



Date May 7, 2018

**RESOLUTION HOLDING HEARING ON REQUEST FROM
KENYON HILL RIDGE, LLC TO REZONE PROPERTY
IN THE VICINITY OF 5066 NORTHEAST 23RD AVENUE (EASTON BOULEVARD)**

WHEREAS, on April 23, 2018, by Roll Call No. 18-0687, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on April 5, 2018, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Kenyon Hill Ridge, LLC (owner), represented by David Walters (officer), to rezone real property in the vicinity of 5066 Northeast 23rd Avenue (Easton Boulevard) (“Property”) from “A-1” Agricultural District to “PUD” Planned Unit Development District, and for approval of a PUD Conceptual Plan “Ruby Rose Ridge”, for development of approximately 13.38 acres for 45 single-family dwellings, 10.14 acres for 50 single-family semi-detached dwellings, and 5.23 acres for three 3-story multiple-family dwellings with up to 90 units, subject to the following revisions to the PUD Conceptual Plan:

1. Lots 1, 2, & 3 within Area A shall be shifted to be within Area C so that the modified Area C has frontage on NE 23rd Avenue (Easton Boulevard).
2. The maximum net density of Area C shall not exceed 12 dwelling units per acre.
3. Any future development within Area C shall not include any structure that contains more than 12 dwelling units.
4. Any future development within Area C shall be subject to a PUD Development Site Plan as reviewed by the Plan & Zoning Commission to ensure that building designs and site layouts are appropriate and compatible with the surrounding neighborhood.
5. The bulk regulation stating that any bi-attached unit shall have 1,150 square feet of area should be deleted since it conflicts with the requirements contained elsewhere on the PUD Conceptual Plan stating a minimum of 1,200 square feet is required.
6. A note shall be provided to state that an overstory tree in the rear yard of each single-family and semi-detached lot.
7. A note shall be provided to state that each single-family and semi-detached dwelling shall have foundation plantings, including a minimum of five (5) shrubs.
8. A 5-foot wide sidewalk shall be provided within the 30-foot wide storm sewer and drainage easement between Lots 13 and 14, which may require modification to the current stormwater management design; and

WHEREAS, on April 23, 2018, by Roll Call No. 18-0687, it was duly resolved by the City Council that the application from Kenyon Hill Ridge, LLC to rezone the Property and for approval of the PUD Conceptual Plan, be set down for hearing on May 7, 2018 at 5:00 P.M., in the Council Chamber at City Hall; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and

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



Date May 7, 2018

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 5066 Northeast 23rd Avenue (Easton Boulevard), legally described as:

LOT 2 STEPHEN HARVEY ESTATE, POLK COUNTY, IOWA, EXCEPT THE SOUTH 577.5 FEET THEREOF AND EXCEPT PARCEL 2017-38 AS RECORDED IN BOOK 16432 AT PAGE 303 IN THE OFFICE OF THE POLK COUNTY RECORDER.

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

SAID TRACT CONTAINS 21.20 ACRES.

AND

AN IRREGULAR SHAPED PORTION OF LOT 2, PLAT OF STEPHEN HARVEY ESTATE, AN OFFICIAL PLAT, POLK COUNTY, IOWA, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE N89°46'15"W ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 100.00 FEET; THENCE N00°00'01"W, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE N89°46'15"W PARALLEL WITH AND 50.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 555.10 FEET TO THE WEST LINE OF SAID LOT 2; THENCE N00°15'41"E ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 527.70 FEET; THENCE S89°46'15"E, A DISTANCE OF 653.68 FEET TO THE WEST LINE OF EASTOVER PLAT TWO, AN OFFICIAL PLAT, POLK COUNTY, IOWA; THENCE S00°06'39"W ALONG THE WEST LINE OF SAID EASTOVER PLAT TWO, A DISTANCE OF 365.10 FEET; THENCE N89°49'18"W, A DISTANCE OF 100.29 FEET; THENCE S00°00'01"E, A DISTANCE OF 162.51 FEET TO THE POINT OF BEGINNING.

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

SAID TRACT OF LAND CONTAINS 7.55 ACRES.

from "A-1" Agricultural District to "PUD" Planned Unit Development to allow redevelopment of the Property with single-family dwellings, single-family semi-detached dwellings, and multiple-family dwellings.

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

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed rezoning of the Property to "PUD" Planned Unit Development District, and any objections to the proposed "Ruby Rose Ridge" PUD Conceptual Plan with revisions as set forth above, are hereby overruled, and the hearing is closed.



Roll Call Number

Agenda Item Number

47B

Date May 7, 2018

Alternative A

MOVED BY _____ TO APPROVE the proposed rezoning and the proposed "Ruby Rose Ridge" PUD Conceptual Plan as follows:

- a. 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.
- b. The proposed "Ruby Rose Ridge" 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.

Alternative B

MOVED by _____ to continue the public hearing until May 21, 2018, at 5:00 p.m. in the Council Chambers at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, and to direct the City Manager and Legal Department to prepare the necessary legislation to **APPROVE** the rezoning and to approve the PUD Conceptual Plan subject to revisions acceptable to the City and the owner(s).

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(ZON2018-00040)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

