



.....
Date August 19, 2019

RESOLUTION HOLDING HEARING ON REQUEST FROM GRASSO PROPERTIES ONE, LLC TO REZONE PROPERTY LOCATED AT 3908 LOWER BEAVER ROAD

WHEREAS, on August 5, 2019, by Roll Call No. 19-1212, the City Council received a communication from the City Plan and Zoning Commission has advised that at a public hearing held on July 15, 2019, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Grasso Properties One, LLC (owner), represented by Steve Grasso (officer), to rezone property located at 3908 Lower Beaver Road ("Property") from "R1-60" One-Family Low-Density Residential District to Limited "R-2" Two-Family Residential District, to allow for demolition of the existing single-family dwelling on the Property and redevelopment with a two-family dwelling, subject to the following conditions:

1. Construction of any dwelling shall be in substantial compliance with the submitted design and materials or of a design equivalent in quality as determined by the Planning Administrator.
2. Exterior material for each dwelling units constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, cement fiber board or other composite materials generally equal in quality to cement fiber board as approved by the Planning Administrator.
3. The front façade of each unit must contain one of the following:
 - a. A front porch of not less than 60 square feet; or
 - b. Stone or brick masonry siding covering at least 1/3 of the façade.
4. All windows and doors on any dwelling shall have trim that is no less than 4 nominal inches in width and shall have pre-hung exterior doors with trim.
5. The roof on each dwelling unit constructed shall be of architectural profile asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
6. A minimum of one street tree per lot frontage that complies with the City's street tree policies. Each tree shall be installed prior to the issuance of a Certificate of Occupancy for the dwelling.
7. Any mechanical equipment shall be located in the rear or side yard of the building.
8. Any unit in a 1- or 2-household dwelling shall be constructed with a minimum of 1,300 square feet of finished floor area.
9. Any dwelling or accessory structure shall be constructed in compliance with all applicable building codes with issuance of all necessary permits by the Permit and Development Center; and

WHEREAS, on August 5, 2019, by Roll Call No. 19-1212, it was duly resolved by the City Council that the application from Grasso Properties One, LLC to rezone the Property be set down for hearing on August 19, 2019 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



Date August 19, 2019

WHEREAS, in accordance with said notice, those interested in said proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property located at 3908 Lower Beaver Road, legally described as:

EXCEPT THE WEST 78 FEET, LOT 66 IN HALLETT ACRES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

from "R1-60" One-Family Low-Density Residential District to Limited "R-2" Two-Family Residential District, to allow for demolition of the existing single-family dwelling on the Property and redevelopment with a two-family dwelling, subject to the conditions set forth above.

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

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed rezoning of the Property to Limited "R-2" Two-Family Residential District, with conditions as set forth above, are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, to Limited "R-2" Two-Family Residential District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to conditions set forth above and subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY _____ TO ADOPT.

FORM APPROVED:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(ZON2019-00116)

