



Date July 24, 2017

**RESOLUTION HOLDING HEARING ON REQUEST FROM
HUBBELL REALTY COMPANY TO REZONE PROPERTY IN THE
VICINITY OF 1300 TUTTLE STREET, AND APPROVING PUD CONCEPTUAL PLAN**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 20, 2017, its members voted 9-1 in support of a motion to recommend **APPROVAL** of a request from Hubbell Realty Company (developer), represented by Joe Pietruszynski (officer), to rezone property in the vicinity of 1300 Tuttle Street, generally bounded by Martin Luther King, Jr. Parkway on the north, the Des Moines River on the south, Southwest 11th Street on the east, and Southwest 16th Street on the west ("Property"), from "C-3B" Central Business Mixed Use District and "FW" Floodway District to "PUD" Planned Unit Development, and to approve the "Gray's Station" PUD Conceptual Plan, to allow redevelopment of 83.73 acres with mixed use, low-medium density residential, high density residential, and open space areas, subject to the following revisions to the PUD Conceptual Plan:

1. Revision of Note 6 on Sheet 1 to state "all final development plans are subject to review and approval by the Plan & Zoning Commission and the City Council."
2. All references to "Medium Density Residential" on the PUD Conceptual Plan shall be retitled as "Low-Medium Density Residential."
3. The Plan shall be updated to reflect the requirement that no less than seventy-five percent (75%) of the Low-Medium Density Residential units shall have a minimum of 2 stories.
4. The Plan shall be updated to reflect the requirement that no more than twenty-five percent (25%) of the Low-Medium Density Residential units shall have a minimum height of 1 story.
5. The Plan shall be updated to reflect the requirement that no more than two 1-story Low-Medium Density Residential units shall be constructed on adjoining sites.
6. The Plan shall be updated to reflect the requirement that the 75%-25% minimum height ratio for the Low-Medium Density Residential units should be achieved with each phase of the PUD project. Some variation can be considered with each Development Plan.
7. The Plan shall be updated to reflect the requirement that an emphasis on taller building heights shall be provided for Low-Medium Density Residential units that front primary streets; and

WHEREAS, on July 17, 2017, by Roll Call No. 17-1204, it was duly resolved by the City Council that the application from Hubbell Realty Company to rezone the Property and for approval of the PUD Conceptual Plan, be set down for hearing on July 24, 2017 at 5:00 P.M., in the Council Chamber at the Municipal Service Center; 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

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WHEREAS, in accordance with said notice, those interested in said proposed rezoning and 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; and

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property in the vicinity of 1300 Tuttle Street, legally described as:

OUTLOTS Y AND Z AND A PART OF LOTS 6, 7 AND 9, CENTRAL DES MOINES INDUSTRIAL PARK, AN OFFICIAL PLAT AND PART OF LOTS 80, 81, 82, 85 AND 86 IN FACTORY ADDITION, AN OFFICIAL PLAT, ALL BEING IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 9, CENTRAL DES MOINES INDUSTRIAL PARK HAVING A STATE PLANE IOWA SOUTH COORDINATE VALUE OF NORTHING 575161.83 AND EASTING 1602813.57; THENCE SOUTH 89° (DEGREES) 48' (MINUTES) 50" (SECONDS) EAST ALONG THE NORTHERLY LINE OF SAID LOT 9, A DISTANCE OF 339.93 FEET TO THE SOUTHWEST CORNER OF LOT 2, SAID CENTRAL DES MOINES INDUSTRIAL PARK; THENCE SOUTH 89°46'52" EAST CONTINUING ALONG SAID NORTHERLY LINE, 419.55 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2 ALSO BEING A POINT ON THE WEST RIGHT OF WAY LINE OF SW 14TH STREET; THENCE SOUTH 00°01'02" EAST CONTINUING ALONG SAID NORTHERLY LINE, 69.98 FEET TO THE SOUTHWEST CORNER OF STREET LOT B, SAID CENTRAL DES MOINES INDUSTRIAL PARK; THENCE SOUTH 89°35'21" EAST CONTINUING ALONG SAID NORTHERLY LINE, 70.00 FEET TO THE NORTHWEST CORNER OF LOT 8, SAID CENTRAL DES MOINES INDUSTRIAL PARK; THENCE SOUTH 00°08'06" WEST CONTINUING ALONG SAID NORTHERLY LINE, 423.70 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE SOUTH 89°19'18" EAST CONTINUING ALONG SAID NORTHERLY LINE, 307.20 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8, ALSO BEING THE NORTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00°08'11" WEST ALONG THE WESTERLY LINE OF SAID LOT 7, CENTRAL DES MOINES INDUSTRIAL PARK, 333.39 FEET; THENCE NORTHERLY CONTINUING ALONG SAID WESTERLY LINE AND A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 804.20 FEET, WHOSE ARC LENGTH IS 93.82 FEET AND WHOSE CHORD BEARS NORTH 03°29'07" WEST, 93.77 FEET; THENCE NORTH 06°58'06" WEST CONTINUING ALONG SAID WESTERLY LINE, 15.78 FEET TO THE NORTHWEST CORNER OF SAID LOT 7 ALSO BEING THE SOUTH RIGHT OF WAY LINE OF TUTTLE STREET; THENCE NORTH 81°10'49" EAST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 411.78 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE NORTH 00°05'48" WEST ALONG THE WEST LINE OF SAID LOT 6, CENTRAL DES MOINES INDUSTRIAL PARK, 72.11 FEET TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 81°52'47" EAST ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 347.62 FEET TO THE SOUTHEAST



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CORNER OF LOT 4, SAID CENTRAL DES MOINES INDUSTRIAL PARK; THENCE NORTH 00°31'45" WEST ALONG THE WESTERLY LINE OF SAID OUTLOT Y, CENTRAL DES MOINES INDUSTRIAL PARK, 63.43 FEET; THENCE NORTH 87°29'10" EAST CONTINUING ALONG SAID WESTERLY LINE, 10.37 FEET; THENCE NORTH 00°12'49" WEST CONTINUING ALONG SAID WESTERLY LINE, 554.99 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID CENTRAL DES MOINES INDUSTRIAL PARK AND HAVING A STATE PLANE IOWA SOUTH COORDINATE VALUE OF NORTHING 575907.16 AND EASTING 1604699.48; THENCE SOUTH 89°04'27" EAST ALONG THE NORTH LINE OF SAID OUTLOT Y, 15.36 FEET TO THE NORTHEAST CORNER OF SAID OUTLOT Y; THENCE NORTH 00°21'12" WEST ALONG THE WEST LINE OF SAID LOT 85, FACTORY ADDITION, 8.59 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF MARTIN LUTHER KING JR PARKWAY; THENCE NORTH 86°10'40" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 100.23 FEET; THENCE NORTH 84°40'04" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 199.44 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SW 11TH STREET; THENCE SOUTH 15°27'22" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 173.21 FEET; THENCE SOUTH 74°42'29" WEST, 99.77 FEET; THENCE SOUTH 15°25'34" EAST, 75.29 FEET; THENCE NORTH 74°32'27" EAST, 99.81 FEET TO SAID WESTERLY RIGHT OF WAY LINE; THENCE SOUTH 15°27'22" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 344.37 FEET TO A CORNER ON THE EASTERLY LINE OF SAID LOT 81; THENCE SOUTH 39°15'32" WEST ALONG SAID EASTERLY LINE, 97.08 FEET; THENCE SOUTH 79°27'19" WEST, 73.56 FEET TO THE EASTERLY LINE OF THE WEST HALF OF SAID LOT 81; THENCE SOUTHERLY ALONG SAID EASTERLY LINE AND A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 716.25 FEET, WHOSE ARC LENGTH IS 712.02 FEET AND WHOSE CHORD BEARS SOUTH 06°02'51" WEST, 683.06 FEET; THENCE SOUTH 67°48'12" WEST, 51.41 FEET TO A POINT ON THE EAST LINE OF THE WEST 100 FEET OF SAID LOT 80, FACTORY ADDITION; THENCE SOUTH 00°01'40" EAST ALONG SAID EAST LINE, 767.72 FEET; THENCE SOUTH 45°36'19" EAST, 692.69 FEET TO THE WESTERLY LINE OF SAID LOT 81; THENCE SOUTH 76°09'29" EAST, 50.00 FEET TO SAID EASTERLY LINE OF THE WEST HALF OF LOT 81, HAVING A STATE PLANE IOWA SOUTH COORDINATE VALUE OF NORTHING 573317.97 AND EASTING 1605461.84; THENCE SOUTHERLY ALONG SAID EASTERLY LINE AND A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 740.65 FEET, WHOSE ARC LENGTH IS 76.04 FEET AND WHOSE CHORD BEARS SOUTH 17°00'55" WEST, 76.01 FEET; THENCE NORTH 70°20'25" WEST, 50.00 FEET TO SAID WESTERLY LINE OF LOT 81; THENCE NORTH 45°36'19" WEST, 663.55 FEET TO SAID EAST LINE OF THE WEST 100 FEET OF LOT 80; THENCE SOUTH 00°01'40" EAST ALONG SAID EAST LINE, 439.03 FEET TO THE NORTH BANK AND MEANDER LINE OF THE RACCOON RIVER; THENCE NORTH 71°44'57" WEST AND ALONG SAID MEANDER LINE AND THE SOUTHERLY LINE OF SAID OUTLOT Z, CENTRAL DES MOINES INDUSTRIAL PARK, 888.50 FEET; THENCE NORTH 83°01'49" WEST CONTINUING ALONG SAID SOUTHERLY LINE, 463.82 FEET; THENCE NORTH 89°10'53" WEST CONTINUING ALONG SAID SOUTHERLY LINE, 291.24 FEET; THENCE



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SOUTH 82°06'06" WEST CONTINUING ALONG SAID SOUTHERLY LINE, 296.82 FEET; THENCE SOUTH 72°02'02" WEST CONTINUING ALONG SAID SOUTHERLY LINE, 228.32 FEET TO THE SOUTHWEST CORNER OF SAID OUTLOT Z; THENCE NORTH 00°03'17" EAST ALONG THE WEST LINE OF SAID CENTRAL DES MOINES INDUSTRIAL PARK, 1647.05 FEET TO THE POINT OF BEGINNING AND CONTAINING 83.73 ACRES (3,647,186 SQUARE FEET) AND IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

from "C-3B" Central Business Mixed Use District and "FW" Floodway District to "PUD" Planned Unit Development to allow redevelopment of the Property with mixed use, low-medium density residential use, high-density residential use and open space areas.

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

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. 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 "Gray's Station" PUD Conceptual Plan with revisions as set forth above, are hereby overruled, and the hearing is closed.
3. 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.
4. The proposed "Gray's Station" PUD Conceptual Plan, as on file in the Community Development Department, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein, and subject to the revisions identified above, and subject to the Community Development Director finding that such revisions have been satisfied by amendments to the Plan.

★ Roll Call Number

Agenda Item Number

63B

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MOVED BY _____ TO ADOPT.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(ZON2017-00087)

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.

Mayor

City Clerk

July 21, 2017

Honorable Mayor and City Council
 City of Des Moines, Iowa

Members:

Communication from Hubbell Realty Company (developer) represented by Joe Pietruszynski (officer) to rezone property in the vicinity of 1300 Tuttle Street; generally bounded by West M.L. King Jr. Parkway on the north, the Des Moines River on the south, Southwest 11th Street on the east, and Southwest 16th Street on the west. The subject property is owned by Norfolk Southern Railway and City of Des Moines.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 9-1 as follows:

<u>Commission Action:</u>	<u>Yes</u>	<u>Nays</u>	<u>Pass</u>	<u>Absent</u>
Francis Boggus				X
Dory Briles				X
JoAnne Corigliano				X
David Courard-Hauri		X		
Jacqueline Easley	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Lisa Howard	X			
Carolyn Jenison				X
Greg Jones	X			
William Page	X			
Mike Simonson	X			
Rocky Sposato	X			
Steve Wallace	X			
Greg Wattier				X

APPROVAL of a motion consisting of Part A) the proposed rezoning is in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation, Part B) approval of rezoning from "C-3B" District to "PUD" District, and Part C) approval of the Gray's Station PUD Conceptual Plan subject to the following amendments:

1. Revision of Note 6 on Sheet 1 to state "all final development plans are subject to review and approval by the Plan & Zoning Commission and the City Council."
2. All references to "Medium Density Residential" on the PUD Conceptual Plan shall be retitled as "Low-Medium Density Residential."
3. The Plan shall be updated to reflect the requirement that no less than seventy-five percent (75%) of the Low-Medium Density Residential units shall have a minimum of 2 stories.
4. The Plan shall be updated to reflect the requirement that no more than twenty-five percent (25%) of the Low-Medium Density Residential units shall have a minimum height of 1 story.
5. The Plan shall be updated to reflect the requirement that no more than two 1-story Low-Medium Density Residential units shall be constructed on adjoining sites.
6. The Plan shall be updated to reflect the requirement that the 75%-25% minimum height ratio for the Low-Medium Density Residential units should be achieved with each phase of the PUD project. Some variation can be considered with each Development Plan.
7. The Plan shall be updated to reflect the requirement that an emphasis on taller building heights shall be provided for Low-Medium Density Residential units that front primary streets.

(21-2017-4.05 & ZON2017-00087)

STAFF RECOMMENDATION

Part A) Staff recommends that the proposed rezoning is not in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation.

Part B) Based on the items listed in Section II(2) of this report and lack of significant change in market conditions, staff recommends denial of the requested Land Use Plan Amendment.

Part C) Staff recommends denial of the proposed rezoning from "C-3B" District to "PUD" District.

Part D) Staff recommends denial of the proposed Gray's Station PUD Conceptual Plan.

Should the Commission desire to forward a recommendation of approval to the City Council, staff recommends that approval be subject to the following conditions:

1. Revision of Note 6 on Sheet 1 to state "all final development plans are subject to review and approval by the Plan & Zoning Commission and the City Council."
2. Provision of a note identified as III(A)3 under the Building Character heading on Sheet 2A that states "buildings shall incorporate 360-degree architectural detailing and materials."

3. All references to "Medium Density Residential" on the PUD Conceptual Plan shall be retitled as "Low-Medium Density Residential."
4. Provision of a note that states "each story of a building within the Low-Medium Density Residential areas shall consist of finished habitable space."
5. Provision of a note on Sheet 10 that states "Phase 1 vertical construction and Phase 2 infrastructure construction shall be complete before Phase 3 vertical construction is initiated."
6. Revision of the PUD Conceptual Plan to reflect the drawing titled "Staff Recommendation Attachment" based on the following key:

Attached Low-Medium Density Residential Units	
Yellow highlight in red square	Minimum 3-story/36-foot height
Yellow highlight with blue dot	Minimum 2-story/24-foot height
All other units	Minimum 2-story height/24-foot except that a 1 story unit may be constructed at the end of a building row. Consecutive 1 story end units are prohibited.
Detached Low-Medium Density Residential Units	
Yellow highlight with green dot	Minimum 2½-story height
All other units	Minimum 2-story height except that up to 25% of the units may be 1 story. Consecutive 1 story units are prohibited.

