



Roll Call Number

Agenda Item Number

18

Date June 25, 2018

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING APPROVAL OF PRELIMINARY PLAT "MERLE HAY & FRANKLIN TOWNHOMES" FOR PROPERTY LOCATED AT 1916-1924 MERLE HAY ROAD

WHEREAS, on June 7, 2018, the City of Des Moines Plan and Zoning Commission voted 12-0 to APPROVE a request from Metro Acquisitions, LLC (owner), represented by Jeff Stanbrough (officer), for a minor Preliminary Plat "Merle Hay & Franklin Townhomes" for property located at 1916-1924 Merle Hay Road, to allow creation of 5 row dwelling lots within a common lot, subject to the condition of compliance with all administrative review comments of the City's Permit and Development Center; and

WHEREAS, the final subdivision plat will be submitted for City Council approval when completed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the attached communication from the City Plan and Zoning Commission is hereby received and filed.

MOVED BY _____ to receive and file.

FORM APPROVED:

Glenna K. Frank (signature)

Glenna K. Frank, Assistant City Attorney

(13-2018-1.56)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, TOTAL.

MOTION CARRIED APPROVED Mayor

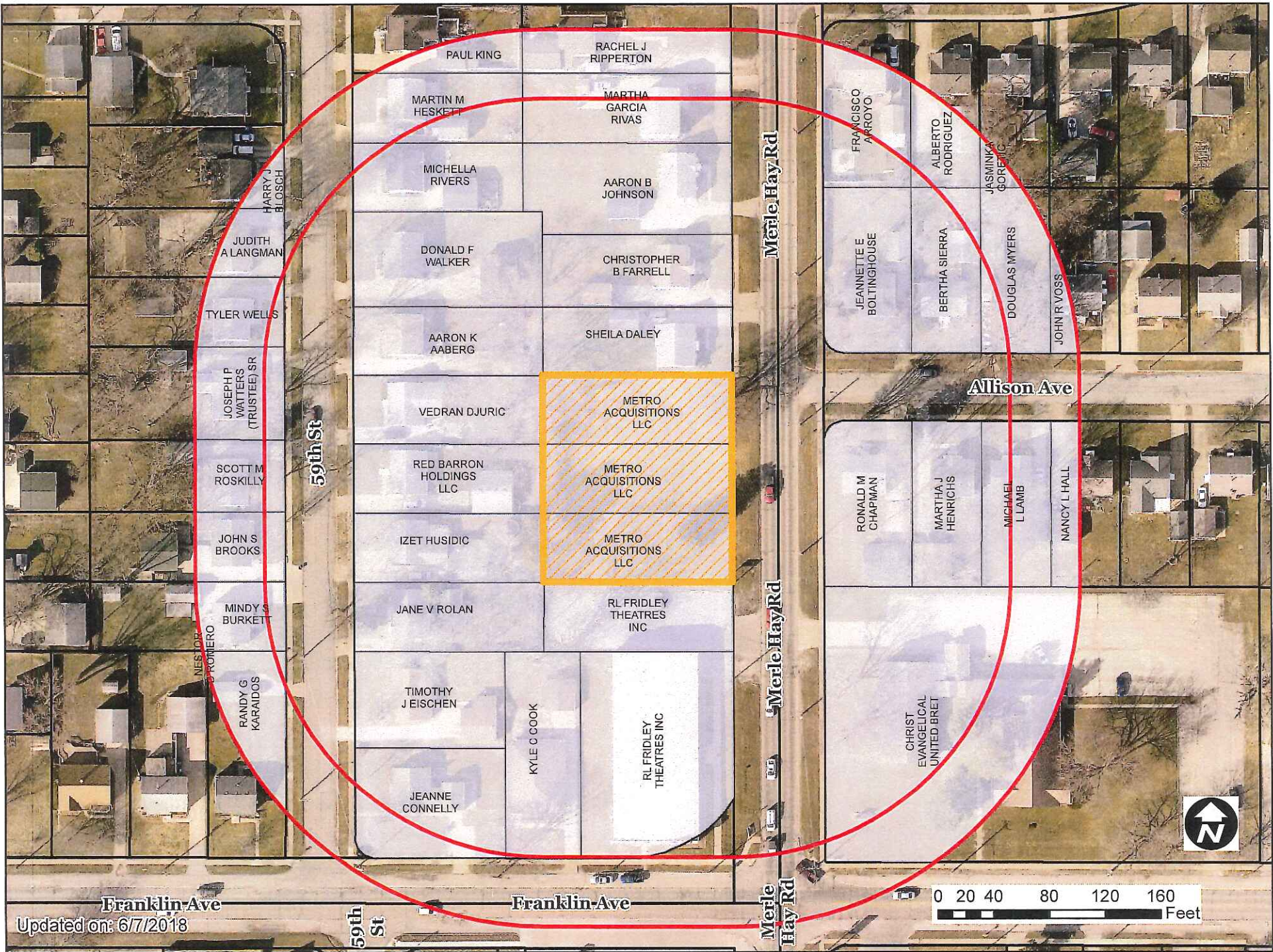
CERTIFICATE

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

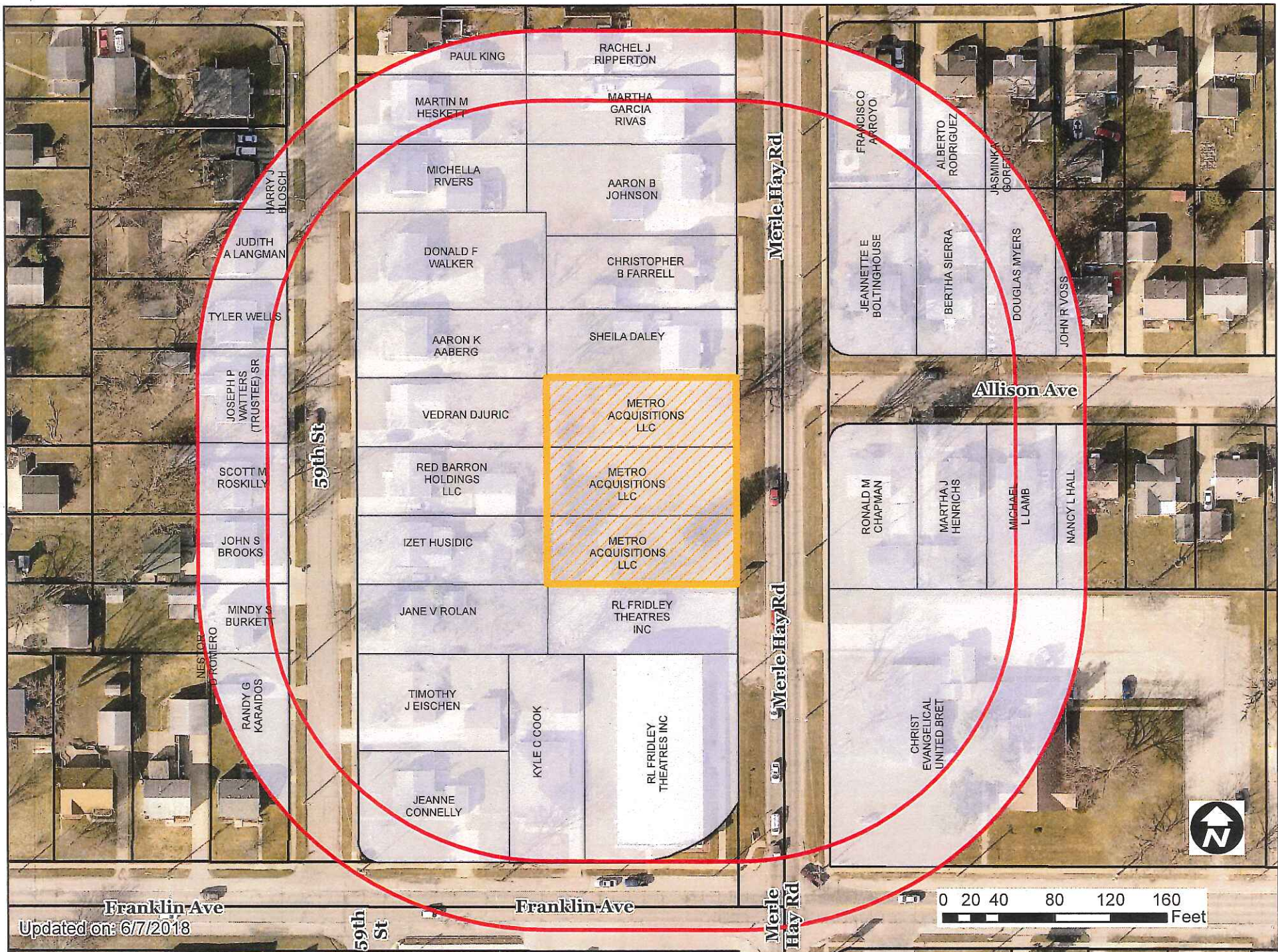
Metro Acquisitions, LLC, Merle Hay & Franklin Townhomes, 1916-1924 Merle Hay Road 13-2018-1.56



