

.....
Date..... February 12, 2007

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 18, 2007, its members voted 11-1 to recommend **APPROVAL** of a request from Silver Oak Enterprises, LLC (owner) represented by Jeffrey Grubb (officer), for a Fourth Amendment to the Carman Estates PUD Conceptual Plan defining development for property located at 5800 SE 24th Street immediately northeast of the intersection of Indianola Avenue and East Payton Avenue, to allow for development of 76 ranch row townhome units on 12.6 acres, subject to the following revisions being first made to the submitted Plan:

1. Revision to Note 5 to identify that the use of a cement board or hardi-plank for the primary siding material is required for the townhomes in Plat 6.
2. Revision to Note 23 adding a statement that multiple-family development plans or preliminary plats shall include a tree survey and mitigation/protection plan.
3. Addition of note indicating that use of low impact storm water management design methods will be evaluated and considered with any preliminary plat or development plan.
4. Consideration of the use of over-story trees between the driveways.

The subject property is more specifically described as follows:

The NW ¼ of the SW ¼, the SW ¼ of the NW ¼, the West 20 acres of the North 30 acres of the SE ¼ of the NW ¼, the South 309 Feet of the West 1020 Feet of the SE ¼ of the NW ¼ and the North 21 Feet of the South 330 Feet of the SE ¼ of the NW ¼, all in Section 25, Township 78 North, Range 24 West of the 5th P.M., Des Moines, Polk County, Iowa, more particularly described as follows:

Beginning at the W ¼ corner of Section 25, T78N, R24W and being the centerline of Indianola Road; Thence N 00°12'57" W along the West line of the NW ¼ of said section 25 for 1316.06 Feet to the NW corner of the SW ¼ of the NW ¼ of said Section 25 and being the centerline of Easter Lake Drive; Thence S 89°53'24" E along the North line of said SW ¼ of the NW ¼ and said centerline for 1314.43 Feet to the NE corner of said SW ¼ of the NW ¼; Thence continuing S 89°53'24" E along said centerline and being the North line of the SE ¼ of said NW ¼ for 885.00 Feet to the NE corner of the West 20 acres of the North 30 acres of said SE ¼ of the NW ¼; Thence S 00°06'42" E along the East line of said West 20 acres of the North 30 acres for 983.38 Feet to the North line of the South 330 Feet of said SE ¼ of the NW ¼; Thence S 89°57'38" E along said North line for 446.22 Feet to the East line of said SE ¼ of the NW ¼; Thence S 00°06'42" E along said East line for 21.00 Feet; Thence N 89°57'38" W for 304.09 Feet to the East line of the West 1020 Feet of said SE ¼ of the NW ¼;

(Continued)

February 12, 2007
Date

Thence S 00°34'06" E along said East line for 309.01 Feet to the South line of said SE ¼ of the NW ¼; Thence N 89°57'35" W along said South line for 1020.00 Feet to the NE corner of the NW ¼ of the SW ¼ of said Section 25; Thence S 00°13'52" E along the East line of said NW ¼ of the SW ¼ for 1322.02 Feet to the SE corner of said NW ¼ of the SW ¼; Thence N 89°56'59" W along the South line of said NW ¼ of the SW ¼ for 1319.44 Feet to the SW corner of said NW ¼ of the SW ¼ and being the centerline of Indianola Road; Thence N 00°19'33" W along the West line of said NW ¼ of the SW ¼ and said centerline for 1321.81 Feet to the Point-of-beginning.

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

1. That the meeting of the City Council at which the proposed amendment to the approved Carman Estates "PUD" Conceptual Plan is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on February 26, 2007, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED by _____ to adopt.

FORM APPROVED:

Roger K Brown
Roger K. Brown
Assistant City Attorney

(ZON2006-00145)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

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.