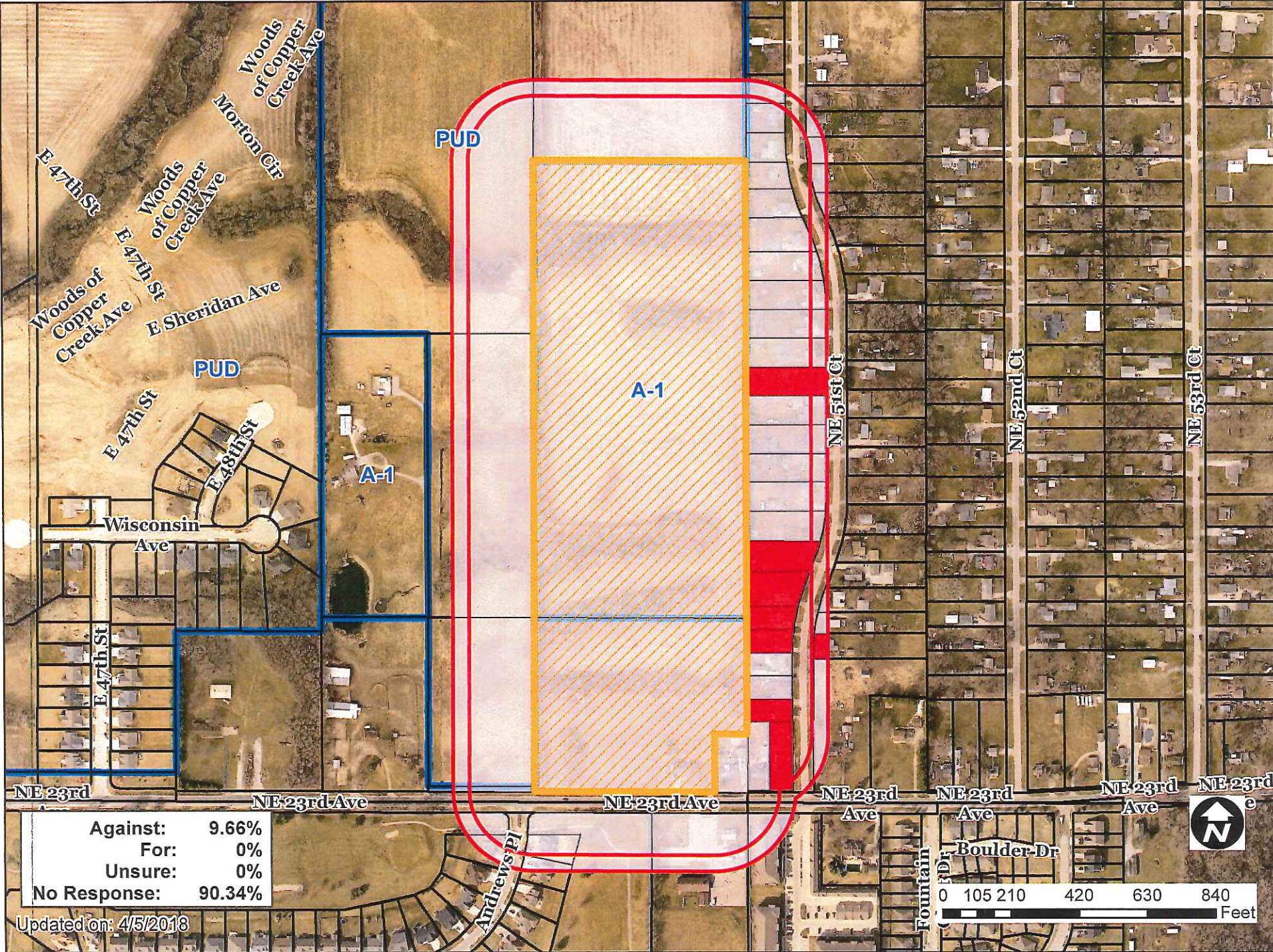
Mayor

CERTIFICATE

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

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

City Clerk



Against:	9.66%
For:	0%
Unsure:	0%
No Response:	90.34%

Updated on: 4/5/2018

47B



April 18, 2018

Date May 7, 2018
 Agenda Item 47B
 Roll Call # _____

Honorable Mayor and City Council
 City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their April 5, 2018 meeting, the following action was taken regarding a request from Kenyon Hill Ridge, LLC (owner) represented by David Walters (officer) to rezone property at 5066 Northeast 23rd Avenue (Easton Boulevard) from "A-1" Agricultural District to "PUD" Planned Unit Development. The south 7.135 acres is pending voluntary annexation into the City of Des Moines.

COMMISSION RECOMMENDATION:

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

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles				X
Chris Cutler	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 Part A) to find the proposed rezoning to "PUD" District **not** in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation of Low Density Residential for Area C; for Part B) to recommend approval of the PlanDSM

Creating Our Tomorrow future land use designation for Areas A and B be designated as Low Density Residential and that the future land use designation for the modified Area C be designated as Low/Medium Density Residential; for Part C) to recommend approval for rezoning of the property to “PUD” Planned Unit Development District; and Part D) to recommend approval of the the “Ruby Rose Ridge” PUD Conceptual Plan subject to the following revisions:

1. Lots 1, 2, & 3 within Area A shall be shifted to be within Area C so that the modified Area C has frontage on NE 23rd Avenue (Easton Boulevard).
2. The maximum net density of Area C shall not exceed 12 dwelling units per acre.
3. Any future development within Area C shall not include any structure that contains more than 12 dwelling units.
4. Any future development within Area C shall be subject to a PUD Development Site Plan as reviewed by the Plan & Zoning Commission to ensure that building designs and site layouts are appropriate and compatible with the surrounding neighborhood.
5. The bulk regulation stating that any bi-attached unit shall have 1,150 square feet of area should be deleted since it conflicts with the requirements contained elsewhere on the PUD Conceptual Plan stating a minimum of 1,200 square feet is required.
6. A note shall be provided to state that an overstory tree in the rear yard of each single-family and semi-detached lot.
7. A note shall be provided to state that each single-family and semi-detached dwelling shall have foundation plantings, including a minimum of five (5) shrubs.
8. A 5-foot wide sidewalk shall be provided within the 30-foot wide storm sewer and drainage easement between Lots 13 and 14, which may require modification to the current storm water management design. (21-2018-4.06) & (ZON2018-00040)

Written Responses

0 in Favor

8 in Opposition

STAFF RECOMMENDATION

Part A) Staff recommends that the proposed rezoning to “PUD” District be found not in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation of Low Density Residential for Area C.

Part B) Staff recommends that the PlanDSM Creating Our Tomorrow future land use designation for Areas A and B be designated as Low Density Residential and that the future land use designation for the modified Area C be designated as Low/Medium Density Residential.

Part C) Staff recommends approval of the rezoning of property to “PUD” Planned Unit Development District.

Part D) Staff recommends approval of the “Ruby Rose Ridge” PUD Conceptual Plan subject to the following revisions:

1. Lots 1, 2, & 3 within Area A shall be shifted to be within Area C so that the modified Area C has frontage on NE 23rd Avenue (Easton Boulevard).
2. The maximum net density of Area C shall not exceed 12 dwelling units per acre.
3. Any future development within Area C shall not include any structure that contains more than 12 dwelling units.
4. Any future development within Area C shall be subject to a PUD Development Site Plan as reviewed by the Plan & Zoning Commission to ensure that building designs and site layouts are appropriate and compatible with the surrounding neighborhood.
5. The bulk regulation stating that any bi-attached unit shall have 1,150 square feet of area should be deleted since it conflicts with the requirements contained elsewhere on the PUD Conceptual Plan stating a minimum of 1,200 square feet is required.
6. A note shall be provided to state that an overstory tree in the rear yard of each single-family and semi-detached lot.
7. A note shall be provided to state that each single-family and semi-detached dwelling shall have foundation plantings, including a minimum of five (5) shrubs.
8. A 5-foot wide sidewalk shall be provided within the 30-foot wide storm sewer and drainage easement between Lots 13 and 14, which may require modification to the current storm water management design.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed PUD Conceptual Plan “Ruby Rose Ridge” for development of approximately 13.08 acres for 45 single family dwellings, 10.44 acres for 50 single-family semi-detached dwellings, and 5.23 acres for three (3), 3-story multiple-family dwellings with up to 90 units. The south 7.135 acres is pending voluntary annexation into the City of Des Moines. The development would be accessed by a new street connection from NE 23rd Avenue (Easton Boulevard) and by three (3) street connections that align with the streets to the west and north that are required in the approved “Copper Crossing PUD Conceptual Plan”.
2. **Size of Site:** 28.75 acres.
3. **Existing Zoning (site):** “A-1” Agricultural District and “LDR” Low Density Residential (Polk County).

4. **Existing Land Use (site):** The site contains a single-family dwelling. The balance of the site is for agricultural production.

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

North – “Woods at Cooper Creek PUD”; Use is currently agricultural production but will eventually be single-family residential.

South – “R-3” (Pleasant Hill); Use is the Copper Creek golf course community with a mix of single-family and townhome dwellings.

East – “LDR” (Polk County); Uses are single-family residential.

West – “Woods at Cooper Creek PUD”; The property is currently being graded for single-family residential.

