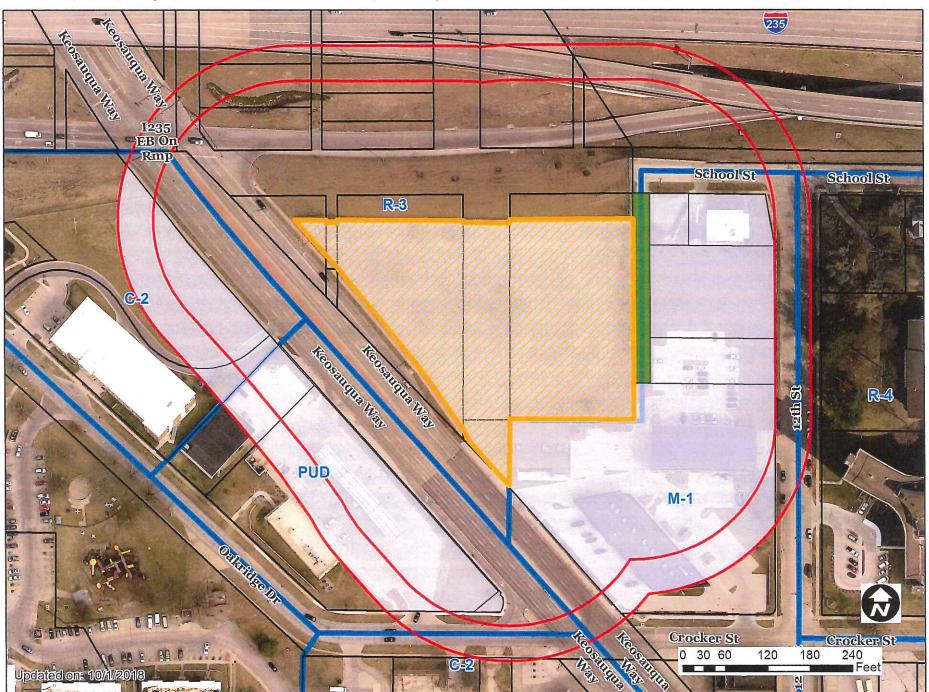
Roll Call					Agenda Item Number 13
Date Octob	er 8, 20	018			
			AL OF	PREL	ION FROM THE PLAN AND ZONING COMMISSION IMINARY PLAT "CITYVIEW 34" FOR PROPERTY AT 1331 KEOSAUQUA WAY
to APPROVE Preliminary Pla 34 townhome lo of any adjustment	a requat "City ots with ents to Planni	uest from yiew 34 in an oother the plant and mg Adn	om NJI 4" for p verall of t layou ninistra	REC, In property common t that ar tor, and	ty of Des Moines Plan and Zoning Commission voted 12-0 nc. (owner), represented by Nick Jensen (officer), for a located at 1331 Keosauqua Way, to allow subdivision into outlot, subject to the conditions of (1) review and approval e necessary to comply with the conditions of the Site Plan (2) compliance with all administrative review comments of nd
WHEREAS, th	ne final	subdivi	sion pl	at will b	e submitted for City Council approval when completed.
), by the City Council of the City of Des Moines, Iowa, that an and Zoning Commission is hereby received and filed.
		MOVE	ED BY		to receive and file.
FORM APPRO	1.7			rney	(13-2019-1.08)
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	CERTIFICATE
COWNIE					I DIANE BAHH C' CI I C I C' I L
BOESEN					I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said
COLEMAN					City of Des Moines, held on the above date, among
GATTO					other proceedings the above was adopted.
GRAY					IN WITNESS WHEREOF, I have hereunto set my
MANDELBAUM					hand and affixed my seal the day and year first
WESTERGAARD					above written.
TOTAL MOTION CARRIED	127	l	Ann	PROVED	
MOTION CARRIED			API	RUYED	al al
				Mayor	City Clerk





October 3, 2018

Honorable Mayor and City Council City of Des Moines, Iowa

Date DCHOK	er8201
Agenda Item	
Roll Call #	

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held September 20, 2018, the following action was taken regarding a request from NJREC, Inc. (owner) represented by Nick Jensen (officer) for a Preliminary Plat "Cityview 35" for subdivision of the property into 35 townhome lots within an overall common outlot.

