



Date June 3, 2019

RESOLUTION APPROVING “FUSION EAST” PUD DEVELOPMENT PLAN FOR PROPERTY AT 1170 TUTTLE STREET

WHEREAS, on July 24, 2017, by Roll Call No. 17-1295, the City Council conditionally approved Hubbell Realty Company’s “Gray’s Station” PUD Conceptual Plan for real property located in the vicinity of 1300 Tuttle Street (“Property”) to allow redevelopment of 83.73 acres with mixed use, low-medium density residential, high-density residential, and open space areas, which approval required the developer to submit a PUD Development Plan for review and approval by the Plan and Zoning Commission and the City Council for each phase of the project; and

WHEREAS, on August 14, 2017, by Roll Call No. 17-1408 the City Council approved Ordinance No. 15,600 rezoning the Property from “C3-B” Central Business Mixed Use District and “FW” Floodway District to “PUD” Planned Unit Development District; and

WHEREAS, at a public hearing held on May 16, 2019, the City Plan and Zoning Commission voted 8-0-1 in support of a motion to recommend **APPROVAL** of a request from HRC NFS I, LLC (owner), represented by Kris Sadoris (officer), for a “Fusion East” PUD Development Plan representing a portion of the “Gray’s Station” PUD Conceptual Plan, to allow development of that portion of the Property in the vicinity of 1170 Tuttle Street with a 3-story multifamily residential building containing 18 rowhouse dwelling units, subject to the following conditions:

1. Compliance with all administrative comments of the Permit and Development Center.
2. 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.
3. All necessary external mechanical equipment shall be roof-mounted and screened on any side that fronts a public street, trail, or green space with materials that are architecturally compatible with the building.
4. All utility meters, transformers, and other utilities shall be placed along internal side or rear facades of the buildings.
5. Review and approval of finalized building elevations and materials by the Planning Administrator; and

WHEREAS, the portion of the Property included in the “Fusion East” PUD Development Plan is legally described as follows:

LOT 1, GRAY’S STATION PLAT 2, AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA.



Roll Call Number

Agenda Item Number

34A

Date June 3, 2019

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

- 1. The communication from the Plan and Zoning Commission is hereby received and filed.
2. The proposed 'Fusion East' PUD Development Plan, as on file in the Community Development Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved, subject to revision of the Plan to add the conditions stated above.

(Council Communication No. 19-255)

MOVED BY _____ TO ADOPT.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(10-2019-7.98)

