| Agenda | Item Number |
|--------|-------------|
| 0 | 50 |

Date November 18, 2013

WHEREAS, on November 4, 2013, by Roll Call No. 13-1720, the City Council duly resolved that a public hearing to be held on November 18, 2013, at 5:00 p.m., in the Council Chambers at City Hall, 400 Robert D. Ray Drive in Des Moines, to consider a proposal from Drake University (owner) represented by Deborah Newsome (officer), to amend the approved Drake University Recreation PUD Planned Unit Development District Conceptual Plan for property located in the vicinity of 1420 26th Street, to allow an approximately 31,000 square foot basketball practice facility addition to the east side of the Knapp Center; and

WHEREAS, due notice of the hearing was published in the Des Moines Register on November 7, 2013, as provided by law, setting forth the time and place for hearing on the proposed amendment to the approved PUD Conceptual Plan; and

WHEREAS, at a public hearing on October 17, 2013, the Plan and Zoning Commission recommended by a vote of 12-0 that the proposed amendment to the approved PUD Conceptual Plan be approved, subject to the following conditions and subject to the conceptual plan being first amended as set forth in the attached letter from the Planning Administrator:

- 1. Compliance with all administrative comments of the final Mylar review.
- 2. A note indicating that any Development Plan will provide mitigation of any trees removed in accordance with Tree Preservation and Mitigation Ordinances with additional plantings necessary to meet minimum open space plantings as in C-2 Districts based on the total disturbed site area for the proposed addition.
- 3. A note indicating any signs will conform to standards and allowances as permitted in the "C-2" District with no allowance for off-premises advertising signs.

WHEREAS, in accordance with the published notice those interested in the 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 the proposed amendments to the approved PUD Conceptual Plan for the property in the vicinity of 1420 26th Street, and more specifically described below, are hereby overruled and the hearing is closed.

(Continued on Page 2)

| Agenda | Item | Number |
|--------|------|--------|
| | 50 |) |

Date November 18, 2013

-2-

Lots 15 thru 35, inclusive in Smith's Fourth Addition to University Place, Des Moines, Polk County, Iowa; AND,

Lots 6 through 21, inclusive, in Smith's Second Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and adjacent to the East line of Lot 21 in Smith's Second Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and adjacent to the East line of Lots 31, 32, 33, 34, and 35 in Smith's Fourth Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and adjacent to the East line of Lots 13, 14, 15, and 16 in Smith's Second Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and adjacent to the East line of Lots 21, 22, 23, 24, and 25 in Smith's Fourth Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted Right-of-Way for 26th Street lying East of and adjacent to Lots 17, 18, 19, and 20 in Smith's Second Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted Right-of-Way for 26th Street lying East of and adjacent to Lots 26, 27, 28, 29, and 30 in Smith's Fourth Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted Right-of-Way for 25th Street lying East of and adjacent to Lots 9, 10, 11, and 12 in Smith's Second Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted Right-of-Way for 25th Street lying East of and adjacent to Lots 16, 17, 18, 19, and 20 in Smith's Fourth Addition to University Place, Des Moines, Polk County, Iowa; AND,

Public Right-of-Way for Clark Street lying North of and adjacent to the following described Line; beginning at the NW. Corner of Lot 35 in Smith's Fourth Addition to University Place, Des Moines, Polk County, Iowa; thence East along the North line of Lots 35, 26, 25 16, and 15 in said Smith's Fourth Addition to University Place, a distance of 775.5 feet more or less to a point that is 57.5 feet East of the NW. Corner of said Lot 15 and to the end of said Line;

| Agenda | Item | Number |
|--------|------|--------|
| | 5 | 0 |

Date November 18, 2013

-3-

Lots 13 thru 27, inclusive, Lots 34 thru 57, inclusive, Lots 61 thru 69, inclusive, Lots 71, 72, 73 and the South 10.0 feet of Lot 12, all in Harrison Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

Lot 30, Except the South 25.0 feet of the East 70.9 feet, thereof, in Curtis' Bluff Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

