

Date..... November 7, 2011

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 20, 2011, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Franklin Field Senior Apartments, LLLP (developer) represented by John Mauro (agent) to rezone property located in the vicinity of 5300 Franklin Avenue from "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development District.

The subject properties are more specifically described as follows:

A tract of land in the SE ¼ of the NW Fractional ¼ of Section 31, Township 79 North, Range 24 West of the 5th P.M., in the City of Des Moines, Polk County, Iowa; Beginning at the Northeast Corner of Lot H in Mesa Park, an Official Plat; thence South 90° (degrees) 00' (minutes) 00" (seconds) East, parallel to the North line of said SE ¼ NW ¼, a distance of 470.41 feet; thence S00°36'35"E, a distance of 89.50 feet; thence S89°23'25"W, a distance of 71.00 feet; thence S00°36'35"E, a distance of 56.00 feet; thence N89°23'25"E, a distance of 71.00 feet; thence S00°36'35"E, a distance of 64.51 feet; thence N90°00'00"W, a distance of 469.54 feet; thence N00°50'54"W, a distance of 210.02 feet to the Point of Beginning; said tract being subject to and together with any and all easements of record. Said tract contains 2.17 acres more or less.

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 rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on November 21, 2011, 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.

FORM APPROVED:

MOVED by _____ to adopt.


Michael F. Kelley, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED	APPROVED			