MOTION CARRIED

APPROVED

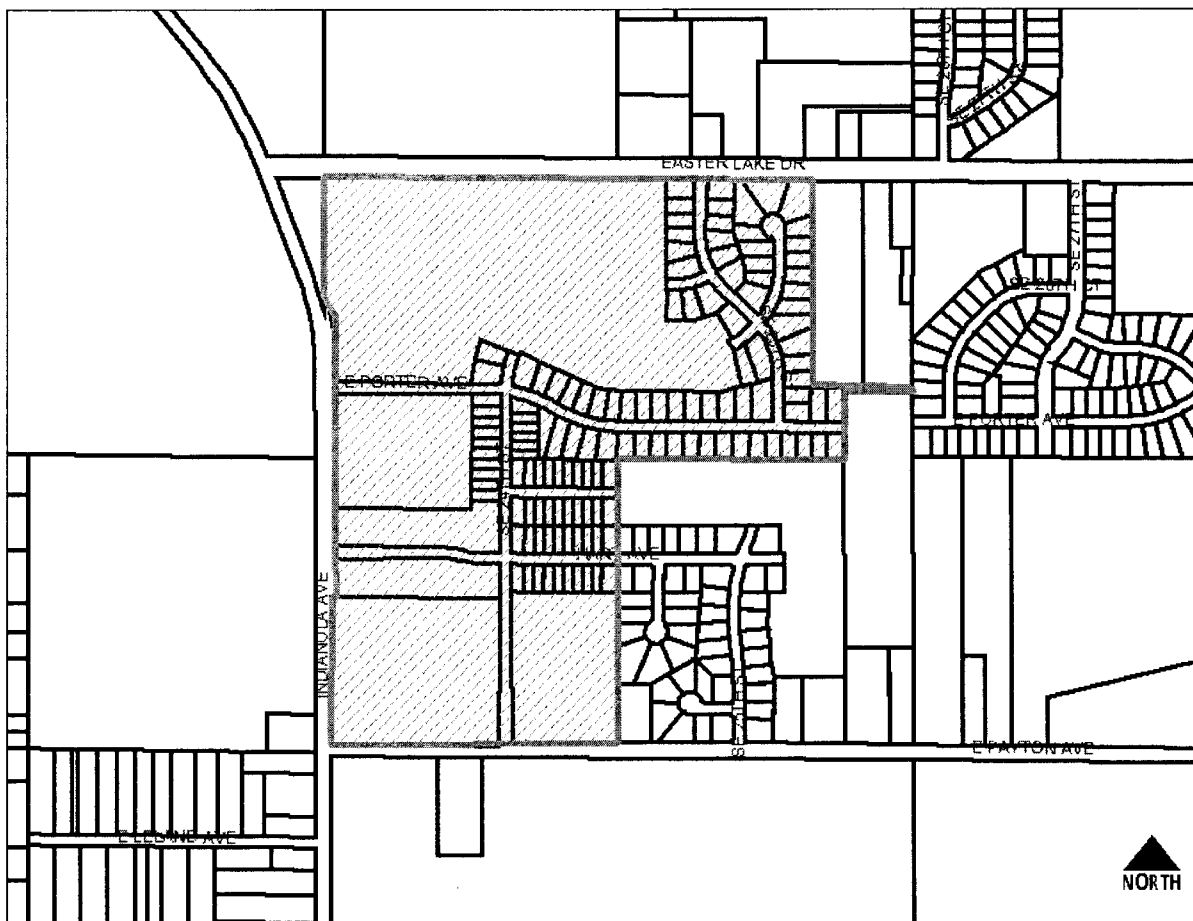
Mayor

City Clerk

Request from Silver Oak Enterprises, LLC (owner) represented by Jeffrey Grubb (officer), for a Fourth Amendment to the Carman Estates PUD Conceptual Plan defining development for property located at 5800 SE 24th Street immediately northeast of the intersection of Indianola Avenue and East Payton Avenue.				File #	
				ZON2006-00145	
Description of Action	Fourth Amendment to the Carman Estates PUD Conceptual Plan defining development for subject property to allow for development of 76 ranch row townhome units on 12.6 acres.				
2020 Community Character Plan	Easter Lake New Town: Low-Density Residential, Low/Medium Density Residential, Medium-Density Residential, Park/Open Space – Private.				
Horizon 2025 Transportation Plan	Indianola Avenue from SE 14 th Street to Army Post Road to widen from 2 lane undivided to 4 lane undivided.				
Current Zoning District	"PUD" Planned Unit Development District.				
Proposed Zoning District	"PUD" Planned Unit Development District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area	14	10	1	<20	
Plan and Zoning Commission Action	Approval	11-1	Required 6/7 Vote of the City Council	Yes	
	Denial			No	x

Carman Estates - PUD Amendment

ZON2006-00145



February 12, 2007

Date _____

Honorable Mayor and City Council
City of Des Moines, Iowa

Agenda Item 33

Roll Call # _____

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held January 18, 2007, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 11-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
David Cupp	X			
Shirley Daniels	X			
Dann Flaherty		X		
Bruce Heilman	X			
Jeffrey Johannsen				X
Greg Jones	X			
Frances Koontz	X			
Kaye Lozier	X			
Brian Meyer	X			
Brian Millard	X			
Brook Rosenberg	X			
Mike Simonson	X			
Kent Sovern	X			
Tim Urban				X
Marc Wallace				X



CITY PLAN AND ZONING COMMISSION
 ARMORY BUILDING
 602 ROBERT D. RAY DRIVE
 DES MOINES, IOWA 50309 -1881
 (515) 283-4182

ALL-AMERICA CITY
 1949, 1976, 1981
 2003

APPROVAL of a request from Silver Oak Enterprises, LLC (owner) represented by Jeffrey Grubb (officer), for a Fourth Amendment to the Carman Estates PUD Conceptual Plan defining development for property located at 5800 SE 24th Street immediately northeast of the intersection of Indianola Avenue and East Payton Avenue, to allow for development of 76 ranch row townhome units on 12.6 acres, subject to the following revisions being first made to the submitted Plan:

(ZON2006-00145)

1. Revision to Note 5 to identify that the use of a cement board or hardi-plank for the primary siding material is required for the townhomes in Plat 6.
2. Revision to Note 23 adding a statement that multiple-family development plans or preliminary plats shall include a tree survey and mitigation/protection plan.
3. Addition of note indicating that use of low impact storm water management design methods will be evaluated and considered with any preliminary plat or development plan.
4. Consideration of the use of over-story trees between the driveways.