The West 57.5 feet of Lot 29 in Curtis' Bluff Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and Adjacent to the East line of Lots 13, 14, 15 and the South 10.0 feet of Lot 12 in Harrison Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted Right-of-Way for 26th Street lying East of and adjacent to the East line of Lots 16 thru 27, inclusive, Harrison Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and Adjacent to the East line of Lots 34 thru 45, inclusive, Harrison Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted Right-of-Way for 25th Street lying East of and adjacent to the East line of Lots 46 thru 60, inclusive, Harrison Park Addition to University Place, Des Moines, Polk County, Iowa; AND,

Lots 1 thru 10, inclusive in Smith's Addition to University Place, Des Moines, Polk County, Iowa; AND,

Lots 45 thru 55 inclusive in University Place, Des Moines, Polk County, Iowa; AND,

The North 39.00 feet of Lot 44 and the North 10.00 feet of Lot 56, all in University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and adjacent to the East line of Lots 6 thru 10, inclusive, in Smith's Addition to University Place, Des Moines, Polk County, Iowa; AND,

Platted alley lying East of and adjacent to the East line of Lots 50 thru 55, inclusive, in Smith's Addition to University Place, Des Moines, Polk County, Iowa; AND,

(Continued on Page 4)

| Roll Call | Numb | er | | | | Agenda Item Number |
|-----------------------------------|---|--|---|--|--|--|
| Date Nove | | | | | | |
| | | | | | | |
| | | | | | -4- | |
| | | | | | ljacent to the East line of the North 10 lk County, Iowa; AND, |).00 feet of Lot 56 in |
| So Po Ac So Ur sai | uthwest lk Cound ldition the ldition the uthwest niversity | Corner ty, Iow to Univolute to in U Corner Place, 77; then | of Lora; then ersity I iniversity of said Des M | t 12 in Sice East Place, the ty Place dd Lot 1 oines, Po | reet and Forest Avenue described as Smith's Second Addition to University to the Southwest Corner of Lot 5 in ence South to the Norwest Corner of the Des Moines, Polk County, Iowa; O; thence Westerly to the Southeast olk County, Iowa; thence North to the of the Southeast Corner of said Lot 12 | y Place, Des Moines, said Smith's Second of Lot 10 in Smith's thence South to the Corner of Lot 77 in Northeast Corner of |
| | | | | | Conceptual Plan is hereby found to be racter Land Use Plan, subject to the | |
| the Commamended t | nunity D to satisfyed letter | Develops y the co from the | ment Dandition ne Plant | epartme s recomi ning Adı | al Plan for the Property described above nt, is hereby APPROVED, subject to mended by the Plan and Zoning Communication, and subject to approval of | the plan being first mission as set forth in |
| | | | | OVED oprove the | byto ne proposed amendment to the PUD Co | 1 |
| FORM AF | 16 | las | ant City | / Attorne | y y | |
| | 1 | | I | | | |

| | | / | 27 | |
|----------------|------|------|---------|--------|
| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
| COWNIE | | | | |
| COLEMAN | | | | |
| GRIESS | | | | |
| HENSLEY | | | | |
| MAHAFFEY | | | | |
| MOORE | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | A | PPROVED | |

Mayor

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.



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 17, 2013, the following action was taken regarding a request from Drake University (owner) represented by Deborah Newsome (officer) for review and approval of an amendment to the Drake University Recreation PUD Conceptual Plan affecting property located at 1420 26th Street.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 as follows:

| Commission Action: | | Yes | Nays | Pass | Absent |
|--------------------|----|-----|------|------|-----------|
| Dory Briles | | X | | | 7,1000110 |
| JoAnne Corigliano | | X | | | |
| Shirley Daniels | 19 | X | | | |
| Jacqueline Easley | 41 | 2+ | | | X |
| Tim Fitzgerald | | | | | X |
| Dann Flaherty | | X | | | |
| Jann Freed | | X | | | |
| John "Jack" Hilmes | | X | | | |
| Ted Irvine | | X | | | |
| Greg Jones | | X | | | |
| William Page | | | | | X |
| Christine Pardee | | X | | | |
| CJ Stephens | | X | | | |
| Vicki Stogdill | | X | | | |
| Greg Wattier | | X | | | |
| | | | | | |