STAFF REPORT TO THE PLANNING COMMISSION

Item #3 is continued from the July 6, 2017 meeting of the Commission. A revised PUD Conceptual Plan has been submitted by the applicant. Please see Section III of this report for an overview of the changes and staff analysis. Section I and II of this report remain as written for the July 6 meeting.

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to redevelop a former industrial area into a multi-phase, residential and mixed use development. The site is located in an area that has long been planned for redevelopment and has been referred to as Riverpoint West and Gray's Landing over the years. The northeast and southwest portions of the site would contain mixed-use development. A large scale storm water basin area is proposed along the southern perimeter of the development that would be developed in a wetland park theme. The core of the development would allow for a mix of detached, semi-attached and rowhouse single-family dwellings as well as small multi-family buildings. Multi-story, multiple-family residential buildings are proposed along the north and south perimeters of the street network. The proposed Conceptual Plan sets a minimum density for the development and basic design parameters. The exact makeup

of the development would be determined by the PUD Development Plan of each phase. A total of six phases are proposed that would have a combined total of at least 1,100 dwelling units. This equates to 13 dwelling units per gross acre (83.73 acres) or 28 dwelling units per net acre (39.2 acres).

2. **Size of Site:** 83.73 acres (3,647,186 square feet).
3. **Existing Zoning (site):** "C-3B" Central Business Mixed Use District, "FW" Floodway District, "D-O" Downtown Overlay District, "GGP" Gambling Games Prohibition District and "FSO" Freestanding Sign Overlay District.
4. **Existing Land Use (site):** Vacant land that was formerly occupied by industrial uses and City-owned storm water basins.
5. **Adjacent Land Use and Zoning:**
 - East** - "C-3B" & "PUD"; Uses are a hotel, a mixed-use development and the DART operations facility.
 - West** - "C-3B" and "FW"; Uses are vacant industrial property and wooded floodplain.
 - North** - "C-3B"; Uses are industrial, undeveloped land and the Martin Luther King, Jr. Parkway corridor.
 - South** - "FW"; Uses are the Raccoon River and levee.
6. **General Neighborhood/Area Land Uses:** The subject site is located in the southwest portion of the downtown. The surrounding area consists of vacant land, commercial uses, multiple-family residential uses, light industrial uses, the Raccoon River, Gray's Lake and Water Works Park.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Downtown Des Moines Neighborhood and within 250 feet of the Grays Lake Neighborhood. All neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on June 16, 2017. Additionally, separate notifications of the hearing for this specific item were mailed on June 16, 2017 (20 days prior to the hearing) and June 26, 2017 (10 days prior to the hearing) to the two neighborhood associations and 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 30, 2017. The Downtown Des Moines Neighborhood Association mailings were sent to Tony Filippini, 1719 Grand Avenue #210, Des Moines, IA 50309. The Grays Lake Neighborhood Association mailings were sent to Evan Shaw, 2615 Druid Hill Drive, Des Moines, IA 50315.
8. **Relevant Zoning History:** None.
9. **PlanDSM Land Use Plan Designation:** The subject site is designated as "Downtown Mixed Use" on the Future Land Use Map.
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:** PlanDSM was approved by a 7-0 vote of the City Council on April 25, 2016. A primary directive from City Council during preparation of PlanDSM was to identify appropriate locations for higher intensity and density development that minimized impacts on existing single-family neighborhoods.

PlanDSM responded to this directive by expanding and refining the “nodes and corridors” concept of the Tomorrow Plan. The Downtown Mixed Use Land Use Classification, 2 regional nodes, 13 community nodes and 28 neighborhood nodes of PlanDSM are linked by public transit and major transportation corridors. They represent opportunities over time to create mixed use areas that provide for increased housing and transportation choices, reduced infrastructure and maintenance expenditures and creation of vibrant places to serve neighborhoods and the City as a whole. These classifications also establish a hierarchy for expected intensity and density of commercial and residential development.

The Downtown Node designation of the Tomorrow Plan and the Downtown Mixed Use Land Use Classification of PlanDSM are singular and unique. The characteristics of this designation include a service area of 20+ miles, a population within the service area of 500,000+, retail/office space of 30,000,000+ square feet, employment capacity of 80,000+, size of node of 2,000+ acres, population within node of 15,000+ and average housing density (net dwelling units per acre) of 25-140 units per acre. Future development of the highest intensity and density was planned for and is expected within the Downtown Mixed Use Land Use Classification.

The subject property was assigned the Downtown Mixed Use Land Use classification for many reasons. The site was included in the “What’s Next Downtown Plan” (2008) and is within the Downtown Overlay Zoning District. The site is adjacent to and within walking and biking distance of more than 1,600 acres of public open space (Gray’s Lake and Water Works Park). The site does not adjoin any low-density residential neighborhoods. Public transit exists in close proximity and can easily be extended

through this site. The site was distinguished from the Sherman Hill Neighborhood, the Crivaro Park area and numerous neighborhoods on the fringe of the Downtown as demonstrated by different PlanDSM Future Land Use designations for those areas.

Staff acknowledges that the Gray's Station PUD proposes a minimum density of 28 units per net acre, which meets the minimum definition of "high density" in PlanDSM (17 or more per net acre) and allows for a mix of housing types. The proposal also redevelops an existing brownfield site and proposes "green" storm water solutions. However, staff believes that the current plan does not meet the holistic intent of PlanDSM, which calls for development of the highest intensity and density for this site.

City staff have met with the developer on numerous occasions to discuss design regulations for the development. The developer has made numerous modifications to the Conceptual Plan. However, staff still has the following significant concerns:

- Developable Acreage: Approximately 47% of the total land area (39.2 of 83.73 acres) within the PUD would consist of taxable development. Fifty-three percent (53%) of the total land area within the PUD would consist of non-taxable land for streets, schools or churches, the bridge landing area, neighborhood parks, enhanced detention basins, greenways and other public areas. Forty percent (40%) of the land area in the City of Des Moines is currently non-taxable and redevelopment of the adjoining DICO site will likely be non-taxable due to environmental constraints. Therefore, staff believes it is imperative that development on the "net" 47% of this PUD be of a density, intensity and quality that maximizes taxable value and return on City investment.
- "Mixed Use" and "High Density Residential" PUD Area's Density/Intensity: Approximately 49% of the proposed taxable development area (19.1 of 39.2 acres that consists of areas A, B, H, N, O, W, X, Y and Z) is designated for "Mixed Use" and "High Density Residential" development. The design regulations for these areas satisfy the minimum 70% building frontage per lot of the existing C-3B zoning. However, staff believes that minimum building frontage requirement in these areas should be at least 90% based on precedent building character imagery provided on the Sheet 16 of the Conceptual Plan.

The design regulations for these areas meet or exceed the minimum 3 story/36 feet height limit of the existing C-3B zoning for the property by proposing a minimum 3-story building height on parcels B, H, N and O; a minimum 4-story building height on parcels A, W and X; and a minimum 8-story building height on Parcels Y and Z. However, staff notes that development of Parcels W, X, Y and Z are in the last phase of development. Staff is concerned that residents of lower density development constructed in earlier phases will object to higher density development in later phases.

- "Medium Density Residential" PUD Area Density/Intensity: Approximately 51% of the proposed taxable development area (20.1 of 39.2 acres that consists of areas C-G, I-M, and P-V) is currently designated for "Medium Density Development" with a minimum density of 7-8 units per acre. The proposed minimum density for

these areas is less than the PlanDSM definition of Medium Density Residential (12-17 units per net acre). A minimum density of 7-8 units per acre would be at the lower end of the PlanDSM definition for Low-Medium Density Residential (6-12 units per net acre). While the design regulation for these areas meets the minimum 70% building frontage requirement for existing C-3B zoning, the PUD proposes a minimum building height of 1-story, which is less than the minimum 3-story/36 feet minimum height for existing C-3B zoning.

The applicant has revised the plans to note "detached urban homes shall be concentrated along green space areas and neighborhood park areas", but the applicant has not delineated specific areas on the Conceptual Plan where detached single-family product is restricted to and the applicant has not accepted staff's request for a minimum 2.5 stories/30 feet for all "Medium Density Residential" designated areas. The Conceptual Plan includes a note that states all Development Plans shall be reviewed by the Plan and Zoning Commission and City Council. However, an argument could be made at the time a Final Development Plan is reviewed that market conditions have changed and that unlimited 1-story, detached single-family residential development is allowed for Medium Density Residential areas of the PUD.

- **Building Character/Materials:** The Conceptual Plan has been revised to state "in accordance with tax abatement policy, a minimum 75% of the surface area (exclusive of windows and doors) of facades fronting and perpendicular to a public street must be of glass, brick, concrete panels, architectural concrete block (such as split-face or burnished block), architectural metal panels or stone. Fiber cement or wood panels are also acceptable." The applicant also revised the plans to partially address staff comments regarding definition of building roof form, but staff's requests for minimum roof pitches for specific building types have not been addressed.

The Conceptual Plan notes that all PUD Development Plans would be reviewed by the Plan and Zoning Commission and City Council. However, staff is concerned that proposed minimum design guidelines for character and materials do not satisfy the City's demonstrated history of requiring 360 degree architecture and a higher quality of materials on new buildings in the downtown. Staff also notes that to date, the applicant has not agreed to prohibit use of vinyl siding within the proposed development.

The applicant has requested that the future land use designation for the subject property be changed from Downtown Mixed Use to Neighborhood Mixed Use (same as Sherman Hill) to accommodate lower intensity and density development of the site. Staff does not believe that market conditions have changed so significantly during the 17 months since PlanDSM was approved to warrant a change to PlanDSM vision for this area.

2. **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.

See page 3, Section II(1) of this report for analysis regarding "Plan DSM: Creating Our Tomorrow."

- 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.

Buildings in the downtown are expected to frame the street and have minimal setbacks. The proposed residential buildings would have a maximum front yard setback of 15 feet. Commercial buildings would have a maximum front yard setback of 1 foot. These maximums comply with the "D-O" District and "C-3B" District standards. The submittal suggests extensive landscaping. Setbacks and landscaping would have to be evaluated in detail at the Development Plan stage.

- 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.

The existing City-owned storm water basins would be incorporated into the development and replaced by a basin layout that would also function as a wetland park. Sheet 15 of the Conceptual Plan indicates that the new basin facility would have the capacity to handle the storm water requirements for the development along with meeting the upstream needs of the watershed. Storm water facilities along with the details of other public infrastructure would have to be reviewed in detail at the Development Plan and platting stages.

- 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 has limited frontage on existing streets and would require the extension of existing streets and the construction of new street segments. The development would include the following north-south streets: SW 11th Street, SW 12th Street, SW 13th Street, SW 14th Street and SW 16th Street; and the following east-west streets: Tuttle Street, Murphy Street and DART Way. The ability to provide access in and out of the development is contingent on Tuttle Street, Murphy Street, DART Way and SW 16th Street being extended through property not included in the PUD or

controlled by the applicant. A traffic study was not provided with the submittal as a deferral of this requirement was granted.

- 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 proposed Conceptual Plan does not require off-street parking for residential uses and proposes a maximum surface parking standard of 3.75 spaces per 1,000 square feet of gross floor area for commercial uses. Staff believes this is an appropriate standard for the Downtown. Parking would have to be evaluated in greater detail at the Development Plan stage.

- 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.

Approximately half of the site would be dedicated to open space, which includes the proposed storm water detention area, two privately owned parks, greenways and trails.

3. **"C-3B" District Design Guidelines:** The site and the surrounding area is currently zoned "C-3B" District. Development in this zoning district must comply with the "C-3B" Design Guidelines found in Chapter 82 of the Municipal Code. Therefore, the proposed PUD Conceptual Plan should be evaluated against these standards so its compatibility with them is understood.

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

The proposed Conceptual Plan includes four general land use types, which are referenced in the documents as downtown Mixed Use, High Density Residential, Medium Density Residential and Open Space. The minimum height standards for the three categories intended to contain buildings are 4 stories for the Mixed Use areas, 3 stories for the High Density Residential areas and 1 story of the Medium Density Residential areas. One and two-story buildings are not consistent with this guideline. Staff believes that the proposed minimum height standard for the Medium Density Residential areas is not appropriate in the Downtown.

- 2) *Riverfront setbacks:* Riverfront setbacks for all new construction (that is not built integral to the levee and as part of a riverfront park) should be a minimum of 100 (horizontal) feet from the high water mark of the river. Redevelopment adjacent to a riverfront park (not part of the levee reconstruction) should front a continuous public right-of-way. This could be either a road built to an urban standard, or an alternative profile of a minimum 20' width that clearly delineates a public right-of-way between new private development and the riverfront park.

The proposed development would incorporate existing City-owned storm water basins and redevelop them in a wetland park manner. Buildings would be over a 100 feet from the levee.

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

Lighting is not addressed by the proposed Conceptual Plan and would have to be evaluated at the Development Plan stage.

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

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

These standards have been incorporated into the Conceptual Plan for the areas identified for High Density and Medium Density Residential development. However, Sheets 18, 19 and 20 include language that references a lower frontage requirement. Staff believes this is an oversight and that the intent is to comply with the 70% frontage requirement as noted elsewhere in the Conceptual Plan. These sheets must be revised to match the proposed design regulations. As noted in Section II(1) of this report, staff believes that the Mixed Use and High Density Residential areas should have a 90% building frontage minimum.

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

The Conceptual Plan includes an extensive alley system and appears to hide service areas to the extent possible. This would have to be evaluated further at the Development Plan stage.

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

- a. Buildings should have a building frontage on the principal street of not less than 70 percent of the lot frontage on the principal street.
- b. A minimum of 70 percent of the building frontage should be set within one foot of the front lot line.

- c. Building entrances on new development sites that have river frontage (and are not integral to the levy), should be oriented both towards the riverfront and the primary street.
- d. Service entrances, waste disposal areas and other similar uses should be located adjacent to service lanes and away from major streets and the public right-of-way adjacent to the river.
- e. Restaurants may operate outdoor cafes on public sidewalks while maintaining pedestrian circulation subject to obtaining an areaway permit.

These standards have been incorporated into the Conceptual Plan for the areas identified for high density and medium density residential. However, Sheets 18, 19 and 20 include language that references a lower frontage requirement. Staff believes this is an oversight and that the intent is to comply with the 70% frontage requirement as noted elsewhere in the Conceptual Plan. These sheets must be revised to match the proposed design regulations. As noted in Section II(1) of this report, staff believes that the Mixed Use and High Density Residential areas should have a 90% building frontage minimum.

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

The submitted Conceptual Plan does not include this level of detail. Any proposed storage would have to be evaluated at the Development Plan stage.

