvement District Board of Directors would like to communicate our support for the proposed development located at 2301 Ingersoll Avenue.

In 2012, the Ingersoll and Grand Avenue Revitalization Strategy was adopted by the Des Moines City Council. This strategy was developed by a dedicated group of residents, business leaders, and property owners committed to sustaining and increasing the value of this unique and vibrant area of the city. Key to the success of the strategy is a focus on increased residential density and mixed-use development along the Ingersoll corridor. These goals are outlined in Section 3 of the report titled *Recommended Development Strategies and Actions*. Furthermore, this 2.6 acre site was identified as a primary opportunity for this type of development.

We applaud Roers Investments' commitment to working with the local Neighborhood Association, the Ingersoll and Grand SSMID and area stakeholder organizations in the preparation of the current proposed plan (dated 8/8/2016).

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn Lyons", written over a faint, stylized graphic element.

Glenn Lyons
President

AUG 15 2016

RECEIVED

whodsm@yahoo.com

To

fcownie@dmgov.org BillGray@dmgov.org CLHensley@dmgov.org LindaW@dmgov.org ccoleman@dmgov.org ColemanSeven@mchsi.com joegatto@dmgov.org skipmoore@dmgov.org asknidd@dmgov.org asknidd@dmgov.org PlanDSM@dmgov.org mlneiderbach@dmgov.org mludwig@dmgov.org

Hide

CC

lylayost@gmail.com

Jul 30 at 5:28 PM

July 29, 2016

To: City of Des Moines

From: Woodland Heights Organization

RE: Proposed Planned Unit Development at 2301 Ingersoll

On Monday, July 25, 2016, the Woodland Heights Organization (WHO) held a special neighborhood meeting to discuss the proposal submitted by Roers Investments for 2301 Ingersoll Avenue (China One). During our meeting, neighbors discussed:

- *What makes our neighborhood great, unique, special?*
- *How does the plan help the neighborhood?*
- *What in the plan doesn't work for the neighborhood?*
- *What if any changes must / should be made to the plan?*

After much discussion, the WHO voted and we are not in support of the proposed PUD project (that was up-to-date as of July 25, 2016).

Areas of Concern

Under the current proposed plan, many in the neighborhood feel there are four key areas that need to be reconsidered. We ask the city to consider these objections during the PUD input process:

- 1. Population to Parking Ratio is Too Low.** As voiced in our earlier meeting on June 21, 2016 with Roers Investments, there is concern about the high number of units (and that none were owner-occupied) in the plan. Additional density brings challenges – for traffic, parking and safety. We'd like to:
 - a. See the number of apartments substantially reduced and parking areas increased.
 - b. Understand the shared parking discussions with Mediacom – especially as it relates to snow ordinance parking concerns.
 - c. Get better insight into the 24 hour car moving requirement for city street and/or right-of-ways.
 - d. See single family homes on High Street maintain similar character traits and placement that is in the rest of the neighborhood.
- 2. Safety.** The number of units being in the proposed plan creates traffic and safety concerns for residents – especially on streets adjacent to the proposed development. We encourage the city to conduct traffic monitoring and look for ways to minimize disruption to residents. Our neighbors cited walkability, neighborhood safety

ZON2016-00119

Item 2301 Ingersoll Date 8/8/16

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

(Circle One)
AUG 09 2016

DEPARTMENT

Print Name Jeanette Astor

Signature Jeanette Astor

Address 617 23rd St

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

- Greatly increased traffic on surrounding streets
- High-end, only market-rate rentals are not a good fit for the economic, cultural, and age diversity of Woodland Heights neighborhood.

ZON2016-00119

Item 2301 Ingersoll Ave Date 7/28/16

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

(Circle One)
AUG 09 2016

DEPARTMENT

Print Name R. Mitch Colucci

Signature [Signature]

Address 2421 High St

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

I believe this development is in the best interest of the city itself. While it may pose short term challenges for the neighborhood, in the long term increased population and the revenue/options available will be a great benefit to neighbors.

