

Date..... May 10, 2010.....

WHEREAS, on April 26, 2010, by Roll Call No. 10-605, the City Council duly resolved to consider a proposal from Grand View University to rezone certain property located in the vicinity of 2901 East 14th Street, 1410 Morton Street, 2613 Idaho Street and 1417 Hull Avenue from the R1-60 and C-2 District classifications to the PUD Planned Unit Development District classification, and to approve the proposed PUD Conceptual Plan for such property, and that such proposal be set down for hearing on May 10, 2010, at 5:00 P.M., in the Council Chambers at City Hall; and,

WHEREAS, due notice of said hearing was published in the Des Moines Register on April 29, 2010, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and,

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the property located in the vicinity of 2901 East 14th Street, 1410 Morton Street, 2613 Idaho Street and 1417 Hull Avenue, more fully described as follows (the "Property"):

THE EAST 55 FEET OF THE WEST 105 FEET OF THE NORTH 137.10 FEET OF LOT 7 IN THE PARTITION PLAT OF THE NW ¼ OF THE SW ¼ OF SECTION 25 TOWNSHIP 79 RANGE 24, THE EAST 120 FEET OF THE WEST 225 FEET OF THE NORTH 137.1 FEET OF LOT 7 IN THE PARTITION PLAT OF THE NW ¼ OF THE SW ¼ OF SECTION 25 TOWNSHIP 79 RANGE 24

AND

LOTS 5 AND 6 OF MILLER'S ADDITION, AN OFFICIAL PLAT,

AND

LOTS 1-6 AND 17-20 OF WOODS AND BELLS ADDITION, AN OFFICIAL PLAT,

AND

LOTS 7-9 AND 11-12 OF BALL PARK HEIGHTS, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

from the R1-60 and C-2 District classifications to the PUD Planned Unit Development District classification; and,

WHEREAS, the Plan and Zoning Commission has recommended that the proposed rezoning and PUD conceptual plan be approved, subject to the conditions identified in the attached letter from the Planning Administrator; and,

Date May 10, 2010

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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.

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, statements of interested persons and arguments of counsel, the objections to said proposed rezoning and PUD Conceptual Plan are hereby overruled and the hearing is closed.

2. The proposed rezoning and PUD Conceptual Plan are hereby found to be in conformance with the Des Moines 2020 Community Character Land Use Plan, subject to the conditions identified below.

3. The PUD Conceptual Plan for the Property described above, which is on file in the Community Development Department, is hereby approved, subject to the plan being first amended to satisfy the following conditions, and subject to the Community Development Director finding that such conditions have been satisfied by the amendments to the plan:

1. Revision to include proposed conceptual landscaping for surface off-street parking areas and require open space.
2. Revision to indicate removal of existing landscaping for proposed building and parking areas, subject to compliance with tree mitigation requirements as part of any Development Plan.
3. Revision to include a typical landscaped berm profile be provided for required perimeter lot screening in areas that adjoin public streets.
4. Revision to designate a physical restriction method to prevent public access to the proposed emergency and maintenance access drive.

(Continued on Page 3)


Date May 10, 2010

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5. Provision of signed architectural elevations for the four-story student housing project and the student center addition.
6. A note indicating that vacation of air rights and detailed architectural design will be necessary as part of a future amendment to the Conceptual Plan for the proposed enclosed pedestrian overpass on East 14th Street.

MOVED by _____ to adopt and approve the rezoning and Conceptual Plan, subject to final passage of the rezoning ordinance.

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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.