6. **General Neighborhood/Area Land Uses:** The subject property is located to the north of NE 23rd Avenue (Easton Avenue) in an area that includes a mix of low-density residential and agricultural production uses.

7. **Applicable Recognized Neighborhood(s):** The subject property is not located within 250 feet of any recognized neighborhood. All neighborhoods were notified of the public hearing by mailing of the Preliminary Agenda on March 19, 2018. Additionally, separate notifications of the hearing for this specific item were mailed on March 16, 2018 (20 days prior to the hearing) and March 26, 2018 (10 days prior to the hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. Additionally, a Final Agenda for the hearing was mailed to all recognized neighborhoods on March 30, 2018

The applicant has indicated that their neighborhood meeting was held on March 20, 2018. They will be able to provide a summary at the public hearing.

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

9. **PlanDSM: Creating Our Tomorrow Land Use Plan Designation:** The portion of the site that is currently within Des Moines’ boundaries is designated as Low-Density Residential. The portion of the site that is pending voluntary annexation does not have a designation assigned. Adjoining properties within the City of Des Moines that are along the north side of Easton Boulevard (NE 23rd Avenue) have the Low/Medium-Density Residential designation.

10. **Applicable Regulations:** The Commission reviews all proposals to amend zoning regulations or zoning district boundaries 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 recommend that certain conditions be applied to the subject property if the property owner agrees in writing, in addition to the existing regulations. The recommendation of the Commission will be forwarded to the City Council.

The application, accompanying evidence and Conceptual Plan shall be considered by the Plan and Zoning commission at a public hearing. The Commission shall review the conformity of the proposed development with the standards of 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 Future Land Use Plan Designation:** The proposed PUD Conceptual Plan designates 13.38 acres for single-family residential development (Area A), 10.14 acres for single-family semi-detached development (Area B), and 5.23 acres for multiple-family residential development (Area C). Both Areas A and B are in conformance with the Low Density Residential Designation, which allows for development up to 6 dwelling units per acre.

The proposed density of Area C (90 units on 5.23 acres, or 17.2 units per acre), requires the "High Density Residential" designation, which allows for development of over 17 dwelling units per acre. Staff does not believe that this is an appropriate location for High Density Residential. This designation is typically located downtown or along major corridors and/or transit routes. Staff that the future land use designation for Area C be "Low/Medium Density Residential", which allows for development up to 12 dwelling units per acre. Staff also recommends that Lots 1, 2, & 3 within Area A be shifted to be within Area C so that Area C has frontage on NE 23rd Avenue (Easton Boulevard). This would increase the area of Area C to 6.18 acres. This would allow Area C to contain 74 dwelling units if it were to achieve a maximum density of 12 units per acre.

- 2. Bulk Regulations:** The Conceptual Plan demonstrates that single-family lots within Area A would have at least 7,500 square feet of lot area and 60 feet of width. It also requires a minimum 25-foot front yard setback and at least 7 feet of side yard setback on each side.

The Conceptual Plan demonstrates that bi-attached dwelling lots within Area B would have at least 3,800 square feet of lot area and 35 feet of width. It also requires a minimum 5 feet of side yard setback on one side. The bulk regulation stating that any bi-attached unit shall have 1,150 square feet of area should be deleted since it conflicts with the requirements contained elsewhere on the PUD Conceptual Plan.

The Conceptual Plan demonstrates that Area C would contain 90 multiple-family residential units within three (3) 30-unit structures. As noted in the previous section, Staff has concerns with the proposed density and scale of the multiple-family residential. Therefore, Staff recommends that a note be added to state that any future development within Area C shall not include any structure that contains more than 12 dwelling units and that any future development within Area C shall be subject to a PUD Final Development Plan as reviewed by the Plan & Zoning Commission to ensure that

building designs and site layouts are appropriate and compatible with the surrounding neighborhood.

3. **Natural Site Features:** The subject property contains vegetation along drainage ways and fence lines. The PUD Conceptual Plan states that all tree removal will be in accordance with the City's Tree Removal and Mitigation Ordinance. It also states that a soils report and stormwater runoff control plan per City Code Section 106-136 is required and that all grading is subject to an approved grading permit and soil erosion control plan.
4. **Landscaping:** The PUD Conceptual Plan state that any multiple-family residential development within Area C will be landscaped in accordance with the landscape standards applicable in the "R-3" District. It also states that one street tree per 30 lineal feet within the R.O.W. is required in Area C.

The PUD Conceptual Plan states that one street tree (at least 1.5 inches caliper) within City right-of-way along each frontage is required on every single-family lot and bi-attached lot.

The PUD Conceptual Plan states that each single-family and bi-attached lot is required to have 1 overstory tree in the front yard area. Staff recommends that this be revised to also require 1 overstory tree in the rear yard of each single-family and bi-attached lot.

Staff recommends provision of a note that states each single-family and bi-attached dwelling shall have foundation plantings, including a minimum of five (5) shrubs.

5. **Stormwater Management:** The PUD Conceptual Plan provides multiple stormwater detention areas throughout the development. The final stormwater management plan would be approved with any PUD Final Development Plan or Preliminary Plat.
6. **Utilities:** There currently is no City of Des Moines-owned sanitary sewer located adjacent to this property and currently no plans for the City of Des Moines to construct a sanitary sewer adjacent to this property in NE 23rd Avenue. The closest sanitary sewer to this property is a City of Des Moines-owned 8-inch sanitary sewer running south/north in the middle of East 47th Street approx. 1,400 feet to the west. This property is located in the Four Mile East Trunk Connection Fee Sanitary Sewer Area. The PUD Conceptual Plan states the developer is responsible for all costs and connection fees associated with constructing the necessary sanitary sewer connections and that the developer is responsible for all costs associated with constructing the necessary water connections
7. **Traffic/Street System:** Prior to the submittal of the application, a traffic impact study was completed. Traffic capacity and queuing were found to be sufficient as designed to handle flow of traffic for each analyzed scenario and no traffic control changes or roadway geometric changes are required to maintain capacity.

The PUD Conceptual Plan states that 5-foot wide sidewalks shall be provided along both sides of all public streets and that adequate pedestrian connections will be provided within Area C.

Staff recommends that a 5-foot wide sidewalk be provided within the 30-foot wide storm sewer and drainage easement between Lots 13 and 14. This would potentially allow for a mid-block sidewalk connection to the development to west.

- 8. Fencing:** The PUD Conceptual Plan states any fence shall be in accordance with the fencing standards applicable in the "R1-60" District, so long as any chain link fence shall have black vinyl-cladding.
- 9. Architectural Guidelines:** The Conceptual Plan states that any single-family dwelling shall be constructed in accordance with the following design guidelines:
- a. No same house plan shall be built on adjacent lots.
 - b. Each house shall have a full basement.
 - c. Each house shall have an attached 2- or 3-car garage.
 - d. Exterior material for any home constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, or cement fiber board.
 - e. The front façade of any house constructed must contain one of the following:
 - i. A front porch of not less than 60 square feet; or
 - ii. At least 1/3 of the front façade shall be clad with stone or brick masonry.
 - f. The windows on any street-facing façade of any house constructed shall have either of the following:
 - i. Shutters on each side; or
 - ii. Trim border not less than 4 inches in width.
 - g. The roof on any house constructed shall be of architectural profile asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
 - h. 1-story homes shall be constructed with a minimum of 1,200 square feet of above-grade finished floor area.
 - i. 1-½- and 2-story homes shall be constructed with a minimum of 1,400 square feet of above-grade finished floor area.