Franklin Ave
Updated on: 6/7/2018



18



**VIDEO
WAREHOUSE**
OPEN TO THE PUBLIC

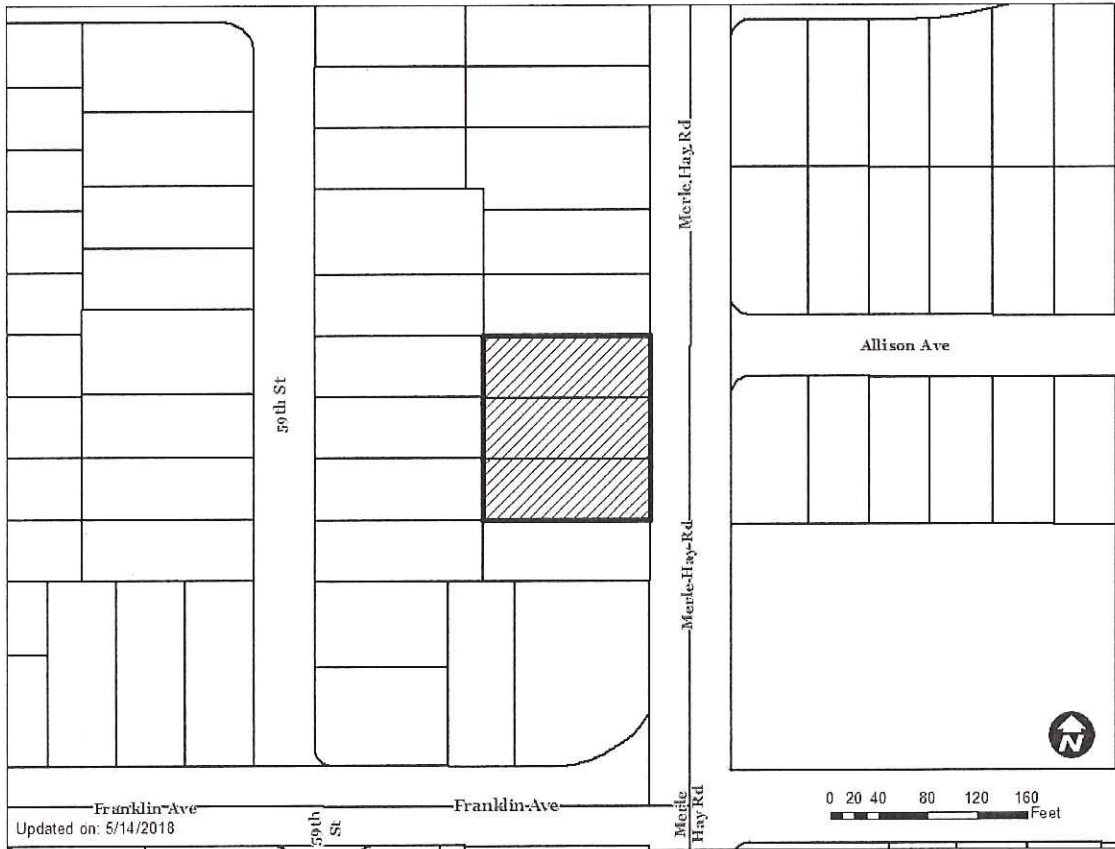




Metro Acquisitions, LLC (owner) represented by Jeff Stanbrough (officer) for property located at 1916 – 1924 Merle Hay Road				File #	
				13-2018-1.56	
Description of Action	Approval of a minor Preliminary Plat "Merle Hay & Franklin Townhomes" to create five (5) row dwelling lots within a common lot.				
PlanDSM Future Land Use	Current: Low-Medium Density Residential. Proposed: N/A.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	Limited "R-3" Multiple-Family Residential District and "FSO" Freestanding Signs Overlay District.				
Proposed Zoning District	N/A.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Subject Property	0	0			
Outside Area (200 feet)					
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council		Yes
	Denial				No X

