

Date July 9, 2007

WHEREAS, on June 18, 2007, by Roll Call No. 07-1164, it was duly resolved by the City Council, that a public hearing to be held on July 9, 2007, at 5:00 p.m., in the Council Chambers at City Hall, to consider a proposal from Luther Park Health Center, Inc., represented by Denny Garland (officer), to amend the approved Luther Park Center PUD Conceptual Plan for the Luther Park facility located in the vicinity of 2824 E. 16th Street, to provide for an additional 22 dwelling units, reduce front yard setbacks to 26' on Hull Avenue and 28' on E. 16th Street, and reconfigure the off-street parking; and,

WHEREAS, due notice of said hearing was published in the Des Moines Register on June 29, 2006, as provided by law, setting forth the time and place for hearing on said proposed amendment to the approved "PUD" Conceptual Plan; and,

WHEREAS, the Plan and Zoning Commission has recommended that the proposed amendment to the approved "PUD" Conceptual Plan be approved, subject to the conceptual plan being first amended as set forth in the attached letter from the Planning Administrator; and,

WHEREAS, in accordance with the published notice those interested in said proposed amendment to the approved "PUD" Conceptual Plan, 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 amendments to the approved "PUD" Conceptual Plan for the property in the vicinity of 2824 E. 16th Street, and more specifically described below, are hereby overruled and the hearing is closed.

A Tract of land in the Southwest ¼ of Section 25, Township 79 North, Range 24 West of the 5th P.M., further described as:

Lots 1 through 6, Amos Place, an Official Plat; the North 635.0 feet of Lot 1, Partition Plat of the Northeast 1/4 of the Southwest 1/4 of said Section 25; the East 50.0 feet of the South 150.0 feet of the North 175.0 Feet of Lot 11, of said Partition Plat; Lots 1 through 15, Mechanic Addition, an Official Plat; the 8.5 foot vacated North/South alley right-of-way lying West of and adjoining said Lots 1 through 15, (except the West ½ of vacated alley lying West of the South 13.34 feet of said Lot 13, and the West ½ of vacated alley lying West of said Lots 14 & 15); Lots 5, 6, and 7, Lindquist Place Replat, an Official Plat; the 8.0 foot vacated North/South alley right-of-way lying East of and adjoining said Lots 5, 6, and 7; a triangular piece beginning at the SW corner of Lot 4, of said Lindquist Place Replat, thence East 27.0 feet along said Lot line, thence Northwesterly to a point 1.5 feet North of said

(continued)

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Date July 9, 2007

corner, thence South 15 feet to the Point of Beginning; and the 50.0 foot right-of-way lying West of and adjoining said Lots 5, 6, and 7, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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

3. The amended "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 recommended by the Plan and Zoning Commission, and subject to approval of such amendments by the Community Development Director:

- a) Revise to show the existing and proposed plantings and screening to meet landscaping requirements as applicable to "R-3" Districts for the reconfigured off-street parking area along Hull Avenue.
- b) Addition of dimensions on the plan for revised minimum building setbacks and for off-street parking setback distances.
- c) Provision of replacement over-story trees to mitigate those to be removed by the parking modifications.
- d) Provision of architectural elevations for the single-story addition to the northwest building and labeling of materials for the dining addition on the elevations for the east building.

MOVED by _____ to adopt.

FORM APPROVED:


 Roger K. Brown, Assistant City Attorney

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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.