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

MOTION CARRIED APPROVED

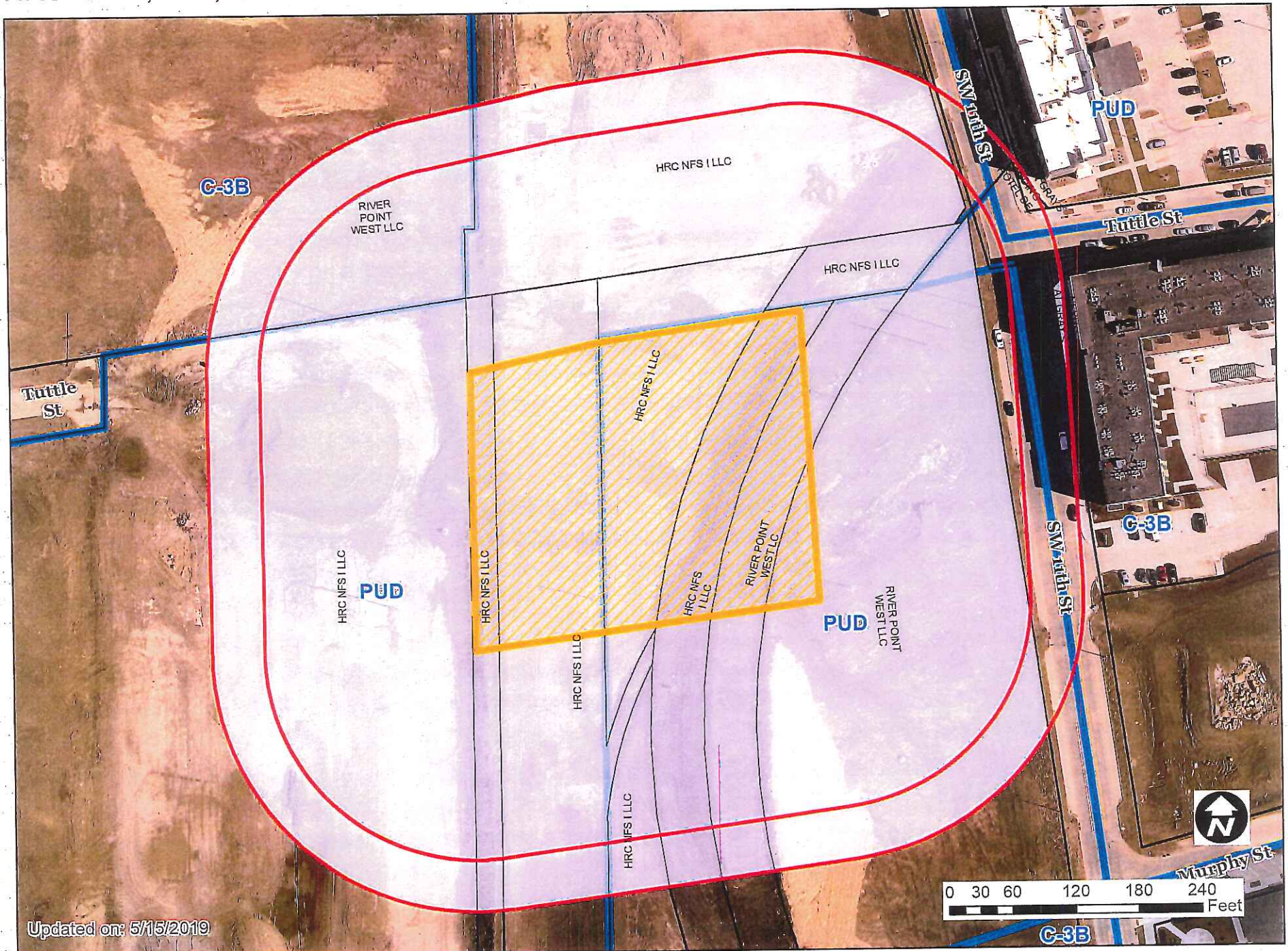
Mayor

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



Updated on: 5/15/2019



1 inch = 121 feet

34A

HRC NFS I, LLC (owner) represented by Kris Sadoris (officer) for property located at 1170 Tuttle Street.		File #		
		10-2019-7.98		
Description of Action	Review and approval of a PUD Development Plan "Fusion East" within the Gray's Station PUD, to allow development of a 3-story, 18-unit row multiple-family dwelling complex.			
PlanDSM Future Land Use	Current: Downtown Mixed Use and Neighborhood Mixed Use. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	Gray's Station "PUD", GGP" Gambling Games Prohibition Overlay District, "D-O" Downtown Overlay 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

HRC NFS I, LLC, 1170 Tuttle Street

10-2019-7.98



1 inch = 121 feet

May 28, 2019

Honorable Mayor and City Council
City of Des Moines, Iowa

Date June 3 2019

Agenda Item 34A

Roll Call # _____

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held May 16, 2019, the following action was taken regarding a request from HRC NFS I, LLC (owner) represented by Kris Saddoris (officer) for Review and approval of a Development Plan "Fusion East" within the Gray's Station PUD for property located at 1170 Tuttle Street, to allow development of a 3-story, 18-unit row multiple-family dwelling complex.

COMMISSION ACTION:

After public hearing, the members voted 8-0-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dory Briles				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	
Emily Webb	X			

RECOMMEND APPROVAL of the request, subject to the following conditions:

1. Compliance with all administrative review comments of the City's Permit and Development Center.
2. 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.

3. All necessary external mechanical equipment shall be roof-mounted and screened on any side that fronts a public street, trail, or green space with materials that are architecturally compatible with the building.
4. All utility meters, transformers, and other utilities shall be placed along internal side or rear facades of the buildings.
5. Review and approval of the finalized building elevations and materials by the City's Planning Administrator.

(10-2019-7.98)

RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the request subject to the following conditions:

1. Compliance with all administrative review comments of the City's Permit and Development Center.
2. 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.
3. All necessary external mechanical equipment shall be roof-mounted and screened on any side that fronts a public street, trail, or green space with materials that are architecturally compatible with the building.
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5. Review and approval of the finalized building elevations and materials by the City's Planning Administrator.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The Gray's Station PUD Conceptual Plan and associated rezoning was approved by the City Council in 2017. The PUD allows 83.73 acres of former industrial land to be converted into a residential and mixed-use development. A large-scale storm water basin area is proposed along the southern perimeter of the development that would include a wetland park component. The core of the development would allow for a mix of detached, semi-attached and rowhouse single-family dwellings. Multi-story, multiple-family residential buildings are proposed along the north and south perimeters of the street network.