It also states that any bi-attached dwelling shall be constructed in accordance with the following design guidelines:

- a. No same building facade shall be built on adjacent buildings.
- b. Each dwelling unit shall have a full basement.
- c. Each dwelling unit shall have an attached 2- or 3-car garage.

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

10. Fire Protection: The approved PUD Conceptual Plan states that the number of dwelling units within the development shall not exceed 30 units until such time that a separate and approved access road is provided.

11. Additional Information: The PUD Conceptual Plan states trash and recycling dumpsters shall not be located within a setback and shall be completely contained within an enclosure made of durable materials / steel gates to match the building with a pedestrian access.

The PUD Conceptual Plan states mechanical, meters, transformers or similar shall be screened and shall not be located on a street-facing façade.

The PUD Conceptual Plan states the development shall be permitted to have one (1) entrance freestanding monument sign at the street connection along NE 23rd Avenue (Easton Blvd), where the sign shall be no greater than 24 square feet in area, shall not be illuminated, shall not be located within any required vision clearance triangle, and shall be constructed primarily of masonry materials with a design approved by the City's Planning Administrator.

SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendation.

CHAIRPERSON OPENED THE PUBLIC HEARING

Seth Sunderman 3501104th Street with Bishop Engineering, stated the main focus tonight will be the apartment complexes. They are no longer seeking high-density rezoning, they would prefer medium-density. After the traffic and review process they have eliminated 30 units, a reduction from 120 to 90. They're also providing additional parking to alleviate some of the parking concerns, typically you see 1.5 parking stalls per unit and they will be at 1.7 stalls per unit. To the East of the church there are currently 3 apartment complexes. This project will have different materials associated but proposing something very similar in size to what already exists. With the need of senior living in this area, the apartments will have an age restriction in hopes to alleviate some of the concerns for who will occupy these complexes.

David Courard-Hauri asked if they agreed with condition #1 on the staff report.

Seth Sunderman stated they have no problem shifting lots 2 and 3 to area C as this would help with until counts.

John "Jack" Hilmes asked what efforts have been made to see how many 12-unit buildings they can fit inside area C.

Seth Sunderman stated they have not but they need 90 multi-family units to make the project financially viable.

Mike Simonson asked who was responsible for maintaining the storm water detention basins.

Seth Sunderman stated the homeowners association.

Mike Simonson asked where the water sheds from the property.

Seth Sunderman stated there are drainage easements provided by CDA development, Woods of Copper Creek. Also, they have provided 18 and 24 inch pipes stubbed into the property to facilitate their drainage.

Mike Simonson clarified the homeowner's association would be responsible for maintaining these pipes.

Seth Sunderman stated yes.

Rocky Sposato asked how long it would take to complete all phases of the project.

Seth Sunderman stated depending on how it sells, they anticipate a 2 to 3 year buildout.

Eric Graham 5095 NE 23rd Avenue, stated the apartments to the East have caused a lot of conflict with the Church and with residents in the area. He read a letter read from Pastor Ralph Cole Sr. who could not be present. A copy of the letter was provided to each commissioner prior to the April 5, 2018 meeting.

Karol Turner 2440 NE 51st Court, stated this area was a very quiet, country like setting and no place for apartment complexes. There would be a loss of privacy and people traveling in and out all hours of the day and night. They are worried about property values decreasing with large complexes next to their home. They are not opposed to the single-family development but strongly disagree with more apartments in this area.

Chris Kinney 2440 NE 51st Court, stated no one addressed the drainage problem. There is a lot of farm land in this area, what are they going to do when they hit a farm tile? Will the block it off, fix it or reroute it? A lot of homes along 51st are hooked up to these farm tiles to stop their basement from flooding. if they start blocking these farm tiles, water will start backing up into their basements.

Leroy Brown 2460 NE 51st Court, stated we don't need these apartments hovering over our houses.

Vicky Pinegar 2660 NE 51st Court, stated her concern was over populating their schools and too much traffic added to this area.

Matthew Gray 2480 NE 51st Court, stated the 3-story building would block sunlight for his garden in the back yard. He believes there will be conflict between County and City because of the wood burning, chickens raised, fireworks and other things they are able to do in this area.

Seth Sunderman stated they always do an in-depth study when it comes to agricultural systems. Any tiles would be attached to the new storm water system to continue proper drainage. Also, they are providing swales along the East property line to promote drainage away from property lines. Again, with the concern of tenants who would occupy these apartments, that's what made us to steer towards senior living. They hope that alleviates some of that concern for surrounding homeowners.

Mike Simonson stated you initially had 1.7 parking stalls per unit.

Seth Sunderman stated that was including all garages but we still look to exceed the 1.5 requirement.

Mike Simonson asked what the age restriction would be.

Seth Sunderman stated 55 would be the minimum age.

CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION:

Rocky Sposato made a motion for Part A) to find the proposed rezoning to "PUD" District **not** in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation of Low Density Residential for Area C; for Part B) to recommend approval of the PlanDSM Creating Our Tomorrow future land use designation for Areas A and B be designated as Low Density Residential and that the future land use designation for the modified Area C be designated as Low/Medium Density Residential; for Part C) to recommend approval for rezoning of the property to "PUD" Planned Unit Development

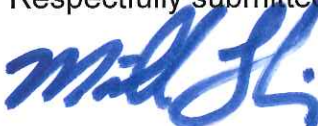
47B

District; and Part D) to recommend approval of the the “Ruby Rose Ridge” PUD Conceptual Plan subject to the following revisions:

1. Lots 1, 2, & 3 within Area A shall be shifted to be within Area C so that the modified Area C has frontage on NE 23rd Avenue (Easton Boulevard).
2. The maximum net density of Area C shall not exceed 12 dwelling units per acre.
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6. A note shall be provided to state that an overstory tree in the rear yard of each single-family and semi-detached lot.
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8. A 5-foot wide sidewalk shall be provided within the 30-foot wide storm sewer and drainage easement between Lots 13 and 14, which may require modification to the current storm water management design.

Motion Passed: 12-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

EML:tjh

ZON2018-00040 Date 3-31-18

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

(Circle One) **RECEIVED** Print Name Timothy Crocker
COMMUNITY DEVELOPMENT Signature [Signature]
APR 05 2018 Address 2326 NE 51st Ct

Reason for opposing or approving this request may be listed below.
City of Des Moines and/or Polk
County, have not come up with a
Plan for; 1. Increase traffic on NE
23rd, 2. Increased enrollment in the
local school. Tax problems by
abolishment law developer. Residency 2004.

ZON2018-00040 Date 3-28-18

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

(Circle One) **RECEIVED** Print Name Nancy & BO Brown
COMMUNITY DEVELOPMENT Signature _____
APR 01 2018 Address 2460 NE 51st Ct DSM, IA

Reason for opposing or approving this request may be listed below.
Decreased privacy, Noise, & fear of
self & property not being safe.
Increased traffic and decrease in property
value.