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

MOTION CARRIED

APPROVED

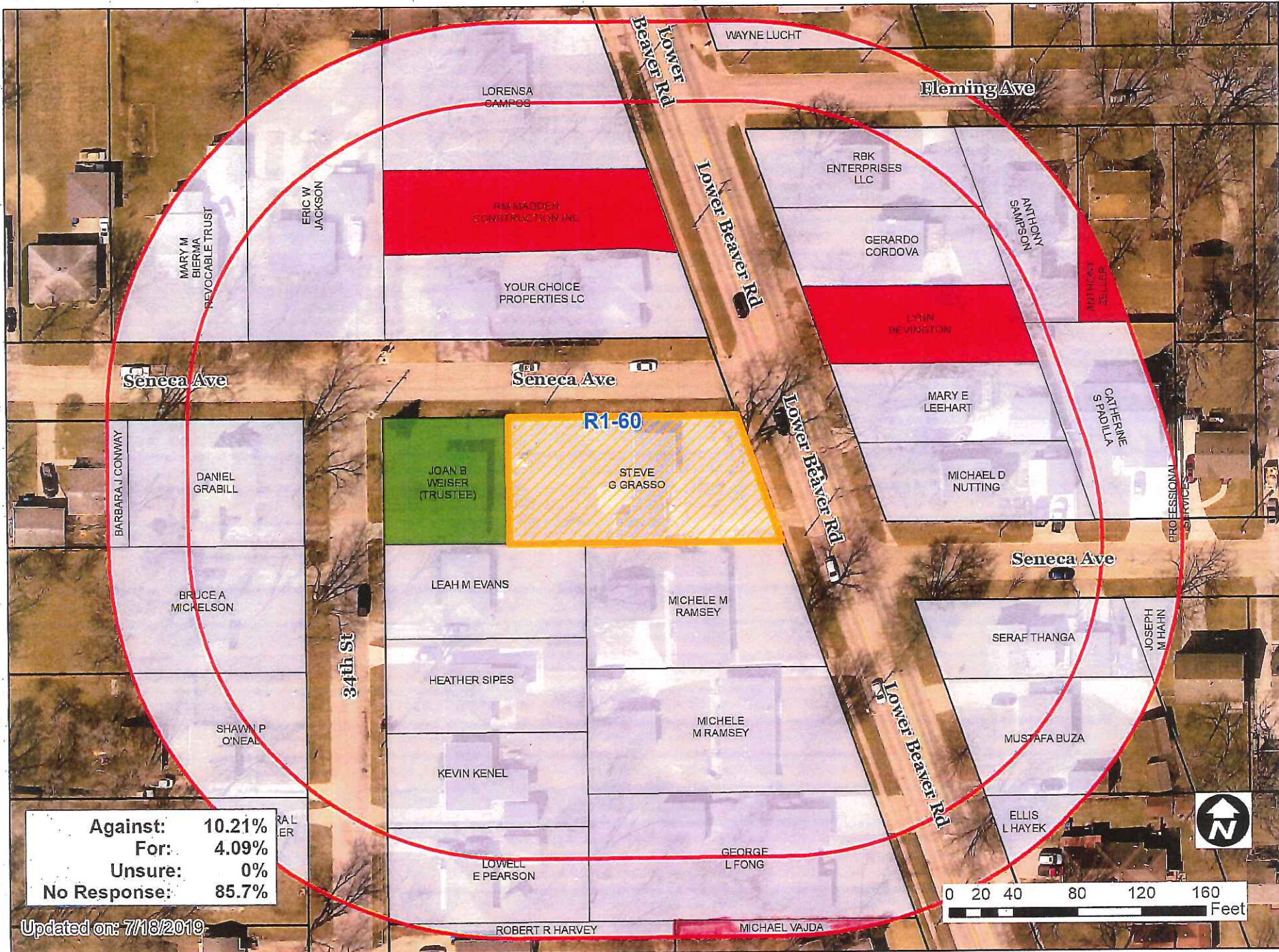
CERTIFICATE

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.

Mayor

City Clerk



53



July 30, 2019

Date _____

Agenda Item 53

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 July 18, 2019 meeting, the following action was taken regarding a request from Grasso Properties One, LLC (owner) represented by Steve Grasso to rezone the property located at 3908 Lower Beaver Road from "R1-60" One-Family Low-Density Residential District to "R-2" Two-Family Residential District to allow for demolition of the existing single-family dwelling and redevelopment with a two-family dwelling.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 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			

APPROVAL of Part A) the Commission find the proposed "R-2" Two-Family Residential District in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation of Low Density Residential, Part B) **APPROVAL** of the proposed rezoning of

property from "R1-60" One-Family Low-Density Residential District to "R-2" Two-Family Residential District subject to the following conditions:

1. Construction of any dwelling shall be in substantial compliance with the submitted design and materials or of a design equivalent in quality as determined by the Planning Administrator.
2. Exterior material for each dwelling units constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, cement fiber board or other composite materials generally equal in quality to cement fiber board as approved by the Planning Administrator.
3. The front façade of each unit must contain one of the following:
 - a. A front porch of not less than 60 square feet; or
 - b. Stone or brick masonry siding covering at least 1/3 of the façade.
4. All windows and doors on any dwelling shall have trim that is no less than 4 nominal inches in width and shall have pre-hung exterior doors with trim.
5. The roof on each dwelling unit constructed shall be of architectural profile asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
6. A minimum of one street tree per lot frontage that complies with the City's street tree policies. Each tree shall be installed prior to the issuance of a Certificate of Occupancy for the dwelling.
7. Any mechanical equipment shall be located in the rear or side yard of the building.
8. Any unit in a 1- or 2-household dwelling shall be constructed with a minimum of 1,300 square feet of finished floor area.
9. Any dwelling or accessory structure shall be constructed in compliance with all applicable building codes with issuance of all necessary permits by the Permit and Development Center.

(ZON2019-00116)

Written Responses

1 in Favor

4 in Opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the Commission find the proposed "R-2" Two-Family Residential District in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation of Low Density Residential.

Part B) Staff recommends approval of the proposed rezoning of property from "R1-60" One-Family Low-Density Residential District to "R-2" Two-Family Residential District subject to the following conditions:

1. Construction of any dwelling shall be in substantial compliance with the submitted design and materials or of a design equivalent in quality as determined by the Planning Administrator.
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STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The subject property contains an existing single-family residence which recently had a tree fall on it. The applicant is proposing to demolish the building and construct a two-family dwelling. The proposed dwelling would provide two private entrances with one each fronting Lower Beaver Road and Seneca Avenue.
2. **Size of Site:** 84.4 feet by 147.8 feet (12,480 square feet or 0.287 acres).
3. **Existing Zoning (site):** "R1-60" One-Family Low-Density Residential District.
4. **Existing Land Use (site):** The subject property contains a single-story structure that was built as a single-family dwelling in that has been used as a rental property.
5. **Adjacent Land Use and Zoning:**

North – “R1-60”; Use is a single-family dwelling.

South – “R1-60”; Uses are a single-family dwelling and a two-family dwelling.