The PUD Conceptual Plan sets a minimum density for the development and basic design parameters. The exact makeup of the development would be determined by the PUD Development Plan of each phase. A total of three phases are identified on the Conceptual Plan that would have a combined total of at least 1,100 dwelling units. This

equates to 13 dwelling units per gross acre (83.73 acres) or 28 dwelling units per net acre (39.2 acres).

The proposed Development Plan would allow the construction of a 3-story building containing 18 rowhouse dwelling units. Each unit would contain a two-car attached garage accessed from the rear façade of the unit. The development would have frontage on Tuttle Street to the north and SW 12th Street to the west. Vehicular access to the site would come from SW 12th Street.

The City Council's action requires all PUD Development Plans to be reviewed by the Plan and Zoning Commission and approved by the City Council. PUD Development Plans are typically reviewed administratively through the site plan review process. The subject site plan and building elevations are also being reviewed by the City's Urban Design Review Board as the applicant has entered into a development agreement with the City. The application will go before that board on May 21, 2019.

2. **Size of Site:** 0.70 acres (30,513 square feet).
3. **Existing Zoning (site):** "PUD" Planned Unit Development, "D-O" Downtown Overlay District, "GGP" Gambling Games Prohibition District and "FSO" Freestanding Sign Overlay District.
4. **Existing Land Use (site):** Vacant land.
5. **Adjacent Land Use and Zoning:**
 - East** – The Slate at Gray's Landing "PUD"; Use is undeveloped land.
 - West** – Gray's Station "PUD"; Use is undeveloped land.
 - North** - "C-3B" & Gray's Station "PUD"; Use is undeveloped land.
 - South** - Gray's Station "PUD"; Uses are undeveloped land.
6. **General Neighborhood/Area Land Uses:** The subject site is located in the southwest portion of the downtown. The surrounding area consists of vacant land, commercial uses, multiple-family residential uses, light industrial uses, the Raccoon River and Gray's Lake.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Downtown Des Moines Neighborhood and within 250 feet of the Grays Lake Neighborhood. All neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on March 29, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on April 8, 2019 (10 days prior to the April 18, 2019 meeting) to the neighborhood associations and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the subject property. The Downtown Des Moines Neighborhood Association mailings were sent to Austin Lewis, 915 Mulberry Street #504, Des Moines, IA 50309. The Grays Lake Neighborhood Association mailings were sent to Rick Trower, 1310 Broad Street, Des Moines, IA 50315.
8. **Relevant Zoning History:** On July 24, 2017, the City Council conditionally approved the Gray's Station PUD Conceptual Plan and the first reading of the rezoning ordinance

by Roll Call Number 17-1295. On August 2, 2017, the City Council approved the second reading of the rezoning ordinance by Roll Call Number 17-1307. On August 14, 2017, the City Council approved the final reading of the rezoning by Roll Call Number 17-1407, thereby approved Ordinance Number 15,600.

The rezoning and PUD Conceptual Plan were reviewed by the Plan and Zoning Commission on July 6, 2017 and July 20, 2017.

9. **PlanDSM Land Use Plan Designation:** The subject site is designated as "Downtown Mixed Use" on the Future Land Use Map.
10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, every Development Plan and required documents submitted pursuant to Division 13 of the Zoning Ordinance shall be reviewed by the Planning Director, who shall approve the Development Plan if it complies with the standards of Division 13 and if it complies with the Conceptual Plan.

In this case, the Development Plan is being referred to the Plan and Zoning Commission and the City Council for review and approval in accordance with the requirements of the PUD Conceptual Plan.