ZON2016-00119

Item

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

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT

AUG 09 2016

DEPARTMENT

Name Sergio Sanchez

Signature Sergio Sanchez

Address 617 23rd St DSM

Date 7-27-16

Received after 8/4/16

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

46

ZON 2016 - 00119

Item _____ Date 8-8-16

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

RECEIVED
COMMUNITY DEVELOPMENT

AUG 09 2016

DEPARTMENT

Print Name Kirk DAWSON

Signature Kirk Dawson

Address 550 24th apt 4 Des Moines Ia, 50312

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

- ① to many units in one area.
- ② to many parking spots in one area.
- ③ to many people in one area.

ZON2016-00119

Item _____ Date 28 JULY 2016

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

RECEIVED
COMMUNITY DEVELOPMENT

AUG 04 2016

DEPARTMENT

Print Name WILLIAM T. HANSON

Signature William T. Hanson

Address 2316 WOODLAND AVE DSM 50312

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

ZON2016-00119

Item. ZON 2016-00119

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

RECEIVED
COMMUNITY DEVELOPMENT

AUG 09 2016

DEPARTMENT

Print Name Terry A. Linn

Signature Terry A. Linn

Address 2411 HICK ST Des Moines IA 50312

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

WE REQUEST THE ZONING RESEARCH. IT WAS ONLY FOR 60 UNITS. THESE PEOPLE WANT TO MORE THAN DOUBLE THE DENSITY OF PEOPLE. I BOUGHT THIS HOUSE IN A SMALL PART BECAUSE OF THE QUIET AND QUALITY OF THIS NEIGHBORHOOD. PLEASE! DON'T ALLOW THIS ANT HILL TO POP UP ACROSS THE STREET.

46A

ZON2016-00119

Item _____ Date 7/27/16

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

(Circle One)

COMMUNITY DEVELOPMENT

Print Name Mike Morrill

AUG 01 2016

Signature [Signature]

DEPARTMENT

Address 3616 High St Wm

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

My opposition to the project rests solely on the residential part of the development.

I believe there needs to be some owner occupancy on the high st. side and the density of the apartment units is too high for the location.

ZON2016-00119

Item _____ Date August 4th 2016

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

(Circle One)

COMMUNITY DEVELOPMENT

Print Name Petar Madjarac

AUG 05 2016

Signature [Signature]

DEPARTMENT

Address 2406 High St.

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

The proposed plan drastically increases the density of our neighborhood, with not enough parking and too many people in one block it will unbalance our community. I would support development with the density it is currently zoned for.

ZON2016-00119

Item _____

Date 7/27/16

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

(Circle One)

COMMUNITY DEVELOPMENT

Print Name Beth A. Young

Signature [Signature]

AUG 02 2016

Address 2401 High Street

DEPARTMENT

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

Parking is already limited along High Street. I would like to see the lot improved but not at the level that a PUD zoning would allow.

ZON2016-00119

Item _____ Date 7/27/16

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

RECEIVED
COMMUNITY DEVELOPMENT

AUG 01 2016

Print Name Alice Bodson

Signature Alice Bodson

Address 601-24th, 602-23rd, 614-73rd, 621-23rd

DEPARTMENT

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

- Want owner-occupied townhomes on north side of proposed development (High St. side) with same setback as other homes on High St.
- Reduce number of units to 1/2 of what proposed, to avoid parking + traffic circulation problems in our nbrhd.

ZON2016-00119

Item _____ Date July 28, 2016

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

RECEIVED
COMMUNITY DEVELOPMENT

AUG 02 2016

Print Name Kelly Adair

Signature Kelly Adair

Address 2402 HIGH ST

DEPARTMENT

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

- NEED TO HAVE A REDUCTION OF DENSITY (LESS UNITS @ PARKING)
- NEED OWNER-OCCUPIED RESIDENTIAL ON HIGH STREET
- RETAIL/COMMERCIAL DEVELOPMENT ON INVERSON- ONLY