- 7) All open areas not used for off-street loading or parking should be landscaped in accordance with the Des Moines Landscape Standards. (See Site Plan Landscape Policies)

The development would include an extensive system of open spaces and trails. The Conceptual Plan suggests these areas along with building sites would be landscape. Landscaping would have to be evaluated further at the Development Plan stage.

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

Warehouse uses are prohibited by the use chart on Sheet 3 of the Conceptual Plan. Any office or commercial use that may require a loading dock area would have to be evaluated during the Development Plan stage.

- 2. **Downtown Overlay District Design Guidelines:** The site and the surrounding area is located in the "D-O" Downtown Overlay District. Development in this zoning district must comply with the "D-O" Design Guidelines found in Chapter 82 of the Municipal

Code. Therefore, the proposed PUD Conceptual Plan should be evaluated against these standards so its compatibility with them is understood.

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

See page 3, Section II(1) of this report for analysis regarding "Plan DSM: Creating Our Tomorrow."

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

The existing City-owned storm water basins would be incorporated into the development and replaced by a basin layout that would also function as a wetland park. Sheet 15 of the Conceptual Plan indicates that the new basin facility would have the capacity to handle the storm water requirements for the development along with meeting the upstream needs of the watershed. Additionally, rain garden facilities are proposed in the greenways to assist with water quality. Storm water facilities along with the details of other public infrastructure would have to be reviewed in detail at the Development Plan stage.

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

An extensive alley system would be utilized for much of the development, minimizing curb cuts along the streets and facilitating circulation. The Conceptual Plan shows shared parking lots for the larger development where possible.

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

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

Approximately half of the site would be dedicated to open space, which includes the proposed storm water detention area, two privately owned parks, greenways and trails.

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

The Conceptual Plan identifies bike share facilities in the northeast and southwest portions of the development. Trails and bike lanes are proposed and would have to be reviewed in detail at the Development Plan stage.

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

The proposed Conceptual Plan includes four general land use types, which are referenced in the documents as downtown Mixed Use, High Density Residential, Medium Density Residential and Open Space. The minimum height standards for the three categories intended to contain buildings are 4 stories for the Mixed Use areas, 3 stories for the High Density Residential areas and 1 story of the Medium Density Residential areas. One and two-story buildings are not consistent with this guideline. Staff believes that the proposed minimum height standard for the Medium Density Residential areas is not appropriate in the Downtown.

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

1. All buildings with river frontage should orient towards the river and have building entrances that are oriented to the river and primary street(s).

N/A.

2. All buildings without river frontage should have entrances oriented toward primary street(s).
3. All buildings should have frontage on principal street(s) of not less than 70 percent of the lot.
4. For commercial and mixed-use buildings, at least 70 percent of the building frontage should be within one foot of the property line.
5. At least one building entrance for residential uses should directly access the street when a residential use is located above street-level retail or commercial uses.
6. For residential buildings, a maximum setback of 15 feet from the public right-of-way is permitted unless superseded by bulk regulations of the underlying zoning district (i.e. R-HD Residential Historic District, R1-60 Low Density Residential District, etc.).

The Conceptual Plan includes notes that address these guidelines.

- I) Storage of all materials and equipment should take place within completely enclosed buildings.
- J) All refuse collection containers and dumpsters should be enclosed on all sides by the use of a permanent wall of wood, brick or masonry and steel gates which are compatible in design with the principal structure.

The submitted Conceptual Plan does not include this level of detail. This would have to be evaluated at the Development Plan stage.

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

The development would include an extensive system of open spaces and trails. The Conceptual Plan suggests these areas and building sites would be landscape. Landscaping would have to be evaluated further at the Development Plan stage.

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

Warehouse uses would be prohibited. Any office or commercial use that may require a loading dock area would have to be evaluated during the Development Plan stage.

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

Fuel sales is not proposed as an allowed use.

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

Drive-thru facilities would be an allowed accessory use in the areas identified as downtown mixed use. The impact of any future drive-thru would have to be evaluated at the Development Plan stage.

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

An extensive alley system would be utilized for much of the development, minimizing curb cuts along the streets and facilitating circulation. The Conceptual Plan shows shared parking lots for the larger development where possible. This would have to be evaluated in greater detail during the Development Plan stage.

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

The proposal complies with this guideline.

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

Drive-thru facilities would be an allowed accessory use in the areas identified as downtown mixed use. The impact of any future drive-thru would have to be evaluated at the Development Plan stage.

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

The Conceptual Plan states the "facades of above grade structured parking (e.g. podium parking beneath commercial or residential uses) adjacent to any public right-of-way shall be architecturally and aesthetically consistent with the remainder of the building they support." Staff believes that structured parking should be lined with commercial tenant space or dwelling units to the extent possible.

- 3. Traffic/Transportation:** The applicant received a deferral for submittal of a traffic study for the proposed development. They have had numerous discussions with the City's Traffic and Transportation Division and believe that the proposed traffic network is sufficient to serve the development. They anticipate that the traffic study will support this position. Staff is concerned that portions of the proposed street network are located on property not owned by the applicant. Specifically, staff notes that the alignment for SW 16th Street is on property owned by DICO and that the southern two east/west street connections to SW 11th Street would cross property owned by George Sherman and/or DART. While the applicant has had discussions with some adjoining property owners, the layout of the development and the suitability of the street network could change significantly if agreements are not reached.
- 4. Storm Water Management:** Sheet 15 of the Conceptual Plan provides information regarding the proposed storm water detention basins. The applicant has had discussions with staff and the narrative provides a general overview of stormwater management intent. However, no storm water design has been submitted. The Conceptual Plan notes that Development Plans are to be reviewed by the Plan and Zoning Commission and City Council.

III. PROPOSAL UPDATE AND ANALYSIS

On July 6, 2017, the Commission continued this item and requested additional analysis by the applicant and staff. Staff meet with the applicant following the July 6th meeting. A revised PUD Conceptual Plan has been submitted by the applicant for consideration. Changes to the plan include the following:

1. Sheet 2A – Design Guidelines
 - a. Item I(G) now states "detached urban townhomes shall be concentrated along green space areas and neighborhood park areas and be limited to the subareas as illustrated on the Conceptual Illustrative Master Plan on Sheet 8."
 - b. Item III(A)2 now includes language that prohibits the use of vinyl on the exterior of buildings.
 - c. Item IV(G)3(a) now states "minimum height for all uses shall be one story except as indicated on the Conceptual Illustrative Master Plan on Sheet 8."
2. Sheet 8 – Conceptual Illustrative Master Plan

- a. Has been updated to identify where detached and attached dwellings would be constructed within the Medium Density Residential areas.
 - b. Has been updated to identify 34 attached dwelling lots that would be required to have a 2-story minimum height within the Medium Density Residential areas. These lots are noted by a red dot.
3. Sheet 10 – Conceptual Phasing Diagram
- a. The phasing plan has been adjusted to consist of 3 phases instead of 6 as originally proposed. The phases move from east to west and each phase consists of multiple land use types.
4. Sheet 18, 19 and 20 – Prototypical Building Illustration Sheets
- a. The building frontage requirements on these sheets have been corrected to match the building frontage requirements list in the Design Guidelines portion of the Conceptual Plan.

Staff has reviewed the proposed changes and does not believe they are sufficient. The proposed revisions specify that 34 out of 366 dwelling units/lots (9% of the lots) in the Medium Density Residential areas would require 2-story buildings. The minimum height requirements for the remaining lots remains at 1 story as previously proposed.

The minimum standards for the Medium Density Residential areas do not match the vision illustrated by the precedent images in the PUD Conceptual Plan. They are also lower than what is required by the existing zoning for the property. PUD zoning allows flexibility but is not intended to be used to allow lower standards than existing zoning. PUD proposals have been consistently evaluated against the minimums of the existing zoning by staff and the Commission. Higher standards have always been expected and negotiated for PUD Conceptual Plans than for base zoning.

The 3-story/36-foot height limit in the C-3B zoning district has been in place for 12 years and was extended to all of downtown 6 years ago by the adoption of the "D-O" Downtown Overlay District. This requirement has kept unsuitable development from being constructed in downtown multiple times. Land in the Downtown is a limited resource and should be reserved for highest and best use.

Should the Commission desire to forward a recommendation of approval to the City Council, staff recommends that approval be subject to the conditions listed Section IV of this report. The following is a summary of those conditions and the rationale for each.

1. Revision of Note 6 on Sheet 1 to state "all final development plans are subject to review and approval by the Plan & Zoning Commission and the City Council."

*Note 6 currently states "all final development plans are subject to review and approval by the Plan & Zoning Commission **and/or** the City Council." Other notes in the Conceptual Plan state "and" instead of "and/or." As a point of clarification, staff believes this note should be changed as recommended.*

2. Provision of a note identified as III(A)3 under the Building Character heading on Sheet 2A that states "buildings shall incorporate 360 degree architectural detailing and materials."

Staff believes that the proposed Conceptual Plan minimum design guidelines for character and materials do not satisfy the City's demonstrated history of requiring 360 degree architecture and a higher quality of materials on new buildings in the downtown. This recommended note is intended to address that concern.

3. All references to "Medium Density Residential" on the PUD Conceptual Plan shall be retitled as "Low-Medium Density Residential."

The minimum density range for the proposed Medium Density Residential areas is 7-8 units per acre. This is less than the PlanDSM definition of Medium Density Residential (12-17 units per net acre). A minimum density of 7-8 units per acre would be at the lower end of the PlanDSM definition for Low-Medium Density Residential (6-12 units per net acre). Staff believes the proposed Medium Density Residential area should be labeled as Low-Medium Density Residential to be consistent with the PlanDSM definitions.

4. Provision of a note that states "each story of a building within the Low-Medium Density Residential areas shall consist of finished habitable space."

Staff believes this note is necessary to ensure that false stories or unfinished stories are not constructed to comply with the height requirements without meeting the intent of the height requirements.

5. Provision of a note on Sheet 10 that states "Phase 1 vertical construction and Phase 2 infrastructure construction shall be complete before Phase 3 vertical construction is initiated."

The phasing plan has been adjusted to consist of 3 phases instead of 6 as originally proposed. The phases move from east to west and each phase consists of multiple land use types. The revised phasing plan is appropriate in the number and the mix. However, staff believes there needs to be some assurance that the Downtown Mixed Use and/or High Density Residential buildings are constructed before moving on to a new phase. The proposed language is intended to address this concern while allowing some flexibility.

6. Revision of the PUD Conceptual Plan to reflect the drawing titled "Staff Recommendation Attachment."

Included in the Plan and Zoning Commission packet is a marked-up version of Sheet 8 titled "Staff Recommendation Attachment." This attachment and associated chart illustrate where staff believes it is vital to require higher standards than proposed for the Medium Density Residential areas.

The proposed limitations include: (1) prohibiting detached units north of Murphy Street; (2) requiring attached units with a minimum 3-story height along all streets and the greenway separating the PUD from the land to the east; (3) limiting the mix of 1 and 2-story units for the balance of the attached unit areas; (4) requiring detached units with a minimum 2½-story height along all streets and greenways; and (5) limiting the mix of 1 and 2-story units for the balance of the detached unit areas.

SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendation.

Greg Jones asked for clarification on the existing and proposed detention basins.

Jason Van Essen stated the ones that exist today are City owned and would be reconfigured as part of the development.

Jann Freed asked if the City has an investment in this project.

Jason Van Essen stated yes there is a development agreement with TIF funding. The bridge that would connect the development with Grays Lake would be a City project. Deferred to Rita Conner with the Office of Economic Development to better explain the agreement.

Glenna Frank stated she has heard that the agreement is around \$10,000,000 to \$20,000,000 plus the \$3,000,000 for the bridge.

Rita Conner with Office of Economic Development (OED) stated they do have an active development agreement that they have been negotiating with Hubbell Realty Company on for about a year. The financial assistance proposal is based on a couple of fundamental parameters that OED typically uses. Generally, they are always looking for tax incremental projects to be generated by the project. Meaning the company's front end investment is coming back to them for the tasks that they take on in the early years. The specific pieces of financial assistance that OED is looking to solve through tax increment are the \$6,000,000 to \$7,000,000 in extraordinary development cost associated with the development. OED started with making sure of there being full public amenity opportunities in this area. They are looking for the tax increment to be utilize to benefit the project which gives the tax roll value, solve some of the upfront development conditions that are unusual and give the broad tax paying community something to benefit from.

Glenna Frank asked does tax abatement apply to this project.

Rita Conner stated it does. This area is part of the concentrated map that City Council approved for targeted residential investment. There are two tax abatement investment program that will apply to this area. One is graduated over 10 years. For 8-years it will be 100% then for years 9 and 10 it will be 60% and 40%, on certain types of products such as the apartments with higher density. That delays the production of tax increment, which causes the company to wait longer for that to occur. The other component of tax abatement is what is available for the rest of the City for residential construction, which is a 6-year graduated schedule. That is 3 years at 100% and then break down to 75%, 50%, 25% in the remaining years. That is what they are looking at for the non-apartment type products.

Will Page asked if Phase 1 will contain enough of the overall product types to give the public a sense of what the entire project will look like when it is built out.

Jason Van Essen stated we will not know what phase 1 will look like for sure until the Development Plan is submitted. Noted that street alignments may have to change based on coordination with adjoining property owners. Phase 1 does include building types from all three land use categories: downtown mixed use, high density residential and medium density residential. So it should provide some sense of the entire development.

Mike Simonson asked which plan was presented to the UDRB and did they take any action.

Jason Van Essen stated that he believes Urban Design Review Board (UDRB) received the same plans that are in the Commissions packet. The UDRB does not review the PUD notes and the details like the Plan and Zoning Commission does. They offered support of the concept. They did not have quorum, so it was the consensus of those present at the meeting.

Mike Simonson asked were any opinions expressed on building heights.

Jason Van Essen stated the only opinion he remembered was Mr. Dennis Reynolds saying that he hoped that staff and the applicant would get together and figure it out. Staff's observation was that Mr. Reynolds did not believe that a 3-story minimum across the entire site was necessary. But, no specifics as to what was appropriate was provided.

Glenna Frank stated that UDRB is not presented the City's development related codes.

Rita Conner stated the charge of the UDRB is very different from the Commission's. The UDRB looked at the same information but was not being asked to make the same distinctions as the Commission. However, they have had robust discussion on some of the same elements that are currently being talked about.

Joe Pietruszynski, Hubbell Realty Company complimented the staff for the hard work on trying to find a solution for this area. They believe this project is best for Des Moines.

Justin Platt RDG Planning Design stated they believe they are in conformance with Plan DSM and meet many of its goals. He noted they exceed the 17 dwelling units per net acre as required by Plan DSM. They agree to condition #1 of the staff conditions. Condition #2 speaks of building character and 360-degree architectural detailing. They believe they are meeting that intent in a number of different ways, such as in their PUD guidelines and character images. They have updated the documents to include a prohibition of vinyl siding and noted that future phases will come back before the UDRB, the Commission and City Council for final development plan approval.

