

CITY OF DES MOINES PLAN & ZONING COMMISSION
STAFF REPORT AND RECOMMENDATION
Thursday, February 15, 2007

AGENDA ITEMS #2A - #2C

21-2006-4.21 & ZON2006-00190

Applicant: Rice Development Partners, LLC (purchaser) represented by Adam Van Dyke (agent).

Location: 3001 Beaver Avenue.

Requested Action: A) Amend the Des Moines' 2020 Community Character Plan future land use designation from Public/Semi-Public to Commercial: Pedestrian-Oriented, Neighborhood Node and Low/Medium Density Residential. (21-2006-4.21)

B) Determination as to whether the proposed rezoning is in conformance with the Des Moines' 2020 Community Character Plan's future land use designation.

C) Rezone property from "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development District and approval of the "Rice Development P.U.D." Concept Plan for a mixed-use commercial and residential development. (ZON2006-00190)

I. GENERAL INFORMATION

- 1. Purpose of Request:** Approval of the proposed rezoning and PUD Concept Plan would allow redevelopment of the site with two mixed-use structures framing a pedestrian plaza at the corner of Beaver and Adams Avenues, 7 row house residential units fronting Beaver Avenue, and 18 single-family bi-attached residential townhome units. The Concept Plan provides an off-street parking lot to the rear of the mixed-use structures with approximately 68 stalls to serve the 15,810 square feet of commercial space and underground parking with 24 stalls to serve the apartments above the commercial space. The Concept Plan indicates the second floor of the structure fronting Adams Avenue may be used for office space, reducing the number of apartments on the site.

The Concept Plan states the permitted commercial uses on the site would be limited to those permitted in the "C-1" Neighborhood Retail Commercial District, except gas stations, boarding houses, shelters for the homeless, and financial service centers that provide check cashing and loans secured by postdated check or payroll guarantee as their primary activity. Package goods stores for the sale of alcoholic beverages will not be permitted, except for the sale of alcohol specifically related to the wine industry. The plan also states that restaurant use would be limited to no more than 50% of the retail square feet.

- 2. Size of Site:** 5.022 acres.

- 3. Existing Zoning (site):** "R1-60" One-Family Low-Density Residential District.

4. **Existing Land Use (site):** Since the demolition of Rice Elementary School in 2000, the undeveloped site has functioned as open space used for recreational purposes with a 28-stall off-street parking lot.

5. **Adjacent Land Use and Zoning:**

North – “R1-60”, Uses include eight single-family residential properties.

South – “C-0”, Uses include Adams Avenue and a 3-story, 42-unit apartment building for senior citizens.

East – “R1-60”. Uses include eight single-family residential properties.

West – “R1-60”, Uses include Beaver Avenue, five single-family dwellings, one 3-unit multiple-family residential structure, and Holy Trinity Catholic Church & School.

6. **General Neighborhood/Area Land Uses:** The subject property is located on the east side of Beaver Avenue just north of Adams Avenue. The site is located just north of the Beaverdale Neighborhood commercial node at the intersection of Beaver Avenue and Urbandale Avenue. The site is surrounded by primarily low-density residential uses to the north and east.
7. **Applicable Recognized Neighborhood:** Beaverdale Neighborhood.
8. **Relevant Zoning History:** N/A.
9. **2020 Community Character Land Use Plan Designation:** Public/Semi-Public.
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. 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 Concept 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 Concept 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. Drainage/Grading:** Stormwater on the site is currently discharged onto Wallace Lane through a pipe within an 8'-wide parcel containing a pedestrian connection between the site and Wallace Lane. There is no storm sewer within Wallace Lane right-of-way. The City's Engineering staff has indicated that redevelopment of the site cannot cause an increase in the rate that water is discharged onto Wallace Lane. Thus, continuing to outlet water onto Wallace Lane would require substantial stormwater retention measures on the site. The existing storm sewer within adjoining Adams Avenue is already near capacity so any discharge to it would also have to be at a minimal rate. Documents submitted by the applicant indicate that stormwater from the development will likely be directed to an existing storm sewer within 40th Place right-of-way approximately one half block east of the site. This would require installation of a new 8" pipe under Wallace Lane to the existing storm within 40th Place right-of-way at the developer's expense. However, staff believes that providing this method of stormwater management should be a condition of approval.