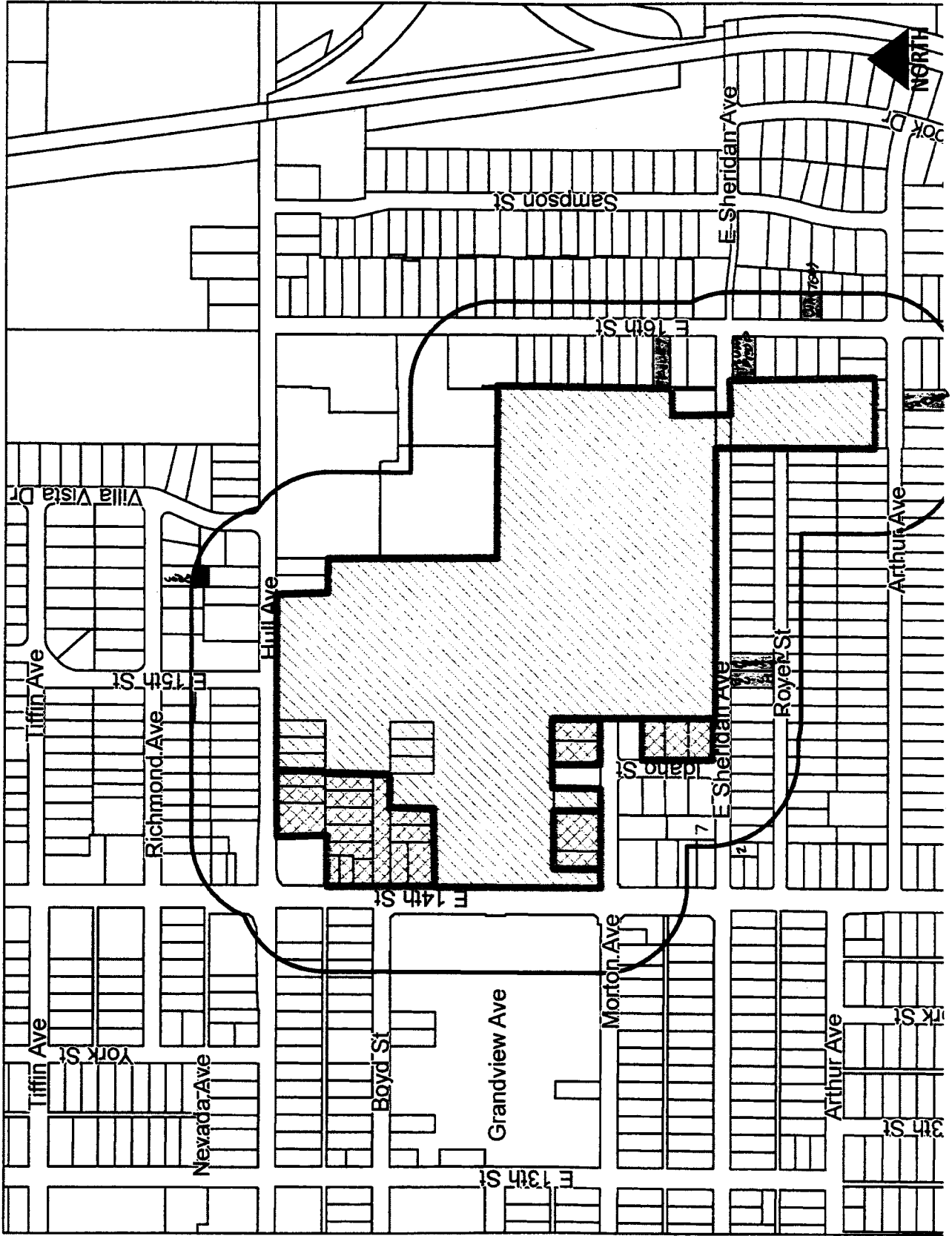
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