COMMISSION ACTION:

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

Commission Action:	Yes		Nays	Pass	<u>Absent</u>
Francis Boggus					X
Dory Briles	X				
Chris Cutler					X
David Courard-Hauri	X			38	
Jacqueline Easley	X				
Jann Freed	X				
John "Jack" Hilmes	X				
Lisa Howard	X	W 17			
Carolyn Jenison	X				8 ww 0
Greg Jones			Ĭ.		X
William Page	X				
Mike Simonson	X				
Rocky Sposato	X	60 UF III	8		
Steve Wallace	X	8			
Greg Wattier	Χ				

APPROVAL of the submitted Preliminary Plat subject to the following conditions:

- 1. Review and approval of any adjustments to the plat layout that are necessary to comply with the conditions of the Site Plan approval by the Planning Administrator.
- 2. Compliance with all administrative review comments of the City's Permit and Development Center.

(13-2019-1.08)

Written Responses
0 in Favor
0 in Opposition

RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the submitted Preliminary Play subject to the following conditions:

- 1. Review and approval of any adjustments to the plat layout that are necessary to comply with the conditions of the Site Plan approval by the Planning Administrator.
- 2. Compliance with all administrative review comments of the City's Permit and Development Center.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- Purpose of Request: The proposed Site Plan would allow the construction of 34
 rowhouse units. The preliminary plat facilitates the division of the site into rowhouse
 parcels and a commonly owned parcel.
- 2. Size of Site: 106,408 square feet or 2.44 acres.
- 3. Existing Zoning (site): "R-3" Multiple Family Residential District, "D-O" Downtown Overlay District, "GGP" Gambling Games Prohibition Overlay District and "FSO" Freestanding Sign Overlay.
- 4. Existing Land Use (site): Vacant.
- 5. Adjacent Land Use and Zoning:

North – "R-3": Use is the Interstate 235 corridor.

South - "Kum & Go PUD" & "M-1": Uses are commercial.

East - "M-1": Uses are commercial and undeveloped land.

West - "C-2": Uses are commercial, multiple-family residential and vacant land.

- 6. General Neighborhood/Area Land Uses: The site is located at the northern periphery of downtown. The immediate area consists of a mix of commercial and residential uses.
- 7. Applicable Recognized Neighborhood(s): The subject property is not located in or within 250 feet of a recognized neighborhood association. All neighborhood associations were notified of the Commission meeting by mailing of the Preliminary Agenda on August 31, 2018 and the Final Agenda on September 14, 2018. Additionally, separate notifications of the hearing for the site plan were mailed on September 10, 2018 (10 days prior to the hearing) to the primary titleholder on file with the Polk County Assessor for every owner of property or condominium within 250 feet of the site.

- 8. Relevant Zoning History: On August 22, 2018, the Zoning Board of Adjustment granted the applicant an Exception of 15 feet less than the minimum required 30-foot of front yard setback and an Exception of 17 feet less than the minimum required 35-foot of rear yard setback. This relief is subject to the following conditions:
 - a. Any building or site improvement constructed shall be in compliance with all applicable Site Plan policies, including the "D-O" Downtown Overlay District Design Guidelines.
 - b. Any buildings constructed shall be in compliance with all applicable Building and Fire Codes, with issuance of all necessary permits by the Permit and Development Center.
- 9. PlanDSM Creating Our Tomorrow Future Land Use Plan Designation: Downtown Mixed Use.
- 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 rowhouses would be 3-stories tall and would have masonry and cement fiberboard siding. The ground level of each unit would contain garage space. The units would have a parapet style roof.

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 3-stories tall and currently arranged in groups of 4 to 8 units. The ground floor of each unit would be partially below grade, giving the units a 2½-story appearance from certain views.

The proposed massing of 4 units along Keosauqua Way does not represent an urban level of massing along the street. The site has grade and shape challenges that make it not practical to line the entire street frontage with units. However, staff believes that 2 units could be added to the end of the group of 4 units along Keosauqua Way. This would require modification of the driveway into development and the planned storm water management facilities. This change would keep the total number of units the same by shifting the westernmost unit from the southern and northwest rows of buildings to the Keosauqua Way group. Staff believes that moving these two units to the street frontage will increase their desirability, particularly for the northwest unit since it would otherwise be near the Interstate 235 interchange.

