★ **Roll Call Number**

Agenda Item Number 48

Date February 23, 2015

RESOLUTION HOLDING HEARING ON REQUEST FROM SILVER OAK ENTERPRISES, LLC, REPRESENTED BY CHIP CLASSON (OFFICER), FOR REVIEW AND APPROVAL OF THE 5TH AMENDMENT TO THE CARMAN ESTATES PUD CONCEPTUAL PLAN, 2320 EAST PORTER AVENUE

WHEREAS, on December 22, 2014, by Roll Call No. 14-1932, the City Council received a communication from the City Plan and Zoning Commission stating that its members voted 9-1 in support of a motion to recommend **APPROVAL** of a request from Silver Oak Enterprises, LLC, represented by Chip Classon (officer), for review and approval of the 5th Amendment to the Carman Estates PUD Conceptual Plan for property locally known as 2320 East Porter Avenue ("Property"), to more specifically define the development of land previously identified in the Plan for medium density residential (up to 17 units per acre), to allow development of four (4) 3-story, 24-unit multiple family dwellings (96 units total) with drive access from East Porter Avenue, subject to the following revisions:

1. The Development Plan and finalized building elevations shall be reviewed and approved by the Plan and Zoning Commission;
2. East Porter Avenue shall be striped for left and right turning lanes onto Indianola Avenue if determined appropriate by the City Traffic Engineer;
3. Provide locations of all existing and proposed public utilities and easements in place.
4. Provide a discussion of how the proposed amendment area would be serviced by public sanitary sewer;
5. Provide conceptual plantings within the proposed amendment are, with an amount of plant material to reflect minimums applied to "R-3" Districts;
6. Provide a note that requires all future development phases to comply with current Tree Protection and Mitigation Ordinance requirements as part of any Subdivision Plat, Grading Plan, or Development Plan;
7. Provide a note indicating that additional tree landscaping necessary over landscaping minimums for mitigation be prioritized to areas along the public street system where opportunities for successful growth are available subject to approval by the Municipal Arborist;
8. Provide pedestrian routes from the primary entrance of each of the multiple-family buildings to the trail proposed in East Porter Avenue;
9. Revise elevations of the multiple-family buildings to have cement board siding material and shake as well as show the stone material around the entire first floor on all facades. In addition, there shall be elements where the durable stone or masonry veneer material covers projecting elements on all three stories;
10. Revise elevations of the multiple-family buildings to provide of detail on the balconies indicating that the underneath supports shall be architecturally concealed;
11. Provide elevations for the detached garages, to have roofing shingles and stone material wainscot on exterior facing sides to match the multiple-family dwellings and community center; and

WHEREAS, on December 22, 2014, by Roll Call No. 14-1932, it was duly resolved by the City Council that the application of Silver Oak Enterprises, LLC, for review and approval of the proposed 5th Amendment to the Carman Estates PUD Conceptual Plan for the Property, as legally described below, be set down for hearing on January 12, 2015, at 5:00 p.m. in the City Council Chambers at City Hall; and

(continued)

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

WHEREAS, on January 12, 2015, by Roll Call No. 15-0073, the City Council opened and continued the public hearing to the February 9, 2015 Council meeting, in order to allow Silver Oak Enterprises, LLC to continue working with the project architect; and

WHEREAS, on February 9, 2015, by Roll Call No. 15-0248, the City Council opened and continued the public hearing to the February 23, 2015 Council meeting, in order for Silver Oak Enterprises, LLC and City staff to further review the conditions of the PUD amendment; and

WHEREAS, following said review, Silver Oak Enterprises, LLC submitted the attached letter detailing conditions to the 5th Amendment to the Carman Estates PUD Conceptual Plan for the Property which are alternative to those approved by the Plan and Zoning Commission, as follows:

1. The Development Plan and finalized building elevations shall be reviewed and approved by the Community Development Director;
2. Provide locations of all existing and proposed public utilities and easements in place;
3. Provide a discussion of how the proposed amendment area would be serviced by public sanitary sewer;
4. Provide conceptual plantings within the proposed amendment area, with an amount of plant material to reflect minimums applied to "R-3" Districts;
5. Provide a note that requires all future development phases to comply with current Tree Protection and Mitigation Ordinance requirements as part of any Subdivision Plat, Grading Plan, or Development Plan;
6. Provide a note indicating that additional tree landscaping necessary over landscaping minimums for mitigation be prioritized to areas along the public street system where opportunities for successful growth are available subject to approval by the Municipal Arborist;
7. Provide pedestrian routes from the primary entrance of each of the multiple-family buildings to the trail proposed in East Porter Avenue;
8. Revise elevations of the multiple-family buildings to have cement board siding material and shake as well as show the stone material on all facades to the satisfaction of the Community Development Director;
9. Revise elevations of the multiple-family buildings to provide of detail on the balconies indicating that the underneath supports shall be architecturally concealed; and
10. Provide elevations for the detached garages, to have roofing shingles and cement board siding on exterior facing sides to match the multiple-family dwellings and community center; and

WHEREAS, in accordance with said notice and continuance, those interested in said proposed amendment to the approved Carman Estates 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 and any statements of interested persons and arguments of counsel, any and all objections to the proposed 5th Amendment to the Carman Estates PUD Conceptual Plan for the Property, locally known as 2320 East Porter Avenue and legally described as follows, are hereby overruled, and the hearing is closed:

   THE NW 1/4 OF THE SW 1/4, THE SW 1/4 OF THE NW 1/4, THE WEST 20 ACRES OF THE NORTH 30 ACRES OF THE SE 1/4 OF THE NW 1/4, THE SOUTH 309 FEET OF THE WEST 1020 FEET OF THE SE 1/4 OF THE NW 1/4 AND THE NORTH 21 FEET OF THE SOUTH 330 FEET OF THE SE 1/4 OF THE NW 1/4, ALL IN SECTION 25, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5th P.M., DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

   BEGINNING AT THE W 1/4 CORNER OF SECTION 25, T78N, R24W AND BEING THE CENTERLINE OF INDIANOLA ROAD; THENCE N 00° (DEGREES) 12' (MINUTES) 57" (SECONDS) W ALONG THE WEST LINE OF THE NW 1/4 OF SAID SECTION 25 FOR 1316.06 FEET TO THE NW CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 25 AND BEING THE CENTERLINE OF EASTER LAKE DRIVE; THENCE S 89°53'24" E ALONG THE NORTH LINE OF SAID SW 1/4 OF THE NW 1/4 AND SAID CENTERLINE FOR 1314.43 FEET TO THE NE CORNER OF SAID SW 1/4 OF THE NW 1/4; THENCE CONTINUING S 89°53'24" E ALONG SAID CENTERLINE AND BEING THE NORTH LINE OF THE SE 1/4 OF SAID NW 1/4 FOR 885.00 FEET TO THE NE CORNER OF THE WEST 20 ACRES OF THE NORTH 30 ACRES OF SAID SE 1/4 OF THE NW 1/4; THENCE S 00°06'42" E ALONG THE EAST LINE OF SAID WEST 20 ACRES OF THE NORTH 30 ACRES FOR 983.38 FEET TO THE NORTH LINE OF THE SOUTH 330 FEET OF SAID SE 1/4 OF THE NW 1/4; THENCE S 89°57'38" E ALONG SAID NORTH LINE FOR 446.22 FEET TO THE EAST LINE OF SAID SE 1/4 OF THE NW 1/4; THENCE S 00°06'42" E ALONG SAID EAST LINE FOR 21.00 FEET; THENCE N 89°57'38"W FOR 304.09 FEET TO THE EAST LINE OF THE WEST 1020 FEET OF SAID SE 1/4 OF THE NW 1/4; THENCE S 00°34'06" E ALONG SAID EAST LINE FOR 309.01 FEET TO THE SOUTH LINE OF SAID SE 1/4 OF THE NW 1/4; THENCE N 89°57'35" W ALONG SAID SOUTH LINE FOR 1020.00 FEET TO THE NE CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 25; THENCE S 00°13'52" E ALONG THE EAST LINE OF SAID NW 1/4 OF THE SW 1/4 FOR 1322.02 FEET TO THE SE CORNER OF SAID NW 1/4 OF THE SW 1/4; THENCE N 89°56'59" W ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE SW 1/4 FOR 1319.44 FEET TO THE SW CORNER OF SAID NW 1/4 OF THE SW 1/4 AND BEING THE CENTERLINE OF INDIANOLA ROAD; THENCE N 00°19'33" W ALONG THE WEST LINE OF SAID NW 1/4 OF THE SW 1/4 AND SAID CENTERLINE FOR 1321.81 FEET TO THE POINT-OF-BEGINNING. THIS PARCEL CONTAINS 107.65 ACRES INCLUDING 4.44 ACRES FOR ROADWAY EASEMENT AND IS SUBJECT TO EASEMENTS OF RECORD.