Item ZON2018-00040 Date 3-29-18

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

Print Name Matthew Gray
Signature Matthew Gray
Address 2480 NE 51st Ct.
APR 03 2018

Reason for opposing or approving this request may be listed below.
Increased Traffic, Trespass Issues,
Privacy Issues, Property Value Issues,
Increased Crime, Blocking sunlight
in our garden, conflicts between city
vs County with Chickens, Burning Fires, Fireworks

Item ZON2018-00040 Date 3/28/18

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

Print Name Craig Campbell, Mgr of Dexter Homes,
Signature Craig Campbell, Dexter Homes
Address 503 Lincoln St NE, Bendavant, IA
APR 01 2018 50035

Reason for opposing or approving this request may be listed below.
The people who live on 51st, 52nd & 53rd Ct. like the
rural feeling, including having roosters. It would seem
that high density residential would not be
capatable with the roosters.

491B

Item ZON2018-00040 Date 3/27/18

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

Print Name DAVID DUNFEE
Signature [Signature]
Address 2445 NE 51st Ct
COMMUNITY DEVELOPMENT

APR 01 2018
Reason for opposing or approving this request may be listed below.
TRAFFIC ADDITIONS TO NE 23RD
WILL INCREASE THAN MAXIMIZE THE
CARRY INTENDED TRAFFIC COUNT FOR
THIS ROAD AND WHERE 23RD MEETS
56TH THERE ARE NO TRAFFIC LIGHTS, STREETS
NEED ADDRESSED FIRST.

Item ZON2018-00040 Date 3/29/18

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

Print Name LINDA J. YAEBER

Signature Linda J. Yaerber

Address 2510 NE 51st Ct

APR 03 2018

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

Increased traffic - hard to get onto ^{E 3rd} NE 56th
No buses for buses but usage of schools & streets up ^{pay} pay ^{for.} for.
Increased air & noise pollution.
The construction noise & mess & smells in early ^{PM} PM & all day.
Increased ^{up} taxes with less benefits.

Item ZON2018-00040 Date April 2, 2018

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

RECEIVED

COMMUNITY DEVELOPMENT

Print Name Vicky Pinega-

Signature Vicky Pinega-

Address 2660 NE 51st Ct

APR 05 2018

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

added traffic / privacy issues
noise level
tax abatement
crowded schools

179

Item ZON2018-00040

Date 3-29-18

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

Print Name Chris Kinney

Signature Chris Kinney

Address 2440 NE 51st Ct

APR 01 2018

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

- 1 I don't feel they have looked at increased traffic.
- 2 Flooding SE Blk with more students
- 3 I own a semi, how long before someone complains
- 4 There are bats + owls nesting back there aren't they a protected species?

PRELIMINARY- NOT FOR CONSTRUCTION

RUBY ROSE RIDGE PLANNED UNIT DEVELOPMENT

SHEET INDEX:

- 1 OF 8 COVER SHEET
2 OF 8 LAYOUT PLAN
3 OF 8 GRADING AND UTILITY PLAN
4 OF 8 ELEVATION PLAN
5 OF 8 ELEVATION PLAN
6 OF 8 ELEVATION PLAN
7 OF 8 ELEVATION PLAN
8 OF 8 ELEVATION PLAN

ADDRESS: 5066 NE 23RD AVE, DES MOINES, IOWA 50317
OWNER/DEVELOPER: RUBY ROSE LLC, DAVE WALTERS, 1587 WILSON DRIVE, DES MOINES, IOWA 50323, 555-0486

PLANDS: EXISTING: R-3, ZONING: EXISTING: R-3

GENERAL DEVELOPED CONCEPT:

THE PROJECT CONSISTS OF 28 APARTMENT UNITS, 44 SINGLE FAMILY LOTS AND APARTMENT LOT SERVED BY PUBLIC STREETS AND UTILITIES. THE DEVELOPMENT WILL REQUIRE EXCAVATION OF SOME TREES ON SITE.

PERMITTED USES:

INCLUDES SINGLE FAMILY SEMI-DETACHED RESIDENTIAL DWELLINGS, TOWNHOUSES AND APARTMENTS.

MEETINGS SCHEDULE:

Table with columns: MEETING, DATE, LOCATION. Includes items like PUD 1ST AMENDMENT SUBMITTAL, PUD 2ND AMENDMENT SUBMITTAL, PUD 3RD AMENDMENT SUBMITTAL, PUD 4TH AMENDMENT SUBMITTAL, PUD 5TH AMENDMENT SUBMITTAL, PUD 6TH AMENDMENT SUBMITTAL, PUD 7TH AMENDMENT SUBMITTAL, PUD 8TH AMENDMENT SUBMITTAL.

PHASE I CONSTRUCTION SCHEDULE:

Table with columns: ACTIVITY, START DATE, END DATE. Includes items like DESIGN CONSTRUCTION, ROUGH GRADING, SITE UTILITIES, PAVING AND FINE GRADING, SEWERING, BUILDINGS.

PHASE II & III CONSTRUCTION SCHEDULE:

PLANNED TO BEGIN IN THE SUMMER OF 2018 AND 2019 RESPECTIVELY.

ENVIRONMENTALLY SIGNIFICANT AREAS:

- 1. THE NATURAL WETLANDS INVENTORY PROVIDED BY US FISH AND WILDLIFE SERVICE IS SHOWN ON THE WETLANDS MAP AND NO ENVIRONMENTALLY SENSITIVE AREAS WITHIN OR BORDERING THE PROPERTY.
2. THE NATURAL AREAS MAPS PROVIDED BY DES MOINES METROPOLITAN PLANNING COMMISSION ALSO REVEALS NO AREAS OF ENVIRONMENTALLY SENSITIVE AREAS WITHIN OR BORDERING THE PROPERTY.

STORM WATER MANAGEMENT:

- 1. THE SITE WILL PROVIDE STORM WATER MANAGEMENT WITH A COMBINATION OF CONVENTIONAL DETENTION AND CONSERVATION PRACTICES WHICH MAY INCLUDE RAISED GARDEN, INFILTRATION TRENCHES OR OTHER METHODS. REQUIRED EROSION CONTROL MEASURES WILL BE EMPLOYED DURING CONSTRUCTION ALSO WITH PERMANENT DESIGN MEASURES FOR EROSION PREVENTION.
2. STORM WATER RUNOFF SHALL BE REQUIRED TO BE DETAINED STORAGE FOR BOTH WATER QUALITY AND FOR OVERALL FLOOD CONTROL PURPOSES. HOLDING BETWEEN 2-100 TON STORAGE RIGHTS AND RELASING AT PRE-DETERMINED RATES IN ACCORDANCE WITH LOCAL REGULATIONS. ANY DETENTION BASIN SHALL BE PROVIDED TO INCLUDE THE LARGEST STORAGE AT TWO OR MORE POINTS OR OTHERWISE SPREAD THE RELEASE TO MINIMIZE POTENTIAL FOR EROSION.
3. OFF-SITE RUN-OFF FLOWING ONTO THE SITE SHALL BE COLLECTED AND CONVEYED TO AN APPROPRIATE OUTLET AND RELEASED AT NON-EROSIVE VELOCITIES.
4. WATER QUALITY TREATMENT SHALL BE REQUIRED.