Greg Jones asked if they agree or disagree with condition #2.

Joe Pietruszynski stated they are asking for flexibility to use the character imagery and bring ideas that match it for future reviews. Currently, there are no definition of what 360-degree architecture means.

Laura Kessel RDG Planning Design stated they do not agree with condition #3, which asks for retitling Medium Density Residential to Low-Medium Density Residential. Hubbell has agreed to achieve a minimum of 1,100 dwelling units across this entire site. That is 28 dwelling units per net acre. There are a lot of different ways that could break down across

the site. One of the snap shots they provided as part of the PUD package was the conceptual illustrative master plan. It shows general intent and character of the PUD. That example, if you make some assumptions about unit size, shows 1,151 units. The illustrative concept shows 366 units in the medium density areas, which is an average net density of 17.4 dwelling units per acre. That would fall under the high density residential category of Plan DSM. Therefore, they are not in agreement.

The intent is to create an intense urban neighborhood. The illustrative concept shows an average net density of 39 units per acre in the mixed use areas and an average net density of 49 units per acre in the high density residential areas. That brings the total average net density to 28 units per acre. The What's Next Downtown Plan from 2008 called for this area to have a minimum density of 15 plus dwelling units per acre, 17 dwelling units per acre is the Plan DSM definition for high residential development and they are at 28.

They do not agree with condition #4 and believe it is too prescriptive. It would limit some creativity for the floors and the stories, such as studio space, office space, unfinished storage space that can be requested by buyers. They also believe that an addition of a 3rd story that is habitable space works against affordable housing goals. They met with the UDRB and presented what is in the Commission's packet. They walked through the building heights and character examples that showed one-story. They made it clear to the UDRB that the design guidelines did specify a minimum of one-story for most of the area except where it was noted

They do not agree with condition #5 as they want the neighborhood to develop organically. If the DICO site moves forward faster than expected and if the bridge gets implemented quickly then it is the intent of Hubbell to try to continue to make that the heart of the neighborhood and to move forward and not be limited to whether earlier phases are constructed. Similarly, if the Sherman property to the north gets developed more quickly that could impact the phasing.

They do not agree with condition #6, which relates to where the attached units should be and what the minimum heights should be. Hubbell is not against doing a 3-story product within the medium density residential area it is just difficult to tie that down at this point. The UDRB was not concerned with the height that was presented to them.

Kris Sadoris Vice President of Development with Hubbell Realty Company clarified that the medium density does have the ability to utilize the 10 year tax abatement program. At the City's request, they agreed to limit tax abatement to the 6 year program in order to bring TIF on quicker. They want to provide physical and social connectivity and create a diversity of urban housing choices, as well as create economic value and environmental restoration. Because they are on the hook for the loan, they will proceed expeditiously.

Jann Freed stated she believes quality materials that are sustainable and resilient should be used and expressed concern about going lower than standards of the existing zoning.

Joe Pietruszynski stated they are proposing to use hardie board type materials on the sides of these structures, which are a quality material.

David Courard-Hauri asked what is not buildable in staff's proposal.

Joe Pietruszynski stated they could meet staff's standard in some areas because it allows them to go up, but there are many areas that do not allow them to mix in the variety that they need across the entire site. A key aspect of this development is to not only meet affordability but to also meet market requirements. They have to move through approximately 25 to 30 homes per year in this development to make it economically feasible to pay for the TIF loan for the bridge and other amenities in the environmental mitigation.

Mike Simonson asked if the issue is the requirement for the 3-story.

Joe Pietruszynski stated yes, they want to maintain flexibility throughout in order to mix and match architecture together at different scales.

Mike Simonson stated he believes that 360 architecture is being consistent on all four sides rather than a very heavy architecture on a public side and something very scant on the sides and the rear. From the imagery that has been shown, he is pleased with the amount of detail that is being shown. They are showing details of brick, wide trim boards around windows, multiple colors, lots of porches showing a lot of details. Asked if Hubbell is committed to this level of detail.

Joe Pietruszynski stated yes and noted that each phase will be evaluated by the Commission against those images in the PUD.

Will Page asked if they object to 3 stories.

Joe Pietruszynski stated they are not objecting to allowing for 3-story units, they are objecting to it being a minimum. Making it a minimum requirement is not what the market is asking for and they do not think it is economically feasible. They believe the character images will provide an inviting streetscape.

Will Page asked would they be amenable to having a mix of the 3-story and 2-story.

Rachel Flynn VP of Hubbell Homes stated the concern is that a third floor adds about \$150,000 in cost to each unit.

Glenna Frank referenced the 4-story flat style building shown by staff from Chicago that contains 6 condo units and noted the affordability that type of unit offers. Questioned why these types of buildings could not be constructed.

Rachel Flynn stated condo financing is difficult to obtain since the recession and the Dodd-Frank Act.

Joe Pietruszynski stated that the rules for conventional loans, VA loans, FHA financing is not available for condo regimes. In Des Moines that is the mechanism to buy homes.

Kris Sadoris clarified that they are asking that the minimum not be set at 3 stories, but that they will build 3 stories or taller if becomes viable.

Greg Jones asked how tall the high density residential buildings close to the river would be.

Kris Sadoris stated they have committed to a minimum of 8 stories for the buildings along the basin, a minimum of 4 stories for the mixed use buildings in the northeast corner of the development, a minimum of 4 stories for the buildings at the bridge and a minimum of 3 stories for the buildings along Tuttle Street.

CHAIRPERSON OPENED THE PUBLIC HEARING

Lorin Ditzler 214 Watson Powell Jr. Way stated she is in support of the request. She spoke about her and her husband's experience in looking for a home in the downtown area. She stated there is a gap in the market and she is excited about the proposal and it is something that she would have wanted. This is something brand new and she hopes the Commission gives the applicant the flexibility they are asking for.

Kent Sovern Co-Chair of Age Friendly Greater Des Moines and Initiative and State Director of AARP Iowa expressed support for the application and made the following points as to why Gray's Station is an age worthy project:

- It advances City's goals from Plan DSM. It pledges walkable neighborhoods, housing diversity that meets resident's needs throughout their lives, a complete transportation system and cultural and recreational environment available for all residents.
- It demonstrates a thoughtful and reasonable private sector response to the Plan DSM land use and density designations.
- This development proposal addresses the need for 'missing middle' housing accessible to the downtown core. Missing middle is a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living. It unifies the walkable streetscape as they diversify the choices available for households of different age, size, and income.
- It helps to create an environment that will result in healthier and more connected residents.

Brennan Buckley President of Iowa Realty and President Elect of DMAR stated he supports the applicant and believes it is exactly what is needed. He discussed the current real estate market and noted it was unusual, as there has never been at a point in this community where there is such a high demand and relatively a low supply. Suggested flexibility is need for a project of this complexity and scale.

CHAIRPERSON CLOSED THE PUBLIC HEARING

John "Jack" Hilmes asked how many minimum 3-story, 36 feet height units are represented by the staff recommendation attachment.

Kris Sadoris stated 56% of the medium density units.

Mike Simonson asked what the zoning code definition of a story is.

Glenna Frank stated the definition of story in the zoning ordinance is that portion of a building included between the surface of any floor and the surface of the floor next above it

or, if there is no floor above it, the space between the floor and the ceiling or roof next above it.

Mike Simonson asked would Hubbell's existing 2-story buildings with the small building portion of the 3rd floor opening onto a roof deck be a 3-story building or a 2-story building. The building code would call it a 3-story building.

Glenna Frank stated she would have to defer to staff on that interpretation.

John "Jack" Hilmes asked if the word ceiling or roof in the definition of story means that feature needs to be impervious or it can be like a trellis.

Glenna Frank stated the legal interpretation of this is that it has to be impervious.

Mike Simonson asked staff that if the language in the PUD was changed from Medium Density Residential to Low-Medium Density Residential would they be able to building at a density that is comparable to the Plan DSM definition of medium density.

Jason Van Essen stated yes.

Rocky Sposato asked how long is the period of the TIF.

Rita Conner stated the period they do their model on is for a 20-year timeframe.

Rocky Sposato asked does the assessment stop whatever it is currently valued at, everything up and above that Hubbell is taking a loan out on and using that amount of money to pay off the loan, making it to their best interest to make sure the values of the homes they put up are higher not lower.

Rita Conner stated that is correct. From the tax increment while the TIF is being utilize all of the City's debts service levy and all the other taxing entities levies are protected, which is the difference between that and tax abatement.

Will Page asked what would be Hubbell's default on condition #6 if the Commission did not agree with staff's recommendation.

Jason Van Essen stated that all of the attached and detached products would have the minimum height requirement of one story, except 34 units out of the 366 medium density units shown on the illustrative plan would have a 2-story minimum. These lots are noted by a red dot on the illustrative plan.

Mike Simonson asked if Phase 1 is completed can they skip Phase 2 and go to Phase 3.

Jason Van Essen stated if they did not have Phase 2 infrastructure completed they could not go to Phase 3 according to condition #5. The intent is to ensure that the higher density buildings are built. They would have an opportunity to come back for an amendment if there was good reason for not completing Phase 2 infrastructure before starting Phase 3.

Greg Jones made a motion for approval consisting of Part A) the proposed rezoning is in conformance with the existing PlanDSM Creating Our Tomorrow future land use

designation, Part B) approval of rezoning from "C-3B" District to "PUD" District, and Part C) approval of the Gray's Station PUD Conceptual Plan subject to the following amendments:

1. Revision of Note 6 on Sheet 1 to state "all final development plans are subject to review and approval by the Plan & Zoning Commission and the City Council."
2. All references to "Medium Density Residential" on the PUD Conceptual Plan shall be retitled as "Low-Medium Density Residential."
3. The Plan shall be updated to reflect the requirement that no less than seventy-five percent (75%) of the Low-Medium Density Residential units shall have a minimum of 2 stories.
4. The Plan shall be updated to reflect the requirement that no more than twenty-five percent (25%) of the Low-Medium Density Residential units shall have a minimum height of 1 story.
5. The Plan shall be updated to reflect the requirement that 1-story Low-Medium Density Residential units shall not be constructed on adjoining sites.

Will Page referenced staff comment that the street frontage buildings will be character defining for the development and tall building heights should be emphasized along the primary streets. Requested a friendly amendment to address this.

Mike Simonson requested a friendly amendment that no more than two 1-story Low-Medium Density Residential units be constructed on adjoining sites to avoid getting a zigzag pattern

Greg Jones accepted the friendly amendments.

Jason Van Essen asked Mr. Jones to clarify the motion regarding the 25%-75% ratio.

Greg Jones indicated that the 75%-25% minimum height ratio for the Low-Medium Density Residential units should be achieved with each phase of the PUD project. But that some variation could be considered with each Development Plan.

David Courard-Hauri requested a friendly amendment to add condition #4 back in that says "each story of a building within the Low-Medium Density Residential areas shall consist of finished habitable space."

Greg Jones did not accept the friendly amendment.

COMMISSION ACTION:

Greg Jones made a motion for approval consisting of Part A) the proposed rezoning is in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation, Part B) approval of rezoning from "C-3B" District to "PUD" District, and Part C) approval of the Gray's Station PUD Conceptual Plan subject to the following amendments:

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5. The Plan shall be updated to reflect the requirement that no more than two 1-story Low-Medium Density Residential units shall be constructed on adjoining sites.
6. The Plan shall be updated to reflect the requirement that the 75%-25% minimum height ratio for the Low-Medium Density Residential units should be achieved with each phase of the PUD project. Some variation can be considered with each Development Plan.
7. The Plan shall be updated to reflect the requirement that an emphasis on taller building heights shall be provided for Low-Medium Density Residential units that front primary streets.

THE VOTE: 9-1 (David Courard-Hauri voted in opposition)

These notes below are from the July 6, 2017 Plan and Zoning Commission meeting.

SUMMARY OF DISCUSSION

Greg Wattier recused himself from the deliberation.

Jason Van Essen presented the staff report and recommendation.

Mike Ludwig stated staff did not prepare this analysis and recommendation carelessly. They had a lot of meetings with the applicant, a lot of discussion and a lot of evaluation of what was proposed on this project. Plan DSM is substantially different from the 2020 Plan. The land use map that was in the 2020 Community Character Plan was reflected mostly existing conditions. When staff went into the new comprehensive plan process there was a call from our neighborhoods and developers for more predictability in the process and the plan. Council directed staff to look for location where density was appropriate in Des Moines, where higher density could be concentrated that would not have impact on existing low density neighborhoods and they also wanted staff to identify the highest and best use for properties to try and maximize returns on investment. There is City money in this project (TIF and tax abatement). Plan DSM does have many, many goals. It has only been a year since adopted. While this PUD has a grand vision, the minimum guidelines do allow potentially less, much less. Minimum heights for over 50% of the developable area is 1 story. Minimum building materials are not what is typical asked for. That does create concerns. Final plans would come back to the Commission and the Council for review. Staff recognizes the standards provide the flexibility for changes in market conditions. Staff believes with a 15 to 20 year build out there are a lot of market conditions that can change and realistically if the final development plan is coming back to the Commission and the Council as described in the plan set, there would be an equal opportunity to ask for a PUD conceptual plan amendment at that time. If the vision is more of an urban mixed use and

missing middle housing, then the minimum standards should reflect that on this PUD. If it cannot be built in that timeframe come back for amendments. Staff did not base their recommendation on hypothetical code. The recommendation was based on the existing code, which is C3B zoning that has been in place on this property for twelve years. It's had a three-story, 36' height minimum requirement for twelve years and staff even expanded that to the entire downtown six years ago. The expectation is in the downtown area to have density and taller construction as a minimum. With these minimums and only 47% of the total land area being developed for taxable development, there are some concerns on return on investment on the City's money going into this project. The market conditions have not changed substantially in the last year since Plan DSM was adopted that would warrant amending Plan DSM at this time. Based on the City's investment, the City should and can expect compliance with the existing code and existing Plan DSM.

Greg Jones asked if part of this plan meets the current Plan DSM Comprehensive Plan.

Mike Ludwig stated the analysis was based on existing code and related existing code Plan DSM. The mixed use areas all call for a minimum of four-stories which would exceed the three-story minimum of the existing zoning. The applicant's concept drawings and their architectural character drawings convey a different message and that is where staff believes there is an opportunity to raise the minimum standards to reflect the images and the character that are on the plan. Staff is not opposed to some detached single-family in this development. Staff asked that to be identified and to date that has not been specifically identified where detached single-family is allowed and there has not been a cap proposed on how much detached single-family in the development.

David Courard-Hauri asked how much more can be built without running into issues with the river.

Jason Van Essen stated he believes that is the importance of density. There could be less green space within the core of the development or more density on areas being developed.