Conservation design was explored for the site. However, existing soil conditions prevent this method from being feasible, as an impervious layer of clay was found that prevents groundwater recharge.

Any grading of the site is subject to issuance of a grading permit from the Permit and Development Center.

- 2. Utilities:** The Concept Plan states that sanitary sewer for the development will be directed to the existing 10" main within Wallace Lane right-of-way. There is an existing 6" main between the site and Wallace Lane. However, the condition of this line remains unknown. The developer has two options for reaching the Wallace Lane sewer: 1) Install clean outs on the existing 6" main as required by plumbing code for a private service and having a homeowner's association be responsible for maintenance, or 2) Bore a steel casing pipe for a new 8" sewer in the same location as the existing private service and construct a manhole over the 10" sewer in Wallace Lane.

The Concept Plan provides a 30'-wide easement for the sanitary sewer running diagonally across the southwest corner of the site. The City's Engineering staff has indicated that the mixed-use structure oriented toward Beaver Avenue can be within 10' of this sewer since its foundation and underground parking will extend below the sewer depth. The mixed-use structure oriented toward Adams Avenue must be setback 15' from the sewer. The Concept Plan satisfies these requirements. Engineering staff has indicated that the City will televise the diagonal sewer before

construction to determine if there are any existing problems with the sewer so long as the developer re-televises the sewer after the construction to document that no damage has occurred during construction.

- 3. Landscaping & Buffering:** The Concept Plan states that all off-street parking lots will be landscaped and screened in accordance with the landscaping standards as applicable to the "C-1" District. The Concept Plan demonstrates substantial landscaping around the perimeter of the parking lots and on landscape islands within the parking lot.

The Concept Plan provides 6'-tall screen fence at the east end of the east/west access drive across the site in order to screen headlights from the adjoining properties. A note should be added to state that this fence would be 100% opaque and constructed with wood materials.

The proposed development would require the removal of 9 existing overstory trees within the southern portion of the site and 6 existing overstory trees within the northeastern portion of the site. The loss of these trees would be mitigated by the landscaping of the site, which would include at least 42 overstory trees, 38 understory trees, and 25 evergreen trees.

In order to better integrate the development with the adjoining residential neighborhood, the Concept Plan includes a landscape buffer rather than a fence along the north and east perimeter of the site. The landscape buffer includes a mix of overstory, understory, and evergreen trees. The majority of the adjoining residential properties already have fencing along the property line adjoining the subject property.

- 4. Traffic/Street System:** The Traffic and Transportation Division staff has indicated that adjoining street grid can accommodate the traffic generated by the proposed development. Traffic and Transportation staff concurs with a traffic analysis submitted by Cooper Crawford Associates that states traffic impacts would be minimal. The proposed development is expected to generate a maximum of 940 trips per day, based on 100% occupancy of all of the development. The mixed-use nature of the development would most likely result in a significant reduction in the number of vehicle trips generated, as some of the trips would be "internal" trips that don't cause a vehicle trip on the street system.

Traffic counts obtained in 2004 show that adjoining Beaver Avenue carries 13,300 cars per day. The City's Traffic and Transportation Division staff estimate that the maximum daily capacity is 18,000, indicating that Beaver Avenue can accommodate the traffic generated by the development.

The traffic analysis submitted by the developer indicates that the development would cause a maximum traffic increase of about 7% on Beaver Avenue, which would have

only a minor impact to traffic. However, this traffic would be split, with some traffic using Beaver north of the site and some using Beaver to the south. Based on a 60% maximum directional split, the maximum increase to traffic for any section of Beaver Avenue would be approximately 4.2%. Considering the mixed-use character of the development and somewhat less than 100% occupancy at any given time, it is much more likely that the actual increase to traffic on any section of Beaver Avenue would be about 3%, which would not cause any significant increase in traffic congestion or accident potential.