FIRE NOTE:

IN ACCORDANCE WITH PD SECTION 87.5 C: WHERE A PORTION OF THE FACILITY OR BUILDING IS DAMAGED OR DESTROYED OR INCURRED LOSS WITHIN A BUILDING IS MORE THAN 400 FEET FROM A HYDRANT OR A FIRE APPARATUS ACCESS ROAD, AS MEASURED BY AN APPROVED ROUTE AROUND THE EXTERIOR OF THE FACILITY OR BUILDING, ON-SITE FIRE HYDRANTS AND WATER SHALL BE PROVIDED EQUIPMENT FOR USE BY FIREMEN BUILDINGS SHALL BE 80' FT.

LEGAL DESCRIPTION:

PARCEL 30.152155429.001 THE SOUTH 1/2 OF LOT 1 E 1/2 4TH AVENUE ESTATE, POLK COUNTY, IOWA, EXCEPT THE SOUTH 1/4 OF FEET OF SAID LOT 1, AND EXCEPT THE EAST 1/4 OF FEET OF THE SOUTH 1/2 FEET OF SAID LOT 1, AND TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD. SAID TRACT OF LAND CONTAINS 7.55 ACRES.
PARCEL 30.152155429.001 LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

GENERAL NOTES:

- 1. ANY DEVELOPMENT PLAN SHALL BE REVIEWED AND APPROVED BY THE PLAN AND ZONING COMMISSION.
2. ANY DEVELOPMENT PLAN SHALL COMPLY WITH THE CITY'S TREE PROTECTION AND MITIGATION ORDINANCE.
3. ANY NUMBER OF RESIDENTIAL UNITS BUILT IN EXCESS OF 20 UNITS SHALL APPLY WITHIN THE FIRST 100 FEET OF THE FRONT YARD SETBACK FOR SPANNING LAST EIGHT UNITS ON WITH AN APPROVED SECONDARY ACCESS DRIVE.
4. RESTRICTIONS COVENANTS AND A HOMEOWNERS ASSOCIATION WILL BE ESTABLISHED. FURTHER THE HOMEOWNERS MANAGEMENT PROVISIONS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

PUD GENERAL NOTES:

- 1. A FENCE 30 INCHES HIGH SHALL BE BUILT ON THE FRONT YARD SETBACK OF THE 23RD AND 24TH AVENUE. THE FENCE SHALL BE 30 INCHES HIGH AND SHALL BE CONSTRUCTED AS PART OF THE PUD. SHALL NOT BE ILLUMINATED, NOT LOCATED WITHIN ANY RESIDENTIAL CURBLINE, AND SHALL BE CONSTRUCTED OF FRAMING OR LIGHTWEIGHT MATERIALS WITH A DESIGN APPROVED BY THE CITY PLANNING DEPARTMENT.
2. 2' SIDEWALK SHALL BE PROVIDED ALONG ALL STREET FRONTAGES.
3. PEDESTRIAN CONNECTIVITY FROM AREA A SHALL BE PROVIDED TO THE WALKS ALONG THE PUBLIC STREET.
4. ALL SINGLE FAMILY AND BI-ATTACHED DWELLINGS SHALL HAVE FULL BASEMENTS.
5. ANY FENCE SHALL BE IN ACCORDANCE WITH THE FENCING STANDARDS APPLICABLE IN 94-67 DISTRICT. ANY CHAIN LINK FENCE SHALL HAVE BLACK VINYL COATING.
6. DEVELOPER IS RESPONSIBLE FOR ALL COSTS AND CONNECTION FEES ASSOCIATED WITH CONSTRUCTION OF THE NECESSARY SANITARY SEWER SYSTEMS.
7. DEVELOPER IS RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH CONSTRUCTION OF NECESSARY SANITARY SEWER SYSTEMS.
8. SOLID REPORT AND STOP/START RUNOFF CONTROL PLAN PER CITY CODE SECTION 108-133 IS REQUIRED AND THAT ALL GRADING IS SUBJECT TO AN APPROVED GRADING PERM AND SOIL EROSION CONTROL PLAN.
9. STREET CONNECTIONS SHALL MAINTAIN WITH THE THREE (3) STREET CONNECTIONS PROVIDED IN THE APPROVED COPPER CROSSING PUD CONCEPTUAL PLAN.

LANDSCAPE NOTES:

- 1. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL, BIODIVERSE OR SIMILAR ORLAND OPEN.
2. ONE STREET TREE AT LEAST 1" IN CALIPER WITHIN CITY ROW ON EACH STREET FRONTAGE. REQUIRED PER SINGLE FAMILY LOT OR BI-ATTACHED UNIT.
3. 1 OVER STREET TREE (8" IN TRUNK) AND IS REQUIRED ON EACH SINGLE FAMILY OR BI-ATTACHED LOT.

UTILITY NOTE:

THE LOCATION OF THE UTILITIES INDICATED ON THE PLANS HAVE BEEN TAKEN FROM THE FIELD SURVEY, EXISTING PUBLIC RECORDS, AND PLANS PROVIDED BY OTHERS. SURFACE UTILITY LOCATIONS HAVE BEEN FIELD LOCATED BY SENIOR ENGINEERING, UNLESS OTHERWISE NOTED, ALL LOCATIONS UTILITY LOCATIONS ARE APPROXIMATE LOCATIONS ONLY. SENIOR ENGINEERING DOES NOT GUARANTEE THE ACCURACY OR LOCATION OF ANY UTILITIES SHOWN ON THE PLANS. IT IS THE DUTY OF THE CONTRACTOR TO DETERMINE THE LOCATION AND DEPTH OF ANY UNDERGROUND UTILITIES SHOWN AND IF ANY ADDITIONAL UTILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT, A REQUEST WAS MADE TO DOWN ONE CALL FOR UTILITY PROVIDERS TO VERIFY, LOCATE, AND MARK THEIR UTILITIES IN THE FIELD.

BULK REGULATIONS:

AREA A: R1-30 (13.38 ACRES, 45 SINGLE FAMILY UNITS)
MIN. LOT AREA: 7,500 SF
MIN. LOT WIDTH: 91' 0"
MIN. FRONT YARD SETBACK: 25'
MIN. SIDE YARD SETBACK: 7' ONE SIDE IS TOTAL
MAX HEIGHT (ACCESSORY BLDG): 17'

AREA B: R-3 SINGLE FAMILY-SEMI-DETACHED (10.14 ACRES, 25 BI-ATTACHED UNITS)
MIN. LOT AREA: 3,500 SF
MIN. LOT WIDTH: 30'
MIN. FRONT YARD SETBACK: 25'
MIN. SIDE YARD SETBACK: 7' ONE SIDE IS TOTAL
MAX HEIGHT (PRINCIPAL BLDG): 33'

AREA C: R-4 APARTMENT BUILDINGS (5.23 ACRES, 90 APARTMENT UNITS)
MIN. LOT AREA: 4,000 SF
MIN. FRONT YARD SETBACK: 30'
MIN. SIDE YARD SETBACK: 10' ONE SIDE IS TOTAL
MIN. REAR YARD SETBACK: 40'
MAX HEIGHT (PRINCIPAL BLDG): 45'