Mike Simonson asked in computing the density of the medium density was the park spaces included as part of the acreage.

Mike Ludwig stated according to the definition on the PUD that is netted out of the calculation.

Mike Simonson asked will those parts be privately owned and opened to the public.

Mike Ludwig stated they are called private parks on the plan. There was discussion about if those would be publicly owned.

Mike Simonson asked how much ground along the river is either the floodway or the floodplain.

Jason Van Essen pointed out on the map the floodway, but he doesn't know specifically on the site where the boundaries of the floodplain.

Mike Ludwig noted that the site is flood protected by the levy.

Jacqueline Easley asked about vinyl siding and hasn't that come up on similar projects.

Jason Van Essen stated staff has never supported vinyl siding in the downtown and multi-family development elsewhere in the City and this issue has come before the Commission before.

Joe Pietruszynski, Vice President of Land Development for Hubbell Realty Company located at 6900 Westown Parkway in West Des Moines. He pointed out that because of the importance of this project he is accompanied by a whole team of Hubbell representatives which includes their consultants and officers and senior vice president of the company. He also pointed out Rick Tollakson, President of Hubbell Realty Company is in the audience. He then introduced the team and pointed out they purposely picked consultants and home based experts to work on this plan. They included professionals that have a vested interest in the Community where their family resides and understand everything in the planning efforts that have taken place. He stated that in their presentation they will clarify some of the key points that has been heard tonight. Some of the things that staff has said, they believe is not the case and not part of the PUD that is presented. Because of the magnitude of this project, they are asking for patience because it will be a lengthy presentation with a lot of details to clear up some of the matters that were raised. They have spent a great deal of time with staff, people throughout the community and understanding the objectives that are in the comp plan and reading them back and forth thoroughly and making it the foundation of their presentation they believe they abide by every written principal that has been adopted by the Commission and the City Council. They believe that the written principals in the Plan DSM document would prevail and the written feedback received from the community to show interest in this area and develop a more detail plan for it would become a greater importance. They are hoping the Plan and Zoning Commission will understand the context and enormity to what is in front of the Commission and move forward to Council with a recommendation. He handed out to the Commission an extensive list of goals and policies as they apply to PUD. He pointed out the list is enormous, but they are goals and policies that they believe their plan adheres to have their comments associated with them. This became the design principle they incorporated into their plan. They ask the Commission to understand the goodwill, the home focus heart, the sincerity and the master planning that went into this process. They sat down with detail focus groups and neighbors to truly understand issues and turn the needs and wants of the community into an action plan for this area. They are asking that an action of approval be recommended to the City Council. There is a purchase deadline with the seller and Hubbell has exhausted all extensions with all the hard work that has been put into this plan. If not this developer and plan the site will remain as is, possibly for decades to come because of the significant economic and environmental issues that are associated with this site. Please consider how Gray's Station meets the vision statement of Plan DSM and how the PUD will pride Des Moines with the following:

- Over the next 15 years Des Moines will be turning this area that is an eyesore in an environment damaged area that has significantly been neglected over the past century and they are going to turn that area into a stunning urban community for the Downtown Metropolitan area.
- Recognize that over a quarter billion dollars of investment will be added and will turn an area that is an inefficient stormwater basin that pumps dirty water directly into the Raccoon River into a treatment and wetland park that can be enjoyed by all.
- They ask that through the adoption of Grays Lake PUD that Des Moines will add over 1100 homes to this neglected site, which could amount to over 4500 to 5000

people at minimum and offer a wide variety of home ownership and choice that is needed to keep Downtown Des Moines vibrant. This Grays Station PUD is flexible on purpose. It is designed around unique urban dense housing. Home ownership, apartments and storefronts are all part of this plan. This PUD will add much needed for ownership housing stock and rentals to entice employers to locate in Des Moines because of the attractiveness to the community, such as, urban living, conservation focus lifestyle and proximity to jobs. Grays Station will connect the downtown to Grays Lake and Waterworks Park which will include trails, parks, bike routes, a bridge over the community connecting Grays Lake Station to the southwest corner of the property. This will also include bus stops and encourage alternative modes of transportation. It promotes walking, biking and full connectivity. It will also include private parks that will be opened to the public. This is the opportunity to change the gateway into Des Moines to a engaging, trendy and environmentally focused urban and dense neighborhood. They will define that density in the plan as they walk through it.

In review of policy again and the consideration of what is written and adopted, they respectfully ask the Commission to provide a recommendation to the City Council for approval.

Justin Platts RDG Planning and Design stated he will be giving a presentation that will do the following:

- review the plan and add clarity to some of staff's comments
- talk about density and the development of the land
- the vision and involvement they had with the public and people in the community
- what Gray Station will do in the future.

Their request is looking to rezone the property and create a PUD for the area. A PUD allows greater flexibility than the standard zoning. It gives an opportunity to combine different aspects of standard zoning and that is what they are looking to do. He went through the code of a PUD and pointed out their belief of what they are trying to do. They do need to maintain their current schedule due to impending expiration of due diligence period and they are hoping the Commission will see what they see and they are respectfully requesting approval of the Gray Station conceptual development plan. Their request is based on the following key points:

- Gray Station meets the goals of Plan DSM and "What's Next Downtown"
- Density, 17 is the minimum that is called out within the area, they are at 28, 164% of the desired density defined in the Plan DSM
- Provide both physical and social connectivity
- Create a diversity in housing choices for all people
- Recruiting advantage for downtown employers
- Create an environmental restoration in value
- Continue to support the development of Downtown as economic, cultural and residential core of Des Moines

The policy context "Whats Next Downtown" spoke of the Grays Landing area which the Grays Station neighborhood is within calling it an entirely different kind of neighborhood, that density should remain high, 15 plus units per acre. The area also represents an opportunity to introduce housing downtown that includes garage on larger units, small yards with gardens and other landscape amenities. In the southwest part of the area

higher density towers. Each of these elements can be found in the Grays Station neighborhood. They believe they meet all the uses allowed in the Plan DSM Comprehensive plan.

A few of the goals that addresses the staff report that they consider they meet those goals are the following:

- Landuse Goal 5 – Continue to support the development of Downtown as the economic and cultural and residential core of Des Moines.
- Housing Goal 1 – Providing a diversity of housing options to accommodate residence of all ages, income levels, household sizes and cultural backgrounds. They are seeking to create a neighborhood for a number of different people to create a very vibrant and vital place for Downtown.
- Number of different infrastructure pieces that are currently onsite that are serving other areas of Downtown which are stormsewer, sanitary sewer, overhead electrical within the area. Each of these having their own easements. Also, the Downtown detention basins that will not only serve Grays Station but largely western side of Downtown.

He went into more detail of how they calculated the density and how they have exceeded the percentage of density for their developing areas.

Their Vision and Process:

- The vision is a vibrant downtown neighborhood, an area that is welcoming to all, connected, green, sustainable and highly mobile
- Steering Committee that met a couple of times, that was made up of a number of different people.
- Meeting with local, state and federal people related to this area and have met no less than once a week for the last 14 or 15 months.

What came out of those meetings are it needs to be connected, it needs to be flexible, innovative, phased over time because of its size of a neighborhood scale and they are looking for enjoyment over efficiency and balance. Also the cultures, identity and what they hoped for the neighborhood.

Guide for decision making:

- Conceptual plan and layout
- Retail uses allowed
- Towers
- Utility constraints
- Circulation
- Open space
- Framework
- Conceptual plan views
- Conceptual plan perspective

Plan details:

- Blended density
- Permeability for gathering

- Mixed use/Multi-Family/Live/Work
- Connection to Grays Lake
- Bridge landing area
- Multi-family and Wetland park
- Net Density-Minimum DU/AC

Design guidelines:

- Building frontage – their design guidelines to satisfy the minimum 70% building frontage policy
- Materials – the PUD outlines the materials that don't include vinyl and are consistent with existing tax abatement policy.
- Roof form – they believe inflexible approach to roof pitch could create issues over time, that it could foster a look of repetition. They are trying to create something that is unique and vibrant. Flexibility is what it comes down to.
- Building heights- they believe by allowing for multiple heights they will be better to achieve housing and social equity that would provide options for those who desire to live an active life, differently able, provide options for those who wish to age in place and provide options for lower income to increase income diversity.

They believe Gray Station Neighborhood will provide physical and social connectivity, create a diversity of urban housing choices, create economic value, more than more than \$250,000.00 of taxable value will be added to Des Moines, environmental restoration and add value and become a vibrant urban community. They believe with everything listed above their plan meets the goals of Plan DSM and Whats Next Downtown. They respectfully seek the Commission approval and recommendation to the City Council.

Jann Freed stated it is clear a lot of work has been done and the proposal will be drastically better than what already exist. Her concern is that they have a vision and to have the vision become a reality then decisions have to be made consistent with that. She heard them say they are meeting minimum standards a lot and just on a few cases exceeding them a little bit. She is not clear on how they are counting density versus how staff is counting density and it seems like there could be some type of compromise.

Justin Platt stated he believes staff and they are counting density in the same way. The issue revolves more around the amount of density that staff would like to see in the area and there is a bit of discrepancy about the amount of land that is developable.

Joe Pietruszynski stated another aspect they are trying to propose are market solutions to meet those needs. They believe they are doing what is requested.

CHAIRPERSON OPENED THE PUBLIC HEARING

Beth Lankford 1350 Tuttle stated she and her parents David and Susie Moffat own the property on the south side of Tuttle at SW 14th Street. She stated they have been there for 33 years and prior to that they lived in a building that sat on Hubbell ground involved in a trust that was located at 621 7th Street for 36 years. They have been in Des Moines for 69 years and believe they have a vested interest in the development of the downtown area. She pointed out that about 10 or 12 years ago Sherman came in and proposed development on the north side of Tuttle. They are just starting to see dirt turn in the last few years. Orton proposed something to the City for development, that did not happen

either. She believes if anyone is going to do something with this area it will be Hubbell. The bridge over the river is a slam dunk. This area was at one time vibrant and part of the community. It is time for a change and Hubbell has presented a wonderful urban design and she believes the Commission should approve Hubbell's proposal.

Tony Filippini 1719 Grand Avenue, #210, President of Downtown Neighborhood Association stated the people who attended the neighborhood meeting are in favor of the development, specifically the diversity of housing types, the attention to the detail that Hubbell has made in expanding the urban neighborhood with attentive design towards the street and environmental design. He stated because this is a very big project, they did not feel prepared to go down a laundry list of things they liked or things that they didn't like. They thought they would just affirm their support for the planning principles and Plan DSM. They believe that overall this concept does largely support those principles that are outlined and developed by the community. He is encouraged seeing Hubbell's proactive approach in considering many of those principles. A couple of the principles they believe are important to point out to the Commission to consider are:

- The development that is incorporating environmental friendly building techniques and designs
- Variety of businesses and employment and building densities that encourages and engaging downtown, including ground floor retail spaces
- The bicycle accessibilities which include parking availabilities and bicycle paths
- Development of local parks, which is very important to their neighborhood and having access to that
- Outdoor spaces available and suitable for all ages and abilities
- For developments to be flood resistance and to reduce the cost for repairing and fixing of events of flooding.

They are looking forward to seeing how their neighborhood expands and can offer additional housing opportunities for people that live there.

Staci Hatch 104 SW 4th Street, Sherman Associates Real Estate Developer owning 45 acres adjacent to Hubbell's project. She stated they strongly support the applicant's request. There are a couple of minor components that conflict with Sherman's proposed plan and believe it was important to note:

- 16th Street – as Hubbell plans shows the street bisecting SW 11th mid-block between Murphy and Dartway. It runs directly through their property, in a location that leaves them with some undeveloped land that literally doesn't best serve the City street network. They propose that 16th Street tie into Dartway, which seems to be a more appropriate connection that extends all the way through SW 9th creating a better circulation for the development.
- The City owned parcel on the south west corner of 11th & MLK that Hubbell shows as a mixed use, multi-family project. Sherman is concerned with this in that it is contrary to previous plans in City approval actions. It changes the characterization of the entire area and they believe it may impact their ability to move forward with commercial development to the west. It also has some negative impact on the existing commercial projects to the east as it isolates them and put them on an island. They believe these businesses and the commercial component depend on the continuity of similar uses across SW 11th, so that corner they would propose as commercial.

- Residential is critical for this area and needed to support these businesses, its just not the highest and best use on 11th & MLK. PUD standard all uses proposed in a PUD district plan should be harmony with the existing or anticipated uses of the properties in surrounding neighborhood. They feel strongly that this has and should remain commercial.

She reiterated they are in full support of this project and appreciate all of Hubbell work and it is very important for Hubbell's plan to move forward for the success of their project as well.

Joe Pietruszynski stated at this time Hubbell Realty has no comments. There is a whole team of people to answer any questions.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Glenna Frank clarified that this item will go to Council to set hearing until July 24th and then the hearing would be set for August 14th. Also, staff has recommended denial. If the Commission chooses to recommend approval, then there are no conditions. That would be the biggest mistake if this proposal is approved with no conditions. If the Commission does desire to look towards approval then she recommended that they continue this item to allow staff to suggest some conditions. She thought of a few items that she has heard and they are:

- Density
- Vinyl siding
- Roof pitch
- Building heights – The minimum height that was said to be our staff recommendation is the code.
- Environmental friendly business techniques
- Ground floor retail
- Bicycle paths
- Flood protection
- 16th Street bisecting SW 11th
- No traffic study was done at Hubbell request – that should be considered further
- City owned parcel at 11th & MLK
- Change of character to affect the commercial development.

Mike Simonson asked if approved what would be the next steps.

Mike Ludwig stated currently the plans call for all final development plans to be reviewed by the Planning Commission and Council. If there is recommendation for approval, that should be an absolute condition. Any conditions are ultimately up to the Council to approve. The Planning Commission recommendation will be forwarded to the Council, the set date of hearing would be July 24 and the hearing would be August 14th. He also believes that it will also be reviewed by the Urban Design Review Board scheduled in that time period.

Greg Jones stated that he is supporting staff because of the following:

1. He believes there needs to be at least 1400 units in order to justify doing this plan in this place. Too early to violate Plan DSM especially on this site and especially when Mr. Tollakson said that it might take 15 to 20 years to complete this project.
2. He believes there is a standard for not allowing vinyl. They try every time not to allow it and the developers come in and want it. He believes there need to be a higher standard in downtown Des Moines, like masonry, metal and durable materials.

Mike Simonson stated as they have been looking there have been multiple attempts to develop this over the years. He has not spoken with Hubbell about this project, but from what they are saying they have been working on this since before Plan DSM was approved. There are a lot of things to like about this. One of the things he likes is all the green space. He loves the idea of their proposal of privately managed and built parks open to the public. He likes their proposal except for single-story and believe this is a once in a lifetime opportunity.

David Courard-Hauri stated his understanding from Counsel is that it would be problematic to move forward with accepting this tonight without staff having a chance proposed some conditions. He asked if there would be time for a continuance.