East – “R1-60”; Uses are single-family dwellings and Seneca Avenue right-of-way.

West – “R1-60”; Use is a single-family dwelling.

6. General Neighborhood/Area Land Uses: The subject property is located on the southwest corner of the Lower Beaver Road and Seneca Avenue intersection. The area predominantly consists of one- and two-family dwellings.

7. Applicable Recognized Neighborhood(s): The subject property is in the Lower Beaver Neighborhood. All neighborhoods were notified of the Commission meeting by mailing of the Preliminary Agenda on June 28, 2019. A Final Agenda was mailed to the neighborhood associations on July 12, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on June 28, 2019 (20 days prior to the hearing) to the neighborhood association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Lower Beaver Neighborhood Association notices were mailed to Jeremy R. Geerdes, 4025 Lower Beaver, Des Moines, IA 50310.

8. Relevant Zoning History: None.

9. PlanDSM Creating Our Tomorrow Future Land Use Plan Designation: Low Density Residential.

10. Applicable Regulations: Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, 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. 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.

II. ADDITIONAL APPLICABLE INFORMATION

1. PlanDSM Creating Our Tomorrow Land Use Plan Designation: The subject property is designated as Low Density Residential, which is described as “areas developed with primarily single family and two family residential units with up to 6 dwelling units per net acre.” The proposed two (2) dwelling units on a 0.287-acre parcel represents a net density of 6.98 units per acre. Despite a proposed density that is slightly higher than the maximum range for a low density designation, staff believes the relief conforms with PlanDSM as only one additional unit is proposed and the property is located along a transit corridor with a northbound and southbound bus route and a current bus stop directly in front of the property.

The proposed rezoning is supported by numerous PlanDSM Goals and Policies including:

Land Use Goal 2

Direct new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services, and public amenities.

LU15: Prioritize development and redevelopment in areas with existing infrastructure and properties included in adopted Urban Renewal Plans.

Land Use Goal 4

Continue to embrace the distinct character of Des Moines' neighborhoods while allowing for new development and redevelopment.

LU23: Create opportunities for a mixture of land uses within neighborhoods including mixed use centers, diverse housing products, recreational opportunities, public spaces, and schools.

LU25: Require new development and redevelopment to be compatible with the existing neighborhood character.

LU26: Strengthen the walkability and connectivity within and between neighborhoods focusing on completing and connecting the sidewalk network.

Housing Goal 1

Provide a diversity of housing options to accommodate residents of all ages, income levels, household sizes, and cultural backgrounds.

H1: Ensure an adequate supply of housing through a mix of new development, infill development, and redevelopment of existing properties.

H3: Achieve a balanced mix of subsidized rental housing, income restricted, and market rate rentals in all neighborhoods and across the city.

Housing Goal 3

Promote sustainable housing development that utilizes existing resources and supports compact, walkable, and bikeable neighborhoods.

H17: Encourage the use of existing public infrastructure by focusing housing development on infill, vacant, and under-developed land.

H20: Prioritize housing development at an increased density in locations that are close to public transit, shopping, public amenities, schools, and open spaces.

Community Character and Neighborhood Goal 1

Embrace the distinct character offered in each of Des Moines' neighborhoods.

CCN2: Ensure a diverse mix of housing types, styles, scales, density, and affordability that complement existing neighborhood character.

- 2. Site Plan Requirements:** Two-family and single-family dwellings are not subject to site plan review.

3. **Site Access and Parking:** The Zoning Ordinance requires one off-street parking space per dwelling unit for two-family and single-family dwellings. The two required parking spaces for the proposed two-family dwelling must be located outside of the front yard. The proposed site sketch indicates that each unit will have a separate attached two-car garage outside the front yard setback with one each fronting Lower Beaver Road and Seneca Avenue.

The proposed site sketch indicates that a new sidewalk would be installed along the Seneca Avenue frontage.

SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendation.

Francis Boggus asked what the point of difference was between staff and the property owner.

Jason Van Essen stated he wasn't aware of any but staff did receive response cards showing opposition. Staff didn't recommend it as a consent item.

Steve Grasso 5637 Rittger's Court, Johnston, stated they are in complete agreement with staff recommendations and they ask for the commission's approval tonight.

CHAIRPERSON OPENED THE PUBLIC HEARING

No member of the audience requested to speak regarding this item.

COMMISSION ACTION:

Greg Jones made a motion for **APPROVAL** of Part A) the Commission find the proposed "R-2" Two-Family Residential District in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation of Low Density Residential, Part B) **APPROVAL** of the proposed rezoning of property from "R1-60" One-Family Low-Density Residential District to "R-2" Two-Family Residential District subject to the following conditions:

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Motion Carried: 13-0

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael Ludwig".