Written Responses

13 In Favor

9 In Opposition

This item would not require a 6/7 vote at City Council.

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the requested amendment to the Carman Estates PUD Conceptual Plan subject to providing the following revisions:

1. Revision to Note 5 that the use of a cement board or hardi-plank for the primary siding material is required for the townhomes in Plat 6.
2. Revision to Note 23 adding a statement that multiple-family development plans or preliminary plats shall include a tree survey and mitigation/protection plan.
3. Addition of note indicating that use of low impact storm water management design methods will be evaluated and considered with any preliminary plat or development plan.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking to develop a ranch-style townhome enclave at a density of approximately six (6) units per acre. The Carman Estates Conceptual Plan amendment indicates 76 units in pods of three (3) to five (5) units. They are proposed to be served by a private drive system feeding from SE 24th Street.
2. **Size of Site:** Area of the amendment request is approximately 12.6 acres. The Carman Estates PUD is an approximate total of 107 acres
3. **Existing Zoning (site):** "PUD" Planned Unit Development.
4. **Existing Land Use (site):** Agricultural.
5. **Adjacent Land Use and Zoning:**
 - North* – "PUD", Carman Estates row townhomes.
 - South* – "R1-80", Uses are agricultural land and single-family dwelling.
 - East* – "PUD", Use is Vineyards II Condominiums.
 - West* – "R1-80", Uses are Des Moines Fire Station #10 and Bloomfield Methodist Church.
6. **General Neighborhood/Area Land Uses:** The subject area of the amendment is located in a mixed density residential community located along Indianola Avenue south of Easter Lake Drive within the Easter Lake New Town area.
7. **Applicable Recognized Neighborhood(s):** Bloomfield/Allen Neighborhood Association.
8. **Relevant Zoning History:** The property was rezoned to "PUD" Planned Unit Development as part of the approval of the Carman Estates Conceptual Plan on June 18, 2001. At that time, the subject property was also proposed for a potential public school location. This was later rescinded when the Des Moines Public Schools declined to acquire the land. Since then, the Conceptual Plan has been amended three times to define development for two condominium complexes and one row-townhome complex, each immediately surrounding the subject property to the north and east respectively. The currently approved Conceptual Plan has generally defined the subject parcel for Low/Medium Residential use up to 12 units per acre (151 units maximum).
9. **2020 Community Character Land Use Plan Designation:** Low/Medium Density Residential.

- 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 Conceptual Plan 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 the Zoning Ordinance and with recognized principles of civic design, land use planning, and landscape architecture. At the conclusion of the hearing, the Commission may vote to recommend either approval or disapproval of the conceptual plan and request for rezoning as submitted, or to recommend that the developer amend the plan or request to preserve the intent and purpose of this chapter to promote public health, safety, morals and general welfare. The recommendations of the commission shall be referred to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Natural Site Features:** The majority of the subject property is agricultural land with a fence line and grove of trees along the southern boundary. Staff recommends preservation of non-nuisance species of trees larger than 4" in diameter that do not require removal for building locations. This is consistent with language in the approved and proposed Conceptual Plan. Staff anticipates disturbance of the trees along the south fence line based on the proposed storm water management for the site. Therefore, tree removal and tree protection plans will need be reviewed with the required grading plan or development plan for the townhomes, which will come at the preliminary plat/development plan stage that requires a tree survey.
- 2. Drainage/Grading:** The overall area for the Carman Estates PUD drains north or northeast. A majority of the storm water is managed by a regional detention basin to the northeast along Easter Lake Drive. The remaining portion is handled by a detention pond on the north side of Carman Estates. Development and grading plans for the proposed townhomes will require demonstration of conformance with all storm water management and soil erosion control policies. Engineering staff recommends that low impact development practices be evaluated in the development of storm water management improvements.
- 3. Utilities:** All necessary utilities are immediately available to the proposed development by extension of services from the surrounding development. Sanitary sewer is available from the northeast.
- 4. Landscaping & Buffering:** The submitted Conceptual Plan amendment indicates extensive planting at the perimeter of the entire development. The approved PUD and proposed amendment require submission of a planting plan acceptable to the Planning Director with a variety of deciduous and evergreen types for all multifamily developments. Staff will review this using the Des Moines Landscape Standards for multiple-family districts as a baseline. Staff will also consider mitigation of trees removed in review of the landscape plan.
- 5. Traffic/Street System:** There are no proposed modifications to the surrounding public street network. All access to proposed units is through a network of 20' wide private driveways with an integral 4' sidewalk on one side. Sidewalks are also proposed to be extended to the Indianola Avenue right-of-way so that they can link to the sidewalks to be constructed along that street.