_____ City Clerk

MOTION CARRIED

APPROVED

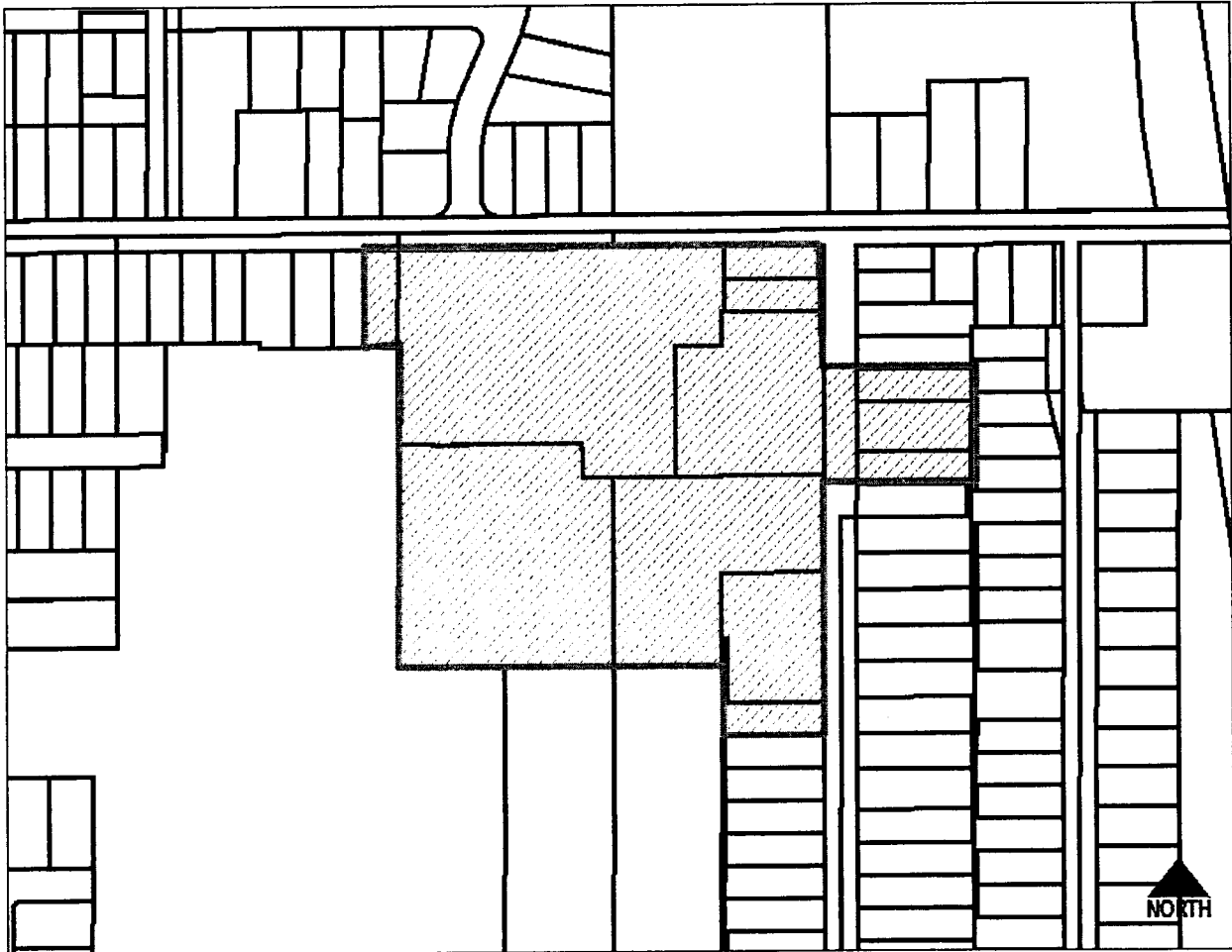
.....
 Mayor

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Request from Luther Park Health Center, Inc. represented by Denny Garland (agent) to amend the Luther Care Services PUD for property located at 2824 East 16 th Street.		File #	
		ZON2007-00069	
Description of Action	Amend the PUD for subject property to provide an additional 22 units, reduce front yard setbacks to 26' on Hull and 28' on East 16th St and reconfigure off-street parking.		
2020 Community Character Plan	High-Density Residential		
Horizon 2025 Transportation Plan	No Planned Improvements		
Current Zoning District	"PUD" Planned Unit Development		
Proposed Zoning District	"PUD" Planned Unit Development		
Consent Card Responses	In Favor	Not In Favor	Undetermined
Inside Area			
Outside Area	0	7	0
			% Opposition
			<20%
Plan and Zoning Commission Action	Approval		Required 6/7 Vote of the City Council
	Denial		
			Yes
			No

Luther Park Center PUD amendment - 2824 E 16th Street

ZON2007-00069



June 18, 2007

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 June 7, 2007, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 9-0 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			
Jim Martin				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 Luther Park Health Center, Inc. represented by Denny Garland (officer) to amend the Luther Park Center PUD for property located in the vicinity of 2824 East 16th Street to provide an additional 22 units, reduce front yard setbacks to 26' on Hull Avenue and 28' on E. 16th Street and reconfigure off-street parking subject to the following modifications: (ZON2007-00069)

1. Revise to show the existing and proposed plantings and screening to meet landscaping requirements as applicable to "R-3" Districts for the reconfigured off-street parking area along Hull Avenue.
2. Addition of dimensions on the plan for revised minimum building setbacks and for off-street parking setback distances.
3. Provision of replacement over-story trees to mitigate those to be removed by the parking modifications.
4. Provision of architectural elevations for the single-story addition to the northwest building and labeling of materials for the dining addition on the elevations for the east building.

Written Responses

0 In Favor

7 In Opposition

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

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the requested amendment to the Luther Park Center PUD Conceptual Plan subject to the following modifications:

1. Revised to show the existing and proposed plantings and screening to meet landscaping requirements as applicable to "R-3" Districts for the reconfigured off-street parking area along Hull Avenue.
2. Addition of dimensions on the plan for revised minimum building setbacks and for off-street parking setback distances.
3. Provision of replacement over-story trees to mitigate those to be removed by the parking modifications.
4. Provision of architectural elevations for the single-story addition to the northwest building and labeling of materials for the dining addition on the elevations for the east building.

STAFF REPORT

1. **Purpose of Request:** The applicant is seeking to expand the retirement campus for Luther Park Center to add 22 assisted living units, add two dining area additions on separate portions of the complex and reconfigure the existing off-street parking area to accommodate displaced parking.
2. **Size of Site:** 10.96 acres.
3. **Existing Zoning (site):** "PUD" Planned Unit Development.
4. **Existing Land Use (site):** The subject property is a senior living campus that provides residential units spanning from senior independent living apartments to assisted living apartments to Alzheimer's care and convalescent care beds.
5. **Adjacent Land Use and Zoning:**

North – "R1-60" and "R-3", Uses are single-family residential and Polk County youth shelter and detention center.

South – "PUD" & "R1-60", Uses are Grand View College Campus and single-family residential dwellings.

East – "R1-60" and "R-3", Uses are single-family residential

West – "PUD" & "R1-60", Use is Grand View College Campus and single-family dwelling.

6. **General Neighborhood/Area Land Uses:** The subject property is in a transition area between the Grand View College campus to the west and south and residential neighborhoods to the north and east.
7. **Applicable Recognized Neighborhood(s):** Union Park Neighborhood
8. **Relevant Zoning History:** The property was zoned "PUD" by the City Council on November 17, 2003. On November 11, 2004 the City Council approved an amendment to the PUD Conceptual Plan to allow for the subject three-story building with 32 independent senior living units and 19 assisted living units. On August 8, 2005 the City Council expanded the PUD zoned area to east of East 16th Street and approved a second amendment to the PUD Conceptual Plan to allow for an off-street parking lot intended primarily to serve employees and visiting nurses.
9. **2020 Community Character Land Use Plan Designation:** High Density Residential.
10. **Applicable Regulations:** The application, accompanying evidence and Conceptual Plan amendment 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 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 amendment 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 currently approved Conceptual Plan provided storm water detention in the southeast portion of the site that was designed and constructed to accommodate the entire area of the PUD. Also, in an effort to improve storm water problems that previously existed in the neighborhood area, the applicant has worked with Grandview College to expand capacity of storm water detention on their campus immediately to the west to better control drainage that was passing through the site prior to improvements made in more recent years. Public storm sewer improvements within East Sheridan Avenue to the south have partially mitigated storm water problems along East 16th Street that were of concern when the Commission considered previous development under the PUD.