Mike Simonson stated this is a PUD and a PUD is a mini zoning ordinance. That is why they are so complicated and language does matter. He is fine with the density, they meet the density requirement of Plan DSM. He does not like the vinyl siding. The downtown overlay requires a three-story minimum. He doesn't think that is necessary and a PUD allows you to amend that. He does not want to dictate roof pitch. They are saying there is going to be a variety.

Rocky Sposato stated that he supports Commissioner Simonson's motion. The presentation was great; he sees an increased tax base where there is not and sees density where there is currently no density. He believes City staff did a great job, they warned the Commissioners of all the risk and he commend them for that. He believes it's a beautiful project that fits. He is in support of it.

JoAnne Corigliano stated she in support of Commissioner Simonson's motion.

David Courard-Hauri offered a friendly amendment to continue this item to the next Plan and Zoning Commission meeting.

Mike Simonson asked what would be accomplished continuing this item.

David Courard-Hauri stated staff would have a chance to address some of the concerns they have and meet with Hubbell.

Mike Simonson stated he believes they should ask the applicant about a continuance.

Rick Tollakson, CEO of Hubbell Realty Company stated he understands the schedule. However, their schedule is tight. They are ready to move forward now. After working with staff for 15 months it is not going to change their decision. They have a great project.

Mike Simonson stated he is not going to accept the friendly amendment.

Jann Freed stated she wanted to hear staff's response.

Mike Ludwig stated the statement was made by the downtown representative that it's not their responsibility to be involved in the weeds or the details. It is definitely staff's responsibility and that is why they review the plan in as much detail as they did and made their recommendation as they did. He appreciates the comments and the motion that is made. It is the Commission's decision to make a recommendation on this. Staff has made their recommendations and the reason for them was clear.

Glenna Frank reiterated that the way the proposal is phased there are no guarantee all of them would come back for review by Plan and Zoning Commission.

Francis Boggus stated his concern is moving forward rapidly. He believes that several weeks is not very much time. He has severe reservation about the single-family homes. Staff should have time to respond. He would support staff if they don't get a continuance.

COMMISSION ACTION:

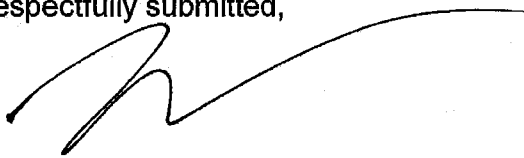
Mike Simonson moved to approve the PUD as presented with one modification and that is no vinyl siding and that each phase come back to the Commission and City Council. Rocky Sposato seconded.

THE VOTE: Motion failed 4-8. Mike Simonson, Rocky Sposato, JoAnne Corigliano and Dory Briles voted in favor while David Courard-Hauri, Jann Freed, Jacqueline Easley, Lisa Howard, Steve Wallace, Carolyn Jenison, Francis Boggus and Greg Jones.

Jann Freed moved to continue this item to the July 20, 2017 Plan and Zoning Commission meeting. Lisa Howard seconded.

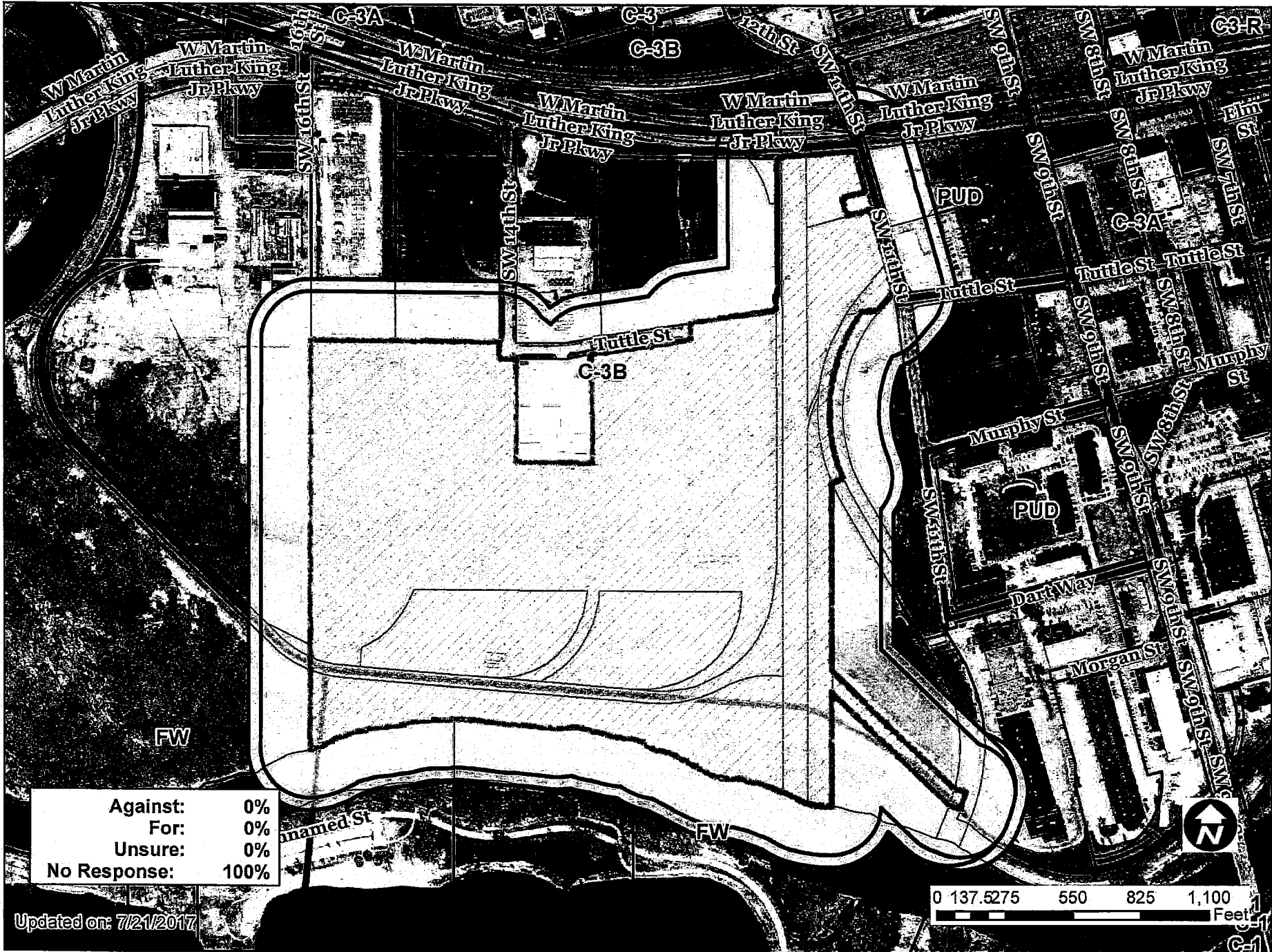
THE VOTE: 11-1. Greg Jones voted in opposition. Greg Wattier recused himself from the deliberation.

Respectfully submitted,



Jason Van Essen, AICP
Senior Planner

JMV:clw
Attachment



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

Updated on: 7/21/2017

CITY OF DES MOINES PLAN & ZONING COMMISSION
STAFF REPORT AND RECOMMENDATION
Thursday, July 20, 2017

AGENDA ITEMS #3A – #3D

21-2017-4.05 & ZON2017-00087

Applicant: Hubbell Realty Company (developer) represented by Joe Pietruszynski (officer). The subject property is owned by Norfolk Southern Railway and City of Des Moines.

Location: 1300 Tuttle Street; generally bounded by West M.L. King Jr. Parkway on the north, the Des Moines River on the south, 11th Street on the east, and 16th Street on the west.

Requested Action: Part A) Determination as to whether the proposed rezoning is in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation.

Part B) Amend the existing PlanDSM Creating Our Tomorrow future land use designation from Downtown Mixed Use to Neighborhood Mixed Use. (21-2017-4.05)

Part C) Rezoning of property from “C-3B” Central Business Mixed Use District and “FW” Floodway District to “PUD” Planned Unit Development. (ZON2017-00087)

Part D) Approve a PUD Conceptual Plan for Gray’s Station, to allow redevelopment of 83.73-Acres of property with mixed use, low-medium density residential, high density residential, and open space areas.

Item #3 is continued from the July 6, 2017 meeting of the Commission. A revised PUD Conceptual Plan has been submitted by the applicant. Please see Section III of this report for an overview of the changes and staff analysis. Section I and II of this report remain as written for the July 6 meeting.

I. GENERAL INFORMATION

- 1. Purpose of Request:** The applicant is proposing to redevelop a former industrial area into a multi-phase, residential and mixed use development. The site is located in an area that has long been planned for redevelopment and has been referred to as Riverpoint West and Gray’s Landing over the years. The northeast and southwest portions of the site would contain mixed-use development. A large scale storm water basin area is proposed along the southern perimeter of the development that would be developed in a wetland park theme. The core of the development would allow for a mix of detached, semi-attached and rowhouse single-family dwellings as well as small multi-family buildings. Multi-story, multiple-family residential buildings are proposed along the north and south perimeters of the street network. The proposed Conceptual Plan sets a minimum density for the development and basic design parameters. The exact makeup of the development would be determined by the PUD Development Plan of each phase. A total of six phases are proposed that

would have a combined total of at least 1,100 dwelling units. This equates to 13 dwelling units per gross acre (83.73 acres) or 28 dwelling units per net acre (39.2 acres).

2. **Size of Site:** 83.73 acres (3,647,186 square feet).
3. **Existing Zoning (site):** "C-3B" Central Business Mixed Use District, "FW" Floodway District, "D-O" Downtown Overlay District, "GGP" Gambling Games Prohibition District and "FSO" Freestanding Sign Overlay District.
4. **Existing Land Use (site):** Vacant land that was formerly occupied by industrial uses and City-owned storm water basins.
5. **Adjacent Land Use and Zoning:**
 - East** - "C-3B" & "PUD"; Uses are a hotel, a mixed-use development and the DART operations facility.
 - West** - "C-3B" and "FW"; Uses are vacant industrial property and wooded floodplain.
 - North** - "C-3B"; Uses are industrial, undeveloped land and the Martin Luther King, Jr. Parkway corridor.
 - South** - "FW"; Uses are the Raccoon River and levee.
6. **General Neighborhood/Area Land Uses:** The subject site is located in the southwest portion of the downtown. The surrounding area consists of vacant land, commercial uses, multiple-family residential uses, light industrial uses, the Raccoon River, Gray's Lake and Water Works Park.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Downtown Des Moines Neighborhood and within 250 feet of the Grays Lake Neighborhood. All neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on June 16, 2017. Additionally, separate notifications of the hearing for this specific item were mailed on June 16, 2017 (20 days prior to the hearing) and June 26, 2017 (10 days prior to the hearing) to the two neighborhood associations and 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 30, 2017. The Downtown Des Moines Neighborhood Association mailings were sent to Tony Filippini, 1719 Grand Avenue #210, Des Moines, IA 50309. The Grays Lake Neighborhood Association mailings were sent to Evan Shaw, 2615 Druid Hill Drive, Des Moines, IA 50315.
8. **Relevant Zoning History:** None.
9. **PlanDSM Land Use Plan Designation:** The subject site is designated as "Downtown Mixed Use" on the Future Land Use Map.

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:** PlanDSM was approved by a 7-0 vote of the City Council on April 25, 2016. A primary directive from City Council during preparation of PlanDSM was to identify appropriate locations for higher intensity and density development that minimized impacts on existing single-family neighborhoods.

PlanDSM responded to this directive by expanding and refining the “nodes and corridors” concept of the Tomorrow Plan. The Downtown Mixed Use Land Use Classification, 2 regional nodes, 13 community nodes and 28 neighborhood nodes of PlanDSM are linked by public transit and major transportation corridors. They represent opportunities over time to create mixed use areas that provide for increased housing and transportation choices, reduced infrastructure and maintenance expenditures and creation of vibrant places to serve neighborhoods and the City as a whole. These classifications also establish a hierarchy for expected intensity and density of commercial and residential development.

The Downtown Node designation of the Tomorrow Plan and the Downtown Mixed Use Land Use Classification of PlanDSM are singular and unique. The characteristics of this designation include a service area of 20+ miles, a population within the service area of 500,000+, retail/office space of 30,000,000+ square feet, employment capacity of 80,000+, size of node of 2,000+ acres, population within node of 15,000+ and average housing density (net dwelling units per acre) of 25-140

units per acre. Future development of the highest intensity and density was planned for and is expected within the Downtown Mixed Use Land Use Classification.

The subject property was assigned the Downtown Mixed Use Land Use classification for many reasons. The site was included in the "What's Next Downtown Plan" (2008) and is within the Downtown Overlay Zoning District. The site is adjacent to and within walking and biking distance of more than 1,600 acres of public open space (Gray's Lake and Water Works Park). The site does not adjoin any low-density residential neighborhoods. Public transit exists in close proximity and can easily be extended through this site. The site was distinguished from the Sherman Hill Neighborhood, the Crivaro Park area and numerous neighborhoods on the fringe of the Downtown as demonstrated by different PlanDSM Future Land Use designations for those areas.

Staff acknowledges that the Gray's Station PUD proposes a minimum density of 28 units per net acre, which meets the minimum definition of "high density" in PlanDSM (17 or more per net acre) and allows for a mix of housing types. The proposal also redevelops an existing brownfield site and proposes "green" storm water solutions. However, staff believes that the current plan does not meet the holistic intent of PlanDSM, which calls for development of the highest intensity and density for this site.

City staff have met with the developer on numerous occasions to discuss design regulations for the development. The developer has made numerous modifications to the Conceptual Plan. However, staff still has the following significant concerns:

- Developable Acreage: Approximately 47% of the total land area (39.2 of 83.73 acres) within the PUD would consist of taxable development. Fifty-three percent (53%) of the total land area within the PUD would consist of non-taxable land for streets, schools or churches, the bridge landing area, neighborhood parks, enhanced detention basins, greenways and other public areas. Forty percent (40%) of the land area in the City of Des Moines is currently non-taxable and redevelopment of the adjoining DICO site will likely be non-taxable due to environmental constraints. Therefore, staff believes it is imperative that development on the "net" 47% of this PUD be of a density, intensity and quality that maximizes taxable value and return on City investment.
- "Mixed Use" and "High Density Residential" PUD Area's Density/Intensity: Approximately 49% of the proposed taxable development area (19.1 of 39.2 acres that consists of areas A, B, H, N, O, W, X, Y and Z) is designated for "Mixed Use" and "High Density Residential" development. The design regulations for these areas satisfy the minimum 70% building frontage per lot of the existing C-3B zoning. However, staff believes that minimum building frontage requirement in these areas should be at least 90% based on

precedent building character imagery provided on the Sheet 16 of the Conceptual Plan.