2. The attached communication from Silver Oak Enterprises, LLC, is hereby received and filed.

3. The proposed 5th Amendment to the Carman Estates 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.

Roll Call Number

Agenda Item Number
48

Date February 23, 2015

Alternative A:

MOVED by _____ to adopt and APPROVE the 5th Amendment to the Carman Estates PUD Conceptual Plan for the Property as described above, which 5th Amendment is on file in the Community Development Department, is hereby approved, subject to the Amendment and Plan being first amended to satisfy the conditions recommended by the Plan and Zoning Commission as set forth above and in the communication from the Commission received by Roll Call No. 14-1932, and subject to approval of such amendments by the Community Development Director.

Alternative B:

MOVED by _____ to adopt and APPROVE the 5th Amendment to the Carman Estates PUD Conceptual Plan for the Property as described above, which 5th Amendment is on file in the Community Development Department, is hereby approved, subject to the Amendment and Plan being first amended to satisfy the alternative conditions requested by Silver Oak Enterprises, LLC as set forth above and in the attached communication, and subject to approval of such amendments by the Community Development Director.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(ZON2014-00217)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

_____ Mayor

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

JERRY'S HOMES

GRADUATE MASTER BUILDER
THE HOME BUILDERS INSTITUTE

10430 NEW YORK AVE
SUITE C
URBANDALE, IOWA 50322
515. 278. 5092 PHONE
515. 279. 0561 FAX
WWW.JERRYSHOMES.COM

February 16, 2015

Des Moines City Council
400 Robert D. Ray Drive
Des Moines, IA 50309

Re: Carman Apartments

Honorable Members of the Council:

Jerry's Homes has listened to the voices and concerns of the neighbors surrounding the Carman Estates Apartments from the December, 2014 Planning and Zoning meeting and have made significant modifications to ease their apprehensions.

After hearing requests from citizens for additional traffic connections between East Porter Ave. and Easter Lake Drive, we have developed a plan to address the interests of the neighbors. Jerry's Homes has changed the single family development phasing of Carman Estates and have designed and submitted a nineteen lot subdivision which offers easing of traffic congestion.

Single family, Plat 9 of Carman Estates will provide the additional local street connection requested by the neighbors. SE 24th St. will be constructed simultaneously with the beginning of Carman Estates Plat 8 and will be completed before any certificates of occupancy are requested in the multi-family plat.

Architectural standards that have been raised by development staff have been handled and further requirements of stone on the exterior elevations have been met. Additionally, we listened to comments by the commission and realigned the road and buildings to give the development a better flow as you drive through the parcel

Jerry's Homes respectfully disagrees with selected items requested by the Planning and Zoning Commission and after meeting with City Staff would request the attached alternative conditions to those originally recommended by The Commission.