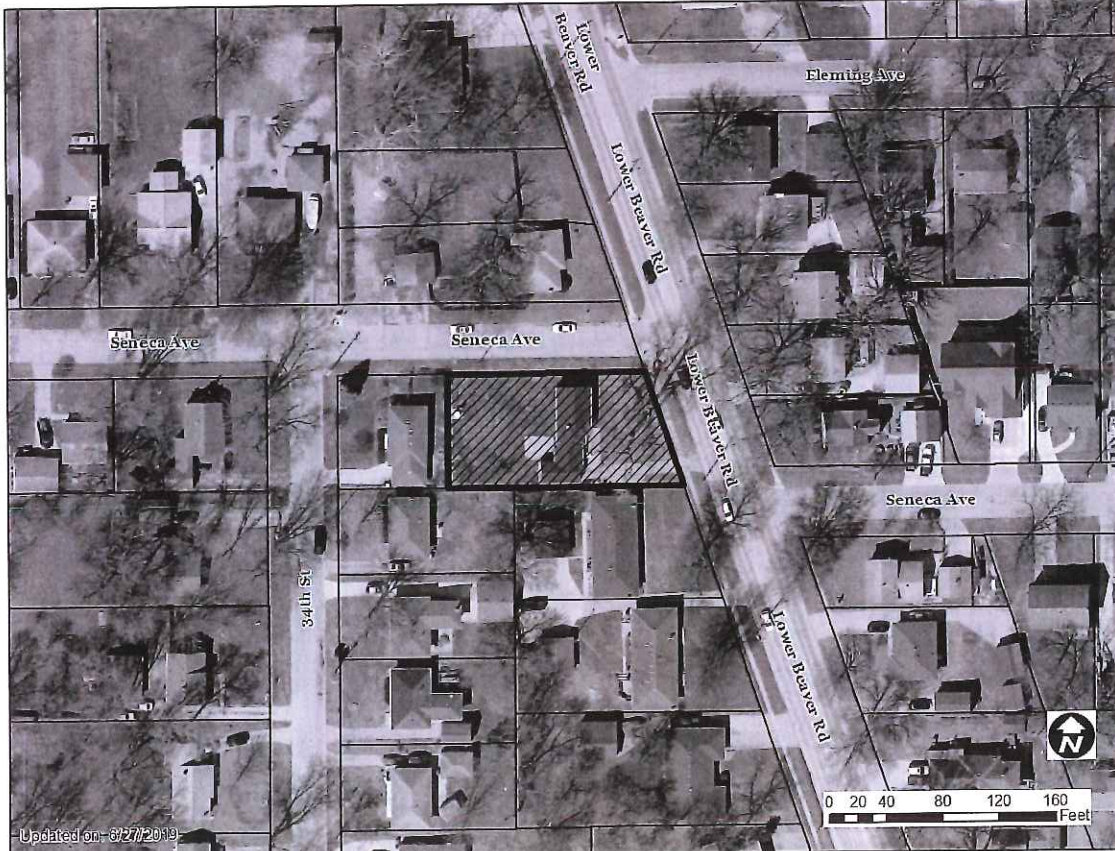
Michael Ludwig, AICP
Planning Administrator

MGL:tjh

Grasso Properties One, LLC (owner) represented by Steve Grasso for property located at 3908 Lower Beaver Road.		File # ZON2019-00116		
Description of Action	Rezone property from "R1-60" One-Family Low-Density Residential District to "R-2" Two-Family Residential District to allow for demolition of the existing single-family dwelling and redevelopment with a two-family dwelling.			
PlanDSM Future Land Use	Current: Low Density Residential. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	"R1-60" One-Family Low-Density Residential District and "FSO" Freestanding Signs Overlay District.			
Proposed Zoning District	"R-2" Two-Family Residential District and "FSO" Freestanding Signs Overlay District.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Outside Area (200 feet)	1	4		
Within Subject Property				
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes
	Denial			No

Grasso Properties One, LLC, 3908 Lower Beaver Road

ZON2019-00116



1 inch = 80 feet

Item ZON2019-00110

Date 07/15/19

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

(Circle One)

Print Name Anthony Zeller

Signature [Signature]

Address 3224 Fleming Ave

RECEIVED
COMMUNITY DEVELOPMENT

JUL 18 2019

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

I do not want to open this community to multi-family rental properties.

Item ZON2019-00116

Date 7-15-19

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

(Circle One)

Print Name Michael Madden

Signature [Signature]

Address 3916 Lower Beaver

RECEIVED
COMMUNITY DEVELOPMENT

JUL 18 2019

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

We are building a new single family dwelling and are worried that a duplex built even closer would hurt the value of the home.

Item ZON2019-00116

Date 7-11-19

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

(Circle One)

Print Name Lynn Derington

Signature 3909 Lower Beaver

Address [Signature]

RECEIVED
COMMUNITY DEVELOPMENT

JUL 15 2019

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

It will drive down property value. It will add more driveways/traffic access from my home.

Item ZON2019-00116

Date 7/16/19

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

JUL 18 2019

Print Name JOAN B. WEISER

Signature Joan B. Weiser

Address 3907 34th St.

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

The house already there is not in good shape.
There is plenty of room for double garage.
It will be good for the tax base.
We need more housing in D.M.

