

Date..... October 8, 2012

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 20, 2012, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Christ the King Housing Services, LLP (owner) represented by Msgr. Frank Bognanno (officer) to rezone property located at 5602 Southwest 9th Street from C-2 General Retail and Highway Oriented Commercial District and R1-60 One-Family Low-Density Residential District to Limited R-4 High Density Residential District to allow development of 25 senior residential apartments subject to the following conditions:

1. Any multiple-family residential use of the property shall be limited to housing for the elderly whereby residents must be over the age of 55 years.
2. Any multiple-family residential use of the property shall be in substantial compliance with the submitted architectural rendering and site sketch, to include brick, stone, or masonry block around the lower two levels.

The subject properties are more specifically described as follows:

(Except beginning at the Northeast corner thence south 101.43 feet along the East lot Line; thence west 16 feet along the South lot line; thence north 72.59 feet along a line 16 feet west of and parallel to the East lot line; thence northwesterly 31.81 feet; thence west 100.9 feet; thence northwesterly 120.75 feet; thence east 259.46 feet along the North lot line to the Point of Beginning) Lot 1, Nichols Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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 October 22, 2012, at which time the City Council will hear both those who oppose and those who favor the proposal.

-Continue-

Date 10.8.12

October 2, 2012

Agenda Item 20

Honorable Mayor and City Council
City of Des Moines, Iowa

Call # _____

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held September 20, 2012, the following action was taken regarding a request from Christ the King Housing Services, LLP (owner) represented by Msgr. Frank Bognanno (officer) to rezone property located at 5602 Southwest 9th Street.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 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			
Ted Irvine	X			
Greg Jones	X			
William Page	X			
Christine Pardee	X			
Mike Simonson				X
CJ Stephens	X			
Vicki Stogdil	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 A) to find the rezoning not in conformance with the Des Moines' 2020 Community Character Plan future land use designation; Part B) to approve the requested amendment to the Des Moines' 2020 Community Character Plan to revise the future land use designation from Low-Density Residential to High Density Residential; and Part C) to approve the rezoning to a Limited "R-4" High Density Residential District subject to the applicant agreeing to the following conditions: (ZON2012-00151)

1. Any multiple-family residential use of the property shall be limited to housing for the elderly whereby residents must be over the age of 55 years.
2. Any multiple-family residential use of the property shall be in substantial compliance with the submitted architectural rendering and site sketch, to include brick, stone, or masonry block around the lower two levels.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

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

Part B) Staff recommends approval of the requested amendment to the Des Moines' 2020 Community Character Plan to revise the future land use designation from Low-Density Residential to High Density Residential.

Part C) Staff recommends approval of rezoning to a Limited "R-4" High Density Residential District subject to the applicant agreeing to the following conditions:

1. Any multiple-family residential use of the property shall be limited to housing for the elderly whereby residents must be over the age of 55 years.
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Written Responses

4 In Favor

0 In Opposition

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking to have the property rezoned to allow for a four-story 25 unit senior living apartment project.
2. **Size of Site:** 27,165 square feet.
3. **Existing Zoning (site):** "C-2" General Retail and Highway Oriented Commercial District and "R1-60" One-Family Low-Density Residential District.
4. **Existing Land Use (site):** The subject property is currently used for a single-family dwelling.
5. **Adjacent Land Use and Zoning:**
 - North** – "C-2" and "R-2", Use is Orchard Place children's home.
 - South** – "C-2" and "R1-60", Use is Heritage Manor nursing home.
 - East** – "C-2", Use is Christ the King senior apartments Phase I.
 - West** – "R1-60", Use is Kurtz School which is currently serving for the Lincoln High School 9th grade class.
6. **General Neighborhood/Area Land Uses:** The subject property is located along the Southwest 9th Street commercial corridor which is a blend of neighborhood retail/office and mixed densities of residential development.

- 7. Applicable Recognized Neighborhood(s):** The subject property is within the Watrous South Neighborhood, and is within 250 feet of the Fort Des Moines Neighborhood area east of Southwest 9th Street. These neighborhoods were notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhoods on August 31, 2012. Additionally, separate notifications of the hearing for this specific item were mailed on August 31, 2012 (20 days prior) and September 10, 2012 (10 days prior to the scheduled hearing) to Watrous South and Fort Des Moines Neighborhood Associations and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on September 14, 2012.