Metro Acquisitions, LLC, Merle Hay & Franklin Townhomes, 1916-1924 Merle Hay Road

13-2018-1.56



1 inch = 92 feet

Metro Acquisitions, LLC (owner) represented by Jeff Stanbrough (officer) for property located at 1916 – 1924 Merle Hay Road			File #	
			10-2018-7.113	
Description of Action	Approval of a Site Plan "Merle Hay/Franklin Townhomes" for development of a 5-unit row dwelling.			
PlanDSM Future Land Use	Current: Low-Medium Density Residential. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	Limited "R-3" Multiple-Family Residential District and "FSO" Freestanding Signs Overlay District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Subject Property	0	0		
Outside Area (200 feet)				
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes
	Denial			No

Metro Acquisitions, LLC, Merle Hay/Franklin Townhomes, 1916-1924 Merle Hay Road

10-2018-7.113



1 inch = 92 feet



June 19, 2018

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their June 7, 2018 meeting, the following action was taken regarding a request from Metro Acquisitions, LLC (owner) represented by Jeff Stanbrough (officer) for the following actions on property located at 1916 – 1924 Merle Hay Road.

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) the submitted Preliminary Plat subject compliance with all administrative review comments of the City's Permit and Development Center AND approval of Part B) the submitted Site Plan subject to the following conditions:

1. Compliance with all administrative review comments of the City's Permit and Development Center.
2. The masonry on Unit 5 shall be increased to match the height of the masonry on Unit 1.
3. The masonry on Unit 1 and Unit 5 shall extend around the side façade 10 feet.
4. A living room window on the south facade that mirrors the window on the 1st floor of the north façade shall be provided.
5. A 2nd floor window on the south façade shall be provided. This may consist of a set of transom windows or a double-hung window.
6. Corner trim boards shall be provided on all facades to the satisfaction of the Planning Administrator.
7. A rectangle vent element shall be provided in the gable ends of the building.
8. The rear façades of Unit 2 and Unit 4 shall be sided with vertical siding that matches the front façades of those units.
9. Fiber cement board siding or other comparable material shall be used. The use of vinyl siding is prohibited.
10. Architectural asphalt shingles shall be used on the roof.
11. Review and approval of the finalized building elevations and materials by the Planning Administrator.
12. The existing Linden Tree shall be retained and protected during construction.
13. Compliance with the City's Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code).
14. Provision of street trees along Merle Hay Road.
15. Provision of a trees within the front yard space of each unit. A mix of overstory and ornamental trees shall be used.
16. Provision of foundation plantings along the north, east and south facades of the building.
17. Provision of open space and bufferyard plantings in accordance with the City's Landscaping Standards.
18. Review and approval of the finalized landscape plan by the Planning Administrator.
19. All site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height.
20. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.
21. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along the rear half of the side facades or along the rear facade.
22. All services lines to the building shall be located underground.

(10-2018-7.113) & (13-2018-1.56)

Written Responses

0 in Favor

0 in Opposition

STAFF RECOMMENDATION

Part A) Staff recommends approval of the submitted Preliminary Plat subject compliance with all administrative review comments of the City's Permit and Development Center.

Part B) Staff recommends approval of the submitted Site Plan subject to the following conditions:

1. Compliance with all administrative review comments of the City's Permit and Development Center.
2. The masonry on Unit 5 shall be increased to match the height of the masonry on Unit 1.
3. The masonry on Unit 1 and Unit 5 shall extend around the side façade 10 feet.
4. A living room window on the south facade that mirrors the window on the 1st floor of the north façade shall be provided.
5. A 2nd floor window on the south façade shall be provided. This may consist of a set of transom windows or a double-hung window.
6. Corner trim boards shall be provided on all facades to the satisfaction of the Planning Administrator.
7. A rectangle vent element shall be provided in the gable ends of the building.
8. The rear façades of Unit 2 and Unit 4 shall be sided with vertical siding that matches the front façades of those units.
9. Fiber cement board siding or other comparable material shall be used. The use of vinyl siding is prohibited.
10. Architectural asphalt shingles shall be used on the roof.
11. Review and approval of the finalized building elevations and materials by the Planning Administrator.
12. The existing Linden Tree shall be retained and protected during construction.
13. Compliance with the City's Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code).
14. Provision of street trees along Merle Hay Road.
15. Provision of a trees within the front yard space of each unit. A mix of overstory and ornamental trees shall be used.
16. Provision of foundation plantings along the north, east and south facades of the building.
17. Provision of open space and bufferyard plantings in accordance with the City's Landscaping Standards.