Item ZON2019-00116

Date July 16, 2019

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

(Circle One)

Print Name MIKE VADDA

Signature [Signature]

Address 3846 Lower Beaver Road

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

TWO MANY RENTALS & OR
DUPLEXES ON THIS STREET.

IF ~~NOT~~ THEY LIVED IN IT FOR 5
YEARS ALSO, I WOULDNT CHANGE MY
MIND.

07

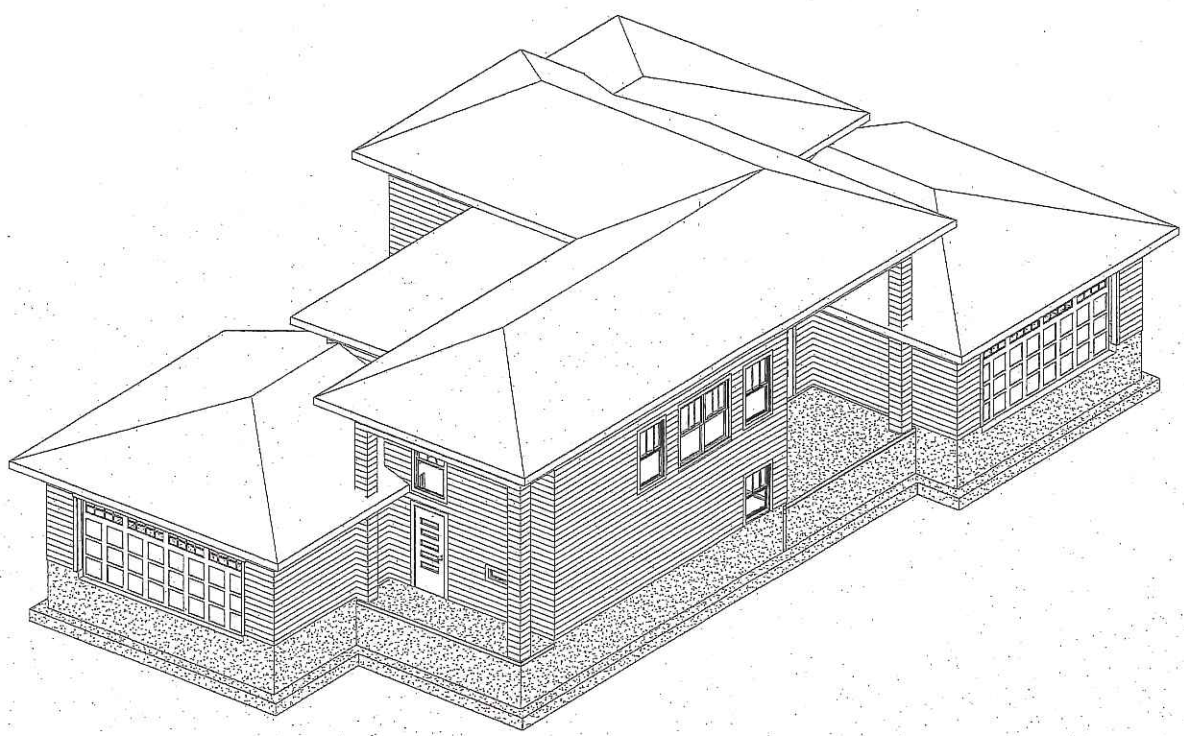
55

A B C D E

1

3908 Lower Beaver Rd. Des Moines, IA 50310

2



3

4



Client
 Gussie Properties -
 5675 Ritzgers Ct.
 Johnston, IA, 50131

Project
 3908 Lower Beaver Rd.
 Des Moines, IA, 50310

General Contractor
 GTG Construction, LLC
 6505 Merle Hay Road
 Johnston, IA 50131
 515-288-8178

Architect
 GTG Architects, LLC
 6505 Merle Hay Road
 Johnston, IA 50131
 515-288-8178