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 development would have frontage on Keosauqua Way. Four (4) of the 34 units are currently proposed to front the street. The units would setback 15 feet from the front property line. Street side doors are not proposed for these units. The submitted site plan and building elevations do not comply with this guideline. Staff believes that entrances to each unit should be provided that face the street.

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.

All garage doors would be oriented to a service drive.

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.

In acting upon any site plan application for development of property located within the Downtown Overlay District, the community development director (or plan and zoning commission if applicable) shall apply the regulations and design guidelines in Section 82-213 of the City Code, which are in consideration of the criteria set forth in Chapter 18B of the lowa 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 such design regulations and the following guidelines. These guidelines shall be applied to the entire site when a new building is constructed or when an existing building is cumulatively expanded by more than 50% of its gross floor area as of the time it became part of the downtown overlay district. If a building is cumulatively expanded by less than 50% of its gross floor area as of the time it became part of the downtown overlay district, then these guidelines shall apply only to the expansion of the building.

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

The proposed rowhouses would be 3-stories tall and are currently arranged in groups of 4 to 8 units. The ground level of each unit would contain garage space. The units would have a parapet style roof and have brick and fiber cement board siding. The ground floor of each unit would be partially below grade, giving the units a 2½-story appearance from certain views.

The development would have frontage on Keosauqua Way. Only four (4) of the 34 unit would front the street. The units would setback 15 feet from the front property line. Street side doors are not proposed for these units. Staff believes that entrances to each unit should be provided that face the street.

The proposed massing of 4 units along Keosauqua Way does not represent an urban level of massing along the street. The site has grade and shape challenges that make it not practical to line the entire street frontage with units. However, staff believes that 2 units could be added to the end of the group of 4 units along Keosauqua Way. This would require modification of the driveway into development and the planned storm water management facilities. This change would keep the total number of units the same by shifting the westernmost unit from the southern and northwest rows of buildings to the Keosauqua Way group. Staff believes that moving these two units to the street frontage will increase their desirability, particularly for the northwest unit since it would otherwise be near the Interstate 235 interchange.

Underground utilities and black street light fixtures and poles are the desired development pattern in the downtown. Development is expected to underground overhead lines and to upgrade street lights in adjoining rights-of-way. Staff recommends approval subject to the undergrounding of all overhead utility lines and the replacement of all street lights with black light fixture and poles.

The site is located at a gateway into downtown. Staff believes that focal point landscaping should be provided at the northwest corner of the site along with at the entrance drive. Landscaping can also be used to offset the lack of building frontage along the street. Staff recommends approval subject to review and approval of the finalized landscaping plan by staff.

- B) Low impact development techniques should be utilized which implement site water quality control solutions, using materials which are locally available and creating projects which minimize energy consumption.
 - Staff is not aware of any proposed low impact development techniques being utilized. Staff believes that native plantings should be used in the basin to provide a water quality benefit in addition to enhancing the aesthetic character of the basin area.
- C) Connectivity between adjacent properties should be provided or demonstrated for both pedestrian and vehicular circulation.
 - Vehicular access to the site would come from a single driveway to Keosauqua Way. A sidewalk would extend from the site to the public walk along the street. Internal pedestrian and vehicle connections with the adjacent parcels are not practical due to grade and the layout of those properties.
- D) The incorporation of 'soft (green) spaces' on site is encouraged.
 - The site would include a significant amount of green space for a downtown project due to the challenges created by the topography of the site and its irregular shape.
- E) Where feasible, projects should provide outdoor spaces for people gathering.
 - Each unit would include a balcony and a driveway area that would provide outdoor space. A standalone community gathering space is not proposed. Staff believes that

providing one is not necessary given the number of units and the ample open space that would be provided.

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

Bike racks are not noted on the site plan. Staff recommends that providing racks be a condition of approval.

