

Date September 10, 2018

**RESOLUTION CONTINUING HEARING ON REQUEST FROM 50TH AND DOUGLAS, LLC
TO REZONE PROPERTY IN THE VICINITY OF 3905 50TH STREET**

WHEREAS, on August 20, 2018, by Roll Call No. 18-1404, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on August 2, 2018, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from 50th and Douglas, LLC (owner), represented by Matt Connolly (officer), to rezone real property in the vicinity of 3905 50th Street ("Property") from "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development District, and for approval of a PUD Conceptual Plan "Beaverdale Townhomes", for development of approximately 2.74 acres for 21 rowhouse one-story townhomes on a private drive accessed from 50th Street, subject to the revisions to the PUD Conceptual Plan as stated in said Roll Call; and

WHEREAS, on August 20, 2018, by Roll Call No. 18-1404, it was duly resolved by the City Council that the application from 50th and Douglas, LLC to rezone the Property and for approval of the PUD Conceptual Plan, be set down for hearing on September 10, 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, the applicant has requested that the public hearing be continued to September 24, 2018.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the public hearing on the proposed rezoning of 3905 50th Street from "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development District, and for approval of a PUD Conceptual Plan "Beaverdale Townhomes", is hereby opened and continued to the City Council meeting on September 24, 2018, at 5:00 p.m. in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

MOVED BY _____ TO ADOPT.

FORM APPROVED:



Glenna K. Frank, Assistant City Attorney

(ZON2018-00137)

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

August 15, 2018

Date _____

Agenda Item 59

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 August 2, 2018 meeting, the following action was taken regarding a request from 50th and Douglas, LLC (developer), represented by Matt Connolly (officer) to rezone property located in the vicinity of 3905 50th Street from "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development for development of 21 row house 1-story townhomes on a private drive accessed from 50th Street. Subject property is owned by Penny Meyer and Jerry Lohner.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 11-0 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 **not** in conformance with the existing PlanDSM: Creating Our Tomorrow Plan future land use designation; **approval** of Part B) to amend the PlanDSM: Creating Our Tomorrow Plan future land use designation from

Low Density Residential to Low/Medium Density Residential; **approval** of Part C) to rezone the property from "R1-60" District to "PUD" Planned Unit Development and Part D) **approval** of the proposed Beaverdale Townhomes PUD Conceptual Plan subject to the following conditions:

1. Review and approval of the finalized building elevations by the Planning Administrator. This includes, but is not limited to, windows, doors, siding, decks, porches and color schemes.
2. Siding shall consist of masonry, fiber cement board, wood or engineered wood. The use of vinyl siding is prohibited.
3. A brick wainscot shall be provided along the front facades of all buildings and along external facing side facades (Units 1, 8, 9, 12, 13 and 21).
4. The brick wainscot required by condition #3 shall extend a minimum of 4 feet along the interior side facades from the front of the building (Units 4, 5, 16 and 17).
5. All brick siding shall consist of full depth products. The use of thin brick is prohibited.
6. Trim boards shall be provided around all windows and doors and at the corners of the buildings to the satisfaction of the Planning Administrator.
7. A rectangular vent element shall be provided in the gable ends of the buildings.
8. Overhead garage doors shall include windows.
9. All dwelling units shall have architectural asphalt shingles.
10. Each unit shall have an attached garage large enough to store two standard size vehicles.
11. The driveway to each unit shall be a maximum of 20 feet wide (40 feet when combined with the adjoining unit).
12. Raingardens, bio-swales, landscaping and/or detached sidewalks shall be provided to visually break up paved surfaces through the center of the development to the satisfaction of the Planning Administrator.
13. An overstory tree shall be planted in the front yard area of each unit.
14. Foundation plantings shall be provided around the perimeter of the buildings in addition to providing site plantings that comply with the "R-3" District Landscaping Standards. Rear facades that directly face a bio-swale are exempt from the foundation planting requirement.
15. Landscaping and fencing shall be provided in accordance with the "R-3" District landscaping standards.

16. A tree protection and mitigation plan shall be submitted for administrative review by City staff pursuant to Chapter 42, Article X of the City Code.
17. All roof mounted mechanical and HVAC equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.
18. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along the rear half of internal side facades or rear facades of the buildings.
19. All service lines to the buildings shall be located underground.
20. Any signage shall comply with the "R-3" District sign regulations and the "FSO" Freestanding Sign Overlay District.
21. The PUD Conceptual Plan shall demonstrate the location of any outdoor refuse collection container enclosure and provide a statement that any such structure will be constructed with brick that match the masonry materials used on the proposed mixed-use building and 100% opaque steel gates. Any enclosure structure should also include non-gated pedestrian entrance and be sized to accommodate recycling containers. If no outdoor enclosures are proposed, then a note shall be added to state that all refuse collection containers must be located within a building.
22. All exterior lighting shall consist of full cutoff, down-directional fixtures. 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.
23. A 4-foot detached sidewalk shall be provided on the west side of the private drive only.

(21-2018-4.12) & (ZON2018-00137)

Written Responses

4 in Favor

6 in Opposition

STAFF RECOMMENDATION

Part A) Staff recommends that the proposed rezoning be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan future land use designation.

Part B) Staff recommends approval of an amendment to the PlanDSM: Creating Our Tomorrow Plan future land use designation from Low Density Residential to Low/Medium Density Residential.

Part C) Staff recommends approval to rezone the property from "R1-60" District to "PUD" Planned Unit Development.