18. Review and approval of the finalized landscape plan by the Planning Administrator.
19. All site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height.
20. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.
21. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along the rear half of the side facades or along the rear facade.
22. All services lines to the building shall be located underground.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The subject Site Plan and Preliminary Plat would allow the development of a rowhouse building with 5 dwelling units. Each unit would have an attached 2-car garage on the rear of the dwelling.

On December 4, 2017, by Roll Call Number 17-2081, the City Council approved Ordinance Number 15,628 rezoning the subject property from "R1-60" One-Family Low-Density Residential District to "R-3" Multiple-Family Residential District. The rezoning was approved subject to the following conditions:

- a. The density of residential development shall be limited to a maximum of 12-units per net acre.
- b. Any development or site modification shall be in accordance with a Site Plan that satisfies any applicable Site Plan design guidelines, such as those for Multiple-Family Residential.

Condition "a" allows a total of 5 dwelling units to be developed on the site as the property measures 0.46 acres.

2. **Size of Site:** 20,224 square feet (0.46 acres)
3. **Existing Zoning (site):** "R-3" Multiple-Family Residential District and "FSO" Freestanding Signs Overlay District.
4. **Existing Land Use (site):** Undeveloped land.
5. **Adjacent Land Use and Zoning:**
 - North** – "R1-60"; Uses are single-family dwellings.
 - South** – "R1-60"; Use is the Video Warehouse rental store.
 - East** – "R1-60"; Uses are single-family dwellings.
 - West** – "R1-60"; Uses are single-family dwellings.

6. **General Neighborhood/Area Land Uses:** The subject property is located on the west side of the Merle Hay Road corridor, south of the Hickman Avenue intersection and north of the Franklin Avenue intersection. The area consists of neighborhood commercial uses, multiple-family residential uses and single-family dwellings.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Merle Hay Neighborhood. All recognized neighborhoods were notified of the meeting by mailing of the Preliminary Agenda on May 18, 2018. Additionally, separate notifications of the hearing for this specific item were mailed on May 25, 2018 (at least 10 days prior to the scheduled hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on June 1, 2018

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Merle Hay Neighborhood Association notices were mailed to Jason Pulliam, 2327 49th Place, Des Moines, IA 50310.

8. **Relevant Zoning History:** On December 4, 2017, by Roll Call Number 17-2081, the City Council approved Ordinance Number 15,628 rezoning the subject property from "R1-60" One-Family Low-Density Residential District to "R-3" Multiple-Family Residential District. The rezoning was approved subject to the following conditions:
 - a. The density of residential development shall be limited to a maximum of 12-units per net acre.
 - b. Any development or site modification shall be in accordance with a Site Plan that satisfies any applicable Site Plan design guidelines, such as those for Multiple-Family Residential.

The rezoning was reviewed by the Plan and Zoning Commission on October 5, 2017.

9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Low/Medium Density Residential.
10. **Applicable Regulations:** The Commission shall determine if the preliminary plat conforms to the standards and requirements outlined in Chapter 354 of the Iowa Code and consider the criteria set forth in Chapter 18B of the Iowa Code. The Commission shall also determine if it conforms to the City Subdivision Ordinance and shall approve, conditionally approve or reject such plat within 45 days after the date of submission to the City Permit and Development Center. Unless the applicant agrees in writing to an extension of time, the preliminary plat shall be deemed approved if the Commission does not act within such 45-day period. The Commission's action for approval or conditional approval shall be null and void unless the final plat is submitted to the City Permit and Development Center within 270 days after the date of such action; provided, however, that the Permit and Development Administrator may grant, upon written request of the applicant, up to a 90-day extension for submittal of the final plat to the City Permit and Development Center.