LEGEND:
- - - - - EXISTING DRIVE
- - - - - EXISTING SIDEWALK
- - - - - EXISTING CURB
- - - - - EXISTING UTILITY
- - - - - EXISTING ELEC.
- - - - - EXISTING WATER
- - - - - EXISTING GAS
- - - - - EXISTING SANITARY
- - - - - EXISTING SEWER
- - - - - EXISTING FIBER
- - - - - EXISTING CABLE
- - - - - EXISTING TELEPHONE
- - - - - EXISTING POWER
- - - - - EXISTING LIGHTNING
- - - - - EXISTING RAILROAD
- - - - - EXISTING HIGHWAY
- - - - - EXISTING AIRWAY
- - - - - EXISTING CANAL
- - - - - EXISTING DRAINAGE
- - - - - EXISTING FLOOD WALL
- - - - - EXISTING FLOOD GATE
- - - - - EXISTING FLOOD WALL & GATE
- - - - - EXISTING FLOOD WALL & GATE & WALL
- - - - - EXISTING FLOOD WALL & GATE & WALL & WALL

AREA A NOTES:

- 1. NO SIDE HOUSE PLAN SHALL BE BUILT ON ADJACENT LOTS.
2. EACH HOUSE SHALL HAVE A FULL BASEMENT.
3. EACH HOUSE SHALL HAVE AN ATTACHED 2-OR-3-CAR GARAGE.
4. EXTERIOR MATERIAL FOR ANY HOME CONSTRUCTED SHALL BE MASSASQUITY BRICK OR STONE, 10% OF HOUSES SHALL HAVE THICKNESS, CEDAR, OR EMERALD PINE SIDING.
5. THE FRONT FACADE OF ANY HOUSE CONSTRUCTED MUST COMPLY ONE OF THE FOLLOWING:
5A. A FRONT PORCH OF NOT LESS THAN 80 SQUARE FEET; OR
5B. AT LEAST 10' OF THE FRONT FACADE SHALL BE GLAZED WITH ONE OR MORE WINDOWS.
6. THE WINDOW OR WINDOW FACINGS OF ANY HOUSE CONSTRUCTED SHALL HAVE EITHER OF THE FOLLOWING:
6A. SHUTTERS ON EACH SIDE; OR
6B. THE WINDOW OR WINDOW FACINGS SHALL BE 1" INCHES IN WIDTH.
7. THE ROOF ON ANY HOUSE CONSTRUCTED SHALL BE OF ARCHITECTURAL PROFILE EXCEPT TYPE SHINGLES OR CEDAR SHINGLES. STANDARD 3" X 8" SHINGLES ARE PROHIBITED.
8. THE ROOF ON ANY HOUSE CONSTRUCTED SHALL BE OF ARCHITECTURAL PROFILE EXCEPT TYPE SHINGLES OR CEDAR SHINGLES. STANDARD 3" X 8" SHINGLES ARE PROHIBITED.
9. 1 1/2" AND 2 STORY DWELLING UNIT SHALL BE CONSTRUCTED WITH A MINIMUM OF 1,400 SQUARE FEET OF ABOVE-GRADE FINISHED FLOOR AREA.
10. 1 1/2" AND 2 STORY DWELLING UNIT SHALL BE CONSTRUCTED WITH A MINIMUM OF 1,400 SQUARE FEET OF ABOVE-GRADE FINISHED FLOOR AREA.

AREA B NOTES:

- 1. AD SHED BUILDINGS FACADE SHALL BE BUILT ON ADJACENT BUILDINGS.
2. SIDE DRIVELINE UNIT SHALL HAVE AN ATTACHED 2-OR-3-CAR GARAGE.
3. EXTERIOR MATERIAL FOR ANY DWELLING UNIT CONSTRUCTED SHALL BE MASSASQUITY BRICK OR STONE, 10% OF HOUSES SHALL HAVE THICKNESS, CEDAR, OR EMERALD PINE SIDING.
4. THE FRONT FACADE OF ANY DWELLING UNIT CONSTRUCTED MUST CONTAIN ONE OF THE FOLLOWING:
4.1. SHUTTERS ON EACH SIDE; OR
4.2. THE WINDOW OR WINDOW FACINGS SHALL BE 1" INCHES IN WIDTH.
5. THE ROOF ON ANY DWELLING UNIT CONSTRUCTED SHALL BE OF ARCHITECTURAL PROFILE EXCEPT TYPE SHINGLES OR CEDAR SHINGLES. STANDARD 3" X 8" SHINGLES ARE PROHIBITED.
6. 1 STORY DWELLING UNIT SHALL BE CONSTRUCTED WITH A MINIMUM OF 1,400 SQUARE FEET OF ABOVE-GRADE FINISHED FLOOR AREA.
7. 1 1/2" AND 2 STORY DWELLING UNIT SHALL BE CONSTRUCTED WITH A MINIMUM OF 1,400 SQUARE FEET OF ABOVE-GRADE FINISHED FLOOR AREA.

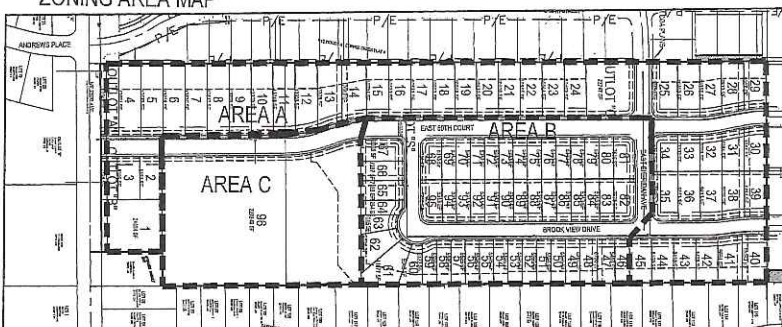
AREA C NOTES:

- 1. SHALL BE LANDSCAPED IN ACCORDANCE WITH THE LANDSCAPE STANDARDS APPLICABLE IN THE PUD.
2. SHALL PROVIDE ONE STREET TREE PER 30' LINEAR FEET WITHIN THE ROW. PARKING SPACES SHALL BE 10' FEET FROM ANY STREET FRONTAGE.
3. BIKE RACKS SHALL BE PROVIDED FOR EACH APARTMENT BUILDING.
4. PARKING SPACES AND DRIVEWAYS SHALL FOLLOW CITY CODE FOR DIMENSIONS.
5. OFF-STREET LIGHT FIXTURES WILL BE UTILIZED.
6. THE MAXIMUM FOOTCANDLE LIGHTING AT THE PROPERTY LINES WILL BE 10 FEET FROM 1 FOOT CANDLE.
7. MECHANICAL UTILITY TRANSFORMERS ON SHALL BE SCREENED AND SHALL NOT BE LOCATED ON THE STREET FACING FACADE.
8. TRASH AND RECYCLING BUMPERS SHALL NOT BE LOCATED WITHIN A SETBACK AND SHALL BE COMPLETELY ENCLOSED WITHIN AN ENCLOSED MADE OF DURABLE MATERIALS. GATES TO MATCH THE BUILDING WITH FENCING SHALL BE USED.