APPROVAL of the proposed rezoning and PUD Concept Plan subject to the following revisions: (ZON201300162)

- 1. Compliance with all administrative comments of the final Mylar review.
- 2. A note indicating that any Development Plan will provide mitigation of any trees removed in accordance with Tree Preservation and Mitigation Ordinances with additional plantings necessary to meet minimum open space plantings as in C-2 Districts based on the total disturbed site area for the proposed addition.



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

> ALL-AMERICA CITY 1949, 1976, 1981 2003

3. A note indicating any signs will conform to standards and allowances as permitted in the "C-2" District with no allowance for off-premises advertising signs.

Written Responses

4 In Favor

0 In Opposition

STAFF REPORT

I. GENERAL INFORMATION

- 1. Purpose of Request: The applicant is proposing to develop a 31,000 square-foot, state-of-the-art practice facility addition on the east side of the existing Knapp Center arena. This would involve removing 75 off-street parking spaces currently located east of the center.
- 2. Size of Site: Site parcel is 7.08 acres. Overall PUD area is approximately 25.04 acres.
- 3. Existing Zoning (site): "PUD" Planned Unit Development.
- 4. Existing Land Use (site): Knapp Center arena (71,280 square feet) and Bell Center athletic facility(49,906 square feet) with off-street parking.
- 5. Adjacent Land Use and Zoning:

North - "R1-60"; Uses are single-family dwellings.

South – "R-3"; Uses are Drake University campus buildings.

East – "R1-60" & "NPC"; Uses are single-family dwellings, Drake University community garden, a launderette and vacant commercial property.

West – "R-3" & "C-1"; Uses are the Drake Stadium and athletic complex and Drake University campus buildings.

- 6. General Neighborhood/Area Land Uses: The subject site is located in the northern portion of the Drake University campus on the north side of the Forest Avenue corridor.
- 7. Applicable Recognized Neighborhood(s): The subject property is located in the Drake Neighborhood. This neighborhood was notified of the Commission meeting by mailing of the Preliminary Agenda on September 27, 2013. Additionally, separate notifications of the hearing for this specific item were mailed on September 27, 2013 (20 days prior to the hearing) and October 7, 2013 (10 days prior to the hearing) to the Drake Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the PUD boundary. A Final Agenda for the meeting was mailed to the neighborhood associations on October 11, 2013.

All agendas and applicable notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Drake Neighborhood Association notices were mailed to Deric Gourd, 2422 Drake Park Avenue, Des Moines, IA 50311.

A neighborhood meeting has been scheduled for October 15, 2013. The applicant will present a summary of their neighborhood meeting at the October 17, 2013 Plan & Zoning Commission hearing.

- **8. Zoning History**: On April 22, 1991, the City Council adopted Ordinance No. 11,654 to rezone 25 acres of the Drake University campus for future athletic facility development including the Knapp Center.
- **9. 2020 Community Character Land Use Plan Designation:** Public/Semi-Public for the affected area of the PUD amendment. The 2020 Community Character Plan states the following regarding this land use designation.

PUBLIC/SEMI-PUBLIC

Uses such as government facilities, schools, and hospitals

North of Clark Street, the designation is Low-Density Residential.

10. Applicable Regulations: The Commission reviews all proposals to amend PUD Conceptual Plans within the City of Des Moines in accordance with Sec. 134-700 of the Zoning Ordinance. 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, in addition to the existing regulations. 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 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 INFORMATION

- 1. PUD Standards: The following are standards from Section 134-704 of the City Code that provide the foundation on which all PUD Concept Plans should be based.
 - A) All uses proposed in a PUD planned unit development district plan shall be in harmony with the existing or anticipated uses of other properties in the surrounding neighborhood and shall generally be in conformance with the city's land use plan. The design of a PUD development shall be based on harmonious architectural character; compatible materials; orderly arrangement of structures and open space; and conservation of woodlands, streams, scenic areas, open space and other natural resources.