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

Mayor

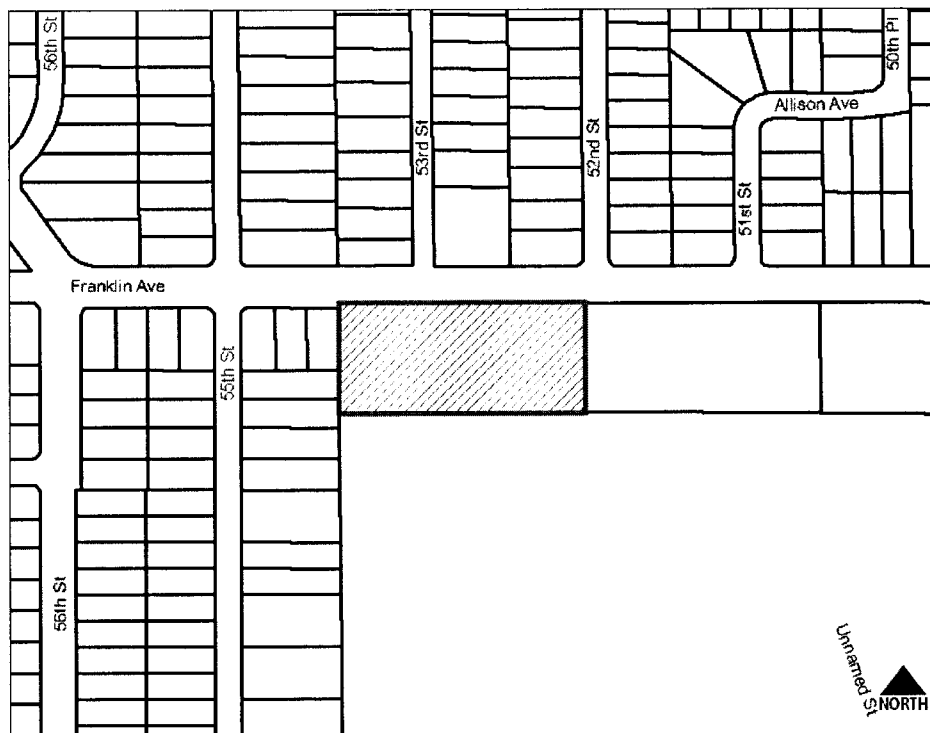
City Clerk

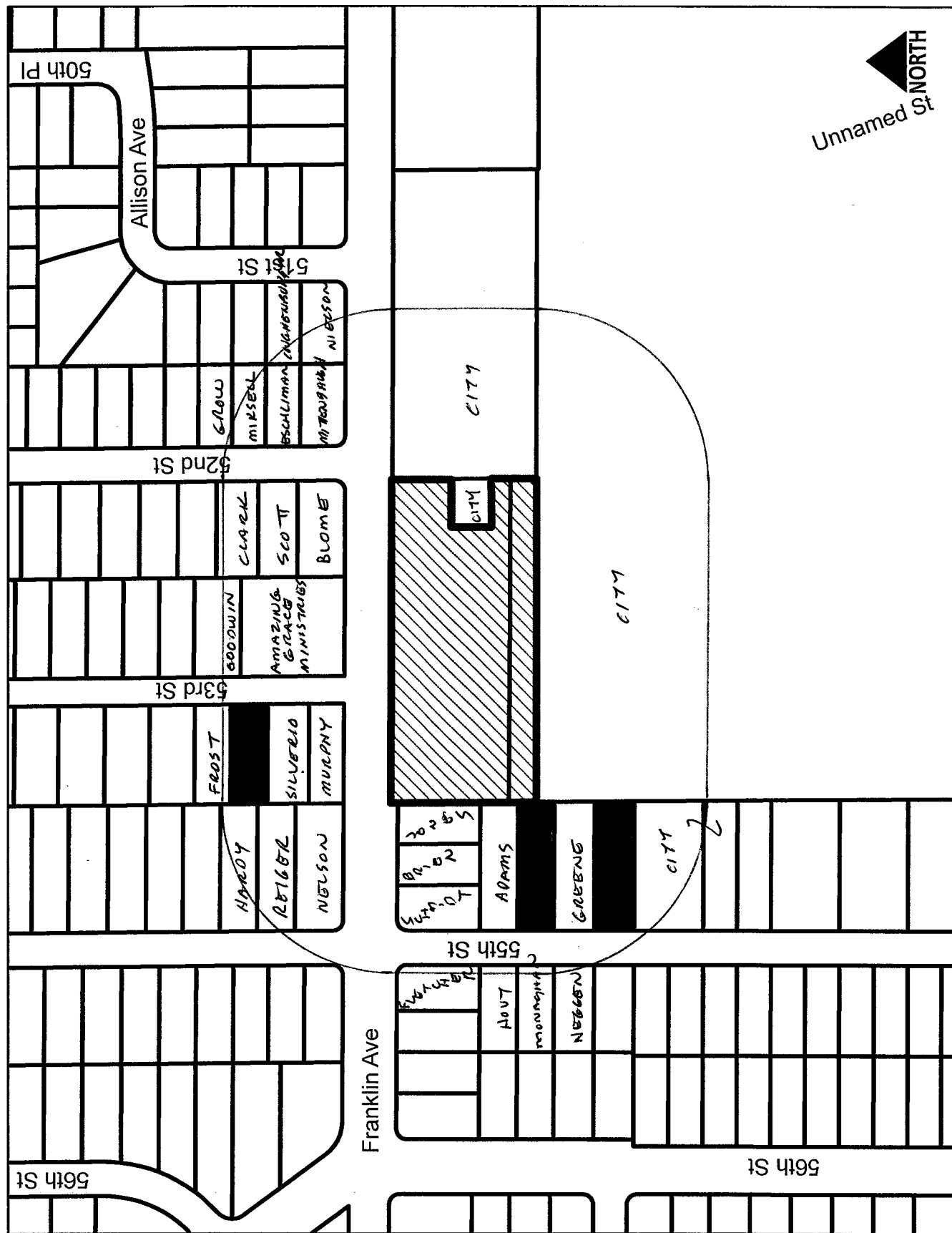
20

Request from Franklin Field Senior Apartments, LLLP (developer) represented by John Mauro (agent) to rezone the property located at 5300 Franklin Avenue. The subject property is owned by the City of Des Moines.				File #		
				ZON2011-00176		
Description of Action	Review and approval to rezone the property from "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development District. and Approve a "PUD" Conceptual Plan for Franklin Field Senior Apartments allowing redevelopment of a portion of excess Glendale Cemetery for development of a 40-unit multiple-family senior living apartment building.					
2020 Community Character Plan		Low-Density Residential				
Horizon 2035 Transportation Plan		No Planned Improvements				
Current Zoning District		"R1-60" One-Family Low-Density Residential District				
Proposed Zoning District		"PUD" Planned Unit Development District				
Consent Card Responses		In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area			3			
Outside Area		2				
Plan and Zoning Commission Action	Approval	10-0		Required 6/7 Vote of the City Council	Yes	
	Denial				No	X

Franklin Field Senior Apartments PUD - 5300 Franklin Avenue

ZON2011-00176





Date _____

Agenda Item 20

Roll Call # _____

October 27, 2011

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 October 20, 2011, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
JoAnne Corigliano	X			
Shirley Daniels				X
Jacqueline Easley	X			
Tim Fitzgerald	X			
Dann Flaherty				X
John "Jack" Hilmes	X			
Joel Huston				X
Ted Irvine	X			
Greg Jones	X			
William Page	X			
Christine Pardee	X			
Mike Simonson	X			
Kent Sovern				X
CJ Stephens	X			

APPROVAL of a motion to find the property in the vicinity of 5300 Franklin Avenue not in conformance with Des Moines' 2020 Community Character Plan future land use and Waveland Park Neighborhood Plan.