Traffic Engineering staff have indicated that the corridor study for the Indianola Avenue widening improvements indicate some additional right-of-way being necessary from the east side of the street in order to shift the alignment to protect a historic church. This has a minor

impact on the proposed layout in the submitted amendment. The general 50' wide setback from all lot lines will be reduced to approximately 30' at the narrowest point as the alignment of Indianola Avenue is shifted easterly as it approaches East Payton Avenue from the north. Location of plantings on any development plan will need take this alignment into consideration.

6. **Access or Parking:** Each proposed unit has access from a public street or private drive. Each unit has two garage parking spaces and a minimum of two spaces exterior to the garage. Staff believes that this is an adequate rate of parking for multiple-family units.
7. **2020 Community Character Plan:** The Des Moines 2020 Community Character Plan future land use designation for the proposed amendment area is Low/Medium Density Residential, which provides for up to 12 units per acre of density. The proposed unit density of the amendment is approximately six (6) units per acre. The proposed amendment remains in conformance with the approved density and the Des Moines' 2020 Community Character Plan future land use.
8. **Urban Design:** The submitted elevations indicate the typical proposed ranch style row house units in a pod of four. There is lap style low maintenance siding material proposed on the main level and shake-style siding beneath the gables, with stone veneer wainscot accents on the front façade. Staff recommends a hardi-plank or cement board type siding and shakes more consistent with recent multiple-family development approvals.

The developer is using contrasting neutral tone colors for the shake and the lap siding. The developer has provided their proposal for variation on the color scheme from building to building throughout the amendment area, with a total of three separate schemes to be distributed within the development. End units are proposed to have at least two windows on facades oriented towards private drives or public streets, with a contrasting trim band at eave height separating the gable façade from the first floor. There is a variation in louver elements on the garage gable between units. Porch additions are proposed on the rear of all units that face public streets and are optional to the end buyer on all other units. This will provide variation on the relief of the rear elevation.

The proposed buildings have a shingled roof that is gabled with a break in the ridgeline to fit with topography where necessary. Nearly every building will have at least a single break in the ridgeline. The developer is also providing a two-foot shift between each unit within a building to vary the relief of the building to mitigate the effect of a straight-line appearance.

SUMMARY OF DISCUSSION

Mike Ludwig: Presented staff report and recommendation and reviewed the previous amendments to the subject PUD. He noted there is variation in the setback of the front of the garages for the units and the units are offset 2'. They have proposed that there would be three-season porches added on the rear of all units that back to the public street and would be optional on the interior units. Explained there are breaks in the height of buildings due to grade across the site; the roofline is not continuous across the top. Indicated the brick was added to the front along the base underneath the windows and there are variations in the treatment of the gable above the garages. Additionally, he noted the applicant had submitted color renderings, which showed the three-season rooms on the back of the units and the window treatments on the front. He noted there are three different color schemes being proposed. Noted the proposed density is lower than the maximum allowed. Explained the overall development has a detention basin that was constructed in the northwest corner. Eventually the water from all detention basins will flow into Easter Lake.

Jeff Grubb, Jerry's Homes, Silver Oak: Noted they had asked for a continuance from the previously scheduled Commission meeting and they have addressed most of the concerns. Regarding the landscaping, they want to provide an extensive landscaping along Peyton and along Indianola, mostly with Pine trees and a good screening tree. The target market is empty nesters,

primarily 50 plus. Explained they are taking 50% less density than what was allowed. The units are approximately 1350 square feet, all single-level.

Greg Jones: Expressed appreciation for the amount of landscaping being planned for the perimeter, but would prefer to see over-story trees between the driveways; noted it would help over time to perform the canopy function and explained it is environmentally better as well. Expressed concern that there all shrubs are on the exterior and there are none on the interior of the plan.

Kent Sovern: Asked about the landscaping that adjoins Indianola and the east/west road. Asked if there would be any berms.

Jeff Grubb: Noted Indianola Avenue will be widened in the future. Also noted there are storm sewers in the northeast corner of the site and there will be a detention basin there, as well. Indicated there is a detention pond that was built and contemplated for this development in the beginning. Indicated there is a detention area in the southern central portion of the site and in the northeastern corner, where there is also an 18" storm sewer. They will be redesigning that area into a larger detention basin. Indicated there is a ridgeline through the center of the site where 40% drains to the northeast and the rest drains to the south.

Larry Hulse: Noted staff would advise the builder to follow the fencing and other means for preventing runoff and silting during construction to keep it on the site as much as possible.

Jeff Grubb: Noted Carmen Estates primarily has vinyl siding throughout the project. The reason for the color scheme and texture designs is for the type of siding they are using. They would prefer to maintain the vinyl siding they have utilized throughout the remainder of the development. Indicated they are ready to move forward with the project. Explained they have been discussing phasing the project so it wouldn't all be constructed at the same time.

Brian Meyer: Noted there is a concern that some of the units that are already there are not selling and asked the applicant to explain why they are building now if that is the case.

Jeff Grubb: Noted last year was a slow market, but they have been selling a lot of the row houses and condominiums. There are new designs so sales are picking up and this will add one more dimension to the market that is out there.