The proposed 31,000-square foot addition is to be used for assembly for athletic practices associated with Drake University, an institution of higher learning. The architecture is intended to be compatible with the Knapp Center architectural

character and design. The addition is proposed to be sited to take advantage of existing functions within the Knapp Center. The addition would displace area already developed with off-street parking in an effort to preserve existing landscaping trees where possible, which provide a visual buffer from the Knapp Center to the neighborhood to the northeast. The addition also would help balance the symmetry of the Knapp Center within the block, which already has the Bell Center attached to the west side of the building. There is a statement on the plan that no mitigation for trees is anticipated. However, there are trees proposed to be removed that will require mitigation under more recent City Ordinances for tree protection and mitigation. A note on the Plan should be revised to state that any removal of existing or previously approved trees is subject to the City's Tree Preservation and Mitigation Ordinance.

B) Setbacks and other appropriate screens shall be provided around the boundary of a PUD development to protect the adjoining district properties. Only in exceptional circumstances shall such a setback be less than the amount of the setback which the adjoining district is required to maintain from the PUD development.

The proposed addition would be setback approximately 60 feet at the closest point to the surrounding street network, which would be on the east towards 25th Street. This is greater than typical minimum front yard setbacks which would be 25 to 30 feet minimum. The proposed setback will help minimize the 33-foot height of the structure from surrounding neighborhood areas.

C) A PUD development shall comply with all applicable city ordinances, specifications and standards relating to all dedicated street, sanitary sewer and storm sewer facilities and to surface drainage and floodwater retention.

The proposed addition would be constructed within the existing built site. No extensions of public utilities would be required. All necessary public utilities are available to the site, with new water, sanitary sewer, and storm sewer connections proposed to connect within 25th Street. The existing storm water management solution for the Knapp Center would be required to be retrofitted to accommodate the addition, with some added conservation storm water management improvements proposed to comply with more recent requirements for water quality detention. The submitted Plan proposes an added bio-swale on the east side of the addition.

D) The streets surrounding a PUD development must be capable of accommodating the increased traffic that would be generated by the new development. The development shall be designed to provide maximum feasible separation of vehicular traffic from pedestrian ways and recreational areas. If turning lanes or other forms of traffic controls within or adjacent to the development are deemed necessary by the city council, the developer shall provide the necessary improvements.

The proposed activity of athletic practices within the proposed addition is not anticipated to generate new volumes of users to site as a whole. The improvements are intended to improve the activity for existing populations served by the center by providing more state-of-the-art facilities. Therefore, Traffic Engineering staff did not contemplate requiring a study of traffic volumes for the area based on the improvement.

E) Off-street parking and loading spaces shall be provided as appropriate to the size and character of the development. Each off-street loading space shall be not less than ten feet in width and 25 feet in length. All off-street parking spaces shall be provided in accordance with the requirements of subsection 134-1377(g).

The off-street parking and loading to the site will be reduced by 75 spaces to accommodate the addition. This is not expected to generate parking congestion. The original approved PUD Conceptual Plan provided a total of 805 parking spaces. When the indoor tennis facility was built an additional 38 spaces over the proposed were developed bringing the total to 843 spaces. The Plan indicated that when average attendance exceeded 6,000 for events at some point in the future, the PUD would be revisited for off-street parking. 2012 average attendance for men's basketball games was 3,965. An analysis of parking submitted with the PUD Conceptual Plan amendment indicates that after the addition, there would be 939 spaces available for parking related to the Knapp Center within the PUD area or within 300 feet of the PUD. Staff does not believe that the loss of 75 spaces would be detrimental to the surrounding area. The submitted PUD Plan indicates future intentions for Drake to construct additional off-street parking on the block east of the Knapp Center. This would require rezoning for expansion of the PUD area at that time along with a PUD Conceptual Plan amendment.

F) Where appropriate to the size and character of a PUD development, provision shall be made therein for open space for recreation and other outdoor uses, and for places of worship, convenience shopping and other community services.