Part D) Staff recommends approval of the proposed Beaverdale Townhomes PUD Conceptual Plan subject to the following conditions:

1. Review and approval of the finalized building elevations by the Planning Administrator. This includes, but is not limited to, windows, doors, siding, decks, porches and color schemes.
2. Siding shall consist of masonry, fiber cement board, wood or engineered wood. The use of vinyl siding is prohibited.
3. A brick wainscot shall be provided along the front facades of all buildings and along external facing side facades (Units 1, 8, 9, 12, 13 and 21).
4. The brick wainscot required by condition #3 shall extend a minimum of 4 feet along the interior side facades from the front of the building (Units 4, 5, 16 and 17).
5. All brick siding shall consist of full depth products. The use of thin brick is prohibited.
6. Trim boards shall be provided around all windows and doors and at the corners of the buildings to the satisfaction of the Planning Administrator.
7. A rectangular vent element shall be provided in the gable ends of the buildings.
8. Overhead garage doors shall include windows.
9. All dwelling units shall have architectural asphalt shingles.
10. Each unit shall have an attached garage large enough to store two standard size vehicles.
11. The driveway to each unit shall be a maximum of 20 feet wide (40 feet when combined with the adjoining unit).
12. Raingardens, bio-swales, landscaping and/or detached sidewalks shall be provided to visually break up paved surfaces through the center of the development to the satisfaction of the Planning Administrator.
13. An overstory tree shall be planted in the front yard area of each unit.
14. Foundation plantings shall be provided around the perimeter of the buildings in addition to providing site plantings that comply with the "R-3" District Landscaping Standards. Rear facades that directly face a bio-swale are exempt from the foundation planting requirement.
15. Landscaping and fencing shall be provided in accordance with the "R-3" District landscaping standards.
16. A tree protection and mitigation plan shall be submitted for administrative review by City staff pursuant to Chapter 42, Article X of the City Code.

17. All roof mounted mechanical and HVAC equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.
18. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along the rear half of internal side facades or rear facades of the buildings.
19. All service lines to the buildings shall be located underground.
20. Any signage shall comply with the "R-3" District sign regulations and the "FSO" Freestanding Sign Overlay District.
21. The PUD Conceptual Plan shall demonstrate the location of any outdoor refuse collection container enclosure and provide a statement that any such structure will be constructed with brick that match the masonry materials used on the proposed mixed-use building and 100% opaque steel gates. Any enclosure structure should also include non-gated pedestrian entrance and be sized to accommodate recycling containers. If no outdoor enclosures are proposed, then a note shall be added to state that all refuse collection containers must be located within a building.
22. All exterior lighting shall consist of full cutoff, down-directional fixtures. 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.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed rezoning and PUD Conceptual Plan would allow the development of five townhome buildings with a total of 21 units. Each unit would have an attached garage and basement. The buildings would be one-story tall and have a side gable roof. Front porches with shed roofs would be provided for each unit. Pedestrian and vehicular access to the development would come from a driveway to 50th Street.
2. **Size of Site:** 2.744 acres.
3. **Existing Zoning (site):** "R1-60" One-Family Low-Density Residential District and "FSO" Freestanding Sign Overlay District.
4. **Existing Land Use (site):** Undeveloped land.
5. **Adjacent Land Use and Zoning:**
 - East - "R1-60";** Uses are single-family dwellings and undeveloped portions of large lots.
 - West - "R1-60";** Uses are single-family dwellings.

North - "R1-60"; Uses are single-family dwellings and undeveloped portions of large lots.

South – *Limited* "C-2" & "C-O"; Uses are retail and office.

6. **General Neighborhood/Area Land Uses:** The subject property is located to the north of the Douglas Avenue and to the east of 50th Street. The surrounding area consists of single-family dwellings with commercial uses clustered around the 50th Street and Douglas Avenue intersection.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Beaverdale Neighborhood and within 250 feet of the Merle Hay Neighborhood. All neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on July 13, 2018. Additionally, separate notifications of the hearing for this specific item were mailed on July 13, 2018 (20 days prior to the meeting) and July 23, 2018 (10 days prior to the meeting) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the requested rezoning and to the Beaverdale and Merle Hay Neighborhood Associations. A Final Agenda was mailed to all the recognized neighborhood associations on July 27, 2018.

All agendas and notices are mailed to the primary contact designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Beaverdale Neighborhood Association mailings were sent to CeCelia Ibson, 2629 Beaverdale Avenue, Suite 3, Des Moines, IA 50310. The Merle Hay Neighborhood Association mailings were sent to Jason Pulliam, 2327 49th Place, Des Moines, IA 50310.

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

9. **PlanDSM Land Use Plan Designation:** The property is designated as "Low Density Residential" 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:** The future land use designation for the subject property is Low Density Residential. This designation is defined as “areas developed primarily single family and two family residential units with up to 6 dwelling units per net acre.” The proposed development would consist of 21 dwelling units on 2.744 acres of land. This equates to a density of 7.65 units per acre, which exceeds the density allowed by the Low Density Residential designation. In addition, the units would be grouped in buildings containing 4 to 5 units. Therefore, the Future Land Use Map must be amended to designate the subject property as Low-Medium Density Residential. This designation is described as “areas developed with a mix of single family, duplex and small multi-family units up to 12 units per net acre.”

The site is located along the Douglas Avenue corridor, which is a major east-west street in Des Moines. The property does not front Douglas Avenue but directly adjoin commercial parcels that have frontage. These commercial parcels are designated as “Community Mixed Use” on the Future Land Use Map. This designation is described as “small- to medium-scale mixed use development, located on high capacity transit corridors or at the intersection of transportation corridors. Community mixed use areas include both a mix of medium density residential and a mix of retail and service establishments designed to attract customers from a large service area encompassing multiple neighborhoods and may include specially retail that attracts regional customers.”

The development of townhomes as a transitional use from commercial uses along Douglas Avenue to the single-family, detached dwellings to the north is an appropriate method to introduce new housing along the corridor while gradually stepping the intensity of the land use down. Section III of the report includes recommended conditions of approval that staff believes are necessary to ensure that the scale of the proposed buildings are visually broken down so that they are compatible with the scale of the existing single-family dwellings in the area. The recommended conditions also address long-term durability so that the development continues to be an asset for the neighborhood into the future.

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.

The proposed rezoning and PUD Conceptual Plan would allow the development of five townhome buildings with a total of 21 units. Each unit would have an attached garage and basement. The buildings would be one-story tall and have a side gable roof. Front porches with shed roofs would be provided for each unit. Pedestrian and vehicular access to the development would come from a driveway to 50th Street.

The development of townhomes as a transitional use from commercial uses along Douglas Avenue to the single-family, detached dwellings to the north is an appropriate method to introduce new housing along the corridor while gradually stepping the intensity of the land use down.

Section III of the report includes recommended conditions of approval that staff believes are necessary to ensure that the scale of the proposed buildings are visually broken down so that they are compatible with the scale of the existing single-family dwellings in the area. The recommended conditions also address long-term durability so that the development continues to be an asset for the neighborhood into the future.