Larry Hulse: Complimented the applicant, noting he was very good at working with staff to respond to the concerns of the commission and staff.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one in the audience to speak on this item.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Fran Koontz: Moved staff recommendation.

Bruce Heilman: Asked staff to comment on the difference between the hardi-plank and vinyl.

Mike Ludwig: Noted that hardi-plank is a higher grade of siding but it does require more maintenance. A lot of multi-family projects have been required to provide hardi-plank, which is more durable long-term.

Jeff Grubb: Noted the type of siding is not a make or break issue, but the company is geared to the type of siding that they have used throughout the metro area. They would prefer to have the vinyl.

Larry Hulse: Noted in prior years they preferred vinyl because it is a better maintenance item than some other finishes that were being used. Staff recommendation is based on raising the bar on quality.

Brian Meyer: Indicated one of the two main issues brought up on the response cards was the density issue in the area. He felt it was important to note the density of the presented plan is lower than what they asked for. Also, he noted he was satisfied with the proposal.

David Cupp: Noted his only concern was keeping up with the traffic flow with the existing streets.

Larry Hulse: Noted there is a CIP item with Indianola itself, which might lend to keeping up with traffic.

Mike Simonson: Noted he has no problem with vinyl siding, just with masonite. Vinyl looks good for a long time. He offered a friendly amendment to use vinyl.

Fran Koontz: Would like to see them transition into hardi-plank and would prefer not to accept the amendment.

David Cupp: Noted the area is growing so fast, he would like to see a variation from vinyl. Suggested a friendly amendment of 50/50 to mix hardi-plank and vinyl and asked the applicant if that would be agreeable to them.

Jeff Grubb: Noted he has not seen a development with a mix such as that and noted they are coming closer to Carmen at the corner. There are numerous color variations including stone, which works better with the vinyl material they are proposing. The vinyl has better maintenance, but they would consider that in the future.

Mike Simonson: Offered a friendly amendment as a request and not a requirement, that over-story trees be considered between the driveways.

Fran Koontz: Accepted the friendly amendment for the over-story trees, but not to allow vinyl siding.

Dann Flaherty: Noted he liked the project but to maintain consistency with his previous actions on the Easter Lake area, he would not vote in favor of the request.

Motion passed 11-1 (Dann Flaherty was in opposition).

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:dfa

Attachment

Item 2006 00145

Date 1-10-07

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

RECEIVED

JAN 16 2006

COMMUNITY DEVELOPMENT DEPARTMENT

157
Print Name Zach and Jessica Hilton

Signature *Jessie Hilton*

Address 5322 SE 25th St

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

ALSO RETURNED CARD

for 10-19-06

IN FAVOR

1-18-07

Item 2006 00145

Date 1/11/07

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

RECEIVED

JAN 16 2006

COMMUNITY DEVELOPMENT DEPARTMENT

249
Print Name JAMES E. WALTRIP

Signature *James E. Waltrip Jr.*

Address 2415 HART AVE

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

IF, AS PRESENTED PREVIOUSLY, THE REZONING REQUEST IS TO BUILD TOWNHOUSES (SINGLE-STORY) ON SLABS INSTEAD OF MULTI-STORY CONDOS, AND THE NUMBER OF UNITS IS 76 (PLANNED), A SIZEABLE REDUCTION FROM PREVIOUSLY APPROVED CONDO UNITS, I AM IN FAVOR OF IT. REASON: LESS TRAFFIC CONGESTION.

IN FAVOR ALSO RETURNED CARD 10-19-06 1-18-07

Item 2006 00145

Date 01-10-07

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

110

RECEIVED ✓

JAN 16 2006

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Judith M. Poulsen

Signature Judith M. Poulsen

Address 2323 E Porter, Unit 82

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

I approve or I wouldn't have moved to this area. It just makes sense to continue placing homes, condos + town homes in this area.

1-18-07

Item 2006 00145

Date 1/14/07

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

66

RECEIVED ✓

JAN 16 2006

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Jeri Liston Nunez

Signature Jeri L. Nunez

Address 5323 E Porter Ave '38
Pasadena Iowa

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

The same side of my experience will benefit from the new townhomes. It is attractive (the town homes) and it will attract new residents which will contribute to the growth of the new side. It's a good word.

1-18-07

Item 2006 00145

Date 1-13-07 33

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

(Circle One)

RECEIVED ✓

JAN 16 2006

COMMUNITY DEVELOPMENT DEPARTMENT

218
Print Name William L. Ashlin

Signature *William L. Ashlin*

Address 2408 E. Southlawn Dr.