ZON2016-00119

Item _____

Date 7-29-16

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

RECEIVED
COMMUNITY DEVELOPMENT

AUG 02 2016

Print Name Joyce Flemmig

Signature Joyce Flemmig

Address 510 24th St DMIA 50812

DEPARTMENT

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

4/6/16



Board of Directors

Soozie McBroom
Co-Chair

Janis Ruan
Co-Chair

Kaye Lozier
Treasurer

Chris Irvine
Secretary

Chris Diebel
Mark Holub
Mike Hutchison
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Christine Polson
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Mike Ludwig
Glenn Lyons
Rob Smith
Mike Woody

August 12, 2016

Des Moines City Council &
Des Moines P&Z Commission
c/o Planning and Urban Design Division
602 Robert D Ray Drive
Des Moines, IA 50309-1881

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We applaud this project and look forward to the energy it will bring to this part of Ingersoll Avenue.

Regards,

Soozie McBroom
Janis Ruan
Co-Chairs
Restoration Ingersoll

Also a letter of support from West Side Chamber



INGERSOLL & GRAND

1915 Grand Avenue
Des Moines, 50309
www.theavenuesdsm.com

Des Moines West Side Chamber of Commerce

558 – 28th Street, Des Moines, IA 50312

(515)238-2913

Email: director@desmoineswestsidechamber.org

Website: www.desmoineswestsidechamber.org

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AUG 16 2016

DEPARTMENT

August 12, 2016

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c/o Planning and Urban Design Division
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Susan Huppert

WS

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AUG 16 2016

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Janis Ruan
Co-Chairs
Restoration Ingersoll



INGERSOLL
& GRAND

Community Development Department

AUG 15 2016

RECEIVED

whodsm@yahoo.com

To

fcownie@dmgov.org BillGray@dmgov.org CLHensley@dmgov.org LindaW@dmgov.org ccoleman@dmgov.org ColemanSeven@mchsi.com joegatto@dmgov.org skipmoore@dmgov.org asknodd@dmgov.org asknodd@dmgov.org PlanDSM@dmgov.org mlneiderbach@dmgov.org mludwig@dmgov.org

Hide

CC

lylayost@gmail.com

Jul 30 at 5:28 PM

July 29, 2016

To: City of Des Moines

From: Woodland Heights Organization

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Community Development Department

AUG 15 2016

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INGERSOLL
& GRANDIngersoll & Grand Self-Supported Municipal Improvement District