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

The proposed buildings would be setback 10 feet from the side and rear property lines in most cases. The recommended conditions found in Section III of this report require the project to comply with the "R-3" District landscaping standards, which include privacy fencing and bufferyard planting requirements. These requirements would apply along any side or rear property line that is shared with a residentially zoned or used property.

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

All grading is subject to an approved grading permit and soil erosion control plan. The applicant is required to demonstrate compliance with the City's Storm Water Management requirements to the satisfaction of the City's Permit and Development Center. This would be reviewed at the PUD Development Plan (site plan) stage should the rezoning be approved.

The PUD Conceptual Plan includes a storm water basin in the northeast corner of the development. A swale is noted along the west perimeter of the development to move storm water to the basin. Staff believes that raingardens should be provided along the access drive to capture run off from the pavement and roofs of the buildings as well as to soften the high percentage of pavement and rooftops that are proposed for the development. Section III of this report includes the recommendation that the sidewalks be separated from the access drive a distance of at least 4 feet and that raingardens/swales be provided in that space.

Engineering staff have provided the following comments that need to be addressed if the project moves forward.

- *This concept plan indicated existing public storm sewer will be relocated with existing easements being vacated. New public storm sewer locations on private property will need to be within a 30-foot minimum easement.*

- *The concept indicates “swales” along the east and west property lines within a 10-foot minimum setback. A 10-foot width is very small for a grassed swale with this size of drainage area. The designer will need to provide evidence that swales can convey 100-yr storm event.*

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 proposed development is not large enough to require a traffic evaluation report as regulated by the City’s Traffic Analysis Policy. The additional vehicle trips generated by the proposed development would be negligible in comparison to the available capacity in the surrounding street network and existing traffic levels. The PUD Development Plan (site plan) will be reviewed by the City’s Traffic and Transpiration Division to ensure the driveway to 50th Street and the sidewalk connections comply with City Code if the project moves forward.

E) Off-street parking and loading spaces shall be provided as appropriate to the size and character of the development. Each off-street loading space shall be not less than ten feet in width and 25 feet in length. All off-street parking spaces shall be provided in accordance with the requirements of subsection 134-1377(g).

The Zoning Ordinance typically requires a minimum of 1 spaces per dwelling unit. Each dwelling unit would include a tandem garage and would have its own driveway area in front of the garage. The proposed PUD Conceptual Plan complies with the typical parking standards of the Zoning Ordinance.

The staff recommendation found in Section III of this report includes a condition that the driveways be reduced in width from 26 to 20 feet per unit. This would leave enough space for two vehicles to park by each other. The development as proposed includes a substantial amount of pavement given the limited area available for green space due to the size of the parcel. This recommended condition balances the need for parking with the goal of providing greenspace and minimizing the amount of impervious surfaces on the site.

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

This standard is not applicable as the proposed PUD is not a new neighborhood or district.

3. **Signage:** The PUD Conceptual Plan does not clearly address signage. Staff recommends that signage be limited to the “R-3” District and “FSO” Freestanding Sign Overlay District standards.

- 4. Refuse Collection:** The proposed PUD Conceptual Plan does not indicate the locations of refuse collection containers. Staff understands that the intent is for each unit to have its own container that is stored within its garage serviced by a commercial hauler. Staff recommends that a note be added that states that all refuse collection containers must be located within a building. Should an outdoor refuse collection container enclosure be desired it must be constructed with masonry materials and have 100% opaque steel gates.

SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendation.

Mike Simonson asked if the Traffic and Transportation Division has weighed in on this development.

Jason Van Essen stated yes, the Traffic and Transportation Division did review this plan. Per Section II subparagraph 2D of the staff report, the proposed development is not large enough to require a traffic evaluation report as regulated by the City's Traffic Analysis Policy. The additional vehicle trips generated by the proposed development would be negligible in comparison to the available capacity in the surrounding street network and existing traffic levels. The PUD Development Plan (site plan) will be reviewed by the City's Traffic and Transportation Division to ensure the driveway to 50th Street and the sidewalk connections comply with City Code if the project moves forward.

Mike Simonson asked how the storm water is collected and the depth of the rear yard?

Jason Van Essen stated it would be best for the applicant to explain but they will need to meet the Storm Water Management requirements.

Will Page stated the conceptual plan was not provided in the commissioners' packet of information and he hoped the omission would not set a precedent for future packets.

Mike Ludwig stated the conditions recommended by staff are very similar to the Beaver Cove development the commission reviewed a few months ago.

CHAIRPERSON OPENED THE PUBLIC HEARING

Matt Connolly 3105 34th PI. stated he would use his time to answer any questions or concerns the commission might have.

Mike Simonson asked for the depth of the rear yard setbacks?

Derek Johnson 508 E Locust, stated the rear yard setbacks are a minimum of 10 feet and are currently at 12-feet.

Mike Simonson asked if they are showing patio doors on the back?

Derek Johnson stated there would be elevated decks.

Mike Simonson asked how the storm water would get to the storm water basin?

Derek Johnson stated there will be rear yard swales along the east and west property lines.

Mike Simonson stated he would like to see the sidewalk separated from the curb to provide some green space. Only requiring sidewalk on one side of the street would allow the provided sidewalk to be detached from the curb.

Derek Johnson stated from an engineering standpoint, he would have no objection to that.

Jacqueline Easley asked Matt Connolly if he agreed with the 22 staff recommendations?

Matt Connolly stated yes.

Steve Wallace asked how the property handled the June 30th Flood.

Derek Johnson stated it was consistent with what most of the area saw.

Steve Wallace asked if the street will have underground drains?

Derek Johnson stated it is possible. They will have an intake capacity calculation to determine the best retention once they get into the final design.

Mike Simonson asked if the rezoning is what P&Z is recommending tonight.

Mike Ludwig stated the P&Z is also reviewing the PUD conceptual plan. The final development plan will be reviewed and approved by staff.

Nathan Dakken 3908 50th St. stated he has concern about traffic mitigation. He would like more clarification about what the Traffic and Transportation department said about this project.

Jason Van Essen stated the Traffic and Transportation Division determined that the proposed development is beneath the threshold to require a full traffic analysis. The existing street network can accommodate this level of development.