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

1-18-07

Item 2006 00145 3

Date Jan 12, 2007

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

(Circle One)

RECEIVED ✓

JAN 16 2006

COMMUNITY DEVELOPMENT DEPARTMENT

92
Print Name Kris Kloosterman Rongey

Signature *Kris Rongey*

Address 2323 E Porter Ave #64

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

1-18-07

Item 2006 00145

Date 1/15/07

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

(Circle One)

RECEIVED



JAN 30 2007

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Daniel P. Vernon

Signature Daniel P. Vernon

Address 2323 E. Porter #62

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

Handwritten lines for notes

Item 2006 00145

Date Jan. 14, 2007

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

(Circle One)

RECEIVED

96

JAN 17 2007

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Rhonda HARTZER

Signature Rhonda Hartzel

Address 2323 E. PORTER #68

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

I'm all in favor of building up the south side - but we'll also need turning lanes or lights added as traffic is already heavy on Indiana Ave.

Item 2006 00145 Date 10/12/06

(am) (am not) in favor of the request.
(Circle One)

Print Name

JEFF TOMLIN

Signature

[Signature]

Address 2323 E PORTER AVE #8

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

Item 2006 00145 Date 10-11-06

(am) (am not) in favor of the request.
(Circle One)

Print Name

210-211
R.D. BUILDERS

Signature

[Signature]

Address

2713 E PORTER AVE
2553-2601 PORTER

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

33

Item 2006 00145

Date 10/13/06

(am) (am not) in favor of the request.
(Circle One)

Print Name

158
Emilio Villanar

Signature

[Signature]

Address

5326 SE 25TH ST

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

34

CARDS RETURNED FOR 10-19-06
BUT NOT FOR 1-18-07

Item 2006 00145

Date 10-12-06

(am) (am not) in favor of the request.
(Circle One)

Print Name LARRY J Hubbell

Signature *Larry Hubbell*

Address 2323 E HART AVE #6

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

Vertical lines for text entry

Item 2006 00145

Date 10-12-06

(am) (am not) in favor of the request.
(Circle One)

Print Name Patty McDaniel

Signature *Patty McDaniel*

Address 2323 E. Porter #52

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

Vertical lines for text entry

33

Item 2006 00145

Date 10-11-06

(am) (am not) in favor of the request.
(Circle One)

Print Name *William J. Wilson*

Signature *William J. Wilson*

Address 2323 E Porter #1

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

AREA Growth

CARDS RETURNED FOR 10-17-06
BUT NOT FOR 1-18-07

Item 2006 00145

Date 10/14/06

33

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

? ?
6 504

(Circle One)

RECEIVED

Print Name Jennifer Kintze

OCT 19 2006

Signature Jennifer Kintze

COMMUNITY DEVELOPMENT
DEPARTMENT

Address 5509 SE 24th St

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

CARD RETURNED PER 10-19-06
BUT NOT FOR 10-18-07

Item 2006 00145

Date 1-12-06

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

(Circle One)

RECEIVED



JAN 16 2006

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Jeffrey D Grubb

Signature [Handwritten Signature]

Address 3301 106th CR Urbandale 50322

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

[Blank lines for reason]

ALSO RETURNED CARD FOR IN FAVOR 10-19-06



APPELLANT

1-18-07

Item 2006 00145

Date 1-10-07

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

(Circle One)

RECEIVED

JAN 17 2006

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Jeffrey Grubb

Signature [Handwritten Signature]

Address 3301 106th CR Urbandale 50322

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

[Blank lines for reason]

ALSO RETURNED CARD FOR 10-19-06 IN FAVOR

APPELLANT

1-18-07

Item 2006 00145

Date 1/12/07 33

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

19

RECEIVED
JAN 16 2006
COMMUNITY DEVELOPMENT
DEPARTMENT

Print Name Joe SHEPARD
Signature *[Signature]*
Address 5573 52 24th St.

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

Existing Condos/Homes are not selling.
Oppose any further development north
of 52 Porter, east of Indianola Ave.

1-18-07

Item 2006 00145

Date 1/15/06

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

RECEIVED
JAN 22 2007
COMMUNITY DEVELOPMENT
DEPARTMENT

Print Name Zach & Stacy Kanis
Signature *[Signature]*
Address 2323 E Porter Ave #66

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

I see no advantage for me & my spouse's interests.

Item 2006 00145

Date 1/11/06

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

104

RECEIVED
JAN 17 2006
COMMUNITY DEVELOPMENT
DEPARTMENT

Print Name LaVonne Jacobson
Signature LaVonne Jacobson
Address 2323 E. Porter Ave #76

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

Enough properties for sale in that area. It brings down the market value of existing homes

1-18-07

Item 2006 00145

Date 1-14-2007

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

37

RECEIVED
JAN 17 2006
COMMUNITY DEVELOPMENT
DEPARTMENT

Print Name Ruth E. Gibbens
Signature Ruth Gibbens
Address 2323 E. Porter Ave #9 D.M. Ia 50320

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

We already have many condos for sale which are not selling - Hoping they will not turn into rental properties.