 Mayor

 City Clerk

25 50

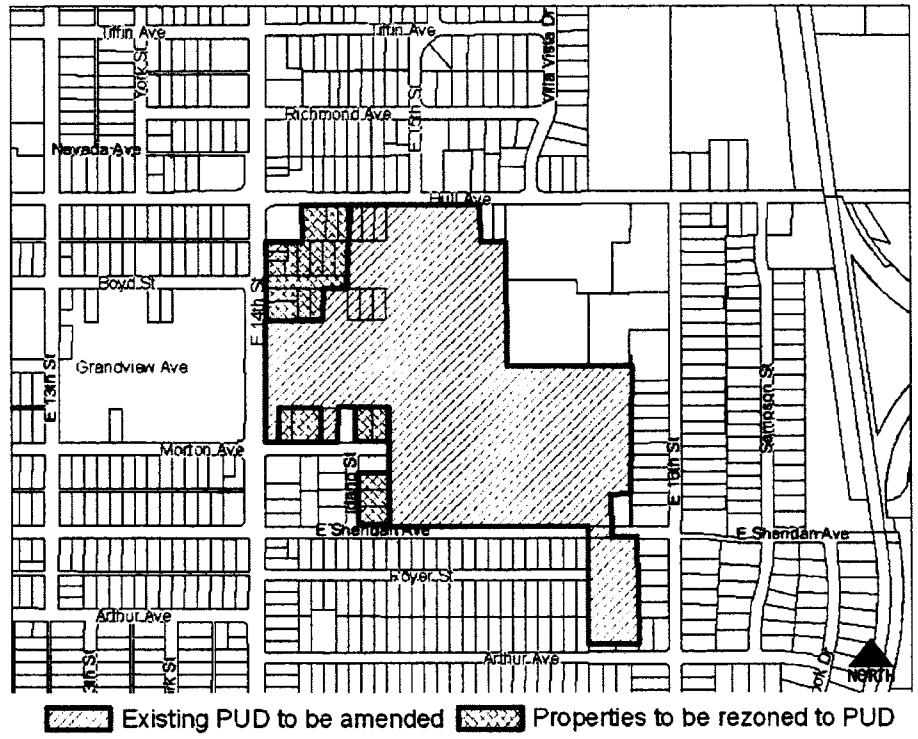


 Existing PUD to be amended
  Properties to be rezoned to PUD

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Request from Grand View University (owner and developer) represented by Kent Henning (President) for the following: Rezone property located in the vicinity of 2901 East 14 th Street, 1410 Morton Street, and 2613 Idaho Street and property at 1417 Hull Avenue owned by Virginia Plummer. Amend the Grand View East PUD Conceptual Plan.			File # ZON2010-00038	
Description of Action	Rezone property located in the vicinity of 2901 East 14 th Street, 1410 Morton Street, and 2613 Idaho Street, from "R1-60" One-Family Low Density Residential District to "PUD" Planned Unit Development, and property at 1417 Hull Avenue owned by Virginia Plummer from "C-2" General Retail and Highway Oriented Commercial District to "PUD" Planned Unit Development. and Amend the Grand View East PUD Conceptual Plan to incorporate an approximately 43,000 square-foot two-story expansion to the Grand View Student Center at 2729 East 14 th Street, develop a pedestrian overpass over East 14 th Street connecting the Grand View Student Center to the Rasmussen Center, develop additional four-story student housing suites fronting East 14 th Street, and develop future phases of surface off-street parking.			
2020 Community Character Plan	Public/Semi-Public			
Horizon 2035 Transportation Plan	Widen East 14 th Street (US Highway 69) from four lanes to five lanes. 2025-2035			
Current Zoning District	"R1-60" One-Family Low-Density Residential, "C-2" General Retail and Highway-Oriented Commercial District, "PUD" Planned Unit Development.			
Proposed Zoning District	"PUD" Planned Unit Development.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area	7	1		<20%
Outside Area				
Plan and Zoning Commission Action	Approval	13-0	Required 6/7 Vote of the City Council	Yes
	Denial			No X

Grandview University - 2901 E 14th Street ZON2010-00038



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April 19, 2010

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held April 15, 2010, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 as follows:



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

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus				X
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley	X			
Dann Flaherty	X			
Joel Huston	X			
Ted Irvine	X			
Jeffrey Johannsen	X			
Greg Jones	X			
Jim Martin	X			
Brian Millard	X			
William Page	X			
Mike Simonson	X			
Kent Sovern	X			

APPROVAL of a request from Grand View University (owner and developer) for vacation of Boyd Street subject to reservation of easements for any public utilities in place to remain until such time as Grand View University either assumes private ownership of the facilities or relocates the utilities with creation of new public easements; to find the rezoning in conformance with the existing Des Moines' 2020 Community Character Plan; to approve the requested rezoning for property located in the vicinity of 2901 East 14th Street, 1410 Morton Street, and 2613 Idaho Street for an additional 3.86 acres to "PUD" Planned Unit Development, and to approve the "PUD" Concept Plan subject to the following: 11-2010-1.01 & ZON2010-00038

1. Revision to include proposed conceptual landscaping for surface off-street parking areas and require open space.
2. Revision to indicate removal of existing landscaping for proposed building and parking areas, subject to compliance with tree mitigation requirements as part of any Development Plan.