The design regulations for these areas meet or exceed the minimum 3 story/36 feet height limit of the existing C-3B zoning for the property by proposing a minimum 3-story building height on parcels B, H, N and O; a minimum 4-story building height on parcels A, W and X; and a minimum 8-story building height on Parcels Y and Z. However, staff notes that development of Parcels W, X, Y and Z are in the last phase of development. Staff is concerned that residents of lower density development constructed in earlier phases will object to higher density development in later phases.

- “Medium Density Residential” PUD Area Density/Intensity: Approximately 51% of the proposed taxable development area (20.1 of 39.2 acres that consists of areas C-G, I-M, and P-V) is currently designated for “Medium Density Development” with a minimum density of 7-8 units per acre. The proposed minimum density for these areas is less than the PlanDSM definition of Medium Density Residential (12-17 units per net acre). A minimum density of 7-8 units per acre would be at the lower end of the PlanDSM definition for Low-Medium Density Residential (6-12 units per net acre). While the design regulation for these areas meets the minimum 70% building frontage requirement for existing C-3B zoning, the PUD proposes a minimum building height of 1-story, which is less than the minimum 3-story/36 feet minimum height for existing C-3B zoning.

The applicant has revised the plans to note “detached urban homes shall be concentrated along green space areas and neighborhood park areas”, but the applicant has not delineated specific areas on the Conceptual Plan where detached single-family product is restricted to and the applicant has not accepted staff’s request for a minimum 2.5 stories/30 feet for all “Medium Density Residential” designated areas. The Conceptual Plan includes a note that states all Development Plans shall be reviewed by the Plan and Zoning Commission and City Council. However, an argument could be made at the time a Final Development Plan is reviewed that market conditions have changed and that unlimited 1-story, detached single-family residential development is allowed for Medium Density Residential areas of the PUD.

- Building Character/Materials: The Conceptual Plan has been revised to state “in accordance with tax abatement policy, a minimum 75% of the surface area (exclusive of windows and doors) of facades fronting and perpendicular to a public street must be of glass, brick, concrete panels, architectural concrete block (such as split-face or burnished block), architectural metal panels or stone. Fiber cement or wood panels are also acceptable.” The applicant also

revised the plans to partially address staff comments regarding definition of building roof form, but staff's requests for minimum roof pitches for specific building types have not been addressed.

The Conceptual Plan notes that all PUD Development Plans would be reviewed by the Plan and Zoning Commission and City Council. However, staff is concerned that proposed minimum design guidelines for character and materials do not satisfy the City's demonstrated history of requiring 360 degree architecture and a higher quality of materials on new buildings in the downtown. Staff also notes that to date, the applicant has not agreed to prohibit use of vinyl siding within the proposed development.

The applicant has requested that the future land use designation for the subject property be changed from Downtown Mixed Use to Neighborhood Mixed Use (same as Sherman Hill) to accommodate lower intensity and density development of the site. Staff does not believe that market conditions have changed so significantly during the 17 months since PlanDSM was approved to warrant a change to PlanDSM vision for this area.

2. 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.

See page 3, Section II(1) of this report for analysis regarding "Plan DSM: Creating Our Tomorrow."

- 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.

Buildings in the downtown are expected to frame the street and have minimal setbacks. The proposed residential buildings would have a maximum front yard setback of 15 feet. Commercial buildings would have a maximum front yard setback of 1 foot. These maximums comply with the "D-O" District and "C-3B" District standards. The submittal suggests extensive landscaping. Setbacks and landscaping would have to be evaluated in detail at the Development Plan stage.

- 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.

The existing City-owned storm water basins would be incorporated into the development and replaced by a basin layout that would also function as a wetland park. Sheet 15 of the Conceptual Plan indicates that the new basin facility would have the capacity to handle the storm water requirements for the development along with meeting the upstream needs of the watershed. Storm water facilities along with the details of other public infrastructure would have to be reviewed in detail at the Development Plan and platting stages.

- 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 has limited frontage on existing streets and would require the extension of existing streets and the construction of new street segments. The development would include the following north-south streets: SW 11th Street, SW 12th Street, SW 13th Street, SW 14th Street and SW 16th Street; and the following east-west streets: Tuttle Street, Murphy Street and DART Way. The ability to provide access in and out of the development is contingent on Tuttle Street, Murphy Street, DART Way and SW 16th Street being extended through property not included in the PUD or controlled by the applicant. A traffic study was not provided with the submittal as a deferral of this requirement was granted.

- 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 proposed Conceptual Plan does not require off-street parking for residential uses and proposes a maximum surface parking standard of 3.75 spaces per 1,000 square feet of gross floor area for commercial uses. Staff believes this is an appropriate standard for the Downtown. Parking would have to be evaluated in greater detail at the Development Plan stage.

- 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.

Approximately half of the site would be dedicated to open space, which includes the proposed storm water detention area, two privately owned parks, greenways and trails.

3. **“C-3B” District Design Guidelines:** The site and the surrounding area is currently zoned “C-3B” District. Development in this zoning district must comply with the “C-3B” Design Guidelines found in Chapter 82 of the Municipal Code. Therefore, the proposed PUD Conceptual Plan should be evaluated against these standards so its compatibility with them is understood.

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

The proposed Conceptual Plan includes four general land use types, which are referenced in the documents as downtown Mixed Use, High Density Residential, Medium Density Residential and Open Space. The minimum height standards for the three categories intended to contain buildings are 4 stories for the Mixed Use areas, 3 stories for the High Density Residential areas and 1 story of the Medium Density Residential areas. One and two-story buildings are not consistent with this guideline. Staff believes that the proposed minimum height standard for the Medium Density Residential areas is not appropriate in the Downtown.

- 2) *Riverfront setbacks:* Riverfront setbacks for all new construction (that is not built integral to the levee and as part of a riverfront park) should be a minimum of 100 (horizontal) feet from the high water mark of the river. Redevelopment adjacent to a riverfront park (not part of the levee reconstruction) should front a continuous public right-of-way. This could be either a road built to an urban standard, or an alternative profile of a minimum 20' width that clearly delineates a public right-of-way between new private development and the riverfront park.

The proposed development would incorporate existing City-owned storm water basins and redevelop them in a wetland park manner. Buildings would be over a 100 feet from the levee.

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

Lighting is not addressed by the proposed Conceptual Plan and would have to be evaluated at the Development Plan stage.

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

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

These standards have been incorporated into the Conceptual Plan for the areas identified for High Density and Medium Density Residential development. However, Sheets 18, 19 and 20 include language that references a lower frontage requirement. Staff believes this is an oversight and that the intent is to comply with the 70% frontage requirement as noted elsewhere in the Conceptual Plan. These sheets must be revised to match the proposed design regulations. As noted in Section II(1) of this report, staff believes that the Mixed Use and High Density Residential areas should have a 90% building frontage minimum.

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

The Conceptual Plan includes an extensive alley system and appears to hide service areas to the extent possible. This would have to be evaluated further at the Development Plan stage.

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

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

These standards have been incorporated into the Conceptual Plan for the areas identified for high density and medium density residential. However,

Sheets 18, 19 and 20 include language that references a lower frontage requirement. Staff believes this is an oversight and that the intent is to comply with the 70% frontage requirement as noted elsewhere in the Conceptual Plan. These sheets must be revised to match the proposed design regulations. As noted in Section II(1) of this report, staff believes that the Mixed Use and High Density Residential areas should have a 90% building frontage minimum.

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

The submitted Conceptual Plan does not include this level of detail. Any proposed storage would have to be evaluated at the Development Plan stage.

- 7) All open areas not used for off-street loading or parking should be landscaped in accordance with the Des Moines Landscape Standards. (See Site Plan Landscape Policies)

The development would include an extensive system of open spaces and trails. The Conceptual Plan suggests these areas along with building sites would be landscape. Landscaping would have to be evaluated further at the Development Plan stage.

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

Warehouse uses are prohibited by the use chart on Sheet 3 of the Conceptual Plan. Any office or commercial use that may require a loading dock area would have to be evaluated during the Development Plan stage.

2. **Downtown Overlay District Design Guidelines:** The site and the surrounding area is located in the "D-O" Downtown Overlay District. Development in this zoning district must comply with the "D-O" Design Guidelines found in Chapter 82 of the Municipal Code. Therefore, the proposed PUD Conceptual Plan should be evaluated against these standards so its compatibility with them is understood.

- A) Projects should demonstrate understanding of the micro and macro context for the project by offering place specific solutions for materiality, massing, uses, fabric and climate that are consistent with the vision of the "What's Next

Downtown Plan". In most cases, corporate prototype architecture may not be an acceptable design.

See page 3, Section II(1) of this report for analysis regarding "Plan DSM: Creating Our Tomorrow."

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

The existing City-owned storm water basins would be incorporated into the development and replaced by a basin layout that would also function as a wetland park. Sheet 15 of the Conceptual Plan indicates that the new basin facility would have the capacity to handle the storm water requirements for the development along with meeting the upstream needs of the watershed. Additionally, rain garden facilities are proposed in the greenways to assist with water quality. Storm water facilities along with the details of other public infrastructure would have to be reviewed in detail at the Development Plan stage.

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

An extensive alley system would be utilized for much of the development, minimizing curb cuts along the streets and facilitating circulation. The Conceptual Plan shows shared parking lots for the larger development where possible.

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

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

Approximately half of the site would be dedicated to open space, which includes the proposed storm water detention area, two privately owned parks, greenways and trails.

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

The Conceptual Plan identifies bike share facilities in the northeast and southwest portions of the development. Trails and bike lanes are proposed and would have to be reviewed in detail at the Development Plan stage.

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

The proposed Conceptual Plan includes four general land use types, which are referenced in the documents as downtown Mixed Use, High Density Residential, Medium Density Residential and Open Space. The minimum height standards for the three categories intended to contain buildings are 4 stories for the Mixed Use areas, 3 stories for the High Density Residential areas and 1 story of the Medium Density Residential areas. One and two-story buildings are not consistent with this guideline. Staff believes that the proposed minimum height standard for the Medium Density Residential areas is not appropriate in the Downtown.

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

1. All buildings with river frontage should orient towards the river and have building entrances that are oriented to the river and primary street(s).

N/A.

2. All buildings without river frontage should have entrances oriented toward primary street(s).
3. All buildings should have frontage on principal street(s) of not less than 70 percent of the lot.
4. For commercial and mixed-use buildings, at least 70 percent of the building frontage should be within one foot of the property line.
5. At least one building entrance for residential uses should directly access the street when a residential use is located above street-level retail or commercial uses.
6. For residential buildings, a maximum setback of 15 feet from the public right-of-way is permitted unless superseded by bulk regulations of the underlying zoning district (i.e. R-HD Residential Historic District, R1-60 Low Density Residential District, etc.).

The Conceptual Plan includes notes that address these guidelines.

- I) Storage of all materials and equipment should take place within completely enclosed buildings.
- J) All refuse collection containers and dumpsters should be enclosed on all sides by the use of a permanent wall of wood, brick or masonry and steel gates which are compatible in design with the principal structure.

The submitted Conceptual Plan does not include this level of detail. This would have to be evaluated at the Development Plan stage.

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

The development would include an extensive system of open spaces and trails. The Conceptual Plan suggests these areas and building sites would be landscape. Landscaping would have to be evaluated further at the Development Plan stage.

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

Warehouse uses would be prohibited. Any office or commercial use that may require a loading dock area would have to be evaluated during the Development Plan stage.

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

Fuel sales is not proposed as an allowed use.

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

Drive-thru facilities would be an allowed accessory use in the areas identified as downtown mixed use. The impact of any future drive-thru would have to be evaluated at the Development Plan stage.

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

An extensive alley system would be utilized for much of the development, minimizing curb cuts along the streets and facilitating circulation. The Conceptual Plan shows shared parking lots for the larger development where possible. This would have to be evaluated in greater detail during the Development Plan stage.

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

The proposal complies with this guideline.

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

Drive-thru facilities would be an allowed accessory use in the areas identified as downtown mixed use. The impact of any future drive-thru would have to be evaluated at the Development Plan stage.

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

The Conceptual Plan states the “facades of above grade structured parking (e.g. podium parking beneath commercial or residential uses) adjacent to any public right-of-way shall be architecturally and aesthetically consistent with the remainder of the building they support.” Staff believes that structured parking should be lined with commercial tenant space or dwelling units to the extent possible.

- 3. Traffic/Transportation:** The applicant received a deferral for submittal of a traffic study for the proposed development. They have had numerous discussions with the City’s Traffic and Transportation Division and believe that the proposed traffic network is sufficient to serve the development. They anticipate that the traffic study will support this position. Staff is concerned that portions of the proposed street network are located on property not owned by the applicant. Specifically, staff notes that the alignment for SW 16th Street is on property owned by DICO and that the southern two east/west street connections to SW 11th Street would cross property owned by George Sherman and/or DART. While the applicant has had discussions with some adjoining property owners, the layout of the development and the suitability of the street network could change significantly if agreements are not reached.
- 4. Storm Water Management:** Sheet 15 of the Conceptual Plan provides information regarding the proposed storm water detention basins. The applicant has had discussions with staff and the narrative provides a general overview of stormwater management intent. However, no storm water design has been submitted. The Conceptual Plan notes that Development Plans are to be reviewed by the Plan and Zoning Commission and City Council.

III. PROPOSAL UPDATE AND ANALYSIS

On July 6, 2017, the Commission continued this item and requested additional analysis by the applicant and staff. Staff meet with the applicant following the July 6th meeting. A

revised PUD Conceptual Plan has been submitted by the applicant for consideration. Changes to the plan include the following:

1. Sheet 2A – Design Guidelines

- a. Item I(G) now states “detached urban townhomes shall be concentrated along green space areas and neighborhood park areas and be limited to the subareas as illustrated on the Conceptual Illustrative Master Plan on Sheet 8.”
- b. Item III(A)2 now includes language that prohibits the use of vinyl on the exterior of buildings.
- c. Item IV(G)3(a) now states “minimum height for all uses shall be one story except as indicated on the Conceptual Illustrative Master Plan on Sheet 8.”

2. Sheet 8 – Conceptual Illustrative Master Plan

- a. Has been updated to identify where detached and attached dwellings would be constructed within the Medium Density Residential areas.
- b. Has been updated to identify 34 attached dwelling lots that would be required to have a 2-story minimum height within the Medium Density Residential areas. These lots are noted by a red dot.

3. Sheet 10 – Conceptual Phasing Diagram

- a. The phasing plan has been adjusted to consist of 3 phases instead of 6 as originally proposed. The phases move from east to west and each phase consists of multiple land use types.

4. Sheet 18, 19 and 20 – Prototypical Building Illustration Sheets

- a. The building frontage requirements on these sheets have been corrected to match the building frontage requirements list in the Design Guidelines portion of the Conceptual Plan.