The location of the proposed additions and the displaced parking will slightly increase the impervious area. The applicant's designer believes that the existing storm water management will be adequate for that increase. The actual calculations are required to be evaluated with any development plan for the proposed site amendments. If necessary modifications to the existing detention basin and/or other alternate storm water management methods may be required.

2. **Landscaping & Buffering:** Modifications to the existing off-street parking along Hull Avenue will necessitate compliance with interior lot and parking lot perimeter landscaping in accordance with the Des Moines' Landscape Standards for "R-3" Districts. The proposed amendment should be revised to show the existing and proposed plantings and screening to meet this requirement. Also a legend showing general types of landscaping (over-story tree, ornamental tree, evergreen tree, shrub, etc.) should be provided on the Conceptual Plan amendment. It appears that a couple of mature trees east of the west parking lot drive entrance on Hull Avenue will require removal to accommodate the off-street parking

reconfiguration. Staff recommends that tree plantings to replace these be provided and shown generally on the Conceptual Plan.

- 3. Access or Parking:** The proposed new units will generate 17 additional required off-street parking spaces. The number removed as a result of the addition will be 25 spaces. There will still be 287 total off-street parking spaces provided with 174 actually required as a minimum under the off-street parking standards in the Zoning Ordinance.

The east drive entrance along Hull Avenue is proposed to be shifted west approximately 40 feet to accommodate the proposed three-story addition to the northeast apartments. This improves the safety by increasing the distance from the intersection at Hull Avenue and East 16th Street and the off-set from the drive entrance to the Polk County juvenile detention facility to the north.

- 4. Des Moines' 2020 Community Character Plan:** The existing High Density Residential future land use designation will accommodate the 22-unit increase in assisted living units. The High Density designation allows for high and mid-rise buildings over 17 units per acre.
- 5. Urban Design:** The subject three-story addition is proposed to be setback 26' from Hull Avenue. The one-story dining room addition on the east side of the building is proposed to be 28' from East 16th Street. Both additions require amendment to the approved minimum setback of 30' from both streets.

The three-story addition is proposed with a hipped roof, and mirrors the brick, hardi-plank, hardi-trim, windows and asphalt shingles of the existing building. The east and west facades are proposed with similar third-story gabled dormers. When looking at the multiple-family design guidelines as a reference, staff believes that the proposed addition will conform the design of the existing building.

The proposed one-story dining hall addition on the southeast side of the building is flat roofed comprised primarily of muntin divided glass with painted detailed square columns and roof cornices with evenly spaced brackets. There are planters shown on the roof.

SUMMARY OF DISCUSSION

Mike Ludwig: Presented staff report and recommendation. Noted there have been concerns regarding storm water management in the past, but a lot of improvements have been done in the area to reduce the amount of storm water coming through their site. They are trying to hold on to as much of the water as they can and release it at a slower rate to address some of the storm water issues the neighbors have expressed in the past. In addition, the City did a project on E. 16th Street to help alleviate storm water issues.

Denny Garland, Luther Care Services: Noted they opened an assisted living center and after 8 months it is full; they underestimated the demand. Indicated they need to come up with a long-range plan, but they did not think they would have this kind of demand; they would make a point to provide a long-range plan. Indicated Luther Park has stabilized the neighborhood. Suggested the three facilities would pay the equivalent of 150 homes in taxes when the abatement expires.

Dann Flaherty: Commended Luther Park on putting quality development into the east side of Des Moines.

Denny Garland: Indicated they have been promoting rain gardens as well as permeable surfaces.

Fran Koontz: Asked if they had apartments for assisted living.

Denny Garland: Explained half of the Luther Park apartments receive financial assistance.

Fran Koontz: Asked if Luther Park would join Grandview in selling shopping at Eastgate.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one in the audience to speak in favor

The following individual spoke in opposition:

Valerie Madison, 2716 Sampson: Asked if the construction documents had been submitted to the State for review.

Larry Hulse: Noted the State's processes are their's and within the City's jurisdiction they are proceeding as required.

Valerie Madison: Indicated they are not in opposition to development, but expressed concern that the residents are being choked out by Luther Park and Grandview and they don't want to drown. Asked the Commission to consider the neighboring residents.

Fran Koontz: Explained Luther Park is retaining all their water.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Shirley Daniels: Moved staff recommendation and commended Luther Park for the services they provide for the individuals and suggested it speaks very highly that they need to continue to build more units.

Motion passed 9-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:dfa

Attachment

Item 2007 00069

Date 5/25/07

I (am) in favor of the request.
(Circle One)

RECEIVED
MAY 30 2007
COMMUNITY DEVELOPMENT
DEPARTMENT

Print Name Walter GIVERS III
Signature Walter Givers III
Address 2919 E. 16th ST

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

Negatively affects property value. They
will grow accustomed to talking property.

Item 2007 00069

Date 6-1-07

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

RECEIVED

JUN 04 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

Print Name Thelma I Swensen

Signature Thelma I Swensen

Address 2800 Sampson St

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

I am not opposing as long as its legal
with building + city laws and regulations,
and if this will be the last and final
building and no more land bought and
used for parking.