Traffic and Transportation Division staff also believes that the number and spacing of the two driveways is appropriate to provide good access and circulation and to minimize any congestion or safety concerns. The two separate driveways would allow vehicles to utilize two different paths to and from the site, which would minimize the traffic volumes and any delays or congestion at any single point. The arrangement of parking, both internal and on-street, is also appropriate for a development of this mixed-use character. In addition, the configuration of sidewalks and other pedestrian features will provide good pedestrian access and circulation, both internal and external to this development site.

5. **Access or Parking:** The Concept Plan proposes 14 parallel parking stalls on the east side of Beaver and Avenue and 5 parallel parking stalls on the north side of Adams Avenue. The developer would be responsible for all costs associated with construction of these parking stalls even though they would be within public right-of-way. In order to accommodate the on-street parking, the Plan proposes to shift the sidewalks along Beaver and Adams Avenues onto the site. The Concept Plan provides a 5'-wide public access easement for these sidewalks.

The site would be accessed by one driveway approach from Beaver Avenue and one driveway approach from Adams Avenue. The residential units would be accessed by private, 20'-wide access drives.

The Concept Plan provides an off-street parking lot to the rear of the mixed-use structures with approximately 68 stalls to serve the commercial space and underground parking with 24 stalls to serve 30 apartments above the commercial space.

Each townhouse and row house dwelling unit would have an attached garage and space for additional parking between the garage and the access drive. Row house dwelling units facing Beaver Avenue have tuck under garages accessed from the rear of the structures.

In addition to the sidewalks along Beaver Avenue and Adams Avenue, the Concept Plan provides multiple pedestrian connections on the site and maintaining the sidewalk connection to Wallace Lane within an existing 8'-wide parcel between the site and Wallace Lane.

- 6. 2020 Community Character Plan:** The subject property is currently designated as Public/Semi-Public, as the site previously contained Rice Elementary School. The applicant is proposing that the southern portion of the site containing the mixed-use structures and parking lot be designated as Commercial: Pedestrian-Oriented Neighborhood Node, which allows for small-scale commercial development serving primarily the adjacent neighborhood with up to 50,000 square feet of commercial space. Developments in this classification should serve the needs of both the pedestrian and the motorist. Staff believes that the commercial portion of the proposed development is in conformance with the Commercial: Pedestrian-Oriented Neighborhood Node, as the development is compact and provides pedestrian connections to adjacent areas via sidewalks. Staff further believes that the requested Commercial: Pedestrian-Oriented, Neighborhood Node is appropriate, given its location along the Beaver Avenue corridor just north of the Beavertown Neighborhood commercial node at the intersection of Beaver Avenue and Urbandale Avenue.

The applicant is proposing that the northern portion of the site containing the row house and single-family bi-attached dwelling units be designated as Low/Medium Density Residential. This designation allows a mix of single-family duplex, and small multiple-family units, with a net density of up to 12 units per acre. Staff believes that the residential portion of the proposed development is in conformance with the Low/Medium Density Residential classification. Staff further believes that the requested Low/Medium Density Residential designation is appropriate in that it provides a transition between the proposed commercial uses and the adjoining single-family residential neighborhood.

The proposed maximum 55 dwelling units (7 row house units, 18 bi-attached townhome units and up to 30 apartment units) represents a net density of 10.95 dwelling units per acre for the 5.022-acre site.

The 2020 Community Character Plan suggests that commercial nodes should preserve the character of the neighborhood. Staff believes that the proposed site design compliments the surrounding neighborhood, as the commercial structures would frame the street, much like the existing commercial structures south of the site near the intersection of Beaver and Urbandale Avenues.

Another goal outlined in the 2020 Community Character Plan's goals is to "humanize" auto-strips with human scale elements. The proposed Concept Plan achieves this by creating a pedestrian-friendly commercial node with a public plaza along Beaver Avenue. Constructing the structures with minimal front yard setbacks along Beaver Avenue also promotes a pedestrian-friendly environment.

The 2020 Community Character Plan suggests that garage placement on lots should be consistent with the predominant character of the neighborhood. In areas in which

garages are less prominent than houses, garages should be placed in the rear yard or recessed from the front of the house. The character of the neighborhood is that garages are located in the rear yards. Staff believes that the Concept Plan satisfies this objective, as all dwelling units fronting public streets have garages accessed from the rear. Furthermore, the parking lot for the mixed-use structures is located internal to the site behind the buildings and underground. While many of the single-family bi-attached units will likely have prominent garages, these will not generally be in view from the public right-of-way.