Jacqueline Easley asked if this was public information.

Jason Van Essen stated he would be happy to put them in contact with the Traffic and Transportation Division staff.

CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION:

Mike Simonson mad a motion for **approval** of Part A) to find the proposed rezoning not in conformance with the existing PlanDSM: Creating Our Tomorrow Plan future land use designation; **approval** of Part B) to amend the PlanDSM: Creating Our Tomorrow Plan future land use designation from Low Density Residential to Low/Medium Density Residential; **approval** of Part C) to rezone the property from "R1-60" District to "PUD"


Planned Unit Development and Part D) **approval** of the proposed Beaverdale Townhomes PUD Conceptual Plan subject to the following conditions:

1. Review and approval of the finalized building elevations by the Planning Administrator. This includes, but is not limited to, windows, doors, siding, decks, porches and color schemes.
2. Siding shall consist of masonry, fiber cement board, wood or engineered wood. The use of vinyl siding is prohibited.
3. A brick wainscot shall be provided along the front facades of all buildings and along external facing side facades (Units 1, 8, 9, 12, 13 and 21).
4. The brick wainscot required by condition #3 shall extend a minimum of 4 feet along the interior side facades from the front of the building (Units 4, 5, 16 and 17).
5. All brick siding shall consist of full depth products. The use of thin brick is prohibited.
6. Trim boards shall be provided around all windows and doors and at the corners of the buildings to the satisfaction of the Planning Administrator.
7. A rectangular vent element shall be provided in the gable ends of the buildings.
8. Overhead garage doors shall include windows.
9. All dwelling units shall have architectural asphalt shingles.
10. Each unit shall have an attached garage large enough to store two standard size vehicles.
11. The driveway to each unit shall be a maximum of 20 feet wide (40 feet when combined with the adjoining unit).
12. Raingardens, bio-swales, landscaping and/or detached sidewalks shall be provided to visually break up paved surfaces through the center of the development to the satisfaction of the Planning Administrator.
13. An overstory tree shall be planted in the front yard area of each unit.
14. Foundation plantings shall be provided around the perimeter of the buildings in addition to providing site plantings that comply with the "R-3" District Landscaping Standards. Rear facades that directly face a bio-swale are exempt from the foundation planting requirement.
15. Landscaping and fencing shall be provided in accordance with the "R-3" District landscaping standards.
16. A tree protection and mitigation plan shall be submitted for administrative review by City staff pursuant to Chapter 42, Article X of the City Code.

17. All roof mounted mechanical and HVAC equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.
18. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along the rear half of internal side facades or rear facades of the buildings.
19. All service lines to the buildings shall be located underground.
20. Any signage shall comply with the "R-3" District sign regulations and the "FSO" Freestanding Sign Overlay District.
21. The PUD Conceptual Plan shall demonstrate the location of any outdoor refuse collection container enclosure and provide a statement that any such structure will be constructed with brick that match the masonry materials used on the proposed mixed-use building and 100% opaque steel gates. Any enclosure structure should also include non-gated pedestrian entrance and be sized to accommodate recycling containers. If no outdoor enclosures are proposed, then a note shall be added to state that all refuse collection containers must be located within a building.
22. All exterior lighting shall consist of full cutoff, down-directional fixtures. 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.
23. A 4-foot detached sidewalk shall be provided on the west side of the private drive only.

Motion passed: 11-0

Respectfully submitted,



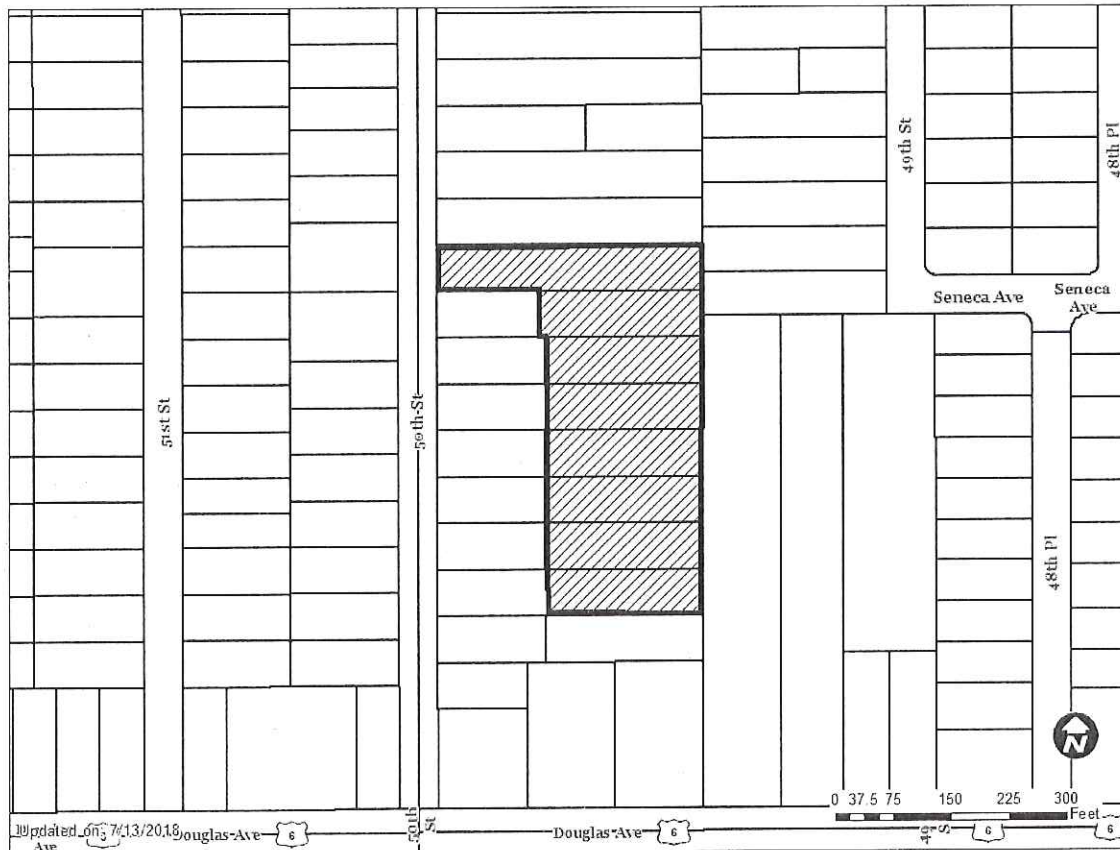
Michael Ludwig, AICP
Planning Administrator