1-18-07

Item 2006 00145

Date 1-10-07 33

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

84

RECEIVED ✓

JAN 16 2006

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Cindy Whitmarsh
Signature Cindy Whitmarsh
Address 2323 E Porter Ave #56

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

Too many properties all ready for sale in area and not selling. Makes it hard to sell at a profit and move if one wants to or needs to

ALSO RETURNED CARD FOR 10-19-06 IN FAVOR AT THAT TIME 1-18-07

Item 2006 00145

Date 1-16-2007

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

121

RECEIVED ✓

JAN 18 2006

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Lena Haley
Signature Lena Haley
Address 2323 E. Porter Av Unit 93

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

Item 2006 00145

Date Jan 12, 2007 ³³

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

(Circle One)

258

RECEIVED ✓

JAN 16 2006

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Loren P. Rogers

Signature Loren P. Rogers

Address 2200 E. HART AVE #1

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

Development should be postponed until after the planned improvements to Indianola Rd.

ALSO RETURNED CARD FOR 10-19-06
OPPOSED 1-18-07

Item 2006 00145

Date 1-12-07

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

(Circle One)

50

RECEIVED ✓

JAN 17 2006

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Mary K Aldridge

Signature Mary K Aldridge

Address 2323 E. Porter #22 D.H. La

58380

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

A number of condos for sale in common estate at the vineyard that can't seem to be sold they have been for sale a long time. Tell's me there is too many on the market.

1-18-07

Item 2006 00145

Date 1-11-07 33

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

62

RECEIVED ✓

Print Name Darlene Putz

JAN 16 2006

Signature Darlene Putz

COMMUNITY DEVELOPMENT
DEPARTMENT

Address 2323 E. Porter Ave. #34

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

There are enough condos and townhomes
in the area now. We don't need
any more traffic added to Indiana
Ave.

1-18-07

Item 2006 00145

Date 1/13/07

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

68

RECEIVED ✓

Print Name Paul Bryan

JAN 17 2006

Signature Paul Bryan

COMMUNITY DEVELOPMENT
DEPARTMENT

Address 2323 E. Porter Ave (#40)

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

Indiana Road can't handle the traffic at rush hour

ALSO RETURNED CARD FOR

10-19-06
WAS IN PAUSE THEN
1-18-07

Item 2006 00145

Date 30-JAN-2007

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

(City) **RECEIVED**

FEB 06 2007

Print Name WILLIAM A ROSBURG

COMMUNITY DEVELOPMENT
DEPARTMENT

Signature *William A Rosburg*

Address 2300 F HART AVE #3

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

INDIANOLA ROAD IS TOO NARROW TO HANDLE
ADDITIONAL TRAFFIC FROM MORE HOMES IN THE
AREA

**4TH AMENDMENT TO
CARMAN ESTATES
CONCEPT PLAN**

OWNER/DEVELOPER
CARMAN ESTATES
10000 W. 10TH AVENUE
DENVER, CO 80231

SIGNAGE

ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF DENVER SIGNAGE ORDINANCE. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF DENVER SIGNAGE ORDINANCE. ALL SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF DENVER SIGNAGE ORDINANCE.

LEGAL DESCRIPTION

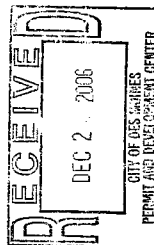
THE CITY OF DENVER HAS REVIEWED THE LEGAL DESCRIPTION AND HAS DETERMINED THAT THE LEGAL DESCRIPTION IS CORRECT AND ACCURATE. THE CITY OF DENVER HAS REVIEWED THE LEGAL DESCRIPTION AND HAS DETERMINED THAT THE LEGAL DESCRIPTION IS CORRECT AND ACCURATE. THE CITY OF DENVER HAS REVIEWED THE LEGAL DESCRIPTION AND HAS DETERMINED THAT THE LEGAL DESCRIPTION IS CORRECT AND ACCURATE.

ZONING

THE PROPOSED DEVELOPMENT IS ZONED UNDER THE CITY OF DENVER ZONING ORDINANCE. THE PROPOSED DEVELOPMENT IS ZONED UNDER THE CITY OF DENVER ZONING ORDINANCE. THE PROPOSED DEVELOPMENT IS ZONED UNDER THE CITY OF DENVER ZONING ORDINANCE.

4TH AMENDMENT APPROVAL

APPROVED BY COUNCILMAN: _____ DATE: _____
APPROVED BY COUNCIL: _____ DATE: _____
PLANNING APPROVED BY COUNCIL: _____ DATE: _____