By separate motion Commissioners recommended 10-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
JoAnne Corigliano	X			
Shirley Daniels				X
Jacqueline Easley	X			
Tim Fitzgerald	X			
Dann Flaherty				X
John "Jack" Hilmes	X			
Joel Huston				X
Ted Irvine	X			
Greg Jones	X			
William Page	X			
Christine Pardee	X			
Mike Simonson	X			
Kent Sovern				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 Part B) the requested amendment to the Des Moines' 2020 Community Character Plan and the Waveland Park Neighborhood Plan to revise the existing future land use designation from Park/Open Space to High Density Residential; and **approval** of Part C) a request from Franklin Field Senior Apartments, LLLP (developer) represented by John Mauro (agent), City of Des Moines (owner) to rezone the property located at 5300 Franklin Avenue from "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development District. 21-2011-4.13 & ZON2011-00176

By separate motion Commissioners recommended 10-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
JoAnne Corigliano	X			
Shirley Daniels				X
Jacqueline Easley	X			
Tim Fitzgerald	X			
Dann Flaherty				X
John "Jack" Hilmes	X			
Joel Huston				X
Ted Irvine	X			
Greg Jones	X			
William Page	X			
Christine Pardee	X			
Mike Simonson	X			
Kent Sovern				X
CJ Stephens	X			

APPROVAL of Part D) a "PUD" Conceptual Plan for Franklin Field Senior Apartments allowing redevelopment of a portion of excess Glendale Cemetery for development of a 40-unit multiple-family senior living apartment building subject to the following conditions:

1. Compliance with all administrative review comments of the Conceptual Plan.
2. Incorporation of all conditions of the conveyance of the excess park land by the City Council as additional special notes.
3. Reference in the PUD Standards narrative that requires compliance with all Tree Protection and Mitigation Ordinances as part of any development.
4. Reference in the PUD Standards narrative that requires compliance with all storm water management policies as part of any development.
5. Reference in the PUD Standards narrative that any grading of the property is subject to a Development Plan and shall meet all water quality and soil erosion/protection requirements.
6. Provision of a discussion in the general development concept narrative of how stormwater management, soil protection, and access to necessary utilities will generally be provided with the proposed development.
7. Reference in the PUD standards narrative of the requirements for landscaping, with those applied to "R-4" Districts as a minimum.
8. Relocation of the proposed overstory trees along the north side of the building to within the Franklin Avenue right-of-way, with a note that any Development Plan will consider the street trees in the context of existing underground and aerial utilities and the final location may of the proposed trees may be shifted further south into

the site based on a review and still be found in conformance with this Conceptual Plan.

9. Provision of minimum off-street parking requirements for senior living in the PUD standards narrative.
10. Provision of a pedestrian connection on the west side of the proposed building to the public sidewalk along Franklin Avenue.
11. Provision of bulk standards in the PUD standards narrative to reflect a principle building setback at 30 feet along the entire perimeter of the PUD with minimum setbacks for paving and accessory structures set at 30-feet on the north and 10-feet along the east, west and south boundaries with exclusion for the maneuvering turnaround for fire apparatus and access for Parks maintenance vehicles.
12. Provision of bulk standards for a minimum building height of 50 feet and minimum number of signs and sign area to reflect the proposed monument sign.
13. Reference compliance with design guidelines for multiple-family residential contained in the Site Plan Ordinance.
14. Provision of minimum design guidelines in the PUD standards that are reflective of the proposed elevations, with additional standards for fencing and screening of meters and mechanical equipment.
15. Revision of the plan view sheet to incorporate a screen fence along the western boundary.
16. Revision of the architectural elevations to show screening of meters on the west elevations.
17. Revision to add detailed typical elevations for lighting and fencing to the detail elevation sheet.

Written Responses

2 In Favor

3 In Opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the requested rezoning with conditions be found not in conformance with the Des Moines' 2020 Community Character Plan future land use and Waveland Park Neighborhood Plan.

Part B) Staff recommends approval of an amendment to the Des Moines' 2020 Community Character Plan and the Waveland Park Neighborhood Plan to revise the existing future land use designation from Park/Open Space to High Density Residential.

Part C) Staff recommends approval of the requested rezoning from "R1-60" to "PUD".

Part D) Staff recommends approval of the submitted PUD Conceptual Plan for Franklin Field Senior Apartments subject to the following revisions:

1. Compliance with all administrative review comments of the Conceptual Plan.
2. Incorporation of all conditions of the conveyance of the excess park land by the City Council as additional special notes.
3. Reference in the PUD Standards narrative that requires compliance with all Tree Protection and Mitigation Ordinances as part of any development.
4. Reference in the PUD Standards narrative that requires compliance with all storm water management policies as part of any development.