MGL:tjh

50th and Douglas, LLC (developer), represented by Matt Connolly (officer) for property located in the vicinity of 3905 50th Street. Subject property is owned by Penny Meyer and Jerry Lohner.		File #			
		21-2018-4.12			
Description of Action	Amend the existing PlanDSM Creating Our Tomorrow future land use designation from Low Density Residential to Low-Medium Density Residential.				
PlanDSM Future Land Use	Current: Low Density Residential. Proposed: Low-Medium Density Residential.				
Mobilizing Tomorrow Transportation Plan	2035-2050 US 6/Douglas Avenue from 4 to 5 lanes, Merle Hay Road to Lower Beaver Avenue.				
Current Zoning District	"R1-60" One-Family Low-Density Residential District and "FSO" Freestanding Signs Overlay District.				
Proposed Zoning District	"PUD" Planned Unit Development and "FSO" Freestanding Signs Overlay District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Subject Property	4	6			
Outside Area (200 feet)					
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

50th and Douglas, LLC, 3905 50th Street

21-2018-4.12

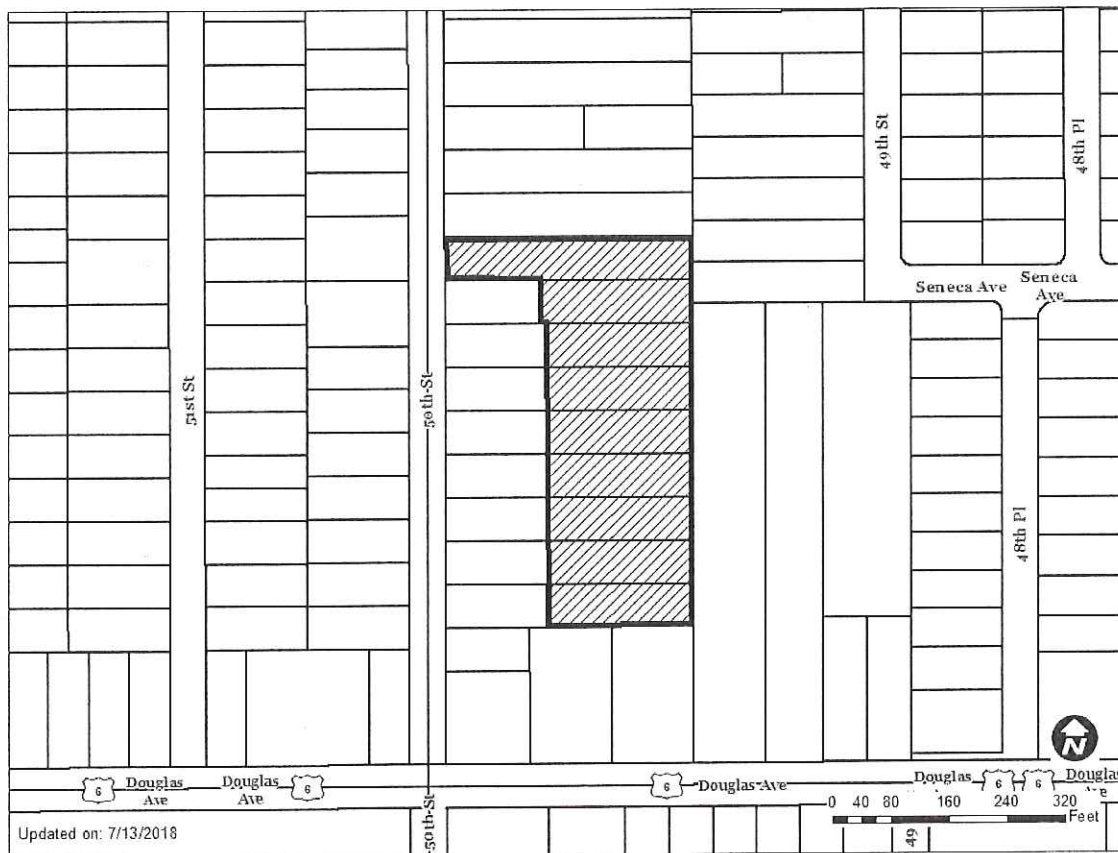


1 inch = 146 feet

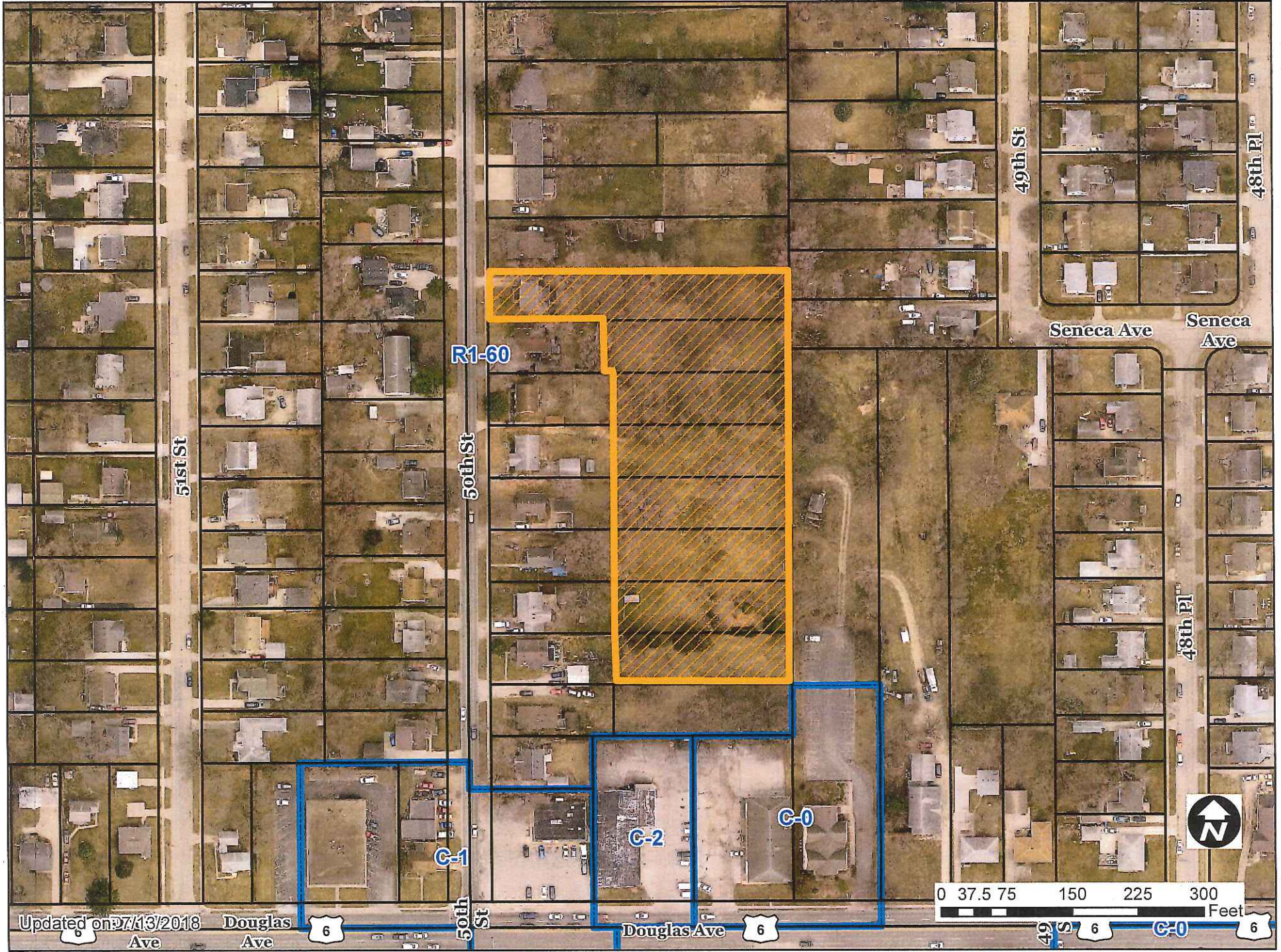