Date	Description
08/10/2019	REVIEW SET

GTG A/Job # Project Number
 GTG C/Job # 190028

COVER SHEET

CS

6/29/2019 10:28:26 AM

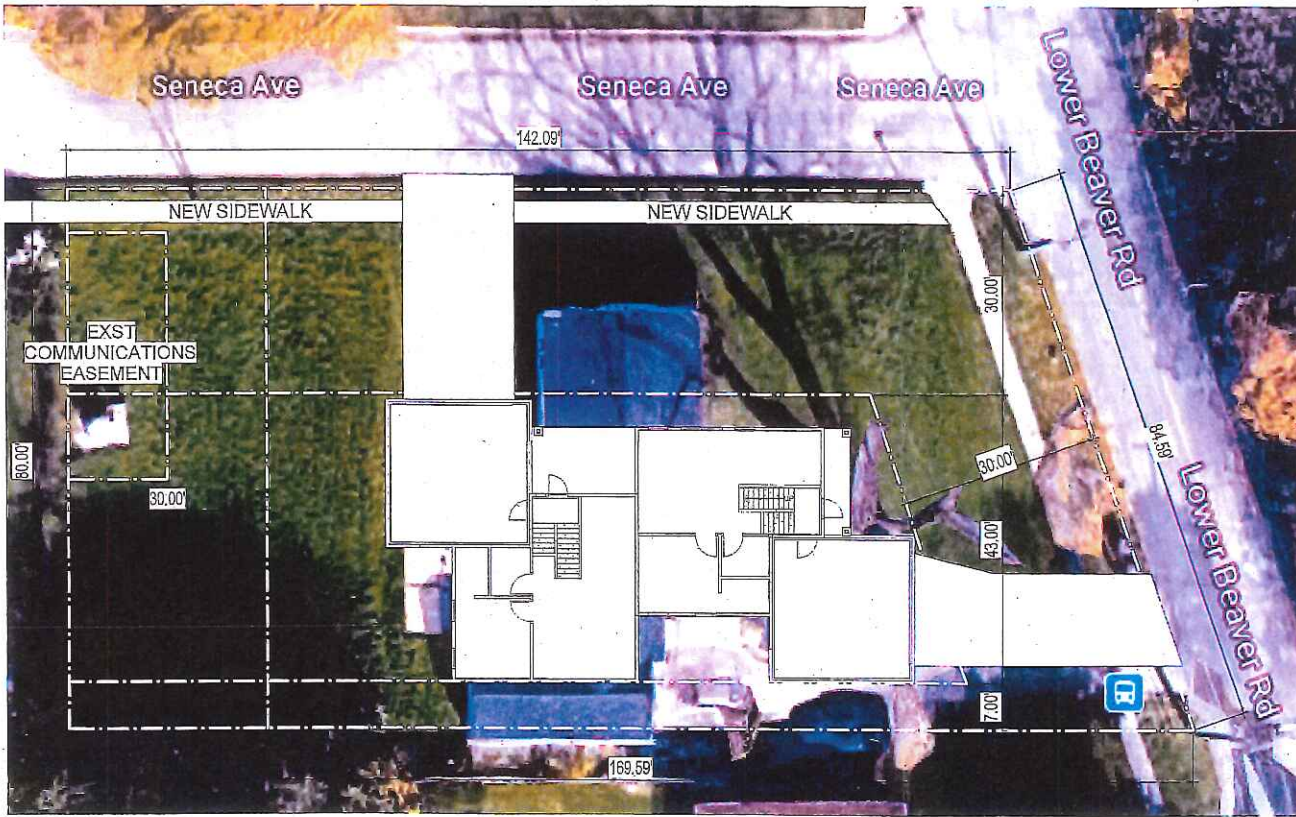
A B C D E

1

2

3

4



Client
Grasso Properties
6507 Rutledge Ct.
Johnston, IA, 50131

Project
3908 Lower Beaver Rd.
Des Moines, IA, 50310

General Contractor
GTG Construction, LLC
6505 Merle Hay Road
Johnston, IA 50131
515-258-8178

Architect
GTG Architects, LLC
6505 Merle Hay Road
Johnston, IA 50131
515-258-8178

Date	Description
06/19/2019	REVISED

GTG A Job # Project Number
GTG C Job # 19008

SITE PLAN

AS100

ARCHITECTURAL SITE PLAN
1/8" = 1'-0"
REF'D FRM: A200

6/19/2019 10:00 AM

A

B

C

D

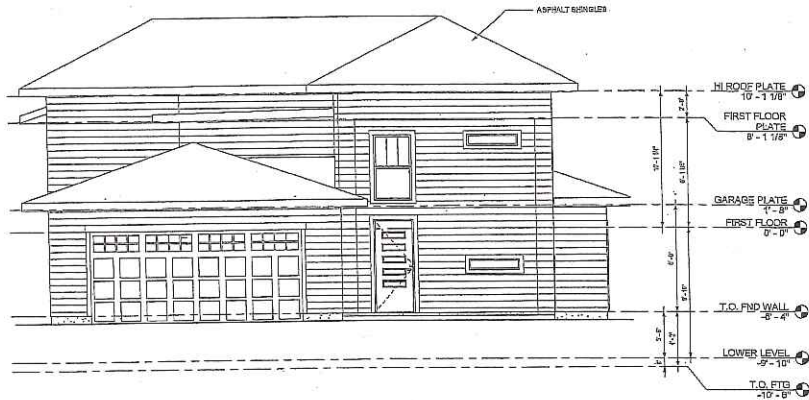
E

1

2

3

4



A1 EAST ELEVATION
 1/8" = 1'-0" REFD FROM A101

ELEVATION NOTES:

1. SIDING
 - A. 8" PREFINISHED FIBER CEMENT SIDING
2. SIDING CORNERS
 - A. OUTSIDE CORNERS 5/4 X 6 CORNER POSTS
 - B. INSIDE CORNERS 2 X 2
3. FASCIA, SOFFIT & FRIEZE BOARD
 - A. FASCIA - 2X6 PINE, WRAPPED W/ ALUMINUM
 - B. SOFFIT - CEMENT BOARD, VENTED.
 - C. FRIEZE BOARD - 2X6 PINE
 - D. RAKES - 2X6 PINE, WRAPPED W/ ALUMINUM
4. GARAGE DOOR TRIM
 - 2X6 PINE JAMBS WRAPPED WITH ALUMINUM
5. WINDOWS & DOORS
 - A. 3.6" TRIM
 - B. CRESTLINE SELECT 330
 - C. AN GLASS WINDOW MUST SATISFY ALL FOUR INTERNATIONAL RESIDENTIAL CODE (IRC) CRITERIA:
 - MIN. WIDTH OF OPENING: 30 IN.
 - MIN. HEIGHT OF OPENING: 24 IN.
 - MIN. NET CLEAR OPENING: 3.7 SQ. FT. (5.0 SQ. FT. FOR GROUND FLOOR)
 - MAX. SILL HEIGHT ABOVE FLOOR: 44 IN.



A2 SOUTH ELEVATION
 1/8" = 1'-0" REFD FROM A101



Client
 Grasso Properties
 5527 Ridgeway Ct.
 Johnstone, IA, 52031

Project
 3908 Lower Beaver Rd.
 Des Moines, IA, 50310



General Contractor
 GTG Construction, LLC
 6905 Merle Hay Road
 Johnston, IA, 50131
 515-539-8178



Architect
 GTG Architects, LLC
 6505 Merle Hay Road
 Johnston, IA, 50131
 515-539-8178

Date	Description
06/19/2019	REVIEW SET

GTG A Job # Project Number
 GTG C Job # 1900058

ELEVATIONS

A200

6/19/2019 10:00 AM



Creative Building Solutions That Work

Client
 Ocaso Properties
 857 Rutgers Ct.
 Johnson, IA, 50131

Project
 3900 Lower Beaver Rd.
 Peoria, IA, 51603

General Contractor
 GTG Construction, LLC
 505 Main Street
 Peoria, IA 51603
 515-252-8178

Architect
 GTG Architects, LLC
 505 Main Street
 Peoria, IA 51603
 515-252-8178



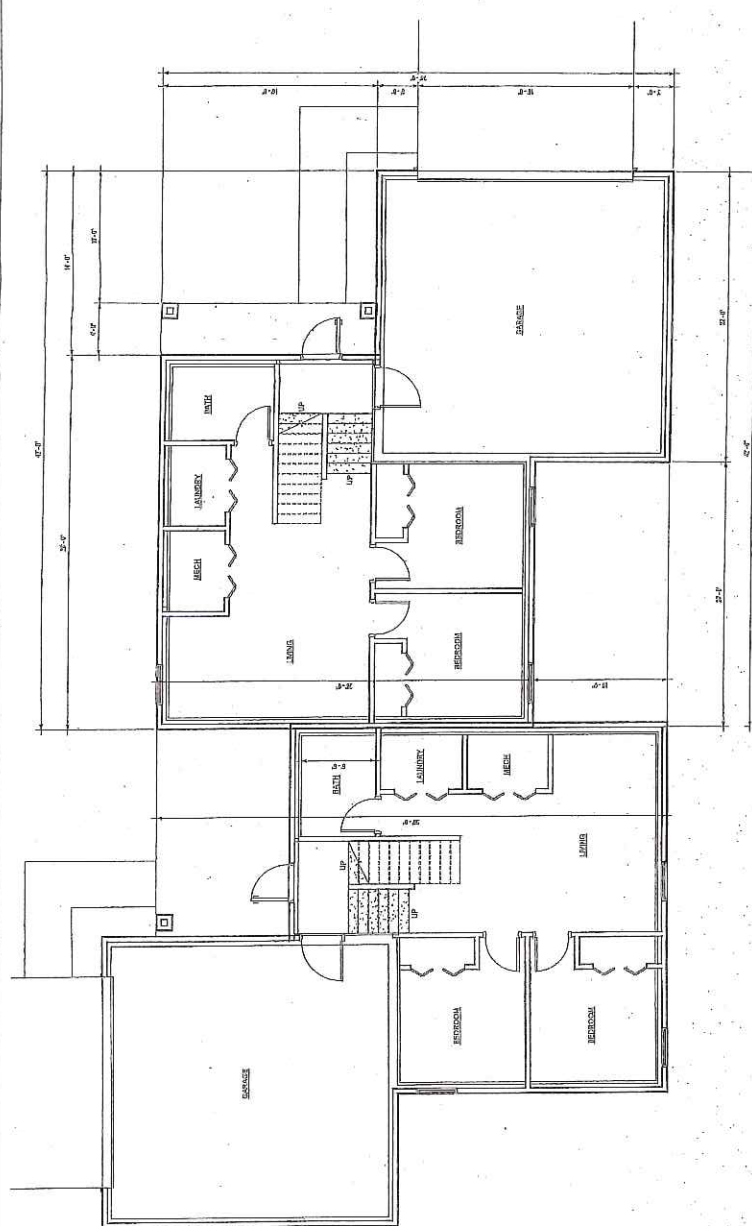
Date	Description
06/10/2010	REVISION SET