5. Reference in the PUD Standards narrative that any grading of the property is subject to a Development Plan and shall meet all water quality and soil erosion/protection requirements.
6. Provision of a discussion in the general development concept narrative of how stormwater management, soil protection, and access to necessary utilities will generally be provided with the proposed development.
7. Reference in the PUD standards narrative of the requirements for landscaping, with those applied to "R-4" Districts as a minimum.
8. Relocation of the proposed overstory trees along the north side of the building to within the Franklin Avenue right-of-way, with a note that any Development Plan will consider the street trees in the context of existing underground and aerial utilities and the final location may of the proposed trees may be shifted further south into the site based on a review and still be found in conformance with this Conceptual Plan.
9. Provision of minimum off-street parking requirements for senior living in the PUD standards narrative.
10. Provision of a pedestrian connection on the west side of the proposed building to the public sidewalk along Franklin Avenue.
11. Provision of bulk standards in the PUD standards narrative to reflect a principle building setback at 30 feet along the entire perimeter of the PUD with minimum setbacks for paving and accessory structures set at 30-feet on the north and 10-feet along the east, west and south boundaries with exclusion for the maneuvering turnaround for fire apparatus and access for Parks maintenance vehicles.
12. Provision of bulk standards for a minimum building height of 50 feet and minimum number of signs and sign area to reflect the proposed monument sign.
13. Reference compliance with design guidelines for multiple-family residential contained in the Site Plan Ordinance.
14. Provision of minimum design guidelines in the PUD standards that are reflective of the proposed elevations, with additional standards for fencing and screening of meters and mechanical equipment.
15. Revision of the plan view sheet to incorporate a screen fence along the western boundary.
16. Revision of the architectural elevations to show screening of meters on the west elevations.
17. Revision to add detailed typical elevations for lighting and fencing to the detail elevation sheet.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The developer proposes to purchase excess land from the Glendale Cemetery to redevelop it for 40 units of senior living multiple-family apartments. This includes developing necessary off-street parking and preserving access to adjacent community gardening and pedestrian trails by the public and City Parks and Recreation staff. The community gardening area and the trail shelter pavilion would remain under public ownership and maintenance.

On August 8, 2011 the City Council adopted Ordinance No. 15,033 which vacated 1.76 acres of the Glendale Cemetery after declaring it excess property on June 13, 2011.

On July 25, 2011 the Council entered into a purchase agreement with the applicant to convey the property subject to the following conditions:

- A) Reservation of easement for public utilities including the existing waterline servicing the community gardens, and easement for City and public vehicular and pedestrian use and parking upon the Property;
- B) Restriction on usage to development of senior housing project as proposed by the buyer;
- C) Inclusion of the Park and Recreation Board in the site plan process to address concerns regarding proposed usage and its impact on adjacent City land uses and the visual impact from adjacent City land and Franklin Avenue;
- D) Development of the property to include a landscaping plan presented to and reviewed by City Parks Department staff and the City's community gardening coordinator to assure that the community gardens in the vicinity of the property are protected and not negatively impacted, and conformance to the City tree mitigation ordinance and any additional requirements set forth in the City's tree mitigation policy; and
- E) Buyer's protection of the park shelter, trail, adult exercise equipment and Community garden property in the vicinity of the property during the construction process through the use of siltation fencing and other measures to control runoff and damage from construction equipment and materials.

2. Size of Site: 94,722 square feet (2.17 acres).

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

4. Existing Land Use (site): Paved off-street parking, community gardening, a pavilion shelter, and a recreational trail.

5. Adjacent Land Use and Zoning:

North – "R1-60", Uses are Amazing Grace Church and single-family dwellings.

South – "R1-60", Use is the Glendale Cemetery and recreational trail.

East – "R1-60", Use is the Northwest Community Center and the Franklin Avenue branch of the Public Library.

West – "R1-60", Uses are single-family dwellings.

6. General Neighborhood/Area Land Uses: The subject property is located along a traffic collector in an area transitioning from single-family residential neighborhood to a mixed use area with higher density residential use, neighborhood commercial uses, and other civic uses such as churches, a library, cemeteries, and a community center.

7. Applicable Recognized Neighborhood(s): Waveland Park Neighborhood Association, Merle Hay Neighborhood Association, and Beaverdale Neighborhood Associations. It should be noted that the former two neighborhoods have officially supported the development proposal with the Beaverdale Neighborhood Association taking an official position against the proposal.

8. **Relevant Zoning History:** N/A.
9. **2020 Community Character Land Use Plan Designation:** Park/Open Space. This is the same designation within the Waveland Park Neighborhood Plan.
10. **Applicable Regulations:** The Commission reviews all proposals to amend zoning regulations or zoning district boundaries 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 recommend that certain conditions be applied to the subject property if the property owner agrees in writing, prior to the City Council Hearing. The recommendation of the Commission will be forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Natural Features:** There are mature trees along the Franklin Avenue frontage and along the western edge of the subject property. The Conceptual Plan proposes to replace the trees along the north side with new overstory plantings. A statement needs to be added to the Conceptual Plan requiring conformance with the City's Tree Protection and Mitigation Ordinance as part of any development of the property. This was also a condition of the City Council approved purchase agreement.
2. **Drainage/Grading:** The subject property generally slopes downward from north to south. The Conceptual Plan proposes show a stormwater detention basin on the west side of the property which would detain water and then pipe it to the public storm sewer in Franklin Avenue. The proposed site is over an acre in area so the applicant will be required to conform with water quality requirements in designing the storm water management system. A Storm Water Pollution Protection Plan for Iowa Department of Natural Resources will be necessary as well to ensure soil erosion protection. This was also a condition of the City Council approved purchase agreement.
3. **Utilities:** All necessary utilities are available or within a reasonable distance to the subject property. Public storm sewer is located north of the subject property with a manhole intake at two separate locations on the south side of Franklin Avenue. There is also an 8-inch water main available for water and fire protection service on the south side of Franklin Avenue adjoining the property. The developer will be responsible for the extension of sanitary sewer main west to serve the proposed development.
4. **Landscaping & Buffering:** The proposed Conceptual Plan indicates typical landscaping that would be in compliance with minimum standards that are applicable to multiple-family zoning districts. A statement in the general development concept narrative needs to be added to define applicable landscaping requirements. Staff recommends "R-4" District Landscaping Standards as a minimum. There is no screen fencing provided on the Conceptual Plan for properties to the west. This needs to be included in the PUD standards and shown in the elevation sheets.