Sincerely,

Chip Classon
Director of Land Development

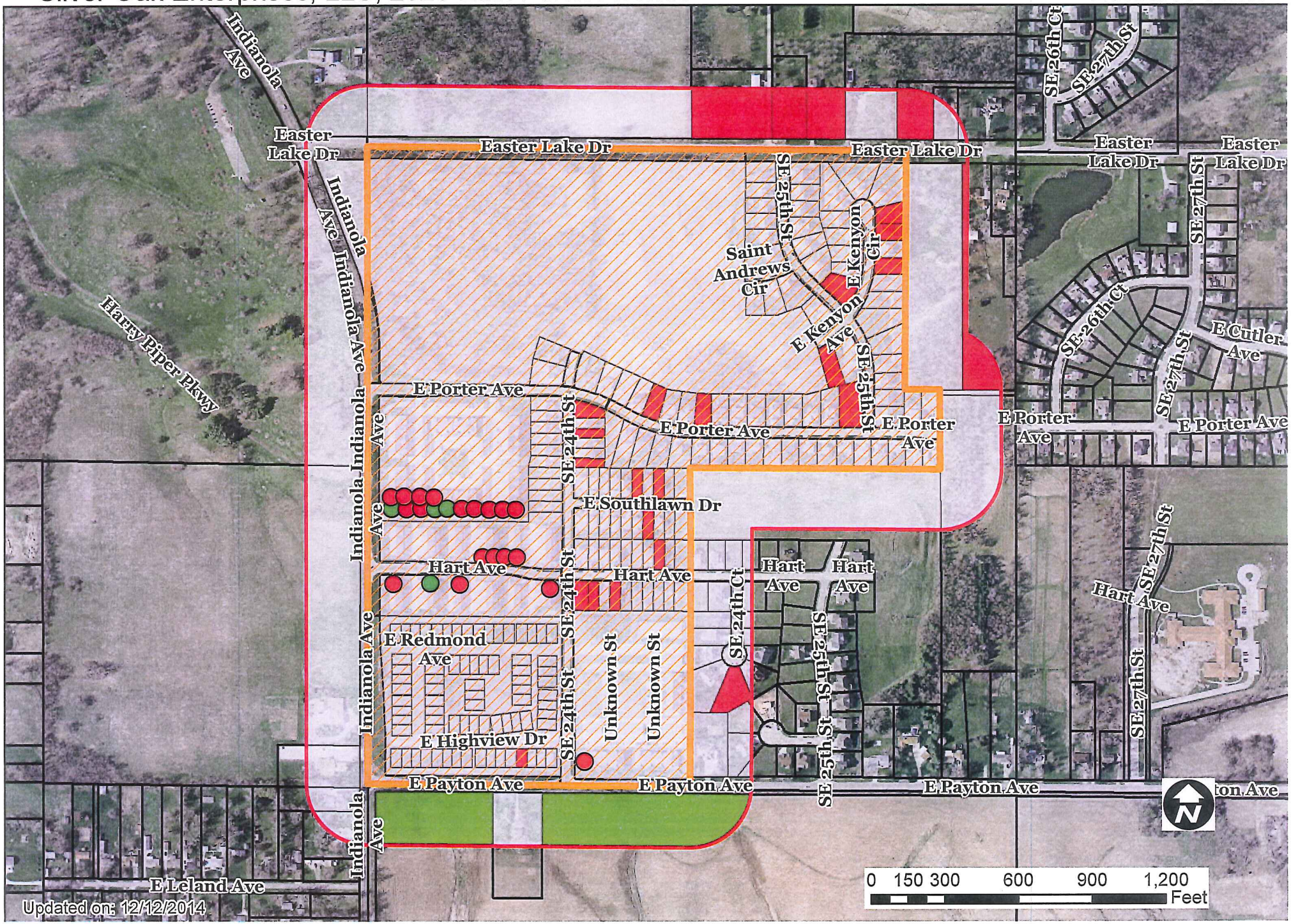
Enc.