50th and Douglas, LLC (developer), represented by Matt Connolly (officer) for property located in the vicinity of 3905 50th Street. Subject property is owned by Penny Meyer and Jerry Lohner.				File # ZON2018-00137	
Description of Action	Rezone the property from "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development, to allow for approval of the "Beaverdale Townhomes PUD Conceptual Plan" for development of 21 row house 1-story townhomes on a private drive accessed from 50th Street.				
PlanDSM Future Land Use	Current: Low Density Residential. Proposed: Low-Medium Density Residential.				
Mobilizing Tomorrow Transportation Plan	2035-2050 US 6/Douglas Avenue from 4 to 5 lanes, Merle Hay Road to Lower Beaver Avenue.				
Current Zoning District	"R1-60" One-Family Low-Density Residential District and "FSO" Freestanding Signs Overlay District.				
Proposed Zoning District	"PUD" Planned Unit Developemtn and "FSO" Freestanding Signs Overlay District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Subject Property	4	6			
Outside Area (200 feet)					
Plan and Zoning Commission Action	Approval		Required 6/7 Vote of the City Council	Yes	X
	Denial	X		No	

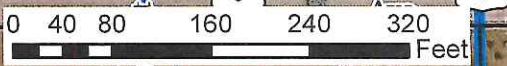
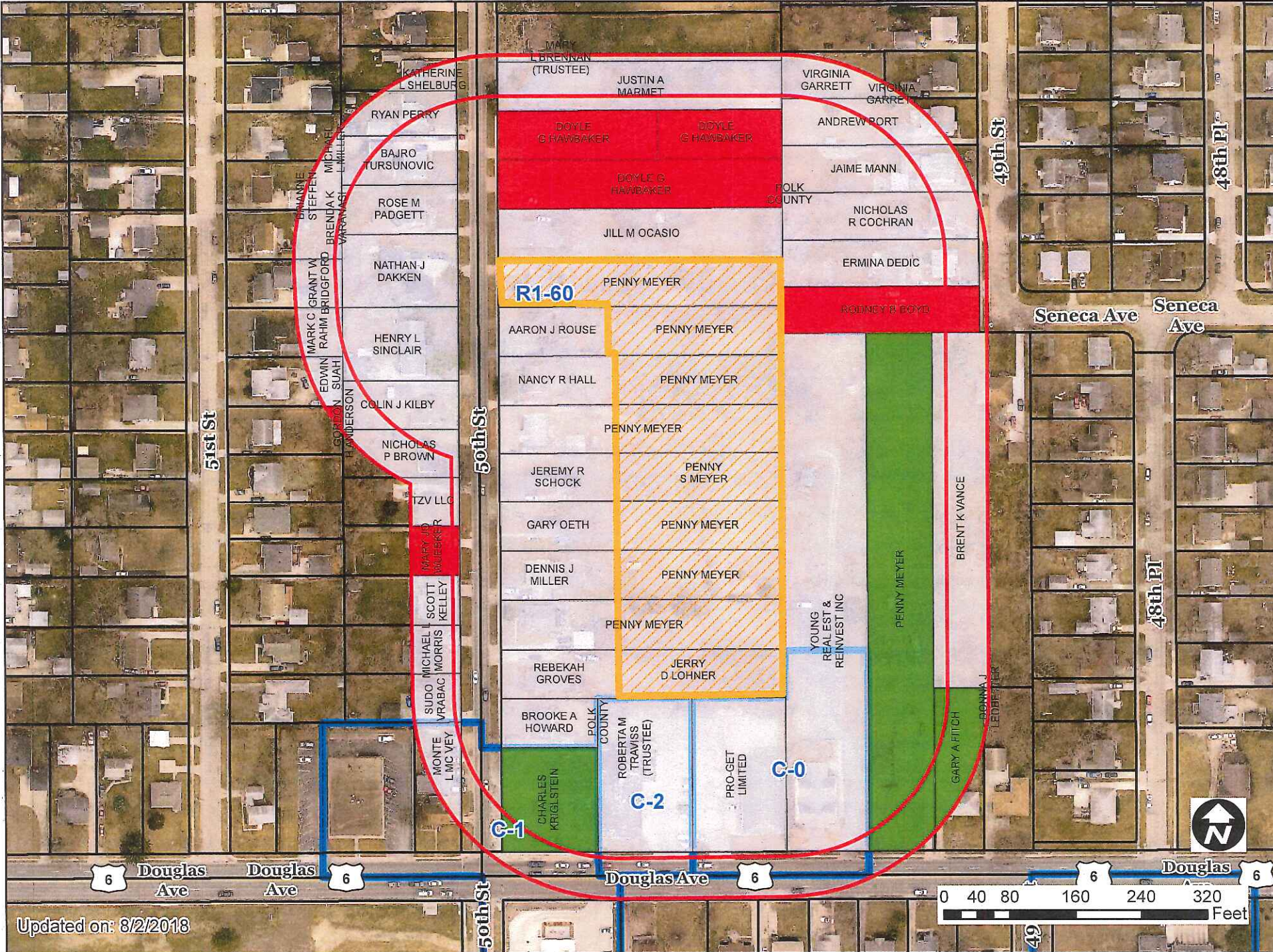
50th and Douglas, LLC, 3905 50th Street