GTG A Job # 100568
 GTG C Job # 100568

LOWER LEVEL

A100

A B C D E



LOWER LEVEL
 10/10/09
 10/10/09

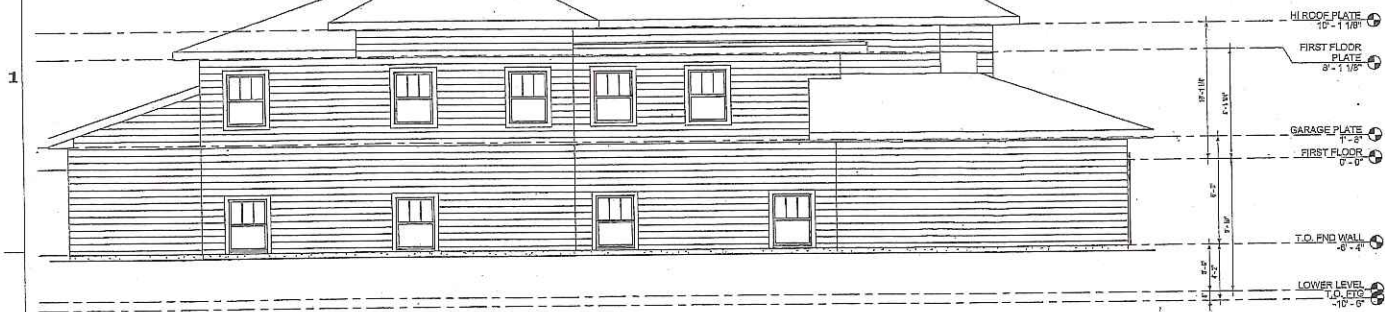
A

B

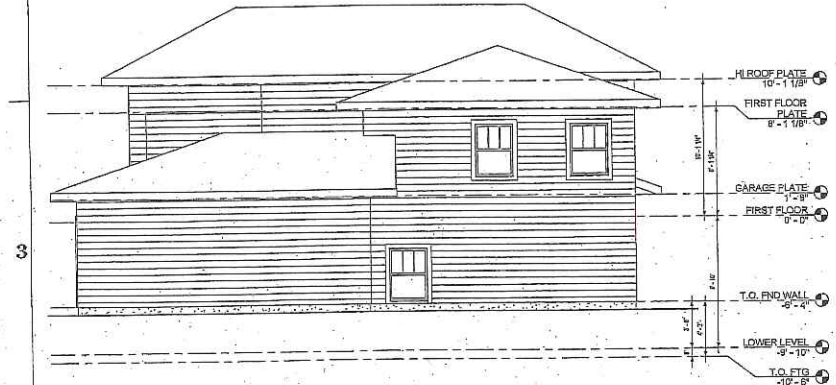
C

D

E



A1 NORTH ELEVATION
1/4" = 1'-0" REFD FRG: A101



A2 WEST ELEVATION
1/4" = 1'-0" REFD FRG: A101

ELEVATION NOTES:

1. SIDING
A. 8" PREFINISHED FIBER CEMENT SIDING
2. SIDING CORNERS
A. OUTSIDE CORNERS 5/4 X 6 CORNER POSTS
B. INSIDE CORNERS 2 X 2
3. FASCIA, SOFFIT & FRIEZE BOARD
A. FASCIA - 2X8 PINE WRAPPED W/ ALUMINUM
B. SOFFIT - CEMENT BOARD, VENTED.
C. FRIEZE BOARD - 2X8 PINE
D. RAKES - 2X8 PINE, WRAPPED W/ ALUMINUM
4. GARAGE DOOR TRIM
2X8 PINE JAMBS WRAPPED WITH ALUMINUM
5. WINDOWS & DOORS
A. 3/4" TRIM
B. CRESTLINE SELECT 350
C. AN EGRESS WINDOW MUST SATISFY ALL FOUR INTERNATIONAL RESIDENTIAL CODE (IRC) CRITERIA:
MIN. WIDTH OF OPENING: 20 IN.
MIN. HEIGHT OF OPENING: 24 IN.
MIN. NET CLEAR OPENING: 5.7 SQ. FT. (5.0 SQ. FT. FOR GROUND FLOOR)
MAX. SILL HEIGHT ABOVE FLOOR: 44 IN.



Client
Cress Properties
567 Ellinger Dr.
Johnston, IA, 50131

Project
3903 Lower Beaver Rd.
Des Moines, IA, 50319

General Contractor
GTG Construction, LLC
6605 Merle Ray Road
Johnston, IA 50131
515-528-8178

Architect
GTG Architects, LLC
6605 Merle Ray Road
Johnston, IA 50131
515-528-8178

Date	Description
06/19/2019	REVIEW SET

GTG A Job # Project Number
GTG C Job # 190058

ELEVATIONS

A201

6/19/2019 10:56:00 AM