August 15, 2016

Des Moines City Council &
Des Moines P&Z Commission
c/o Planning and Urban Design Division
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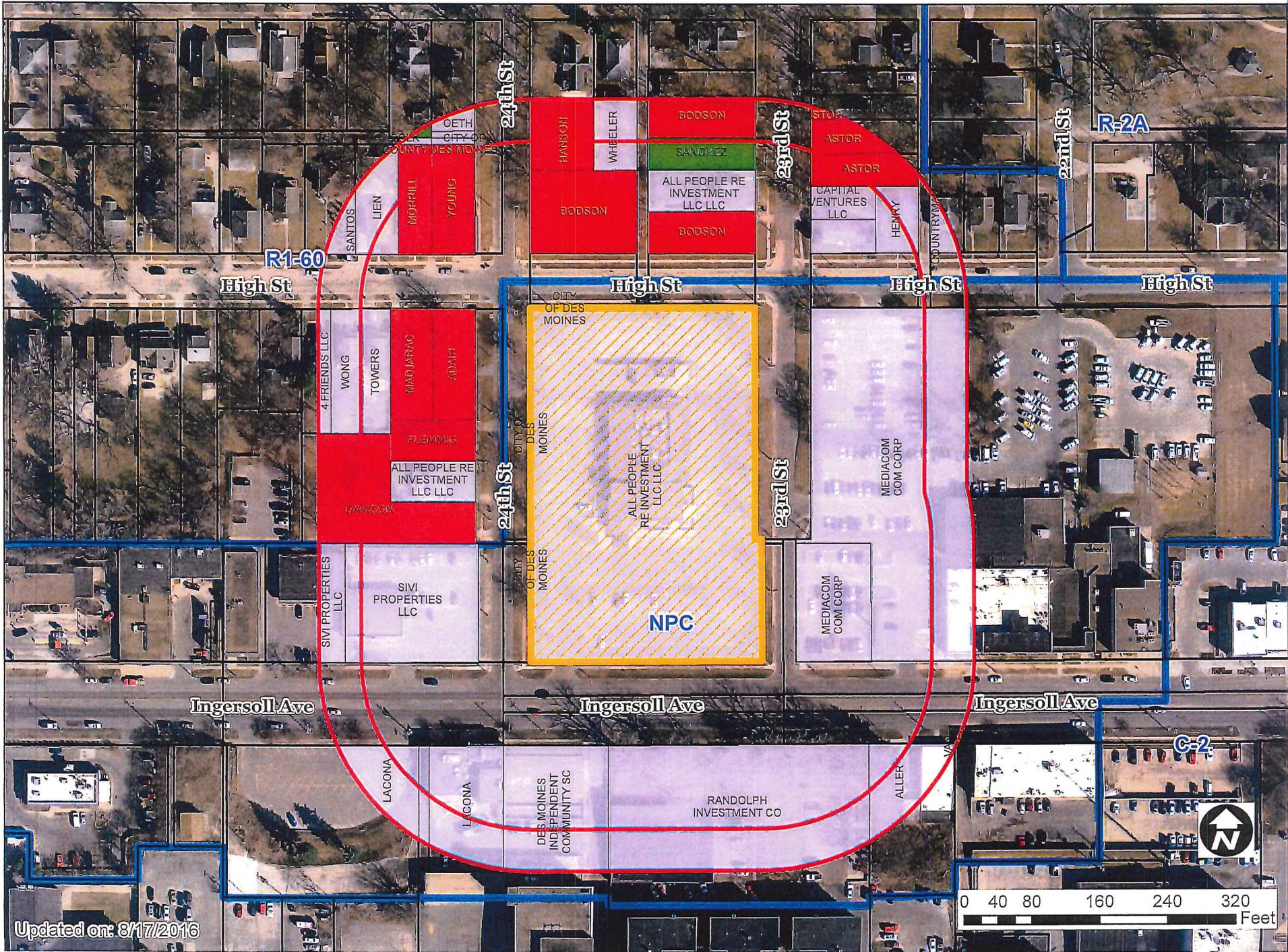
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Sincerely,