3. Revision to include a typical landscaped berm profile be provided for required perimeter lot screening in areas that adjoin public streets.
4. Revision to designate a physical restriction method to prevent public access to the proposed emergency and maintenance access drive.
5. Provision of signed architectural elevations for the four-story student housing project and the student center addition.
6. A note indicating that vacation of air rights and detailed architectural design will be necessary as part of a future amendment to the Conceptual Plan for the proposed enclosed pedestrian overpass on East 14th Street.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends approval of the requested vacation of Boyd Street subject to reservation of easements for any public utilities in place to remain until such time as Grand View University either assumes private ownership of the facilities or relocates the utilities with creation of new public easements.

Part B) Staff recommends that the Commission find the proposed rezoning in conformance with the Des Moines' 2020 Community Character Plan future land use designation of Public/Semi-Public.

Part C) Staff recommends approval of the requested rezoning for an additional 3.86 acres to "PUD" Planned Unit Development.

Part D) Staff recommends approval of the "PUD" Concept Plan subject to the following:

1. Revision to include proposed conceptual landscaping for surface off-street parking areas and requires open space.
2. Revision to indicate removal of existing landscaping for proposed building and parking areas, subject to compliance with tree mitigation requirements as part of any Development Plan.
3. Revision to include a typical landscaped berm profile be provided for required perimeter lot screening in areas that adjoin public streets.
4. Revision to designate a physical restriction method to prevent public access to the proposed emergency and maintenance access drive.
5. Provision of signed architectural elevations for the four-story student housing project and the student center addition.
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Written Responses

7 In Favor

1 In Opposition

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to expand the Grand View University East campus by extending the PUD Zoning to the northwest, west and southwest to incorporate four separate contiguous areas. This also includes vacation of the remaining portion of Boyd Avenue within the block and incorporating it into the campus as well.

This is the fourth requested amendment to the Conceptual Plan. The University is proposing to mirror the Rasmussen Center building on the west side of East 14th Street by making an approximately 43,000 square-foot two-story expansion to the Grand View Student Center at 2729 East 14th Street. This would also include development of an enclosed pedestrian overpass over East 14th Street connecting this expanded Grand View Student Center to the Rasmussen Center. Finally, it includes development of additional four-story student housing suites fronting East 14th Street, and future phases of surface off-street parking.

2. **Size of Site:** 3.86 acres is proposed to be added to the existing "PUD" for a total "PUD" area of 32.06 acres in the East campus.
3. **Existing Zoning (site):** "PUD" Planned Unit Development, "R1-60" One Family Low Density Residential District, and "C-2" General Retail and Highway Oriented Commercial District.
4. **Existing Land Use (site):** The areas proposed for rezoning contain a total of 19 single-family dwellings that have been acquired by Grand View University for demolition in order to accommodate future development. The rezoning area also includes the Crown Craft Printing shop located on Hull Avenue which Grand View University is in the process of acquiring. The remaining portion of PUD Conceptual Plan area includes the existing campus.
5. **Adjacent Land Use and Zoning:**
 - North* – "R1-60" and "C-2", Uses are single-family residential and a hardware store.
 - South* – "R1-60", Uses are single-family residential.
 - East* – "PUD". Use is east campus for Grand View University.
 - West* – "PUD", "C-2" and "R1-60", Uses are west campus for Grand View University, single-family dwellings on the west side of East 14th Street, and a gas station convenience store on the east side of East 14th Street.
6. **General Neighborhood/Area Land Uses:** The subject property is located east of the E 14th Street arterial and south of the Hull Avenue collector with primarily low-density

residential uses at the periphery and the Luther Park retirement community to the east of the subject PUD.