Item 2007 00069

Date 5/29/07

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

RECEIVED

MAY 31 2007

COMMUNITY DEVELOPMENT
DEPARTMENT

Print Name Scott Mikals

Signature Scott Mikals

Address 2701 E 16th St

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

The takeover of the neighborhood
By Luther Park & the college will
degrade the value of the houses on
this street and others

Item 2007 00069

Date 6/1/07

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

(Circle One)

RECEIVED

JUN 04 2007

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name

Elizabeth A. Grochala

Signature

Elizabeth A. Grochala

Address

1629 Hull ave

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

Between Luther Park & Grandview College our quiet neighborhood is disappearing. Traffic is increasing in the neighborhood. We need some houses left.

Item 2007 00069

Date 6-01-07

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

(Circle One)

RECEIVED

JUN 06 2007

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name

VALERIE S. MADISON

Signature

Valerie S. Madison

Address

2716 Sampson

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

Luther Park is trying to push us out - I remember something being said @ a P/M mtg that there would be no more buildings until 2015 - my calendar shows that's a few years down the road.

Item 2007 00069 Date 5-25-07

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

RECEIVED
MAY 29 2007
COMMUNITY DEVELOPMENT
DEPARTMENT

Print Name Mary Cherill Kephart
Signature Mary Cherill Kephart
Address 2808 Sampson

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

I have had my basement flooded
from water coming from Luther Park
Area.

Item 2007 00069 Date 6-1-07

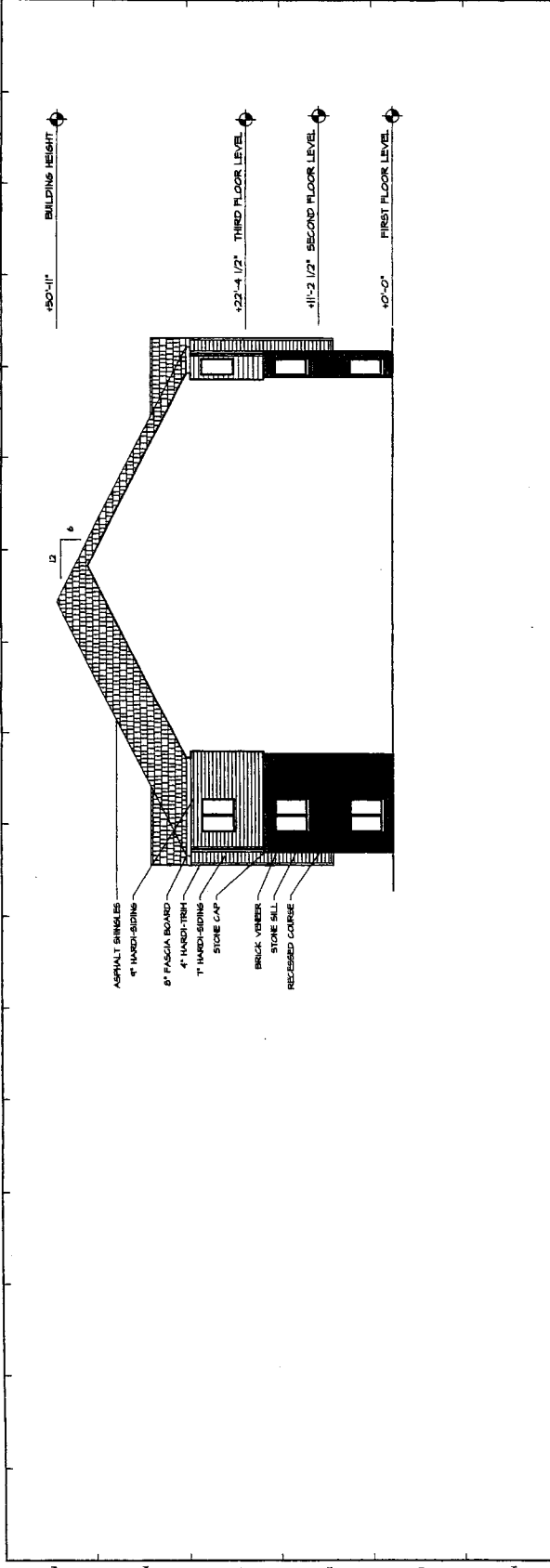
I (am) (am not) in favor of the request.
(Circle One)