All agendas and notices are mailed to the primary contact person designated to the City of Des Moines Neighborhood Development Division by the recognized neighborhood association. The Watrous South Neighborhood Association mailings were sent to Dan Law at PO Box 35845, Des Moines, IA, 50315. The Fort Des Moines Neighborhood Association mailings were sent to Debbie Jorgenson, 5500 Southeast 1st Court.

The applicant scheduled a neighborhood meeting at Christ the King campus for Monday, September 17, 2012. This included invitation to Watrous South and Fort Des Moines Neighborhood Associations and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. The applicant will provide a summary of the meeting at the public hearing.

- 8. Relevant Zoning History:** N/A.

- 9. 2020 Community Character Land Use Plan Designation:** Low Density Residential.

- 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. Drainage/Grading:** Any future development of the subject property will require a storm water management plan and a soil erosion protection and grading plan as part of the Site Plan review. The property currently surface drains towards the north and northeast. Stormwater is picked up in the street intakes located at the southeast corner of East Porter Avenue and Southwest 9th Street. There is public storm sewer available in that location to serve the site.
- 2. Landscaping & Buffering:** Landscaping and tree plantings will be required in accordance with the Des Moines Landscape Standards as applicable to "R-4" Districts. In this instance the submitted site concept indicates that there is not a bufferyard along

the west and south side of the proposed off-street parking area. Such a proposal will require Board of Adjustment relief.

- 3. 2020 Community Character Plan:** The proposed future development for residential density at approximately 40 units per acre is not consistent with the current Low Density Residential future land use designation. An amendment to revise the designation to High Density Residential is therefore required.

Staff believes that this would be an appropriate designation for this location based on the proposed limitation to the rezoning that the unit density would only be for senior living apartments. Senior living projects do not generate many additional vehicle trips per day as compared to a general residential apartment project. Also there would not be the same level of demand for additional open space normally necessary for recreational areas for youth activity. The site would also not be able to accommodate required parking for general multiple-family residential parking.

- 4. Urban Design:** The conceptual elevations and renderings propose a four-story apartment building with steep gabled roof elements. The exterior materials are proposed to be predominantly brick with the first and second levels entirely clad in two different tones of brick. Upper levels are proposed to include a combination of overlap siding on upper levels and vertical siding beneath gables. There is detailed molding, cornices, banding and columns are proposed for the structure in a contrasting white finish. It should be noted that the proposed design for the subject property is very similar in its architecture and scale to the 28 unit senior living project recently developed by the applicant directly to the east across Southwest 9th Street,

Final design will be considered by the Plan and Zoning Commission with the review of the Site Plan under design guidelines for multiple-family residential use. Staff believes that any Site Plan should be in substantial compliance with the submitted rendering and site sketch.

SUMMARY OF DISCUSSION

There was no discussion

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one to speak in favor or in opposition of the applicant's request

COMMISSION ACTION:

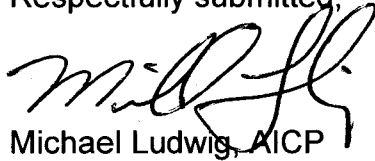
CJ Stephens moved staff recommendation Part A) to find the rezoning not in conformance with the Des Moines' 2020 Community Character Plan future land use designation; Part B) to approve the requested amendment to the Des Moines' 2020 Community Character Plan to revise the future land use designation from Low-Density Residential to High Density Residential; and Part C) to approve the rezoning to a Limited "R-4" High Density Residential District subject to the applicant agreeing to the following conditions:

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Motion passed 12-0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Ludwig". The signature is stylized and cursive.