There are overstory trees proposed spaced approximately 50 feet on center along the northern edge of the property. Normally these would be sought by staff as street tree plantings with some being perimeter lot plan plantings between proposed parking lot and the street. However, in this instance the water main is directly below the area where they would be planted as street trees along the east half of the property. Staff

recommends that these trees be shown as street trees on the Conceptual Plan at the Zoning stage, and if determined to interfere with the utilities at the time of the development plan review they may be pulled back into the site and still determined as consistent with the Zoning.

5. **Access or Parking:** Vehicular access to the property is provided from Franklin Avenue on the west side of the proposed apartment building. This also provides service access for Parks and Recreation staff to the public gardens and fire apparatus turnaround. Through access to cross connect to the Northwest Community Center off-street parking is not provided. This is to discourage public access and use of the off-street parking for the apartments. The public will still have pedestrian access to the gardens by parking in the Northwest Community Center parking lot.

Both the existing public sidewalk on the south side of Franklin Avenue and the pedestrian trail into Glendale Cemetery pass through the proposed development and will be privately owned in some locations. The Conceptual Plan should be revised to reflect public access easements across these existing public pedestrian and bicycle improvements. The shelter pavilion and surrounding land adjacent to the pedestrian trail will actually remain publically held.

The parking lot conceptually shows 51 parking spaces. This is more than one space per dwelling unit and is double the typical standard of one space per two senior living residential units and one per resident manager. This minimum off-street parking standard needs to be added to the PUD standards in the Conceptual Plan.

While pedestrian connections are proposed north and east of the building to the trail, community center and public sidewalk along Franklin Avenue, there is not a connection west of the building. Internal sidewalk west of the building accesses proposed parking there, but does not show a complete connection to the public sidewalk in Franklin Avenue. Staff recommends that the Conceptual Plan be revised to connect the western sidewalk to the public sidewalk along Franklin Avenue.

6. **2020 Community Character Plan:** The Des Moines' 2020 Community Character Plan has designated the subject property for park/open space use in anticipation of future cemetery use. The Waveland Park Neighborhood Plan gives it the same designation. However, that plan contemplated that other uses of the subject property space should be explored. The Waveland Park Neighborhood Association has been involved in the process of determining the property as excess land, and has voted to support the development proposal.

Now that the land has been determined as excess by the City Council it is appropriate to consider amending the Plan for the proposed residential density. Because the proposed 40 unit senior residential development is on a collector street and near public uses such as the library, community center, cemetery, and community gardens; staff recommends that the future land use designation in the Des Moines' 2020 Community Character Plan and the Waveland Park Neighborhood Plan be amended to High Density Residential.

7. **Urban Design:** The Conceptual Plan provides architectural elevations of the 40-unit apartment building, refuse collection container enclosure, and proposed monument sign. The language of the Plan does not provide a narrative of standards to reflect the

proposed design and materials. Staff believes that at a minimum the multiple-family residential design guidelines should be made applicable as part of any administrative PUD Development Plan review. Additionally the Development Plan will need to be reviewed by the Parks and Recreation Board as a condition of the purchase agreement with City Council.

Staff believes that the proposed Conceptual Plan provides for a design with mass, scale, and quality material that would be compatible with the surrounding neighborhood. However, these elements should be reflected in standards stated in the narrative of the Conceptual Plan. The proposed exterior materials for the conceptual design indicate architectural shingles, cement board siding, and brick veneer. Staff recommends that the stated standards require at least 60% of building facades be comprised of brick material.

The Plan does not include screening of utility meters on the west facade and any other mechanical equipment that may be as part of the project. Staff recommends that the narrative and elevations be revised to incorporate screening. The detail elevations also need to be revised to show screen fencing and lighting typicals. The proposed monument sign is not supported by any minimum standards for signage allowance. The PUD standards narrative should include minimum standards to accommodate this signage.

Additionally the Conceptual Plan does not have narrative to reflect bulk standards. The Plan view shows a 30-foot building setback on the north, a 35-foot setback on the south, a 15-foot setback on the east, and a 10-foot setback on the west. Staff believes that the principle building setback should be established at 30 feet along the entire perimeter of the PUD with minimum setbacks for paving and accessory structures of 30-foot on the north and 10-foot along the east, west and south boundaries with exclusion for the maneuvering turnaround for fire apparatus and access for Parks maintenance vehicles.

SUMMARY OF DISCUSSION

Bert Drost presented the staff report and recommendation.

Tim Fitzgerald asked how far the setback is from Franklin Avenue.