RECEIVED
JUN 04 2007
COMMUNITY DEVELOPMENT
DEPARTMENT

Print Name LINDA SHARER
Signature Linda Sharer
Address 1526 Hull Ave

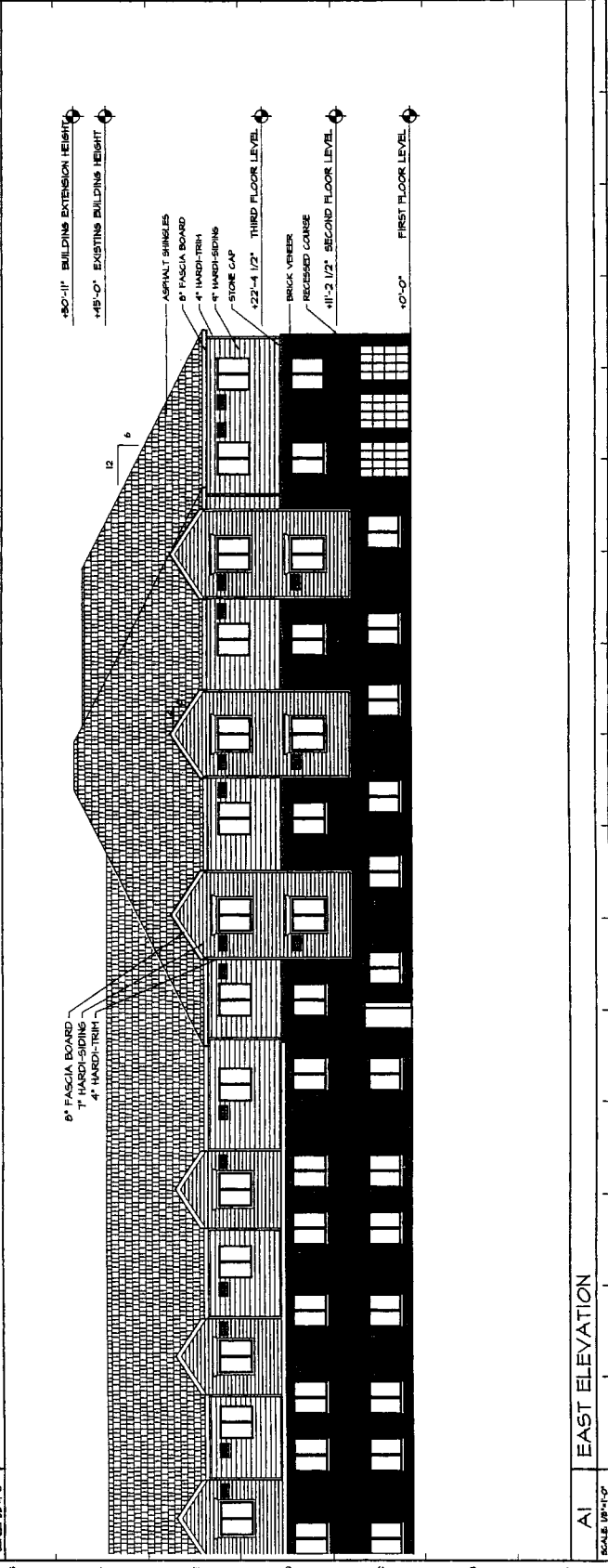
Reason for opposing or approving this request may be listed below:

A202



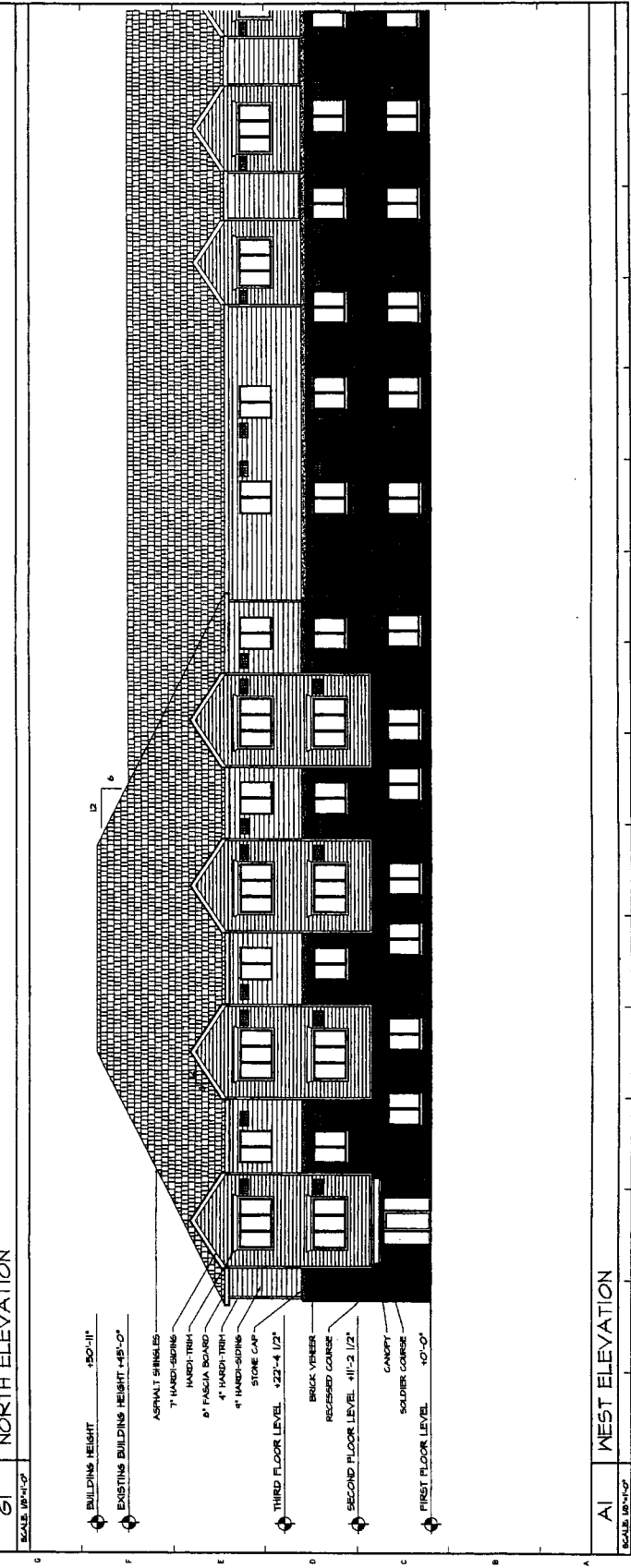
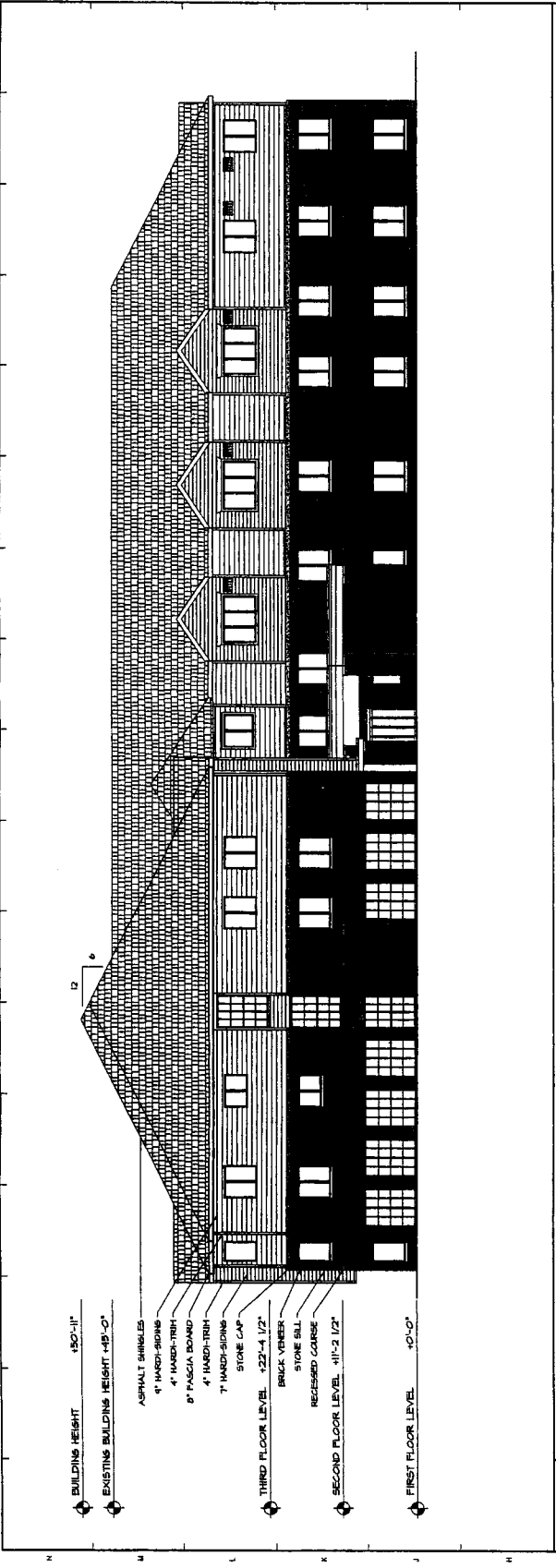
G1 SOUTH ELEVATION