The proposed addition does not significantly change the open space conditions within the PUD. The overall PUD includes outdoor tennis courts and practice fields for athletics to serve the Drake University student populations.

- 2. Urban Design: The submitted design for the proposed addition indicates a pallet of materials that would complement the existing Knapp Center. The primary materials will be pre-cast concrete with accent aluminum panels and clear-story glass with a glass at the entrance feature. Staff believes that these are appropriate materials given the scale of the proposed materials. The proposed building would be 33 feet in height, which is well below the overall height of the Knapp Center.
- 3. Landscaping: The PUD Conceptual Plan states that the site will be landscaped in accordance to the Landscape Standards. Staff recommends that the Plan be revised to indicate that "any Development Plan will provide mitigation of any trees removed with additional plantings necessary to meet minimum open space plantings in C-2 Districts based on the disturbed site area for the proposed addition."
- **5. Signage:** One monument sign (8' x 3' x 4.5') has been proposed on the south side of the proposed addition over the existing signs for the Knapp Center Complex. Staff recommends that a statement be included to indicate any signs will conform to standards and allowance as permitted in the "C-2" District with no allowance for off-premises advertising signs, to handle any future sign needs.

SUMMARY OF DISCUSSION

There was no discussion.





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

COMMISSION ACTION:

<u>Dory Briles</u> moved staff recommendation to approve the proposed rezoning and PUD Concept Plan subject to the following revisions:

- 1. Compliance with all administrative comments of the final Mylar review.
- 2. A note indicating that any Development Plan will provide mitigation of any trees removed in accordance with Tree Preservation and Mitigation Ordinances with additional plantings necessary to meet minimum open space plantings as in C-2 Districts based on the total disturbed site area for the proposed addition.
- 3. A note indicating any signs will conform to standards and allowances as permitted in the "C-2" District with no allowance for off-premises advertising signs.

Motion passed 12-0

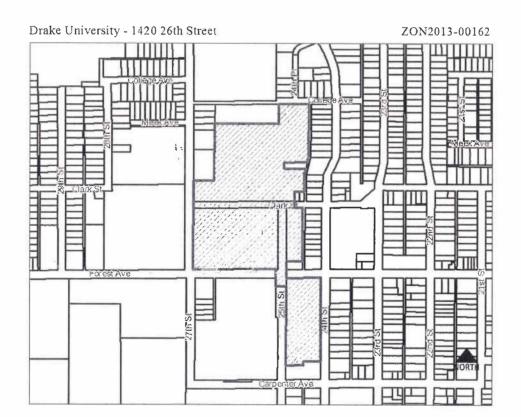
Respectfully submitted,

Michael Ludwig, AlCP Planning Administrator

MGL:clw

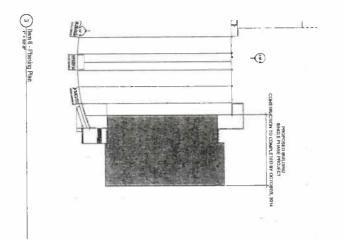
Attachment

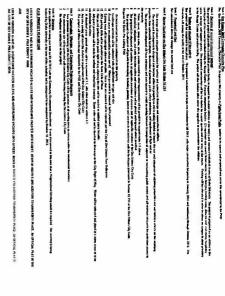
| | | | | - | | | | , | |
|--|-----------|---|------|-------|-------------------------|------|------------|---|---|
| Request from Drake University (owner) represented by Deborah Newsome (officer) for | | | | | | | File # | | |
| review and approval of an amendment to the Drake University Recreation PUD Conceptual Plan affecting property located at 1420 26 th Street. | | | | | | ZON | 2013-00162 | | |
| of Action | affecting | proval of an amendment to the Drake University Recreation PUD Conceptual Plan fecting property located at 1420 26 th Street, to allow an approximately 31,000-square of the Knapp Center subject to visions. | | | | | | | |
| 2020 Community Character Plan Low-Density Residential and Public/Semi-Public (current & no change proposed) | | | | nange | | | | | |
| Horizon 2035 No Planned Improvements Transportation Plan | | | | | | | | | |
| Current Zoning | "PUD" I | "PUD" Planned Unit Development District | | | | | | | |
| Proposed Zoning District "PUD" Planned Unit Development District | | | | | | | | | |
| Consent Card Re Inside Are Outside A | s In F | In Favor Not In Favor Undetermined 4 0 | | % (| Opposition | | | | |
| Plan and Zoning | | \pproval | 12-0 | | Required 6/7 Vote of Ye | | Yes | | |
| Commission Act | ion | Denial | | | the City Coun | icil | No | | Х |