Bert Drost stated that the applicant has proposed a 30 foot setback. If this was zoned "R-3" Multi-family a 30 foot setback to the lot line is what would be required.

Will Page referred to a letter received from Robert Gernes and asked if staff would respond to his suggestion and what that would mean. The suggestion is to trade the isolated peninsula of land at the southeast corner south of the shelter for an equal amount of land at the southwest corner. Doing so would connect the shelter directly to the Community Gardens and would simplify and clarify maintenance and ownership issues for both the City and the senior housing management.

Bert Drost stated that at this point the boundaries of the pending sale of the property have already been set by ordinance with City Council. Therefore, it is too late to change those. Public easement will be granted and will achieve a similar result to what Mr. Gernes suggested.

CJ Stephens asked because it is not in compliance with the 2020 plan or with the Waveland Neighborhood Plan are they amending their plan.

Bert Drost stated they are not amending the Waveland Park Plan, but the Waveland Park Plan is a component of the 2020 Community Character Plan. The future land use designation is currently Park open space since they did not foresee this project. That is why the rezoning is not in conformance with the current 2020 Community Character Plan.

CJ Stephens stated that she believes that water mains are 42 or 48 inches below ground and trees have a single tap root that goes down and the rest of the roots are about 12 inches underground. She believes that all those trees should not be disturbed because the trees are not the problem. If the water main has a problem it is because the tree is seeking water. This should be clarified with the municipal arborist.

Bert Drost stated that in the revised plan they do move the street trees out into the right-of-way.

Jamie Malloy with Wells & Associates 756 9th Street stated they have talked with members of the neighborhood and have met staff's request for seventeen revisions. They are willing to work with the neighborhood to resolve any issues they may have.

Will Page asked about the north façade to break up the massing and does it have color contrast.

Jamie Malloy stated that the roof pitch is shallow, the over hangs are very broad. There is a very dynamic façade on this building with two colors of brick and three colors of paint on the façade in addition to the projections and recesses of the building itself.

CHAIRPERSON OPENED THE PUBLIC HEARING

The following spoke in favor of the applicant's request

John Mauro 200 SE Granger suggested the Commission go to the SE 6th & Hillside property. This property is in a tremendous location for seniors. There is such a need for these properties and they are great for Des Moines. He asks that the Commission grant the applicant's request.

JoAnne Hanover 1406 Merle Hay Road stated that she is in favor of the applicant's request. She read a paragraph from the Merle Hay Neighborhood Plan identifying the lack of diverse housing options in the neighborhood, especially the lack of townhouses, condos, and senior housing options. There were no alternative living arrangements to keep long time residents in the neighborhood. The Merle Hay Neighborhood still has no senior housing option. This would be the closest we have come. This project is actually in Waveland Park Neighborhood on one side of the street and the other side of the street is in Merle Hay Neighborhood.

Randy Skeie 1214 43rd Street, Waveland Park Neighborhood member stated that he is in support of this project but he does have a few concerns. First, the developer pledged to improve the Community Garden. Second the Park & Recreation Department is exchanging this land for open green space to the south of the Community Garden. Third,

during the Park Board meeting Don Tripp made a suggestion that proceeds from the Franklin Field land sale could be used to improve roads at Glendale Cemetery; he wants to make sure that the promises that were made are part of the approval.

Greg Jones asked if he has any expectations.

Randy Skeie stated that he is not sure if he has any specific expectations. Possibly, adding a fence around the garden.

The following spoke in opposition of the applicant's request

David Huston 4321 University Avenue, Apt 2 stated that Waveland Park is without a park. The project is in a great location, but the green space is important to their neighborhood. His concern is there will be no more green space, open areas, or trails if we keep putting up projects and community gardens.

Rebuttal

Jamie Malloy stated that they will pave access back to the gardens provide, parking spaces and provide a buffer between the garden and the parking.

John Mauro stated that they are going to make the gardens look good and if they have to put more money back into them they will do that. They are about making the area nice and not just about putting up a building. The biggest issue is how to deal with accessibility to the gardens.

Tim Fitzgerald asked if the Commission can ask the applicant to do something on a different property or are they obligated to vote on the issue at hand and hope that Mr. Mauro in good faith will take care of those other things.

Mike Ludwig stated there is a portion of the Community Garden that is in the PUD boundary. Staff suggests that what they propose on the plan is sufficient for the purposes.

Bert Drost pointed out that the condition of the sale is that during the development plan phase which is the site plan in the PUD district the applicant would be required to work with Parks & Recreation Department.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Mike Simonson stated as to the use of this property he thinks it is a phenomenal use. There is certainly a need for senior housing. Relative to landscaping in his opinion he is concerned with all those shrubs between the building and the Community Garden. It should be more open. The Community Garden should not appear too isolated just from a safety aspect. He believes landscaping should shield the detention basin located along the street.

Will Page stated he agrees with comments heard about the necessity for senior housing and the Community Garden.