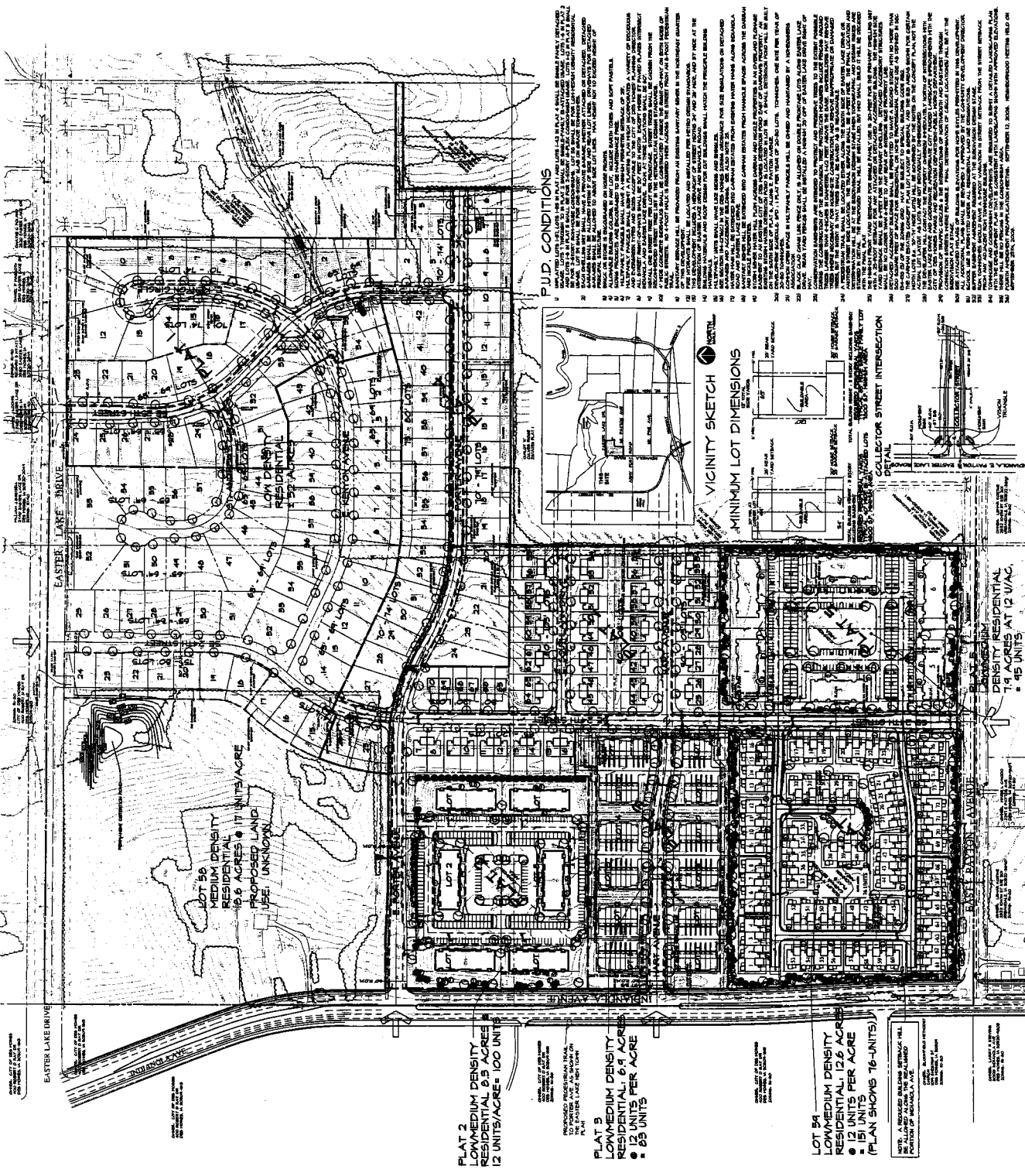


LEGEND

- PLANNING APPROVED
- CITY OF DENVER
- PERMIT AND DEVELOPMENT CENTER
- RECEIVED
- DEC 2 2006

CITY OF DENVER
PERMIT AND DEVELOPMENT CENTER
300 WEST 15TH AVENUE
DENVER, CO 80202
PHONE: 303.733.4841 FAX: 303.733.4842

CIVIL ENGINEERING CONSULTANTS, INC.
2400 BEECH STREET, SUITE 110 DENVER, CO 80231
PHONE: 303.733.4841 FAX: 303.733.4842

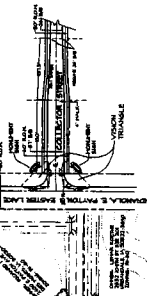
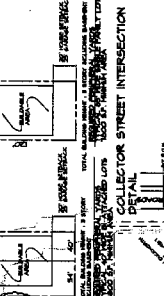
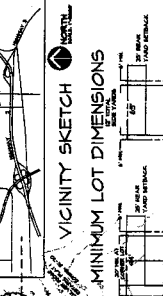


P.U.D. CONDITIONS

1. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

2. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

3. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.



PLAT 2
LOW-MEDIUM DENSITY
RESIDENTIAL 2.5 ACRES
12 UNITS/ACRE = 100 UNITS

PLAT 3
LOW-MEDIUM DENSITY
RESIDENTIAL 6.9 ACRES
12 UNITS PER ACRE
= 83 UNITS

LOT 5A
LOW-MEDIUM DENSITY
RESIDENTIAL 12.6 ACRES
12 UNITS PER ACRE
= 151 UNITS
(PLAN SHOWS 16 UNITS)

LOT 6A
MEDIUM DENSITY
RESIDENTIAL 17.4 ACRES AT 12 U/A.C.
= 45 UNITS

NOTE: A RECORDED BALANCE SHEET HAS BEEN FILED WITH THE CITY OF DENVER.