The 2020 Community Character Plan also designates Beaver Avenue as both a Design Integrity Corridor and a Residential Protection Corridor. The plan states that requests for increasing density should ensure that medium or high-density residential developments along corridors should be clustered and that support services are within walking distance. Staff believes that the proposed Conceptual Plan achieves these goals, as the higher density portion of the PUD is clustered near the pedestrian-oriented commercial area. The Concept Plan adequately protects surrounding residential uses, as it proposes to buffer the higher intensity development from the adjoining single-family residential uses with the low/medium-density bi-attached townhome units.

The 2020 Community Character Plan indicates that the subject property is located in an area that was originally developed with Revival/Neoclassical architecture, which includes a mix of Tudor, Spanish Revival, Dutch Revival, and Colonial Revival. Characteristics of such include roof ridge parallel to the street broken by steep gables, use of brick, concentration of detail at doors and windows, and placement of garages behind the dwellings. Staff believes that the submitted elevations of the row houses and mixed-use structures demonstrate that the structures would protect the architectural character of the Beaver Avenue Corridor. Furthermore, the conceptual photographs for the single-family bi-attached dwellings also demonstrate that these structures would complement the architectural character of the surrounding neighborhood. These architectural elements will be reviewed in detail when the Final Development Plan is submitted.

The Beaverdale Neighborhood Action Plan approved by the City Council in 1991 simply designated the subject property for public/semi-public use since the site contained Rice Elementary School at the time. The Plan called for strategies to promote commercial growth and improve existing commercial areas while discouraging strip commercial expansion into the residential areas. While the proposed Concept Plan does extend commercial structures along Adams Avenue, the structure extends only 175' east of Beaver Avenue. Furthermore, this structure would be directly across Adams Avenue from a 3-story multiple-family residential complex.

- 7. Urban Design:** The Concept Plan provides elevations of the two mixed-use structures with commercial on the main level and residential above. The three-story

structure oriented toward Beaver Avenue would have a maximum height of 50'. The surrounding "R1-60" District would allow building heights up to 35'. The Beaver Avenue right-of-way is 66'-wide and the structures on the west side are required to maintain a minimum 30' front yard setback. The main level and the ends would be sided with brick, while the balance would be EIFS and metal panels. Fabric canopies are provided above the windows of the main level, with space for wall-mounted signage above. The Concept Plan provides a note stating all mechanical screening would be incorporated in to the building architecture.

The two-story structure oriented toward Adams Avenue would have a maximum height of 38', which would be comparable to the height of the multiple-family residential structure across Adams Avenue to the south. The elevations demonstrate that this building would be predominantly brick with cement board trim and asphalt shingles. A label must be added to the elevations on Sheet 4 to clarify that the predominant building material is in fact brick. The Concept Plan provides a note stating all mechanical screening would be incorporated in to the building architecture.

The concept plan provides that the row houses fronting Beaver Avenue would be within two separate buildings. The north building would have three units and the south building would have four units. Each unit would have a tuck under garage accessed from the (east) rear of the structure. The structures would be comprised of brick on the front. The sides and rear would be brick on the main level and EIFS or cement board siding on the upper level. The garage level would be textured concrete block or stucco. Each unit would have a gabled roof with asphalt shingles with pre-finished metal coping cap. The maximum height would be 32', which is less than the maximum height of 35' permitted in the surrounding "R1-60" District.

The Concept Plan does not provide specific elevations for the single-family bi-attached structures. Instead, conceptual photographs are provided that show a mix of Tutor and Beaverdale Brick dwellings. The Concept Plan include a note stating that these units will be developed in such a way as to blend into the existing Beaverdale Neighborhood fabric and that at least 75% of the primary exterior material shall consist of a combination of brick, architectural concrete panels, EIFS, architectural metal panels, textured concrete block, cement board siding, stone panels, or architectural steel. The Plan also states that wood, masonite, aluminum, steel, or vinyl siding can only be used as trim. Staff recommends that these dwellings be limited to 1 to 1-½ stories and be sided predominantly with brick to complement the existing architectural characteristics of the surrounding Beaverdale Neighborhood that includes a significant number of Beaverdale Brick-style dwellings.