SCALE: 1/8"=1'-0"



A1 EAST ELEVATION

SCALE: 1/8"=1'-0"



The project of the proposed addition
 described herein has been prepared under
 the direct supervision and responsible
 charge of the undersigned
 architect.
 ENVIRONMENTAL DESIGN
 GROUP, LTD.
 ARCHITECTS - LANDSCAPE ARCHITECTS - PLANNERS
 1000 Locust Street, Suite 1000
 Des Moines, Iowa 50319
 Phone: 515-281-1111
 Fax: 515-281-1112
 Date of completion: 04/20/07
 This plan is made subject to the rules
 and regulations of the State Board of
 Architectural Examiners.

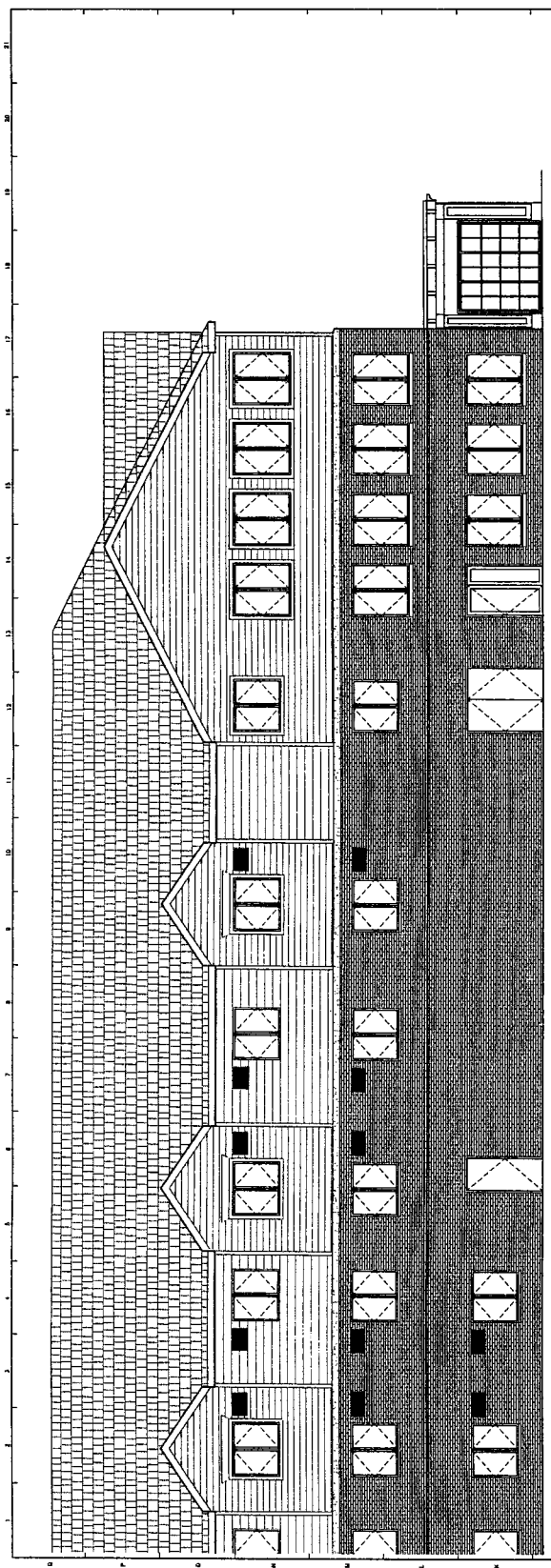


LUTHER CARE SERVICES
ASSISTED LIVING CENTER ADDITION
 DES MOINES, IOWA

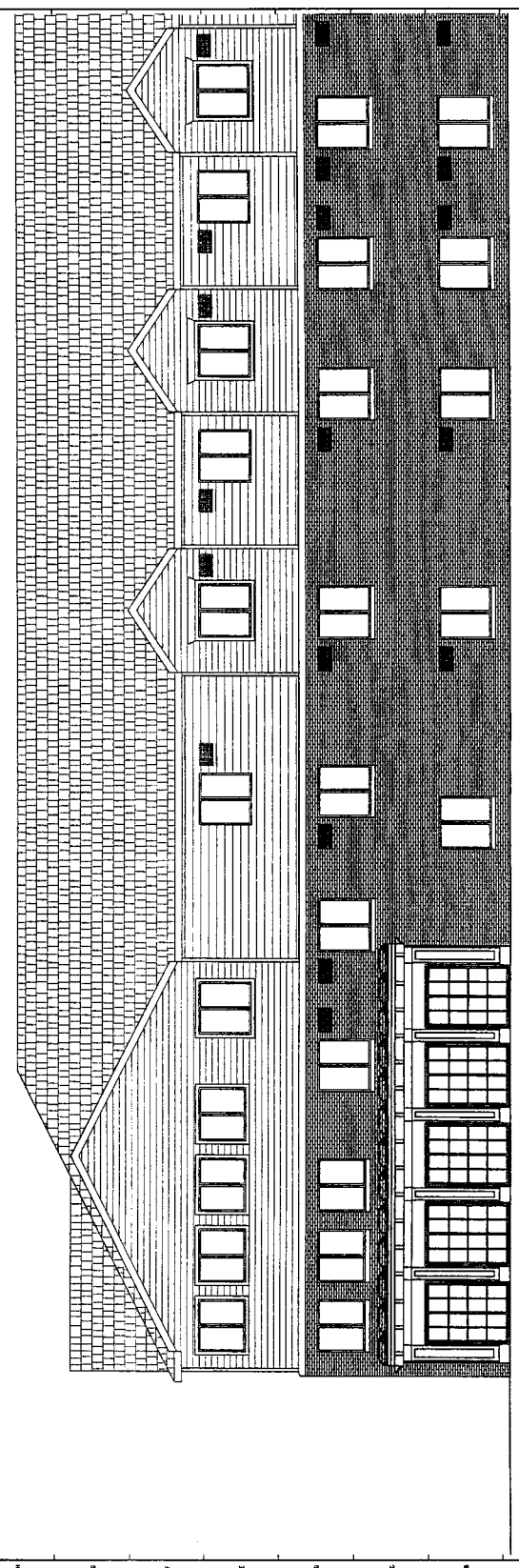
ELEVATIONS

PROJECT NUMBER: 2006.05
 DATE: 04/20/07
 REVISIONS:

A208



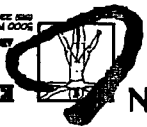
JI SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



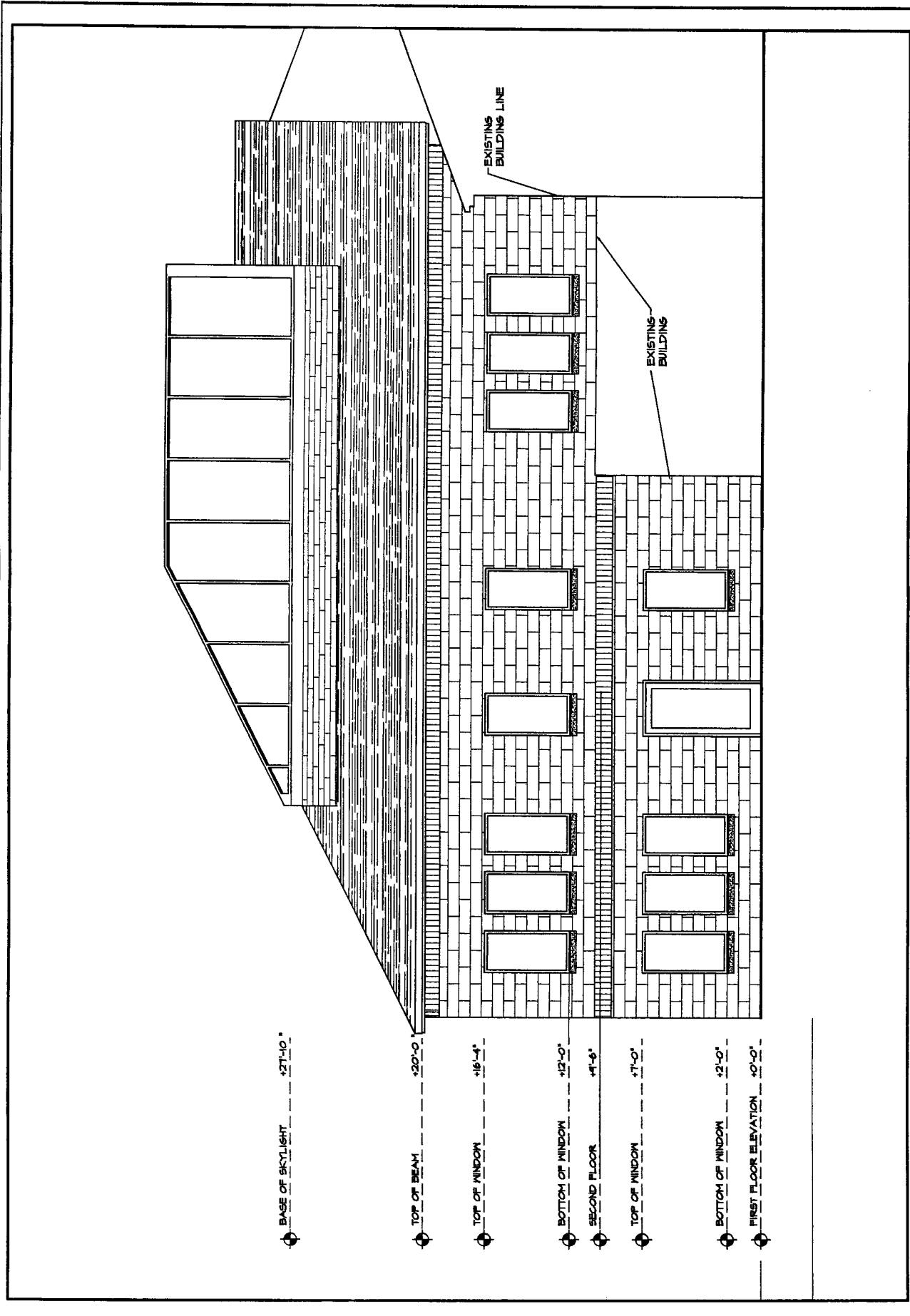
AI EAST ELEVATION
 SCALE: 1/8" = 1'-0"