II. ADDITIONAL APPLICABLE INFORMATION

1. **PUD Conceptual Plan Standards:** The following are relevant standards from the Conceptual Plan that must be considered in the review of the proposed Development Plan.
 - A) Overall Neighborhood Character
 1. Housing product diversity in all forms and scale that are appropriated in an urban setting is encouraged. There shall be varying urban densities with compatible forms in a blended neighborhood, encouraging a mix of households.
 2. Green connections are encouraged to minimize impart of store water, provide urban pathways for wildlife, and promote recreation, wellness, and pedestrian scale mobility.
 3. Development design shall encourage proximity of units to each other to create an urban form.
 4. Development shall provide an opportunity for housing that could include personal garages, larger units, small yards, roof gardens, breeze way living spaces, and other landscape amenities.
 5. All components and phases shall relate to, and integrate with, each other and previous components.
 6. Development shall establish vehicular, mass transit, bicycle, and pedestrian linkages with the following:
 - a. Downtown Central Business District;
 - b. Gray's Lake; and
 - c. Development of the DICO site.
 7. Each project phase/component shall provide consistency and compatibility of character across the development.

The proposed Development Plan would allow construction of a 3-story building containing 18 rowhouse dwelling units. Each unit would contain a two-car attached garage accessed from the rear façade of the unit. The project is intended to act as a transition from the denser projects planned or under construction to the north and east to the two-story rowhouses planned to the south. The balance of Section II of this report covers items that impact neighborhood character.

B) Street Character

1. All components of the development shall provide a unified streetscape system that utilizes the same materials, design elements and equipment throughout the redevelopment area. Minor variations are allowed from street to street to create street identity or highlight focal areas of the plan, but the overall design of each street shall still contribute to the neighborhood identity.
2. Development shall provide a street system primarily related to downtown street grid that provides safety and ease of use by vehicular users.
 - a. Public streets shall not have cul-de-sacs or tight winding curves.
 - b. Development shall include human scaled, user friendly elements.
 - c. Development shall provide a streetscape system that is walkable and that proved safety, comfort, and convenience for pedestrians.
3. Development shall create a pedestrian friendly environment along Tuttle and SW 11th Street that provides clear connections between the residential, mixed use and commercial uses.
4. Street cross section configurations shall be as depicted in the approved Conceptual Plan – Sheet 12: Conceptual Street & Alley Sections. Street cross sections may vary where existing or planned utility infrastructure will constrain and/or limit them.

Standards B1, B2, B3 and B4 address street design and transportation. In addition, the Conceptual Plan includes a note that states “any development plan review is subject to providing a traffic impact analysis reviewed by the City Traffic Engineer.” A traffic study has been prepared and reviewed by the City’s Traffic and Transportation Division.

The right-of-way widths shown on the Development Plan for the adjoining segments of Tuttle Street and SW 12th Street comply with the Conceptual Plan. Tuttle Street would include a cycle track along the south side of the street that would feed into the rest of the development as it is built out.

C) Building Character

1. Building exteriors in areas A, B, H, N, O, W, X, Y and Z shall be clad in durable materials such as brick, metal, stone, cement board, etc.
 - a. Exterior insulation systems shall not be used.
 - b. Industrial pre-engineered buildings shall not be allowed.
 - c. Rooftop mechanical equipment shall be enclosed or otherwise screened from public rights of way.

The subject site is identified as an area “B” on the PUD Conceptual Plan. The buildings would include a mix of brick, burnished block, fiber cement board and metal siding. The building frontage along Tuttle Street would consist predominately of masonry with concrete and metal accents. The remaining front facades would consist of a mix of

burnished block and metal panes with limited amounts of fiber cement board. Side and interior facades would consist of burnished block and fiber cement board.

The subject site plan and building elevations will be reviewed by the City's Urban Design Review Board (UDRB) on May 21, 2019. Staff recommends that any approval be subject to the finalized building elevations and materials being approved by the Planning Administrator to allow the design to be modified to account for any comments made by the UDRB.

2. A minimum of 75% of the surface area (exclusive of windows and doors) of facades fronting and perpendicular to a public street must be glass, brick, concrete panels, architectural concrete block (such as split-face or burnished block), architectural metal panels or stone. Fiber cement or wood panels are also acceptable. Vinyl is prohibited.

The proposal complies with this standard, as at least 75% of the front facades would be sided with burnished block, brick and/or metal panels.

D) Building Massing, Placement, Density, Arrangement

1. Detached residential uses on narrow lots shall have minimal side yard setbacks from adjacent structures to promote density and define the edge of the public realm.
2. Attached and Detached Residential: Side and Corner Lots
 - a. Lots with side elevations at alley corners should include enhancements to fenestration and details distinct from side elevations interior to the block.
 - b. Lots with side elevations at block corners, public streets or open spaces should include enhancements to fenestration, details and roof forms or massing distinct from side elevations interior to the block and distinct from alley corner side elevations.