ZON2018-00137



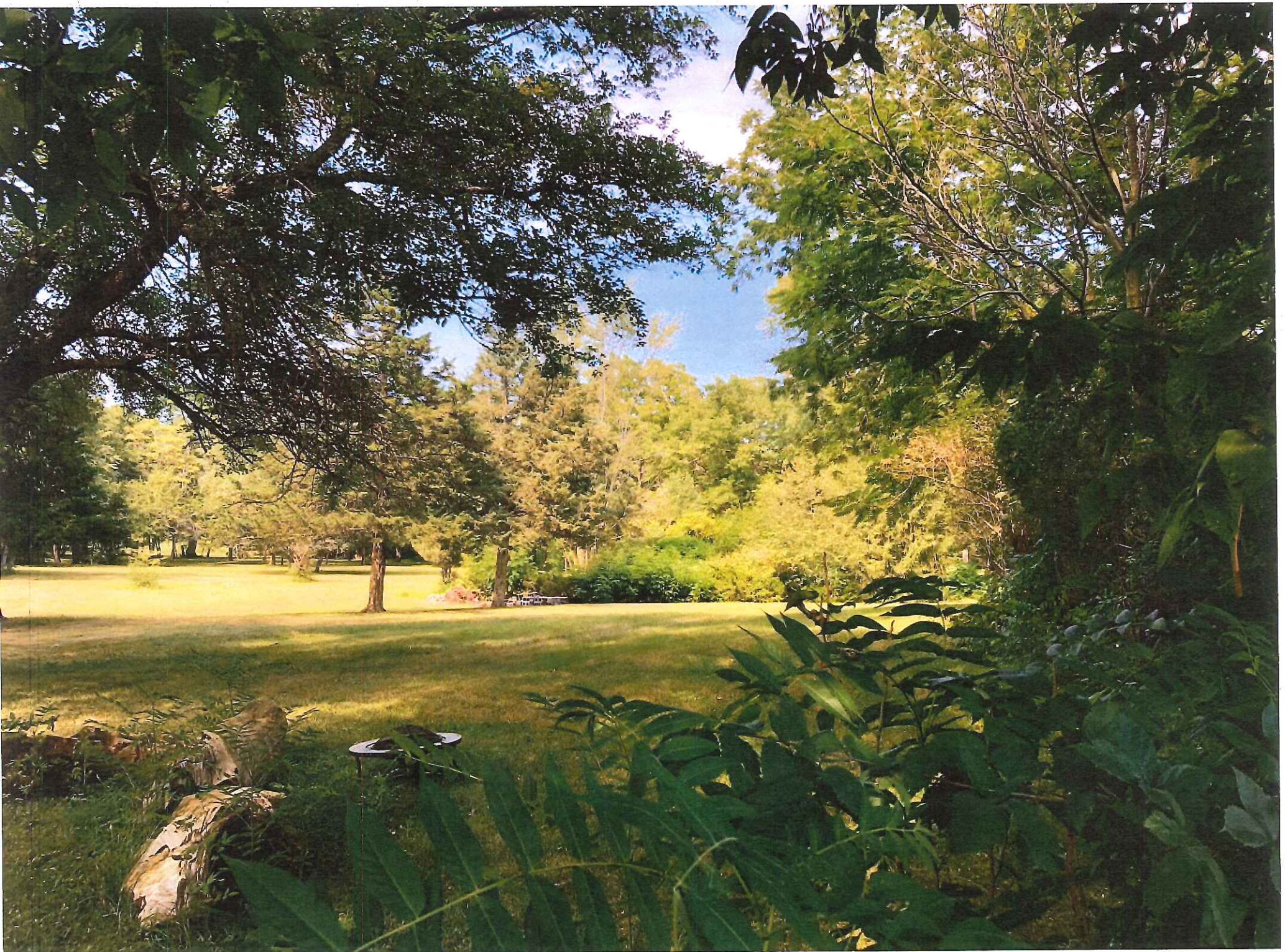
1 inch = 156 feet





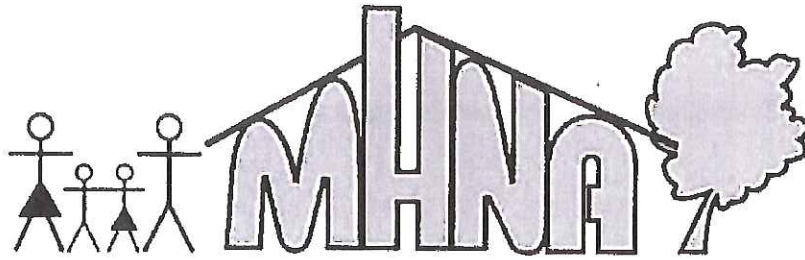












Merle Hay Neighborhood Association
P.O. Box 31036
Des Moines, IA 50310

City of Des Moines
Plan and Zoning Commission
400 Robert D. Ray Drive
Des Moines, IA 50309

Dear Plan and Zoning Commission Members:

On behalf of the Merle Hay Neighborhood Association (MHNA) Board of Directors (Board), I am writing to share feedback on the request from 50th and Douglas, LLC to rezone property near 3905 50th Street to allow development of 21 row-house style townhomes.