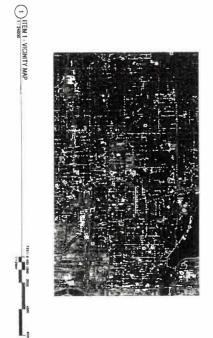


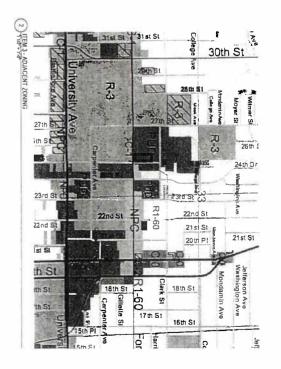
| | Item_ZON2013-00162 | Date Oct 18, 2019 | DES HO |
|-----|---|-----------------------------|--|
| | (am) (am out) in favor of the request. | making received 7 | edderóct : |
| | COMM(GIPP OPENELOPMENT Print Name_ | Hancy Stillians | |
| | OCT 2 3 2017 Signature_ | May Stillmus | 374. · · · · · · · · · · · · · · · · · · · |
| | DEPARTMENT Address | 1604 24 Molow 5 | #310 |
| | Reason for opposing or approving this req | uest may be listed below: | h |
| | 1 do not respec | to the mojec | <u>#</u> |
| | because care un | 3 taken to save, | Trees. |
| | and The east n | rall of the herry | LUX 5 |
| | well be but wa | sistert wit for | 201 |
| | Avenue Buildings | from MLH The | 2 Fresh |
| | | V | , |
| | Item_ZON2013-00162 | Date Dot 9, 2 | 013 |
| | (am) (am not) in favor of the request., | The Committee | |
| | COMMUNITY DE ELOPMENT | ROBERT GIE | BER |
| | OC 2013 Signature | Aubert P. Giller | |
| | DEPARTMENT Address_ | 2315 Carpani | LOV AVE |
| | Reason for opposing or approving this re | equest may be listed below: | |
| | Druke's deve | Lagrange ou Fo | 4 cell |
| | Are should be a | of correct to Il | |
| | neighbor hood. | | |
| 383 | 0 | | |
| | | | The state of the s |
| | | | |