The development would utilize variations in roof type, materials and wall articulation to break the scale of the buildings down and to provide visual interest.

E) Building Height – High Density Residential

1. Minimum height for all uses shall be as follows:
 - I. Three stories for Subareas B, H, N, and O
 - II. Eight stories for Subareas Y and Z.

The subject property is located designated as subarea B. The proposal consists of three-story buildings, which complies with this standard.

F) Building Setbacks

1. For all residential buildings, a maximum setback of 15 feet from the public rights-of-way is permitted unless constrained by utility easements.

The units would set at the front property lines along Tuttle Street and SW 12th Street.

G) Building Entrances

1. High Density Residential – buildings shall have entrances oriented toward primary street(s) and public plaza(s).

Each unit that has street or trail frontage would have its own entrance that faces the street or trail.

H) Building Frontage

1. Building frontage calculations exclude the length of common alleys serving multiple properties, city-mandated planting areas, and utility corridors. In Low-Medium Density Residential areas, pedestrian connections between buildings shall also be excluded from frontage calculations.
2. High Density & Low-Medium Density Residential
 - a. All buildings should have frontage on principal street(s), public plaza, park or greenway of not less than 70 percent of the lot with the following exceptions:
 - i. Frontage is used for plaza space or an existing utility corridor.
 - ii. The curvature of the road precludes efficient frontage along the property line.
 - iii. Where exceptions J.2.a.1 and J.2.a.2 preclude a building from being one foot from the property line, the design of the buildings should seek a similar design intent through building and site design to frame the street/public way and create an engaging pedestrian environment.

The proposed development complies with these standards. More than 70% of each street or trail facing frontage would be occupied by a building.

I) Building Roof Form – High Density Residential

1. All buildings shall have a parapet or flat roof. Tower elements are allowed.

The project is intended to act as a transition from the denser project planned or under construction to the north and east to the two-story rowhouses planned to the south. The building frontage along Tuttle Street would have a parapet roof. The east and west wings and the interior units would have a sloped, shed style roof that would be comparable to the roof types of some of the townhome designs that have been approved for the area to the south. Staff believe that the proposal meets the intent of this standard.

- J) Parking Requirements. Residential areas - streets designated as “local” or “collector” shall include parallel parking as depicted on the approved conceptual development plan.

Each unit would have an attached two-car garage.

K) Public amenities

1. Bicycle and Pedestrian Facilities:
 - a. Development shall provide on-street bike lanes and off-street trails that connect to existing urban system.

Tuttle Street would include a cycle track along the south side of the street that would feed into the rest of the development as it is built out.

2. **Natural 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 PUD Conceptual Plan includes the following language:

"This site is subject to the Tree Removal and Mitigation Ordinance of the City Code. Hubbell Realty Company is entering into a development agreement with the City of Des Moines that outlines a custom approach to tree removal and mitigation for the Gray's Station Planned Unit Development. No tree survey or canopy are method information was submitted for review; this information will be provided with the final development plan."

A tree survey for the entire PUD has been provided and the corresponding ratio of plantings for this phase of the development must be included with this Development Plan.

- 3. Grading & Storm Water Management:** 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.

SUMMARY OF DISCUSSION

Jann Freed noted that the applicant for item #4 has agreed to the staff recommendations. She asked if any members of the audience or the Commission requested to speak regarding moving the item to the consent agenda. None were present or requested to speak.

David Courard-Hauri made a motion to move item #4 to the consent agenda. Motion passed 8-0-1 (Wattier abstained).

Jann Freed asked if any members of the audience or the Commission requested to speak regarding consent agenda item #4. None were present or requested to speak.

COMMISSION ACTION:

Mike Simonson made a motion for approval of the request subject to the following conditions:

1. Compliance with all administrative review comments of the City's Permit and Development Center.
2. 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.
3. All necessary external mechanical equipment shall be roof-mounted and screened on any side that fronts a public street, trail, or green space with materials that are architecturally compatible with the building.
4. All utility meters, transformers, and other utilities shall be placed along internal side or rear facades of the buildings.
5. Review and approval of the finalized building elevations and materials by the City's Planning Administrator.

Motion passed 8-0-1

34A

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael Ludwig". The signature is stylized and cursive.

Michael Ludwig, AICP
Planning Administrator

MGL:tjh
Attachments