LUTHER DINING ADDITION

ENVIRONMENTAL DESIGN GROUP, LTD.



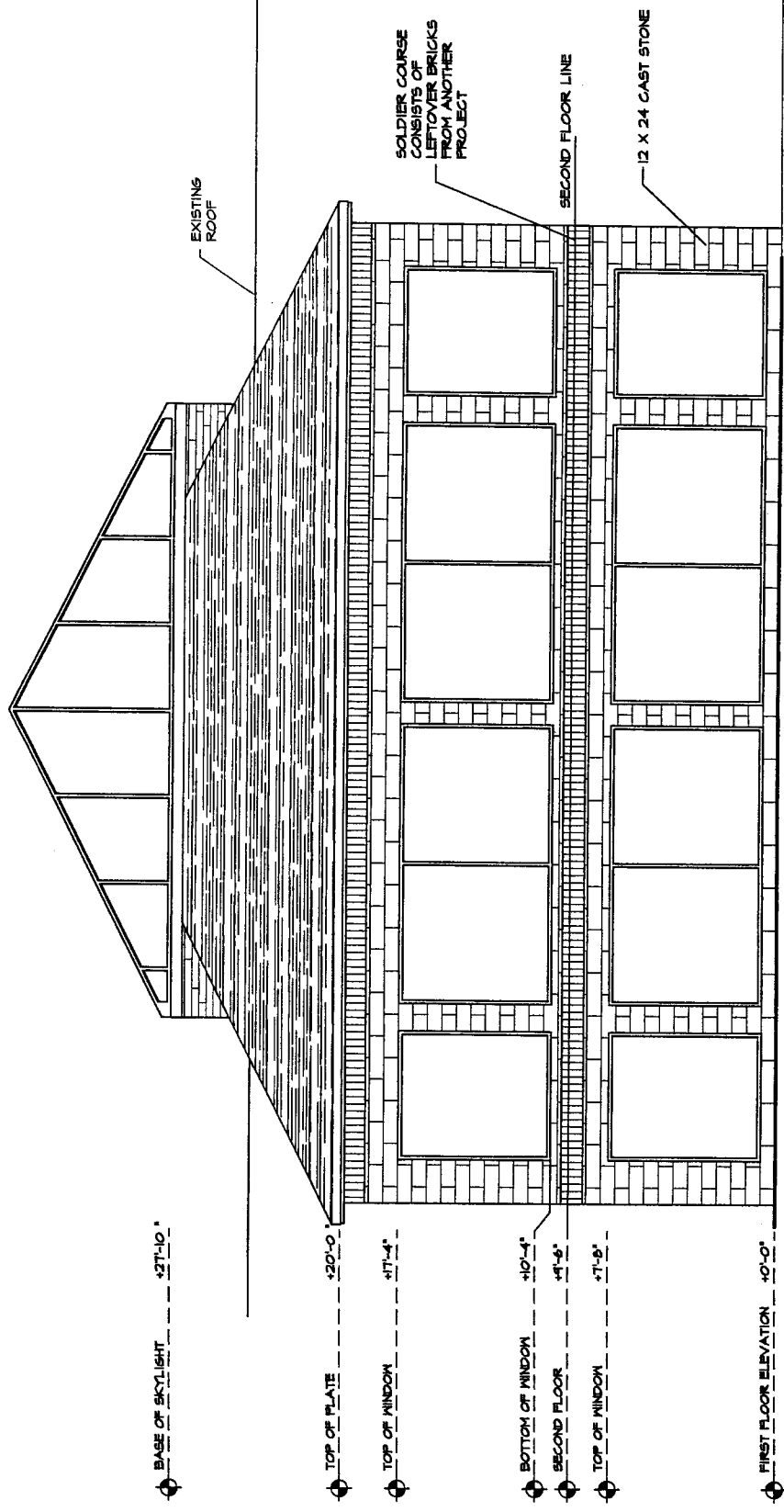
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- BASE OF SKYLIGHT 27'-10"
- TOP OF BEAM 20'-0"
- TOP OF WINDOW 16'-4"
- BOTTOM OF WINDOW 2'-0"
- SECOND FLOOR 1'-8"
- TOP OF WINDOW 1'-0"
- BOTTOM OF WINDOW 2'-0"
- FIRST FLOOR ELEVATION 0'-0"

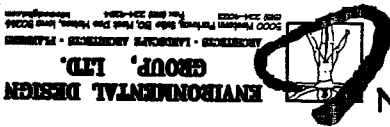


1



BASE OF SKYLIGHT +27'-10"
 TOP OF PLATE +20'-0"
 TOP OF WINDOW +17'-4"
 BOTTOM OF WINDOW +10'-4"
 SECOND FLOOR +1'-6"
 TOP OF WINDOW +7'-8"
 FIRST FLOOR ELEVATION +0'-0"

LUTHER DINING ADDITION



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