The Plan and Zoning Commission reviews and approves site plans for multiple family dwellings, boarding houses or rooming-houses in accordance with the design standards in section 82-213 of the City Code, which are in consideration of the criteria set forth in Chapter 18B of the Iowa Code. The decision to approve, approve subject to conditions, or disapprove a proposed site plan shall be based upon the conformance of the site plan with the following design standards.

- 1) *Architectural character.* New developments and alterations to existing development in or adjacent to existing developed areas shall be compatible with the existing architectural character of such areas by using a compatible design. Compatibility may be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, and/or the use of building materials that have color shades and textures similar to those existing in the immediate area of the proposed development. Brick and stone masonry shall be considered compatible with wood framing and other materials.

The proposed rowhouse units would be two stories tall and have a shared side gable roof. Siding materials are not noted on the building elevations. The front façade would have a mix of masonry siding, vertical siding and horizontal siding. The side and rear facades would have horizontal siding.

The mass of the proposed building is large in comparison to the character of existing residential buildings in the area. To compensate for this and to improve the overall architectural character of the building, staff recommends the following modifications:

- a. *The masonry on Unit 5 shall be increased to match the height of the masonry on Unit 1.*
 - b. *The masonry on Unit 1 and Unit 5 shall extend around the side façade 10 feet.*
 - c. *A living room window on the south facade that mirrors the window on the 1st floor of the north façade shall be provided.*
 - d. *A 2nd floor window on the south façade shall be provided. This may consist of a set of transom windows or a double-hung window.*
 - e. *Corner trim boards shall be provided on all facades to the satisfaction of the Planning Administrator.*
 - f. *A rectangle vent element shall be provided in the gable ends of the building.*
 - g. *The rear façades of Unit 2 and Unit 4 shall be sided with vertical siding that matches the front façades of those units.*
 - h. *Fiber cement board siding or other comparable material shall be used. The use of vinyl siding is prohibited.*
 - i. *Architectural asphalt shingles shall be used on the roof.*
 - j. *Review and approval of the finalized building elevations and materials by the Planning Administrator.*
- 2) *Building height and mass.* Buildings shall be either similar in size and height, or if larger, shall be articulated, setback or subdivided into massing that is proportional to the mass and scale of other structures on the same block and adjoining blocks. Articulation may be achieved through variation of roof lines, setbacks, patterns of

door and window placement, and the use of characteristic entry features. To the maximum extent feasible, the height, setback and width of new buildings and alterations to existing buildings should be similar to those of existing buildings on the same block. Taller buildings or portions of buildings should be located interior to the site. Buildings at the ends of blocks should be of similar height to buildings on the adjoining blocks.

The proposed rowhouses would be two stories tall. The mass of the proposed building is large in comparison to the character of existing residential buildings in the area. To compensate for this and to improve the overall architectural character of the building, staff recommends the following modifications:

- a. *The masonry on Unit 5 shall be increased to match the height of the masonry on Unit 1.*
 - b. *The masonry on Unit 1 and Unit 5 shall extend around the side façade 10 feet.*
 - c. *A living room window on the south facade that mirrors the window on the 1st floor of the north façade shall be provided.*
 - d. *A 2nd floor window on the south façade shall be provided. This may consist of a set of transom windows or a double-hung window.*
 - e. *Corner trim boards shall be provided on all facades to the satisfaction of the Planning Administrator.*
 - f. *A rectangle vent element shall be provided in the gable ends of the building.*
 - g. *The rear façades of Unit 2 and Unit 4 shall be sided with vertical siding that matches the front façades of those units.*
 - h. *Fiber cement board siding or other comparable material shall be used. The use of vinyl siding is prohibited.*
 - i. *Architectural asphalt shingles shall be used on the roof.*
 - j. *Review and approval of the finalized building elevations and materials by the Planning Administrator.*
- 3) *Building orientation.* To the maximum extent feasible, primary facades and entries shall face the adjacent public street. A main entrance should face a connecting walkway with a direct pedestrian connection to the public street without requiring all pedestrians to walk through parking lots or across driveways.

The building would front Merle Hay Road and would comply with this standard.

- 4) *Garage access/location.* If the prominent character of garage access and/or location is located to the rear of the properties in the surrounding neighborhood, then new construction should be compatible with such character.