At this point, the majority of MHNA Board members are generally supportive of the redevelopment proposal. Board members believe the project will provide a new type of housing in the area that will generally benefit the northwest side housing market. We also believe that the proposed design of the townhomes will complement the area's predominate architecture.

One thing we would call attention to is stormwater management. It is our understanding that some nearby residents may have raised concerns about how the proposed townhome development will affect stormwater management in the general area. The MHNA Board requests that commission members, city staff, and the developer work to address those concerns such that the development does not worsen stormwater management in the general vicinity. If anything, we are hopeful the project will result in a net improvement for stormwater management in the general area.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Jason Pulliam".

Jason Pulliam
President, Merle Hay Neighborhood Association

**RECEIVED
COMMUNITY DEVELOPMENT**

Item ZON2018-00137

Date: 7/27/18

Reason for opposition:

Doyle Hawbaker Scott

JUL 27 2018

I am opposed to the proposed rezoning of land south of Douglas and East of 50th from R1 and the further proposed construction of condominiums or any type of building in the described area for the following reasons:

- 1) The described area carries a significant amount of runoff water especially when receiving rains in excess of 1 inch. The existing storm water sewer system is not capable of handling rains in excess of 1" with out considerable pooling and backup of water. We live just south of the proposed area and often have large streams of water flowing through our backyard. We are concerned that any addition or building in the area will result in more water being diverted to areas just to the south of the proposed development. Several sink holes have developed over the years in the area due to runoff.

We have reviewed the initial storm water management plans for the development and do not believe they will be sufficient to handle the water. It appears if we receive a 2 inch or greater rain (which has happened often over the last few years) the retention pond will fill up quickly, as well as additional runoff from the development and then run over into our yard and other yards/basements in the area.

The developer has further stated that they expect to 'build up' the level of the existing ground which will likely result in additional water running off to the areas below.

While we like to see development in the City of Des Moines and realize the City needs additional developments, we strongly believe, as experience has shown over the last few years, that nothing should be built on this land, at least until there can be significant improvements to the water management of the existing area and so several blocks to the south of the proposed development. There are currently several limitations on buildings and fences in the area for good reasons as they would divert water to other areas. We believe this is true also of the proposed development.

- 2) The only entrance/exit for the proposed development is from/to 50th Street, which is already a busy 2 lane road located between 2 schools. The road carries significant traffic as well as significant foot traffic in the area due to the schools. We strong believe an entryway on 50th St will cause significant traffic issues as well as a danger to the large numbers of pedestrians using the area. At the present, there are times it is very difficult to exit a driveway on to 50th St due to the amount of traffic.

Thank You. Doyle Hawbaker Scott



Item ZON2018-00137

Date 7-26-18

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

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT

Benefit Name Freda Haybaker Scott

JUL 27 2018

Signature Freda Haybaker Scott

Address 3925 50th DUNBAR 50310

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

Having the only entrance on 50th st. will cause heavy traffic jams! on a already busy 2-lane rd. History of flooding in area will just get worse if building is allowed in a flood area. Does not look like their planned water control system will work. Looks like it will put more water on areas that already flood and cause basement issues

Item ZON2018-00137 Date 7/27/18

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

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT Print Name Doyle Hawbaker Scott

JUL 27 2018 Signature [Signature]

Address 3925 50th St 50310

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

See Attached Statement
- Flooding / Water management concerns.
- 1 Entry on already busy 2 lane road close to schools.

Item ZON2018-00137 Date 7-27-2018

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

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT Print Name Rod Boyd

AUG 01 2018 Signature [Signature]

Address 3850 - 49th St.

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

When I purchased this property it was mainly due to the quiet neighborhood - by putting these proposed townhome units behind my property would destroy any tranquility.

Item ZON2018-00137 Date 7/26/18

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

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT Print Name Gordon Anderson

JUL 30 2018 Signature [Signature]
Address 4200 Grand Ave Wm 50265

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

The recent lots decrease run-off into the sanitary sewer which is already archaic. Building these townhomes would add additional water to the system.

Item ZON2018-00137

Date _____

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

RECEIVED
COMMUNITY DEVELOPMENT

Print Name CHARLES KRIGLSTEIN

Signature Charles Krigstein

Address 3821 CHEYENNE BLVD
SIOUX CITY IA 51104

JUL 30 2018

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

BIG IMPROVEMENT
I AM IN FAVOR
PROPERTY ADDRESS: 4941 DOUGLAS AVE.

Item ZON2018-00137

Date July 25, 2018

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

RECEIVED
COMMUNITY DEVELOPMENT

Print Name Mary Jo Hwebker

Signature Mary Jo Hwebker

Address 3830 - 50th St

JUL 30 2018

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

Item ZON2018-00137

Date 7-26-2018

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

OUTSIDE 250 FEET

RECEIVED
COMMUNITY DEVELOPMENT

Print Name Anthony Cupp

Signature Anthony Cupp

Address 3831 51st Street

JUL 30 2018

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

I want detached, single-family homes
only. I always oppose HOAs
regardless of where they are. I
oppose apartments, townhouses and
duplexes. Starter homes - not rentals.

Item ZON2018-00137 Date 7-26-18

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

RECEIVED
COMMUNITY DEVELOPMENT
Print Name GARY A. FITCH
Signature [Signature]
Address 4909 Douglas Ave

JUL 30 2018

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

One way of getting Douglas fixed.

Item ZON2018-00137 Date 7/27/18

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

(Circle One)
RECEIVED
COMMUNITY DEVELOPMENT
Print Name Penny Meyer
Signature [Signature]
Address 4911 Douglas Ave., DSM, Ia 50310

AUG 01 2018

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

- should help property values
- will improve water issues in hill-thus that area with development ^{upgrades}
- will add ^{higher} property to the tax rolls
- will add affordable housing options to new area (beverly's empty nesters can downsize + good for 1st time home-buyers)

Item ZON2018-00137

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

Print Name HEATHER C. BROWN
Signature [Signature]
Address 2629 Bremer Lane 3(0)

Date 7/27/18

OUTSIDE 250' FEET IMPACT AREA

JUL 27 2018
Reason for opposing or approving this request may be listed below.