JoAnne Corigliano stated that she believes that the Community Garden will be used by the seniors. Therefore, mitigating the barrier between the senior housing and the garden would not be a bad idea.

Christine Pardee stated the Waveland Park Neighborhood Association Plan specifically designated and called for the Association Board to try to work toward identifying diverse housing stock in the neighborhood and this is the type of housing the neighborhood does not have. Therefore, it is consistent with their plan. Mr. Huston commented that Waveland Park Neighborhood is a neighborhood without a park, which is not correct. Almost 50 % of the neighborhood is open space. Glendale Cemetery is used extensively as a park in absence of having formal signs located around the area telling people where they can recreate. Within two miles of the neighborhood there are seven parks. This is a neighborhood flush with open space and parks and the Waveland Park Neighborhood Association believes this project is a great fit.

CJ Stephens stated the Polk County Master Gardeners have a great example of ADA requirement in a garden at Altoona and the applicant might want to call on them to help with making the gardens accessible.

COMMISSION ACTION:

John "Jack" Hilmes moved staff recommendation Part A) to find the rezoning not in conformance with the Des Moines' 2020 Community Character Plan future land use designation.

Motion passed 10-0.

John "Jack" Hilmes moved staff recommendation Part B) to amend the Des Moines' 2020 Community Character Plan and the Waveland Park Neighborhood Plan to revise the existing future land use designation from Park/Open Space to High Density Residential; and Part C to approve the requested rezoning from "R1-60" to "PUD".

Motion passed 10-0

John "Jack" Hilmes moved staff recommendation Part D) to approve the submitted PUD Conceptual Plan for Franklin Field Senior Apartments subject to the following revisions:

1. Compliance with all administrative review comments of the Conceptual Plan.
2. Incorporation of all conditions of the conveyance of the excess park land by the City Council as additional special notes.
3. Reference in the PUD Standards narrative that requires compliance with all Tree Protection and Mitigation Ordinances as part of any development.
4. Reference in the PUD Standards narrative that requires compliance with all storm water management policies as part of any development.
5. Reference in the PUD Standards narrative that any grading of the property is subject to a Development Plan and shall meet all water quality and soil erosion/protection requirements.
6. Provision of a discussion in the general development concept narrative of how stormwater management, soil protection, and access to necessary utilities will generally be provided with the proposed development.

7. Reference in the PUD standards narrative of the requirements for landscaping, with those applied to "R-4" Districts as a minimum.
8. Relocation of the proposed overstory trees along the north side of the building to within the Franklin Avenue right-of-way, with a note that any Development Plan will consider the street trees in the context of existing underground and aerial utilities and the final location may of the proposed trees may be shifted further south into the site based on a review and still be found in conformance with this Conceptual Plan.
9. Provision of minimum off-street parking requirements for senior living in the PUD standards narrative.
10. Provision of a pedestrian connection on the west side of the proposed building to the public sidewalk along Franklin Avenue.
11. Provision of bulk standards in the PUD standards narrative to reflect a principle building setback at 30 feet along the entire perimeter of the PUD with minimum setbacks for paving and accessory structures set at 30-feet on the north and 10-feet along the east, west and south boundaries with exclusion for the maneuvering turnaround for fire apparatus and access for Parks maintenance vehicles.
12. Provision of bulk standards for a minimum building height of 50 feet and minimum number of signs and sign area to reflect the proposed monument sign.
13. Reference compliance with design guidelines for multiple-family residential contained in the Site Plan Ordinance.
14. Provision of minimum design guidelines in the PUD standards that are reflective of the proposed elevations, with additional standards for fencing and screening of meters and mechanical equipment.
15. Revision of the plan view sheet to incorporate a screen fence along the western boundary.
16. Revision of the architectural elevations to show screening of meters on the west elevations.
17. Revision to add detailed typical elevations for lighting and fencing to the detail elevation sheet.

Motion passed 10-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment

20



Whitfield, Cathy <clwhitfield@dmgov.org>

October 20, 2011 Agenda Item 3A-3D (Franklin Senior Apartments)

2 messages

Robert Gernes <rwgernes@hotmail.com>
To: clwhitfield@dmgov.org

Wed, Oct 19, 2011 at 7:19 PM

Dear Members of the Plan and Zoning Commission:

Because I have a prior commitment I will be unable to attend your Thursday evening meeting. I ask that you consider these comments.

I am a lifelong resident of Des Moines, a long-time resident of the Waveland Park neighborhood, and a member of its neighborhood association. I urge you to vote in favor of the Franklin Field Senior Apartments site plan by developer John Mauro (October 20, 2011 agenda item 3A-3D) for the following reasons:

- According to numerous recent newspaper articles, the City of Des Moines has ongoing budget issues and may face more such issues pending the outcome of the upcoming legislative session. Sale of the land for development as senior housing could help alleviate the budget situation somewhat by putting land back on the property tax rolls and by lowering the City's requirement to maintain the property.
- Development of the property could spur renewed interest in redeveloping/improving the declining commercial area along Franklin Avenue east of the library, creating an opportunity to collect additional property taxes.
- Both the Waveland Park and Merle Hay Neighborhood Associations have endorsed the proposal.
- The Cemetery Board has declared the property as excess and has stated (according to Don Tripp) that Des Moines will not need additional cemetery land for burials for about 75 years.