Each unit would include a two-car attached garage. The garages would be located on the rear of the units and would not be visible from Merle Hay Road.

- 5) *Rooftop/second story additions.* A rooftop or second floor addition, including but not limited to stairs and emergency egress, should not overhang the front or sidewalls of the existing building.

N/A.

- 6) *Emergency egress.* All stairs and means of emergency egress extending more than 15 feet above grade and visible from the adjoining street should be completely enclosed with materials compatible in color and texture with the balance of the building.

All stairways and means of egress would be internal to the building.

- 7) *Parking.* Parking lots containing more than eight parking spaces should comply with the adopted landscape standards applicable to commercial development in the C-1 district.

See subparagraph 4 of Section II for landscaping information.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Natural Site Features:** Development of the site must be in compliance with the City's Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code). The Site Plan identifies two trees that would be removed. Mitigation planting calculations have not been provided. One of the trees proposed for removal is a mature Linden tree. It is located near the front property line. Staff believes this tree should be saved and that sewer and water lines for the units should be rerouted as necessary.
2. **Drainage/Grading:** All grading is subject to an approved grading permit and soil erosion control plan. The applicant is required to demonstrate compliance with the City's Stormwater Management requirements to the satisfaction of the City's Permit and Development Center.
3. **Parking:** The "R-3" District requires 1.5 off-street parking spaces per dwelling unit. A total of 8 parking spaces are required from the proposed 5 dwelling units. The parking lot would include space for 10 stalls. This is in addition to space provided in the attached garages.
4. **Landscaping:** The submitted Site Plan includes a landscaping sheet but the calculations on the sheet are from another project and the plan does not identify any plantings. Staff recommends approval subject to the conditions pertaining to landscaping in Section III of this report.
5. **Utilities:** An 8-inch Des Moines Waterworks water main is available in Merle Hay Road. There is a 12-inch public sanitary sewer in Merle Hay Road. There is also a 12-inch sanitary sewer within the south edge of the subject property.

SUMMARY OF DISCUSSION

Jacqueline Easley asked if anyone was present to speak on this item. None were present or requested to speak.

John "Jack" Hilmes made a motion to move this item to consent. Motion carried 12-0.

COMMISSION ACTION:

Greg Jones made a motion for approval of Par A) the submitted Preliminary Plat subject compliance with all administrative review comments of the City's Permit and Development Center AND approval of Par B) the submitted Site Plan subject to the following conditions:

1. Compliance with all administrative review comments of the City's Permit and Development Center.
2. The masonry on Unit 5 shall be increased to match the height of the masonry on Unit 1.
3. The masonry on Unit 1 and Unit 5 shall extend around the side façade 10 feet.
4. A living room window on the south facade that mirrors the window on the 1st floor of the north façade shall be provided.
5. A 2nd floor window on the south façade shall be provided. This may consist of a set of transom windows or a double-hung window.
6. Corner trim boards shall be provided on all facades to the satisfaction of the Planning Administrator.
7. A rectangle vent element shall be provided in the gable ends of the building.
8. The rear façades of Unit 2 and Unit 4 shall be sided with vertical siding that matches the front façades of those units.
9. Fiber cement board siding or other comparable material shall be used. The use of vinyl siding is prohibited.
10. Architectural asphalt shingles shall be used on the roof.
11. Review and approval of the finalized building elevations and materials by the Planning Administrator.
12. The existing Linden Tree shall be retained and protected during construction.
13. Compliance with the City's Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code).
14. Provision of street trees along Merle Hay Road.
15. Provision of a trees within the front yard space of each unit. A mix of overstory and ornamental trees shall be used.
16. Provision of foundation plantings along the north, east and south facades of the building.
17. Provision of open space and bufferyard plantings in accordance with the City's Landscaping Standards.
18. Review and approval of the finalized landscape plan by the Planning Administrator.
19. All site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height.

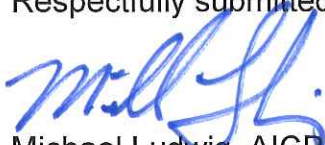
20. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.

21. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along the rear half of the side facades or along the rear facade.

22. All services lines to the building shall be located underground.

Motion Passed: 12-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

EML:tjh