Staff has reviewed the proposed changes and does not believe they are sufficient. The proposed revisions specify that 34 out of 366 dwelling units/lots (9% of the lots) in the Medium Density Residential areas would require 2-story buildings. The minimum height requirements for the remaining lots remains at 1 story as previously proposed.

The minimum standards for the Medium Density Residential areas do not match the vision illustrated by the precedent images in the PUD Conceptual Plan. They are also lower than what is required by the existing zoning for the property. PUD zoning allows flexibility but is not intended to be used to allow lower standards than existing zoning. PUD proposals have been consistently evaluated against the minimums of the existing zoning by staff and the Commission. Higher standards have always been expected and negotiated for PUD Conceptual Plans than for base zoning.

The 3-story/36-foot height limit in the C-3B zoning district has been in place for 12 years and was extended to all of downtown 6 years ago by the adoption of the "D-O" Downtown Overlay District. This requirement has kept unsuitable development from being constructed in downtown multiple times. Land in the Downtown is a limited resource and should be reserved for highest and best use.

Should the Commission desire to forward a recommendation of approval to the City Council, staff recommends that approval be subject to the conditions listed Section IV of this report. The following is a summary of those conditions and the rationale for each.

1. Revision of Note 6 on Sheet 1 to state "all final development plans are subject to review and approval by the Plan & Zoning Commission and the City Council."

*Note 6 currently states "all final development plans are subject to review and approval by the Plan & Zoning Commission **and/or** the City Council." Other notes in the Conceptual Plan state "and" instead of "and/or." As a point of clarification, staff believes this note should be changed as recommended.*

2. Provision of a note identified as III(A)3 under the Building Character heading on Sheet 2A that states "buildings shall incorporate 360 degree architectural detailing and materials.

Staff believes that the proposed Conceptual Plan minimum design guidelines for character and materials do not satisfy the City's demonstrated history of requiring 360 degree architecture and a higher quality of materials on new buildings in the downtown. This recommended note is intended to address that concern.

3. All references to "Medium Density Residential" on the PUD Conceptual Plan shall be retitled as "Low-Medium Density Residential."

The minimum density range for the proposed Medium Density Residential areas is 7-8 units per acre. This is less than the PlanDSM definition of Medium Density Residential (12-17 units per net acre). A minimum density of 7-8 units per acre would be at the lower end of the PlanDSM definition for Low-Medium Density Residential (6-12 units per net acre). Staff believes the proposed Medium Density Residential area should be labeled as Low-Medium Density Residential to be consistent with the PlanDSM definitions.

4. Provision of a note that states "each story of a building within the Low-Medium Density Residential areas shall consist of finished habitable space."

Staff believes this note is necessary to ensure that false stories or unfinished stories are not constructed to comply with the height requirements without meeting the intent of the height requirements.

5. Provision of a note on Sheet 10 that states "Phase 1 vertical construction and Phase 2 infrastructure construction shall be complete before Phase 3 vertical construction is initiated."

The phasing plan has been adjusted to consist of 3 phases instead of 6 as originally proposed. The phases move from east to west and each phase consists of multiple land use types. The revised phasing plan is appropriate in the number and the mix. However, staff believes there needs to be some assurance that the Downtown Mixed Use and/or High Density Residential buildings are constructed before moving on to a new phase. The proposed language is intended to address this concern while allowing some flexibility.

6. Revision of the PUD Conceptual Plan to reflect the drawing titled "Staff Recommendation Attachment."

Included in the Plan and Zoning Commission packet is a marked-up version of Sheet 8 titled "Staff Recommendation Attachment." This attachment and associated chart illustrate where staff believes it is vital to require higher standards than proposed for the Medium Density Residential areas.

The proposed limitations include: (1) prohibiting detached units north of Murphy Street; (2) requiring attached units with a minimum 3-story height along all streets and the greenway separating the PUD from the land to the east; (3) limiting the mix of 1 and 2-story units for the balance of the attached unit areas; (4) requiring detached units with a minimum 2½-story height along all streets and greenways; and (5) limiting the mix of 1 and 2-story units for the balance of the detached unit areas.

IV. STAFF RECOMMENDATION

Part A) Staff recommends that the proposed rezoning is not in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation.

Part B) Based on the items listed in Section II(2) of this report and lack of significant change in market conditions, staff recommends denial of the requested Land Use Plan Amendment.

Part C) Staff recommends denial of the proposed rezoning from "C-3B" District to "PUD" District.

Part D) Staff recommends denial of the proposed Gray's Station PUD Conceptual Plan.

Should the Commission desire to forward a recommendation of approval to the City Council, staff recommends that approval be subject to the following conditions:

1. Revision of Note 6 on Sheet 1 to state “all final development plans are subject to review and approval by the Plan & Zoning Commission and the City Council.”
2. Provision of a note identified as III(A)3 under the Building Character heading on Sheet 2A that states “buildings shall incorporate 360-degree architectural detailing and materials.
3. All references to “Medium Density Residential” on the PUD Conceptual Plan shall be retitled as “Low-Medium Density Residential.”
4. Provision of a note that states “each story of a building within the Low-Medium Density Residential areas shall consist of finished habitable space.”
5. Provision of a note on Sheet 10 that states “Phase 1 vertical construction and Phase 2 infrastructure construction shall be complete before Phase 3 vertical construction is initiated.”
6. Revision of the PUD Conceptual Plan to reflect the drawing titled “Staff Recommendation Attachment” based on the following key:

Attached Low-Medium Density Residential Units	
Yellow highlight in red square	Minimum 3-story/36-foot height
Yellow highlight with blue dot	Minimum 2-story/24-foot height
All other units	Minimum 2-story height/24-foot except that a 1 story unit may be constructed at the end of a building row. Consecutive 1 story end units are prohibited.
Detached Low-Medium Density Residential Units	
Yellow highlight with green dot	Minimum 2½-story height
All other units	Minimum 2-story height except that up to 25% of the units may be 1 story. Consecutive 1 story units are prohibited.

Conceptual Plan Gray's Station, a Planned Unit Development in the City of Des Moines, County of Polk, State of Iowa
 Sheet 8 of 20

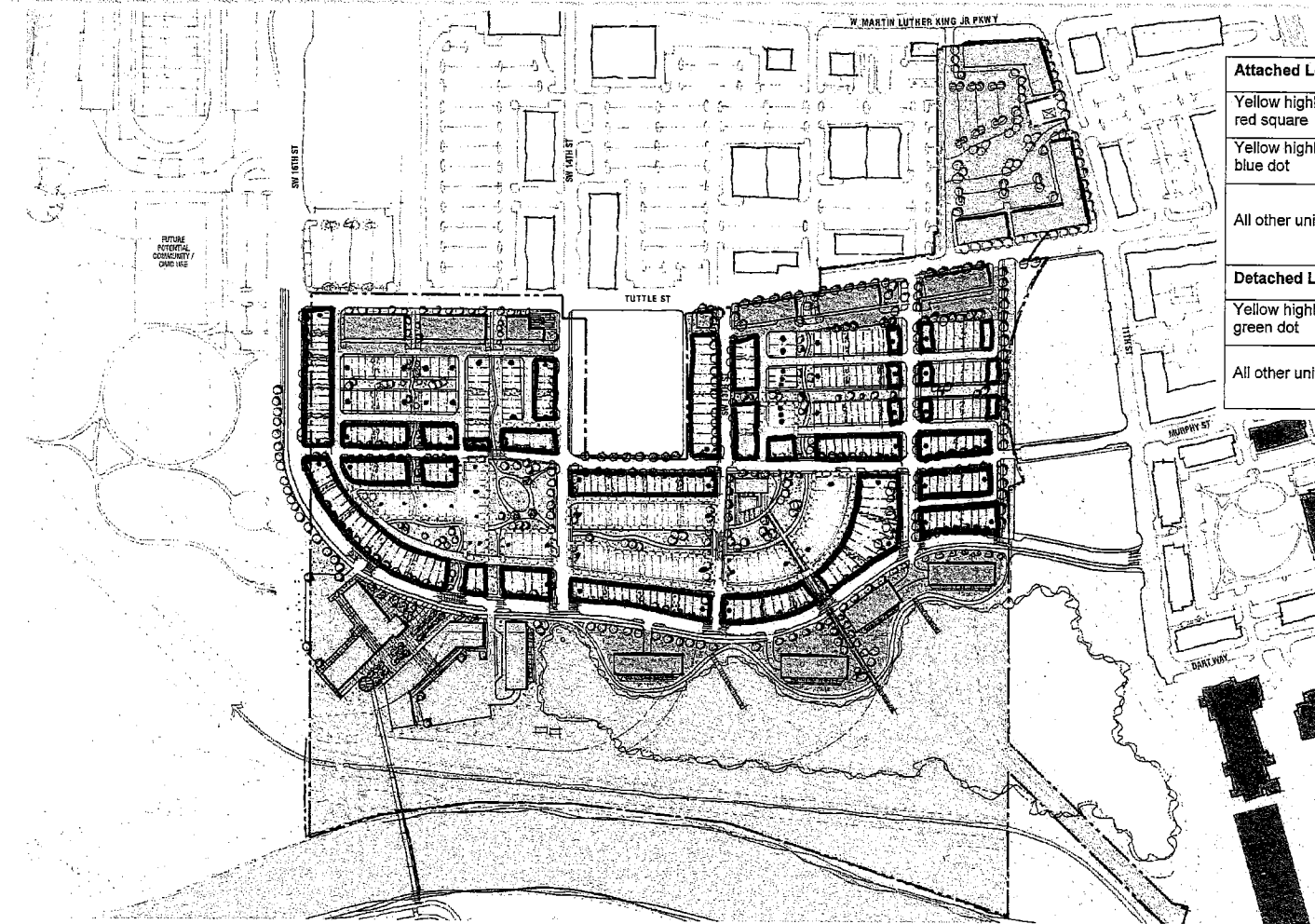


GRAY'S STATION

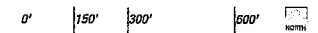
Attached Low-Medium Density Residential Units	
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Detached Low-Medium Density Residential Units	
Yellow highlight with green dot	Minimum 2½-story height
All other units	Minimum 2-story height except that up to 25% of the units may be 1 story. Consecutive 1 story units are prohibited.

NOTES:
 1. The master plan at left is for illustrative purposes only and is provided to show general, conceptual intent and character of the development. Individual parcels, building footprints, landscape design, open space design and parking design will be determined and designed as a part of future development plans for each phase.

LEGEND	
	Master Plan Area
	Downtown Mixed Use
	High Density Residential
	Medium Density Residential
	Open Space / Stormwater
	2 story minimum building height at corner lots where indicated with orange circle
	Detached Urban Townhomes Subarea (Other uses permitted as per the Permitted Land Uses Chart)



CONCEPTUAL ILLUSTRATIVE MASTER PLAN
 JULY 10, 2017



Staff Recommendation Attachment



AGE FRIENDLY GREATER DES MOINES

July 20, 2017

Chairperson Easley and DSM Plan & Zoning Commissioners:

I am Kent Sovern, one of the Co-Chairs of the Age-Friendly Greater Des Moines Initiative and State Director of AARP Iowa. Age-Friendly Greater Des Moines serves to encourage policy makers, planners, designers and developers working in Des Moines (and all DSM Metro cities) to create inclusive and accessible urban environments that enable residents of all ages to thrive no matter where they live physically or on the age continuum.

The purpose of these comments is to express our support of the request from Hubbell Realty Company to rezone property for the Gray's Station development in the vicinity of 1300 Tuttle Street in Des Moines. We wish to note that our Age-Friendly volunteer volunteers have been consulted and engaged regularly during the incubation of this innovative project.

I recall attending a breakfast meeting some 20+ years ago in the Embassy Club restaurant atop the 801 Grand. A few leading local real estate developers attended that meeting and one of those present opined about the 'Diamond in the Rough' that he saw in the area south of the downtown. From that meeting's 'back of a napkin' notes, project planning began among the business community, local, state and national policy officials. Over the years federal, state and local investments improved flood protection, built infrastructure and improved transportation access creating an environment allowing the private sector to risk investment into the area. All this investment brings us to this moment and this project which will continue to polish that 'Rough Diamond' of 20+ years ago.

What makes Gray's Station an 'Age-Friendly' project worthy of your support?

First, it clearly advances the city's stated development policy goals and objectives as expressed in PlanDSM. As applied to the Gray's Station proposal; PlanDSM pledges walkable neighborhoods, housing diversity that meets residents' needs throughout their lives, a complete transportation system, and a cultural and recreational environment available for all residents. The project also includes walkability including safe sidewalks, vibrant public spaces, and accessible, affordable and age-friendly housing alternatives that allow residents to thrive in place.

Second, this proposal demonstrates a thoughtful and reasonable private sector response to the PlanDSM land use and density designations. This proposal, designed for what is a transitional tract between the downtown core and the recreational amenities of Gray's Lake and Water Works Park, blends the desired outcomes for development and density as described in 'Downtown Mixed Use' and 'Community Mixed Use' definitions.

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Des Moines, IA 50309

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You may recall that both Downtown and Community Mixed descriptions in PlanDSM use language calling for mixed use development including both a mix of high and medium density residential and a mix of retail and service establishments designed to attract customers from a larger service area encompassing multiple neighborhoods. We believe that Gray's Landing as designed may also include specialty retail that attracts regional customers.

Third, this development proposal addresses the need for 'missing middle' housing accessible to the downtown core. Missing Middle is a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living. Missing Middle Housing is not a new type of building. It is a range of building types building types exist in cities and towns across the country, and were a fundamental building block in pre-1940s neighborhoods. Combined together (and sometimes with single-family homes), Missing Middle building types create a density that can support public transit and services and amenities within walking distance, and make up some of the most popular up-and-coming communities.

Well-designed 'Missing Middle' buildings unify the walkable streetscape as they diversify the choices available for households of different age, size, and income. Diverse households keep diverse hours meaning more people are out walking their streets at more varied hours—keeping them safer. Those who participated in the Age-Friendly annual meeting, workshop and community meetings in December 2016, learned of the demographically and culturally driven market demand for the variety of housing alternatives anticipated in this project.

Finally, we believe this proposal deserves your support because it helps to create an environment that will result in healthier and more connected residents committed to growing Des Moines. This project meets many of the age-friendly criteria as envisioned by Age-Friendly Greater Des Moines, PlanDSM, The Tomorrow Plan and Capital Crossroads as it will create and promote Age-Friendly infrastructure, social capital, healthy living and community supports in the city and the region.

I close these remarks with the suggestion that there is an opportunity cost that must be acknowledged as you consider the Gray's Station proposal. Will those that follow us some 20+ years hence look on this area and see an undeveloped 'rough diamond' or will they see a vibrant, diverse, age-friendly neighborhood that meets the changing needs of Des Moines residents while adding to the wealth and vibrancy of the city?

Thank you for your thoughtful attention to these remarks.

Respectfully Submitted,



Kent Sovern