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

The units would be 3-stories tall with a total height of 33.34 feet. The site slopes downward from north to south substantially. As a result, some portions of the ground level of each building would be partially below grade. The proposal complies with this standard.

- H) Bulk standards, building setbacks, orientation, frontage and residential access:
 - 1. All buildings with river frontage should orient towards the river and have building entrances that are oriented to the river and primary street(s).
 - 2. All buildings without river frontage should have entrances oriented toward primary street(s).
 - 3. All buildings should have frontage on principal street(s) of not less than 70 percent of the lot.

The subject property has 490 feet of frontage along Keosauqua Way. The proposed development would occupy 19% of that frontage, which does not comply with this standard. The site has grade and shape challenges that make it not practical to line the entire street frontage with units. In addition, there is an access easement and sewer line at the southwest corner of the property that limit use of this portion of the site. Staff believes that 2 units could be moved to the end of the group of 4 units along Keosauqua Way. This would increase the percent of frontage occupy by a building to 28%. This is substantially short of the 70% standard, but staff believes this is a reasonable solution given site constraints.

Staff's proposal would require modification of the driveway into development and the planned storm water management facilities. This change would keep the number of units the same by shifting the westernmost unit from the southern and northwest rows of buildings to the Keosauqua Way group. Staff believes that moving these two units to the street frontage will increase their desirability, particularly for the northwest unit since it would otherwise be near the Interstate 235 interchange.

4. For commercial and mixed-use buildings, at least 70 percent of the building frontage should be within one foot of the property line.

N/A.

5. At least one building entrance for residential uses should directly access the street when a residential use is located above street-level retail or commercial uses.

N/A.

 For residential buildings, a maximum setback of 15 feet from the public right-ofway is permitted unless superseded by bulk regulations of the underlying zoning district (i.e. R-HD Residential Historic District, R1-60 Low Density Residential District, etc.).

The units that front Keosauqua Way would setback 15 feet from the right-of-way.

 Storage of all materials and equipment should take place within completely enclosed buildings.

No outdoor storage of materials and equipment is proposed.

J) All refuse collection containers and dumpsters should be enclosed on all sides by the use of a permanent wall of wood, brick or masonry and steel gates which are compatible in design with the principal structure.

Trash enclosures are not proposed.

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

See subparagraph 4 of Section II for landscaping information.

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

N/A.

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

N/A.

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

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

Staff believes that the proposed curb cut is the minimum number necessary to adequately serve the development.

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

The site measures 2.44 acres. The proposal is subject to several sets of design guidelines ("D-O" District and Multiple-Family Residential) that provide a level of review similar to "PUD" zoning.

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

N/A.

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

N/A.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Natural Site Features: Development of the site shall be in compliance with the City's Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code).
- 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. The submitted site plan and plat include a storm water basin in the southern portion of the site. The unit layout modifications proposed by staff will require the storm water management plan to be altered and may require the use of underground detention in addition to or in place of a basin.
- **3. Parking:** The "R-3" District requires 1 off-street parking space per row dwelling unit. At least one space would be provided in the driveway for each unit. Additionally, each unit would have a two-car garage.
- 4. Landscaping: The landscaping standards typically applicable to a project of this nature include the following:
 - 1 overstory street tree per 30 lineal feet of frontage.
 - 1 overstory tree and 10 shrubs per 40 lineal feet of parking lot perimeter.
 - 1 overstory tree and 3 shrubs per 25 parking stalls of parking lot interior.
 - 1 overstory tree, 1 evergreen tree and 1 shrub per 2,500 square feet of required open space.

In addition to these standards, plantings are necessary along Keosauqua Way as discussed in Section I of the report for the project to comply with the Downtown Overlay District Design Guidelines. The planting of street trees would require Iowa Department of Transportation approval given the proximity of the site to Interstate 235. Tree plantings on the property that mimic a street tree shall be considered if street trees in the right-of-way are not possible. Staff recommends that approval be subject to review of the finalize landscaping plan by the Planning Administrator to allow staff to work with the applicant on appropriate landscaping.

SUMMARY OF DISCUSSION

Erik Lundy presented the revised site plan, staff report and recommendation.