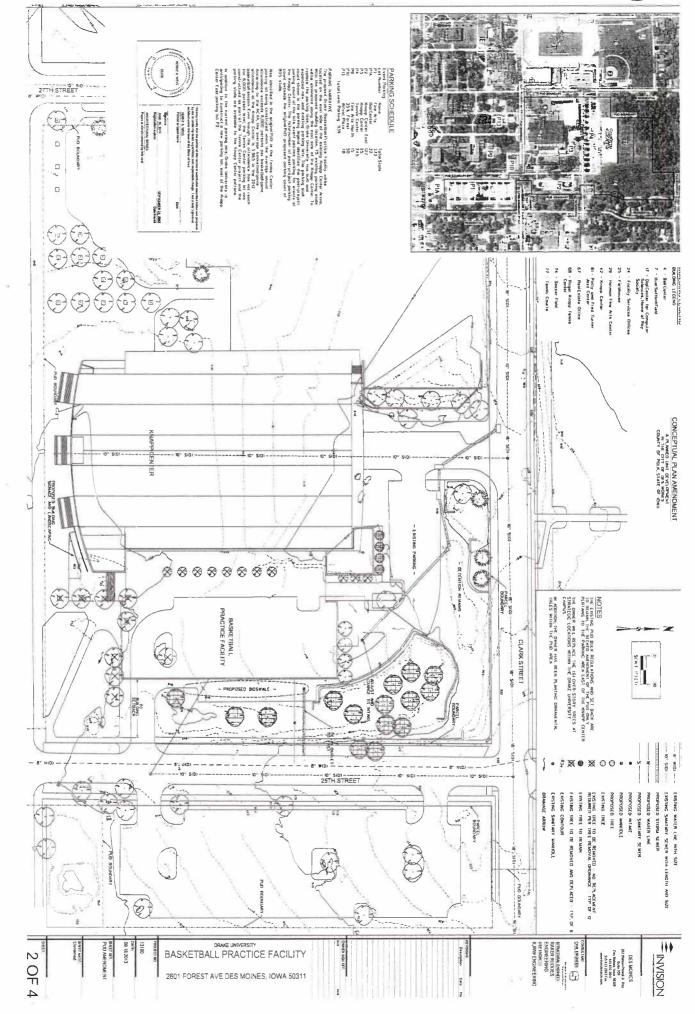


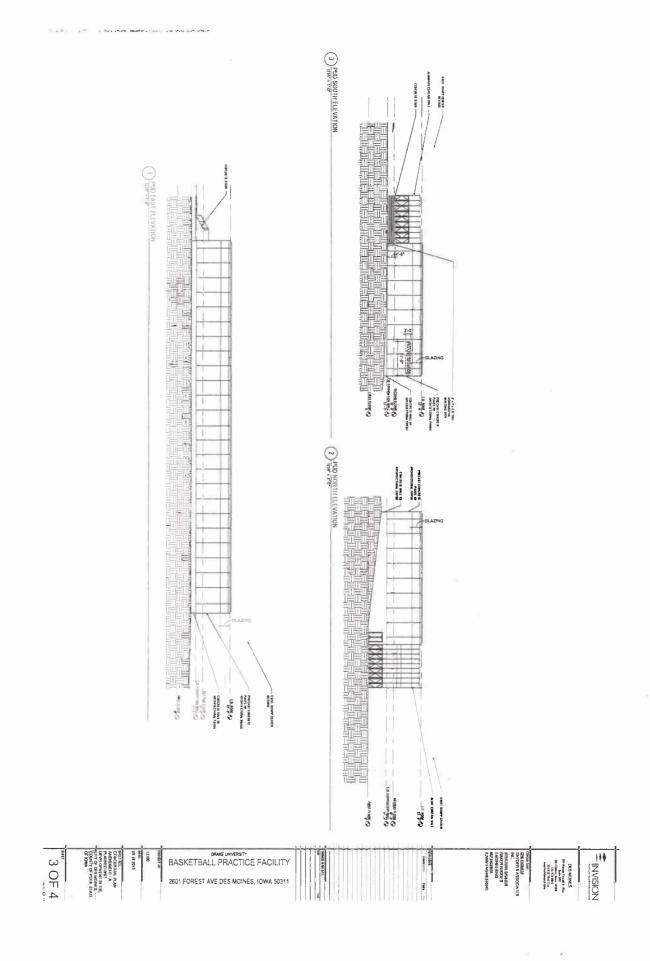






| 13390 | OF HAWAY OF ALICH OF | 13160 13160 19,18 201 | DRAKE UNIVERSITY BASKETBALL PRACTICE FACILITY | HAYthouse Driedless | COMBILITATION CO | |
|--------|--|-----------------------------|---|------------------------|--|--|
| 1 of 4 | EHT A PLAN EHT A DUNIT OF POXY, STATE | | 2601 FOREST AVE DES MOINES, IOWA 50311 | (2) (3) (4) | I.A. LANGER I.A. L | WISION SMOKES SM |





| INVISION IN THE PROPERTY OF TH | TING TO THE PROTECTION OF SIGNAL SHAPE OF STATE |
|--|---|
|--|---|