Glenn Lyons
President



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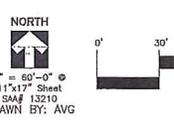
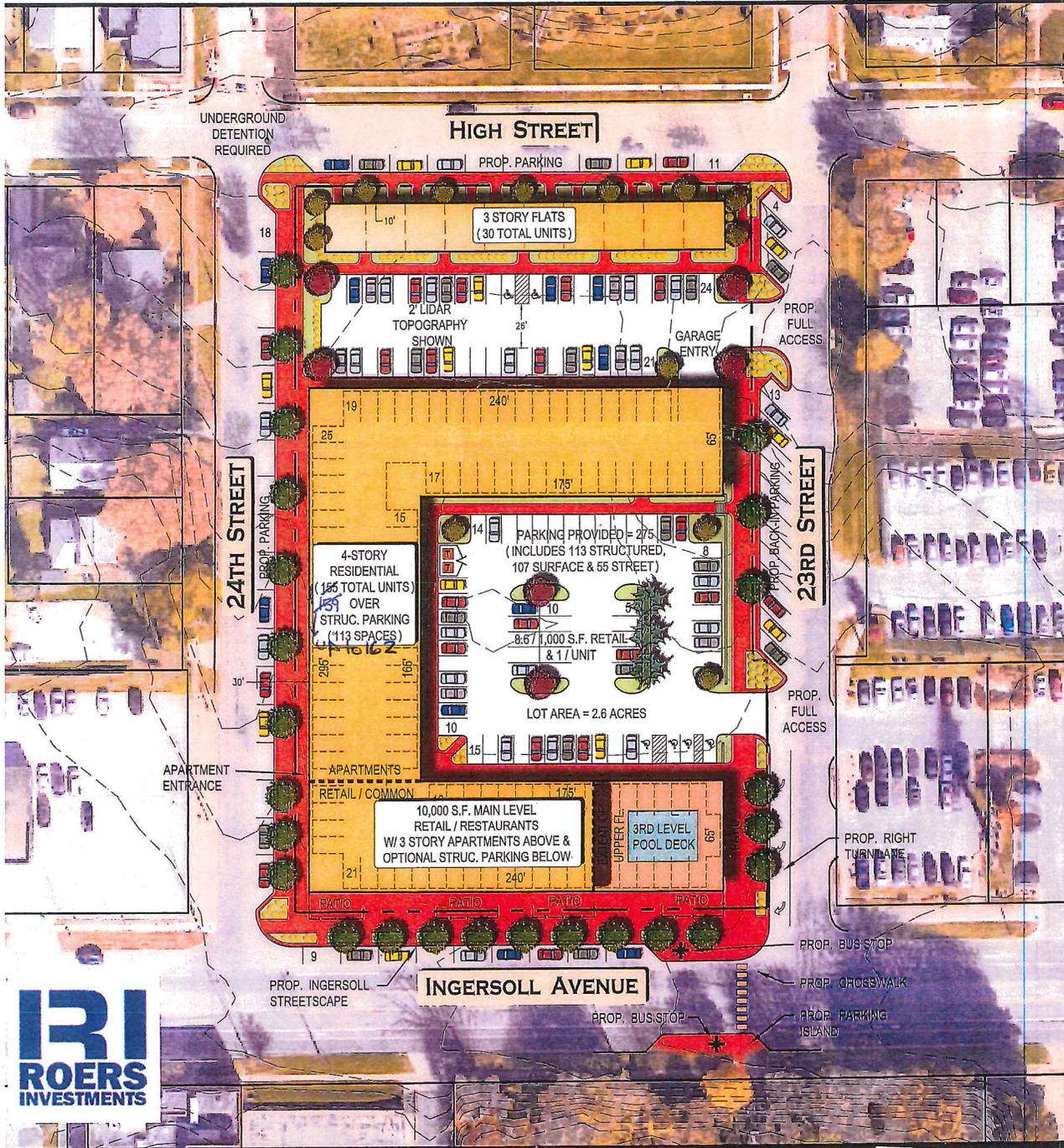
2301 INGERSOLL AVENUE, DES MOINES, IOWA

DEVELOPMENT SUMMARY

GROSS SITE AREA:	113,136 S.F. / 2.6 ACRES
EXISTING ZONING:	NPC (NEIGHBORHOOD PEDESTRIAN COMMERCIAL)
PROPOSED ZONING:	PUD (PLANNED UNIT DEVELOPMENT)
EXISTING USE:	RESTAURANT
PROPOSED USE:	COMMERCIAL & MULTI-FAMILY RESIDENTIAL
TOTAL COMMERCIAL AREA:	10,000 S.F.
TOTAL APARTMENTS:	159 UNITS
TOTAL FLAT UNITS:	30 UNITS
TOTAL RESIDENTIAL:	189 UNITS (72.8 UNITS / ACRE)

PARKING SUMMARY

STRUCTURED SPACES:	113 (41% OF TOTAL)
ON-SITE SURFACE SPACES:	107 (39% OF TOTAL)
PUBLIC STREET SPACES:	55 (20% OF TOTAL)
TOTAL PARKING PROVIDED:	275



2301 Ingersoll Avenue

Site Concept #12

Des Moines, Iowa

August 05, 2016



simonson & associates architects LLC
 217 Ingersoll Avenue Suite 117 Des Moines IA 50309
 phn 319.440.3626 www.simonsoniainc.com

This drawing has been prepared by the Architect or under the Architect's direct supervision. This drawing is intended to be conceptual in nature only. Property boundaries, setbacks, easements, topography, utilities, structures and other physical features shown herein are based on the information available to the architect at the time of design. This document reflects a site plan concept only and does not necessarily reflect all governing authority requirements, including green space calculations, bulk regulations, landscaping, storm water management, city input, site signage, grading, and other factors that may impact final design. This drawing shall not be used for construction or legal binding documentation. © Copyright 2016 by Simonson & Associates Architects, L.L.C.