7. **Applicable Recognized Neighborhood(s):** Union Park Neighborhood Association.
8. **Relevant Zoning History:** The Grand View College – East PUD was approved on August 5, 2002 by the City Council. This included the proposal to add a new three-story, 20-suite student apartment building along Hull Avenue. There have been three subsequent amendments to provide additional student housing, an addition to the wellness center, revised access, off-street parking, electronic signage, and transformer cabinets.
9. **2020 Community Character Land Use Plan Designation:** Public/Semi-Public & Low Density Residential (practice field only).
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 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 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. **Drainage/Grading:** The campus currently has many storm water management improvements in place including detention basins. Engineering staff has reviewed the Conceptual Plan and believes the conceptual locations for drainage and storm water management are adequate. Approval of any future Development Plan will be subject to compliance with grading/silt control, storm water management requirements and Site Plan policies for drainage and grading.

In late 2005, the City completed upgrades to the storm sewer in East Sheridan Avenue that conveys storm water released from properties in the vicinity of the subject property to an open drainage area two blocks to the east. This relieved drainage problems on East 16th Street and Sampson Street that were occurring during heavy rain events by intercepting storm water along East Sheridan Avenue that would have normally continued to drain north.

2. **Landscaping & Buffering:** The PUD Concept Plan shows existing landscaping and previously proposed conceptual landscaping and buffering of the proposed off-street

parking lots. However, conceptual landscaping is not shown for the proposed future lots with the subject amendment. Existing landscaping that will be affected by proposed buildings and parking is also not designated.

The Conceptual Plan language includes a provision that all off-street parking areas will be landscaped in accordance with the landscaping standards as applicable to the "R-3" District. This will include a mix of perimeter and interior plantings and a landscaped buffer to screen the parking lot from the existing single-family dwelling to the west.

Staff believes that the Conceptual Plan should be revised to provide the proposed required typical plantings for the parking lot interior, perimeter, and open space as well as show the proposed removal of existing landscaping materials that will result from the proposed building and parking improvements. In addition staff recommends that the Conceptual Plan be revised to include a typical landscaped berm profile be provided for required perimeter lot screening in areas that adjoin the remaining public streets.

- 3. Access or Parking:** Two future surface parking areas are proposed along Morton Avenue: one west of the recreation/athletic facility and one at the northeast corner of Morton Avenue and East 14th Street. An extension of the surface parking along Hull Avenue to the west is proposed, while the remainder of Boyd Street and previously vacated portions are proposed to be removed to provide storm water detention and an interior open space between the student housing portion of the campus and the student center.

A short drive access entrance is proposed off East 14th Street between the Student Center expansion and student housing projects. This is intended for emergency vehicle and maintenance access requirements only. Staff recommends that the Conceptual Plan be revised to designate some physical restriction of this access with a locking bollard or gated system. This will prevent the motoring public from accidentally turning into the area.

- 4. Traffic/Street System:** Traffic and Transportation Division staff has indicated that the surrounding street network and traffic controls are adequately designed for any future use and development proposed by the Concept Plan. The dead end segment of Boyd Street is proposed to be vacated and removed. This currently serves as street frontage for existing single-family dwellings that will be removed for the student housing project.
- 5. Utilities:** Des Moines Waterworks and Mid-American Energy have requested reservation of easements for existing facilities within Boyd Street. Grand View University proposes to abandon and either remove or take those utilities over for private purposes only. There is also public sanitary sewer located within the current right-of-way which the applicant seeks to take over as private a private main with re-routing as necessary to accommodate the proposed student housing project.
- 6. 2020 Community Character Plan:** The proposed usage of the subject property for higher educational purposes is consistent with the Public/Semi-Public future land use designation in the Des Moines 2020 Community Character Plan.
- 7. Urban Design:** The Conceptual Plan indicates that the exterior elevation of the addition to the proposed four-story student housing project will have the lower two-stories red brick with natural mortar matching the existing Rassmussen Center on the

west campus and student center renovation to the south. The remaining exterior finish will be Nichiha panels of a sand color to match limestone or of a dark gray to match the slate roof architecture around the campus. The windows will have clear glazing with black anodized aluminum frames.