Mike Ludwig stated that one unit has been added (35 total) and greater lineal feet of frontage along Keo Way is now proposed.

Greg Wattier stated he was trying to figure out what they are planning to do with grading.

<u>Erik Lundy</u> stated the solution is to have a sidewalk run in front of the units at a higher grade and a retaining wall along the Keo Way sidewalk.

Greg Wattier stated it appear that all connectivity that staff asked for is now lost.

<u>Nick Jensen</u> 720 S. 68th St. stated the uniqueness to this product is the 3rd story living, kitchen and dining area, along with a balcony. This site works out very well for this concept, giving each unit a good city view. He does agree with all staff recommendation except proposed condition #10 which would require all utility lines on the property or in the adjoining right-of-way to be located underground.

Mike Simonson asked if he agrees to underground the utilities to his site?

Nick Jensen stated yes.

Mike Simonson asked if he was open to overstory trees?

Nick Jensen stated he would be open to landscaping that improves the site.

<u>David Courard-Hauri</u> asked if the overstory tress would affect the goal of having views into the city.

Nick Jensen stated depending on how tall they get, it potentially could.

John "Jack" Hilmes clarified what portion of condition #10 the applicant disagreed with.

<u>Nick Jensen</u> stated specifically the 3 poles and overhead line along the north edge of the property abutting the I-235 right-of-way.

Greg Wattier stated it would be a mistake to have so much paving in front of the garages.

<u>Nick Jensen</u> stated there will be green space between driveways. This site will have more green space and guest parking than other sites located downtown.

<u>Greg Wattier</u> stated he is ok with striking condition #10 but feels it's important to build connections/stairs to units along Keo Way, not creating a raised separation along Keo Way.

<u>Nick Jensen</u> stated it could be a beautification element due to Keo Way being so busy and having separation from the street wouldn't be as inviting to just anyone walking down to the street.

Mike Simonson asked how high the internal sidewalk is compared to the City sidewalk.

Nick Jensen stated on the far noorthwest unit from garage floor to the sidewalk in front of the units would be elevated 8 ½ feet.

Greg Wattier stated these units should have stairs from Keo Way.

Mike Ludwig stated staff suggested an idea of adding ivy along the retaining wall to soften the walk along Keo Way. Most of the traffic from this site will be traveling south. Interstate 235 creates a barrier for pedestrians trying to go north so the idea of the sidewalk coming down to the South is something staff was willing to consider.

Greg Wattier asked the applicant if he was willing to work with staff on connectivity.

Mike Jensen stated yes, he doesn't have a preference either way.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was nobody present to speak in favor or opposed to the project.

CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION:

<u>Greg Wattier</u> made a motion for approval of the submitted Preliminary Plat subject to the following conditions:

- 1. Review and approval of any adjustments to the plat layout that are necessary to comply with the conditions of the Site Plan approval by the Planning Administrator.
- 2. Compliance with all administrative review comments of the City's Permit and Development Center.