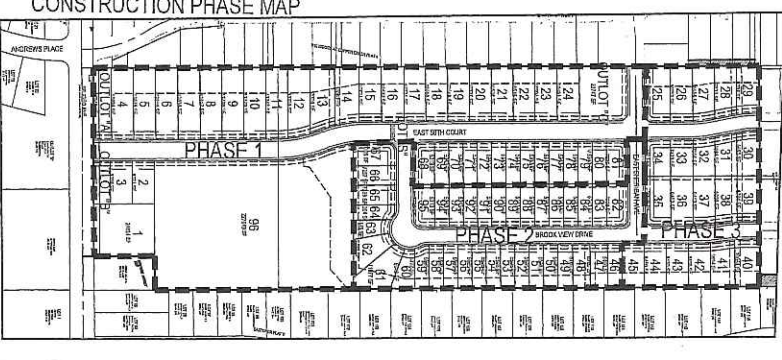
AREA C PARKING REQUIREMENTS:

PARKING REQUIRED: 1.5 SPACES PER UNIT; 20 UNITS = 30 SPACES PROVIDED: 140 SPACES PROVIDED: 82 GARAGES TOTAL. ALL SPACES REQUIRED: 140 SPACES PROVIDED: 82 GARAGES TOTAL. ALL SPACES PROVIDED: 140 SPACES PROVIDED: 82 GARAGES TOTAL. ALL SPACES PROVIDED: 140 SPACES PROVIDED: 82 GARAGES TOTAL.

ZONING AREA MAP



CONSTRUCTION PHASE MAP



MEETINGS AND CONDITIONS OF APPROVAL:

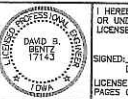
PLANNING AND ZONING COMMISSION MEETING DATE: APRIL 27, 2018
CITY COUNCIL MEETING, POLK COUNTY NUMBER: XXXXXX, DATE: XXXXXXX, CONDITIONS AS FOLLOWS:

APPROVAL:

ORIGINAL PUD ZONING APPROVED BY CITY COUNCIL ON XXXXXXX BY ORDINANCE NO. XXXX.
DATE: _____ PLANNING DIRECTOR: _____



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.
SIGNED: LARRY D. HYLER, P.L.S., 14775 DATE: _____
LICENSE RENEWAL DATE: DEC. 31, 2016
PAGES OR SHEETS COVERED BY THIS SEAL: _____



I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.
SIGNED: DAVID B. BENZ, P.E., 17143 DATE: _____
LICENSE RENEWAL DATE: DEC. 31, 2019
PAGES OR SHEETS COVERED BY THIS SEAL: _____

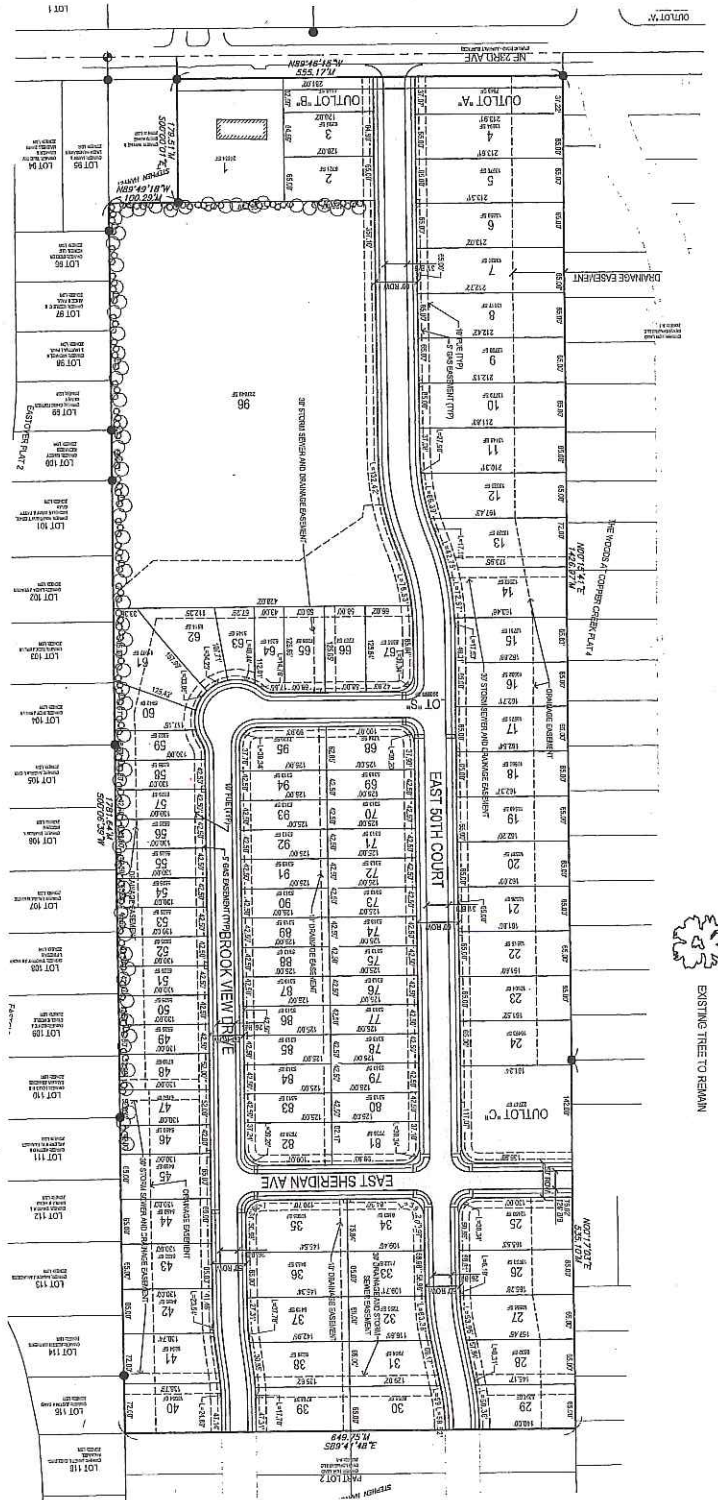
Bishop Engineering
Planning Your Successful Development
3501 104th Street
Des Moines, Iowa 50323-3373
Phone: 515-281-4000 Fax: 515-281-4007
Email: info@bishopeng.com Website: www.bishopeng.com
Civil Engineering & Land Surveying
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RUBY ROSE RIDGE
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PUD COVER

PROJECT NUMBER: 170263
SHEET NUMBER: 1 OF 8

PRELIMINARY - NOT FOR CONSTRUCTION

3/29/2016 11:27:02 AM W:\LAND PROJECTS\21511\17267\DWG\0016-4-LAYOUT.DWG



I HEREBY CERTIFY THAT THESE PLANS AND SPECIFICATIONS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF IOWA, WITH REGISTRATION NO. 448. DESIGN DATE: JUNE 30, 2016. DESIGNER: BISHOP ENGINEERING, 3501 104TH STREET, DES MOINES, IOWA 50322-3623. DATE: _____



- LEGEND**
- OVERSTORY/DECIDUOUS
 - EVERGREEN TREE
 - EXISTING TREE TO REMAIN

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LAYOUT PLAN

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PROJECT NUMBER: 170263
DRAWING NUMBER: 2 OF 8