The addition to the student center is proposed to have a similar architectural character to the Rasmussen Center building on the west campus. The addition will be two-story and have similar floor to floor height as the Rasmussen Center. The upper story will be proportionately taller to accommodate dining areas. The addition will have a similar pitched roof and slate look materials to match the Rasmussen Center. The exterior will have a similar combination of red brick and limestone trim as the Rasmussen Center. There will be architectural metal panel used to transition the existing student center to the new addition.

In addition to the provided renderings, staff believes that more detailed elevations of the student housing project and the student center addition are necessary to finalize the Conceptual Plan Amendment. At this time there are not details or standards created for the enclosed pedestrian bridge. While staff believes that the current Concept Plan amendment can keep this connection shown to indicate the intent to make the connection, a future amendment is recommended to approve and define the design detail of the connection at the time consideration for vacation of air rights would be requested.

SUMMARY OF DISCUSSION

There was no discussion.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one in the audience to speak in opposition

CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION

Kent Sovern moved staff recommendation Part A) Approval of a request for vacation of Boyd Street subject to reservation of easements for any public utilities in place to remain until such time as Grand View University either assumes private ownership of the facilities or relocates the utilities with creation of new public easements.

Part B) The proposed rezoning conforms with the Des Moines' 2020 Community Character Plan future land use designation of Public/Semi-Public.

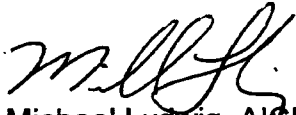
Part C) Approval of Rezoning for an additional 3.86 acres to "PUD" Planned Unit Development.

Part D) Approval of the "PUD" Concept Plan subject to the following:

1. Revision to include proposed conceptual landscaping for surface, off-street parking areas and requires open space.
2. Revision to indicate removal of existing landscaping for proposed building and parking areas, subject to compliance with tree mitigation requirements as part of any Development Plan.
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Motion passed 13-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw

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Item 2010 00088 Date 4/7/10

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

RECEIVED
COMMUNITY DEVELOPMENT

Print Name PLUM PROPERTIES

Signature [Signature]

Address 2536 E 16th ST

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

Item 2010 00088 Date 4-6-10

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

RECEIVED
COMMUNITY DEVELOPMENT

Print Name TERRY ANDERSON

Signature [Signature]

Address 1500 ROYER

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

Item 2010 00038 Date 4-6-2010

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

(Circle One)
RECEIVED
COMMUNITY DEVELOPMENT DEPARTMENT

Print Name James C Walters

Signature James C Walters

APR 10

Address 254 E 16th St, Des Moines, IA

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

Hambrick University impact on the
neighborhood has been a favorable impact
and continues.

Item _____ Date 4/11/10

I (am) (am not) in favor of the request.
COMMUNITY DEVELOPMENT DEPARTMENT

(Circle One)

APR 10 2010 Print Name Phillip J Foley

DEPARTMENT Signature Phillip J Foley

Address 2612 E 16th St

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

THIS WILL HELP ALL OF THE
GRAND VIEW COMMUNITY.

2550

Item 2010 00088 Date 4/5/10

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

RECEIVED

COMMUNITY DEVELOPMENT

Print Name MARY JONAHUC

APR 09 2010

Signature [Signature]

DEPARTMENT

Address SVU, 1200 Grandview Ave.

DES MOINES IA 50316

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

PLEASE REMOVE "SCOTT BOCK" FROM
ADDRESS ~~AND~~ AND ADD TITLE
INSTEAD "VICE PRESIDENT FOR ADMINISTRATION
AND FINANCE"

Item 2010 00088 Date 4-6-10

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

(Circle One)

COMMUNITY DEVELOPMENT

Print Name Rodolfo Chavez

Signature Rodolfo Chavez

Address 1557 Arthur Ave

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

Item 2010 00088

Date 4-7-10

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

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT

Print Name Donna M. Cowgill

Signature Donna M. Cowgill

APR 10 2010
Address 1517 Richmond Ave

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

I am a widow of 83 years of age -
I would like to spend the rest of
my days here in my home
without all the Confusions in happy
for students. You may buy my home if
this goes thru.

Item 2010 00088

Date _____

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

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT

Print Name JULIUS-POLICH

Signature Julius Polich

APR 10 2010
Address 1446- Rayer St

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

my house is empty because
I don't live there anymore
no reason for an answer