The Concept Plan indicates that the development will have two monument signs along Beaver Avenue and one along Adams Avenue. These are intended to match the character of the development and will be constructed with materials to match the development. In order to protect the adjoining residential properties, staff

recommends adding notes stating the base of the monument signs will be constructed with masonry to match the development and that lighting for the signs will be indirect or downward (not internally illuminated) and shall not operate between the hours of 10pm and 6am. The Concept Plan provides a note that wall-mounted signage on the mixed-use structures for the commercial tenants will be in accordance with the standards as applicable in the "C-1" Neighborhood Retail Commercial District.

The Concept Plan provides two dumpster enclosures to be located in the parking lot to the rear of the commercial structures. The Plan indicates that these will be designed to blend in with the development and will borrow architectural elements from the commercial buildings using masonry walls and steel gates.

8. **General Comments:** The Concept Plan indicates that the single-family bi-attached dwelling units will have a minimum of 1,200 square feet of finished floor area, the row house units will have a minimum of 1,000 square feet of finished floor area, and the apartments will have a minimum of 800 square feet of finished floor area.

All but two of the single-family bi-attached structures have rear yard setbacks of at least 30'. The Concept Plan proposes to provide a 25' rear yard setbacks for two of the structures in order to provide a staggering of units. While rear yard setbacks of 30' are usually required, staff believes that the setbacks as proposed are acceptable since they would promote visual relief of the development and since the two structures with 25' rear yard setbacks are adequately buffered from the adjoining properties by landscaping.

The Concept Plan provides a pedestrian plaza at the southwest corner of the site to be used for outdoor dining and events. The plaza also includes space for a future public art feature.

The Concept Plan indicates that any fence constructed on the site will be of a standard material and that any chain link fence will be clad with black vinyl.

The Concept Plan states that the site lighting would utilize fixtures that have a pedestrian flair and would be less than 25'-tall. A note should be added to the Concept Plan to ensure that all lighting on the site will be directed downward and remain on the site. Staff also believes that the lighting of the pedestrian areas should be limited to a height of 15' to maintain a pedestrian flair.

III. STAFF RECOMMENDATION

Part A) Staff recommends that the Des Moines' 2020 Community Character Plan future land use designation be amended from Public/Semi-Public to Commercial: Pedestrian-Oriented, Neighborhood Node and Low/Medium Density Residential.

Part B) Staff recommends that the proposed "PUD" District zoning classification and Concept Plan be found in conformance with the 2020 Community Character Plan future land use designations of Commercial: Pedestrian-Oriented Neighborhood Node and Low/Medium Density Residential.

Part C) Staff recommends approval of the rezoning to "PUD" Planned Unit Development District and approval of the "Rice Development P.U.D." Concept Plan subject to the following:

1. The Final Development Plan shall be presented to the Plan and Zoning Commission for review and approval.
2. Stormwater from the development shall be discharged to the existing storm sewer within 40th Place right-of-way through an 8" pipe under Wallace Lane installed at the developer's expense.
3. The diagonal sanitary sewer across the southwest portion of the site shall be televised by the developer after construction on site to document that no damage has occurred during construction.
4. Provide a note stating that the 6'-tall screen fence at the east end of the east/west access drive across the site shall be 100% opaque and constructed with wood materials.
5. Provide a label on Sheet 4 identifying brick as the predominant siding on the 2-story mixed-use structure oriented toward Adams Avenue.
6. Clarify that the bases of all monument signs will be constructed with masonry materials that match the masonry materials used on the mixed-use structures.
7. Lighting for monument signs shall be indirect or downward (not internally illuminated) and shall not operate between the hours of 10:00 PM and 6:00 AM.
8. Provide a note stating that all site lighting shall be directed downward and shielded from adjoining properties and that lighting for the pedestrian areas shall be provided on poles with a maximum height of 15'.
9. The single-family semi-detached structures shall be 1 to 1-½ stories and sided predominantly with brick.