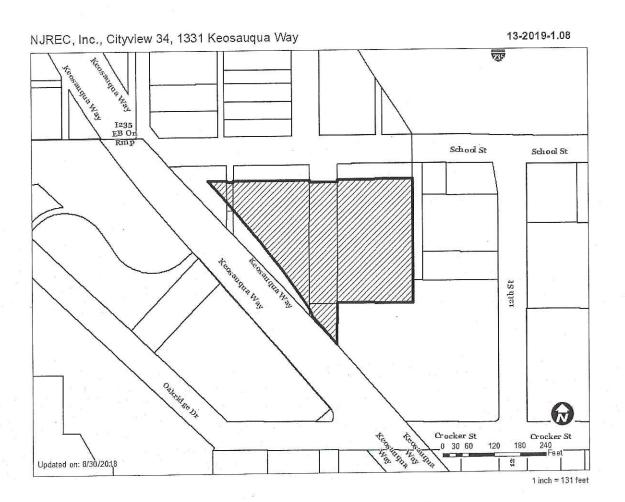
Motion passed 12-0

Respectfully submitted

Michael Ludwig, ACP Planning Administrator

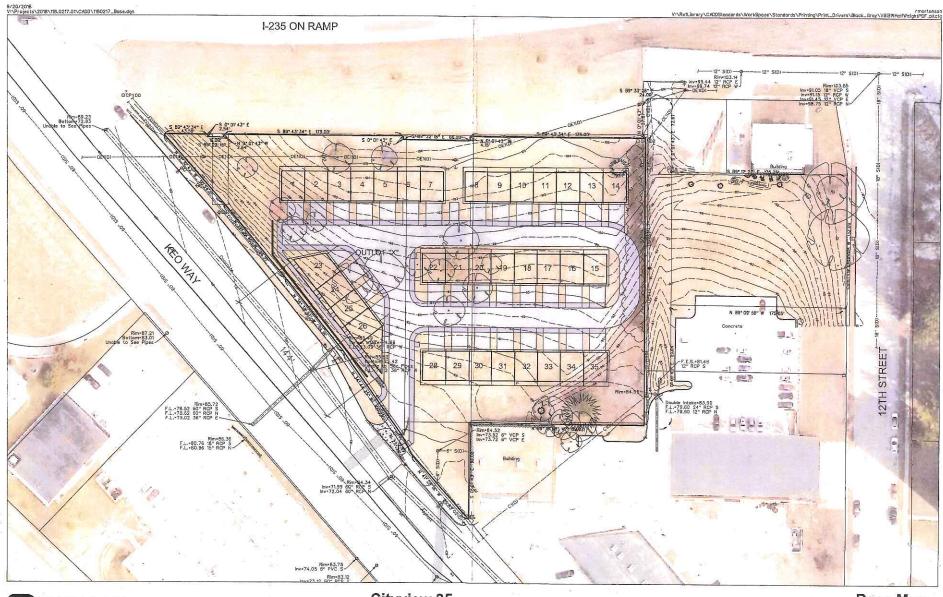
MGL:tjh Attachments

NJREC, Inc. (owner) represented by Nick Jensen (officer) for the property locate							cated	File #			
at 1331 Keosauqua Way.									13-	13-2019-1.08	
Description of Action	Review	and a	approval of a Preliminary Plat "Cityview 35" for subdivision of the property into ts within an overall common outlot.							perty into 35	
PlanDSM Future Land Use			Current: Downtown Mixed Use. Proposed: N/A.								
Mobilizing Tomorrow Transportation Plan			No planned improvements.								
Current Zoning District		"R-3" Multiple-Family Residential District, "GGP" Gambling Games Prohibition Overlay District, "D-0" Downtown Overlay District and "FSO" Freestanding Signs Overlay District.									
Proposed Zoning District			N/A.								
Consent Card Responses Subject Property Outside Area (200 feet)		In Favor		No 0	ot In Favor	Undetermined		% Opposition			
Plan and Zoning		_	roval	Х		Required 6/		Yes			
Commission Actio	Action	Den	ial			the City Council		No		Х	



this request may be li	10-2019-7.21 Item T REGUEL WIFD COMMUNITY DEVELOPMENTINI Name Full Contenst SEP 1 7 2018 Signature Address 1221-1223 Contenst Day Address 1221-1223 Cont	Item 2 - 2019 - 7 21 Item 2 - 2019 - 1 8 Circle One) RECEIVED Print Name LAWRENCE A. C. RIST COMMUNITY DEVELOPMENT nature SEP 1 7 2018 Address 3601 Coulds Dim. Reason for opposing or approving this request may be listed below. Soften in addition Date 1300 KEO WAY Tank (am not) in favor of the request (Circle One) RECEIVED Print Name Penny Fore COMMUNITY DEVELOPMENT gnature SEP 1 9 2018 Address 2716 Indianal Ave. O.M. Town Reason for opposing or approving this request may be listed below.
	9 · · · · · · · · · · · · · · · · · · ·	

10-2019-7.21 Item 2-2019-721 Date Sout 14,2018
I (am) (am-not) in favor of the request.
RECEIVED Print Name LAWRENCE H. C. RIST
SEP 1 7 2018 Address 3601 Coulds D.M.
Reason for opposing or approving this request may be listed below.
Solver on again on







Cityview 35

Base Map

Des Moines, Iowa

9/20/2018