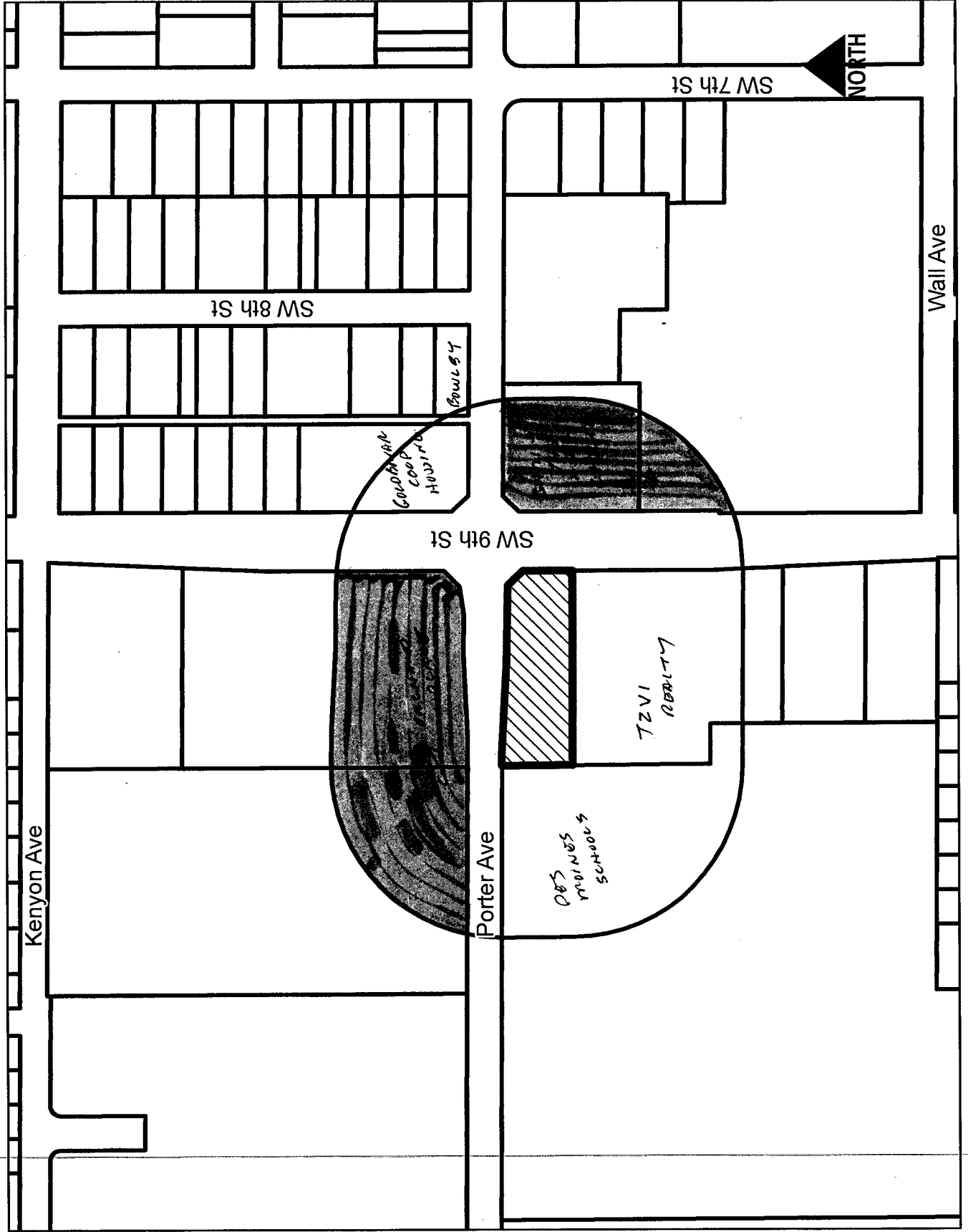
Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment

ZON2012-00151

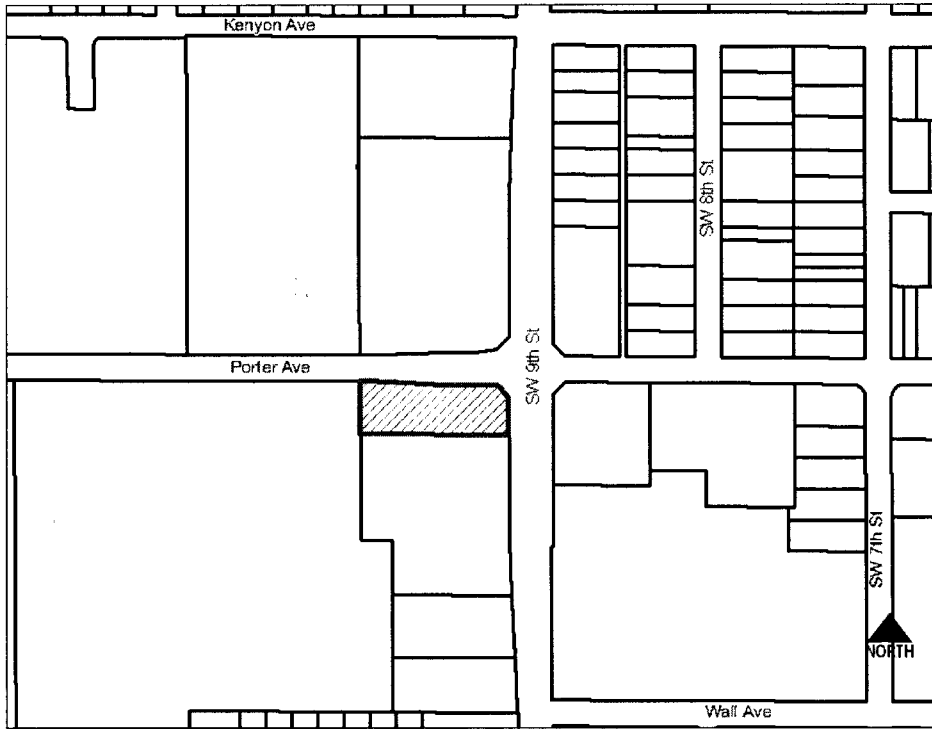
Christ the King Housing Services LLP - 5602 SW 9th Street



Request from Christ the King Housing Services, LLP (owner) represented by Msgr. Frank Bognanno (officer) to rezone property located at 5602 Southwest 9 th Street.				File # ZON2012-00151	
Description of Action	Approval to rezone from "C-2" General Retail and Highway Oriented Commercial District and "R1-60" One-Family Low-Density Residential District to Limited "R-4" High Density Residential District to allow development of 25 senior residential apartments subject to the applicant agreeing to conditions.				
2020 Community Character Plan	<input checked="" type="checkbox"/> Low-Density Residential <i>Current</i> <input type="checkbox"/> <i>Proposed: High Density Residential</i>				
Horizon 2035 Transportation Plan	SW 9 th Street from the Raccoon River to Army Post Road to widen from 4 lanes undivided to 5 lanes undivided				
Current Zoning District	"R1-60" One-Family Low-Density Residential District and "C-2" General Retail and Highway Oriented Commercial District				
Proposed Zoning District	Limited "R-4" High Density Residential District				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	4				
Outside Area					
Plan and Zoning Commission Action	Approval	12-0	Required 6/7 Vote of the City Council	Yes	N/A
	Denial			No	

Christ the King Housing Services LLP - 5602 SW 9th Street

ZON2012-00151



Item ZON 2012-000151

Date 9/11 2012

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

(Circle One)

Print Name

CHRIS ALDINGUM

Signature

[Handwritten Signature]

Address

5711 SW 9th ST

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

needed housing in area, neighborhood
improvement, TAP BASE increased

CHRIST THE KING CHURCH

Item ZON 2012-000151

Date 9-11-2012

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

(Circle One)

Print Name

CHRIS ALDINGUM

Signature

[Handwritten Signature]

Address

5711 SW 9th ST DM

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

Building Improvement, larger TAP BASE

SUBJECT PROPERTY

Item ZON 2012-000151 Date 9-13-12

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

(Circle One)



Print Name Orchard Place ^(Des Moines) Children's Home

Signature Valerie Sussauer, CFO

Address 925 Porter Avenue

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

Sounds like a much needed project.