I attended the late May public hearing at the Northwest Community Center sponsored by the Park and Recreation Department. Some speakers at that meeting wanted the land to remain as "open space" because, they said, the neighborhood lacks adequate park space. A look at a map of the city shows otherwise. In the Merle Hay neighborhood Tower Park is only a few blocks north, at 50th and Hickman, and Riley Park is less than 0.7 miles north, at 53rd and Urbandale. The Waveland Park neighborhood has the Perkins Academy campus at 44th and College, which functions informally as a neighborhood park, less than a mile from Franklin Field. And the Beaverdale neighborhood enjoys three parks: Ashby, Witmer, and Beaverdale -- each 2 miles or less from Franklin Field -- as well as the former Byron Rice school site, much of which will likely remain as open space.

At a Park Board meeting last summer Don Tripp made an interesting suggestion that proceeds from the Franklin Field land sale could be used to improve roads at Glendale Cemetery. I'd certainly be in favor of that.

One suggestion I have concerning the Franklin Senior Apartments site plan would be to trade the isolated peninsula of land at the southeast corner south of the shelter for an equal amount of land at the southwest corner. Doing so would connect the shelter directly to the Community Gardens, and would simplify and clarify maintenance and ownership issues for both the City and the senior housing management.

Thank you for listening.

Sincerely,

Robert Gernes
1011 45th Street
Des Moines, IA 50311
Phone: 274-3976; Email: rwgernes@hotmail.com

Whitfield, Cathy <clwhitfield@dmgov.org>

Thu, Oct 20, 2011 at 7:35 AM

To: "Brian L. Millard" <bmillarddsm@aol.com>, "Christine L. Pardee" <christine@pardeeassociates.com>, CJ Stephens <fostersdc@aol.com>, Dann Flaherty <dflaher@attorney.co.polk.ia.us>, Greg Jones <gjones@dunbarjones.com>, Jacqueline Easley <jacqueieasley@aol.com>, JoAnne Corigliano <joc2611@aol.com>, "Joel D. Huston" <jdh@kumandgo.com>, "John D. 'Jack' Hilmes" <jhilmes@finleylaw.com>, Kent Sovern <k.sovern@mchsi.com>, Mike Simonson <msimonson@simonsonassoc.com>, Shirley Daniels <Sdanielsm7@aol.com>, Ted Irvine <tirvine@themansion-interiors.com>, Tim Fitzgerald <kfitzg1770@aol.com>, "William C. Page" <page@dwx.com>
Cc: Michael Ludwig <mgludwig@dmgov.org>, "Bert A. Drost" <badrost@dmgov.org>

[Quoted text hidden]

--

*Cathy Whitfield
City of Des Moines
602 Robert D. Ray Drive
Des Moines, IA 50309
515-283-4048/office
515-237-1694/fax
www.dmgov.org/website*



Item 2011 00176-1Date 10-13-11

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

(CITY OF DES MOINES)
RECEIVED
 COMMUNITY DEVELOPMENT

OCT 13 2011

Print Name

Signature

Address

Ron & Harriett Beasley

Ronald E Beasley

1815 55th Street**DEPARTMENT**

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

If at all possible, we would like to
 have the City of Des Moines buy our
 property, rather than have the Apartment
 adjacent to our back yard.

Item 2011 00176 Date 10-13-11

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

RECEIVED

(Circle One)

COMMUNITY DEVELOPMENT

Print Name

Holly Moeller

OCT 20 2011

Signature

[Signature]

DEPARTMENT

Address

1807 55th street, DSM

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

The new path has added enough additional
traffic & people to a normally quiet & safe
area. I do not want more people or
buildings to disrupt or neighborhood more
than the path already has.

Item 2011 00176 Date 10/12/11

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

RECEIVED

(Circle One)

COMMUNITY DEVELOPMENT

Name

Jim +

Mary L. Cooper

OCT 20 2011

Signature

[Signature]

DEPARTMENT

Address

1912 53rd ST DSM

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

We want to keep our green space
and trees.

Date 10/13/2011

I (am) ☒ in favor of the request.

COMMUNITY DEVELOPMENT

Print Name CHRISTINE PARDEE

Signature Mrs. L. J. Jones

DEPARTMENT

Address 4321 UNIVERSITY
AVE - #1

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

This development is a diversified type of housing we currently do not have in Wandland Park though our WPNA Plan calls for. (Pg 10-goal #1)

Item 2011 00176

Date 10-18-11

I (am) **RECEIVED** (and/or) to take care of the request.

COMMUNITY DEVELOPMENT
(Circle One)

Print Name

Steve Berry

Signature _____

Stu King

DEPARTMENT

Address

2743-53rd St

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

Representing the board of the

Merke Bay Neighborhood Association