Item ZON 2012-000151 Date 9-14-12

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

(Circle One)



Print Name Debbie Jorgenson

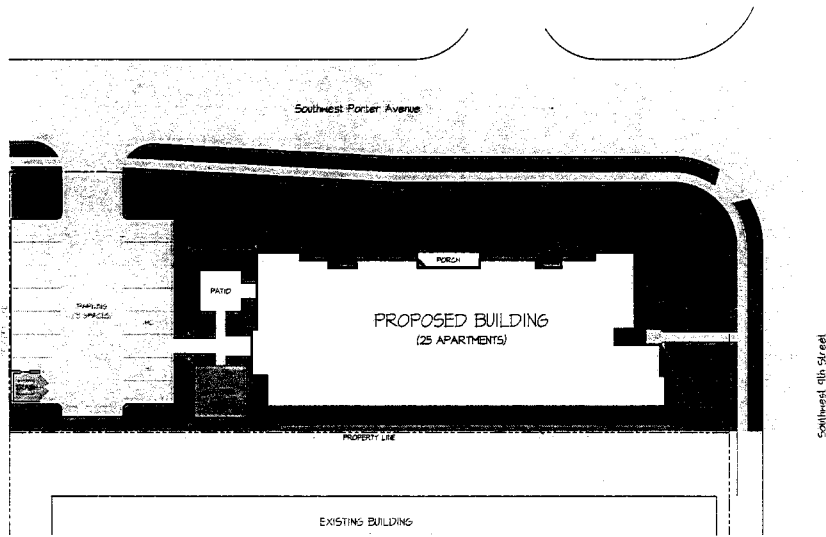
Signature Debbie S. Jorgenson

Address 5500 SE 5th Ct

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

Feel it will be a benefit to the neighborhood.

FORT DES MOINES NEIGHBORHOOD



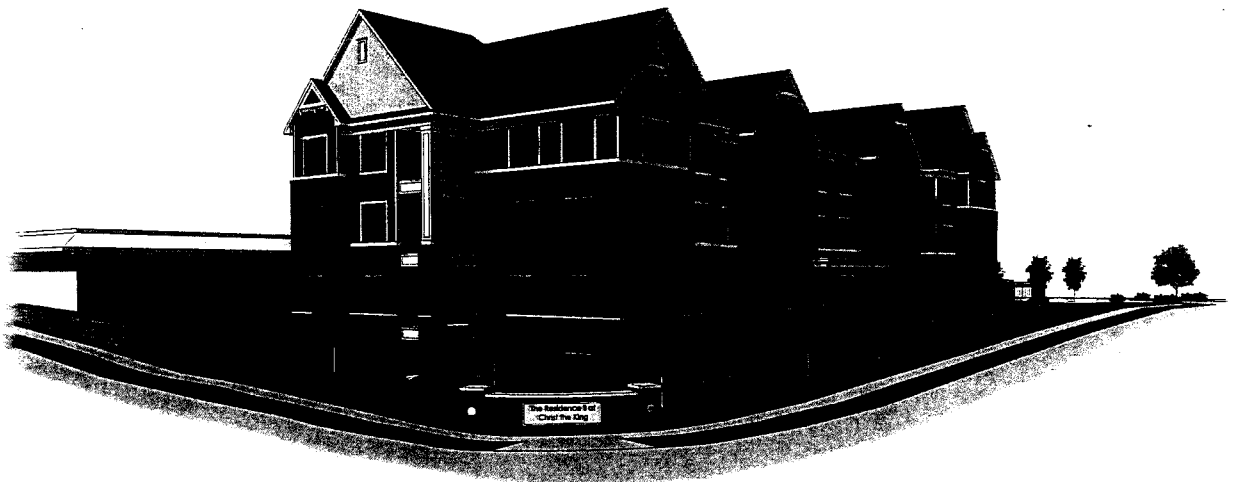
Site Plan


 Christ the King
 Senior Housing, L.L.P.

Christ the King Seniors Housing - Phase II
 5602 Southwest 9th Street, Des Moines, Iowa

09 August 2012


BSB
 DESIGN



View from Northeast


 Christ the King
 Senior Housing, L.L.P.

Artists' Concept

This drawing is provided as a reference only and does not constitute a contract. It is intended to illustrate the general concept of the project and is not to be used for construction purposes. All dimensions and materials are subject to change without notice.

Christ the King Seniors Housing - Phase II
 5602 Southwest 9th Street, Des Moines, Iowa

11 September 2012


BSB
 DESIGN

02