Alternative Conditions

1. The Development Plan and finalized building elevations shall be reviewed and approved by the ~~Plan and Zoning Commission~~ Community Development Director;
2. ~~East Porter Avenue shall be striped for left and right turning lanes onto Indianola Avenue if determined appropriate by the City Traffic Engineer;~~
3. Provide locations of all existing and proposed public utilities and easements in place.
4. Provide a discussion of how the proposed amendment area would be serviced by public sanitary sewer;
5. Provide conceptual plantings within the proposed amendment are, with an amount of plant material to reflect minimums applied to "R-3" Districts;
6. Provide a note that requires all future development phases to comply with current Tree Protection and Mitigation Ordinance requirements as part of any Subdivision Plat, Grading Plan, or Development Plan;
7. Provide a note indicating that additional tree landscaping necessary over landscaping minimums for mitigation be prioritized to areas along the public street system where opportunities for successful growth are available subject to approval by the Municipal Arborist;
8. Provide pedestrian routes from the primary entrance of each of the multiple-family buildings to the trail proposed in East Porter Avenue;
9. Revise elevations of the multiple-family buildings to have cement board siding material and shake as well as show the stone material ~~around the entire first floor~~ on all facades to the satisfaction of the Community Development Director. ~~In addition, there shall be elements where the durable stone or masonry veneer material covers projecting elements on all three stories;~~
10. Revise elevations of the multiple-family buildings to provide of detail on the balconies indicating that the underneath supports shall be architecturally concealed;
11. Provide elevations for the detached garages, to have roofing shingles and ~~stone material wainscot~~ cement board siding on exterior facing sides to match the multiple-family dwellings and community center

Silver Oak Enterprises, LLC, 2320 East Porter Avenue

ZON2014-00217



CITY OF DES MOINES
COMMUNITY DEVELOPMENT

December 12, 2014

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 December 4, 2014, the following action was taken regarding a request from Silver Oak Enterprises, LLC represented by Chip Classon (officer) for review and approval of a 5th Amendment to the Carman Estates PUD Conceptual Plan on property located at 2320 East Porter Avenue.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 9-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano	X			
Jacqueline Easley	X			
Tim Fitzgerald				X
Dann Flaherty	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Greg Jones	X			
William Page	X			
Mike Simonson	X			
CJ Stephens				X
Vicki Stogdill		X		
Greg Wattier				X

APPROVAL of staff recommendation for approval of the requested amendment to the Carman Estates PUD Conceptual Plan subject to providing the following revisions:
(ZON2014-00217)

1. The Development Plan and finalized building elevations shall be reviewed and approved by the Plan and Zoning Commission.

2. East Porter Avenue shall be striped for left and right turning lanes onto Indianola Avenue if determined appropriate by the City Traffic Engineer.
3. Provide locations of all existing and proposed public utilities and easements in place.
4. Provide a discussion of how the proposed amendment area would be serviced by public sanitary sewer.
5. Provide conceptual plantings within the proposed amendment are, with an amount of plant material to reflect minimums applied to "R-3" Districts.
6. Provide a note that requires all future development phases to comply with current Tree Protection and Mitigation Ordinance requirements as part of any Subdivision Plat, Grading Plan, or Development Plan.
7. Provide a note indicating that additional tree landscaping necessary over landscaping minimums for mitigation be prioritized to areas along the public street system where opportunities for successful growth are available subject to approval by the Municipal Arborist.
8. Provide pedestrian routes from the primary entrance of each of the multiple-family buildings to the trail proposed in East Porter Avenue.
9. Revise elevations of the multiple-family buildings to have cement board siding material and shake as well as show the stone material around the entire first floor on all facades. In addition, there shall be elements where the durable stone or masonry veneer material covers projecting elements on all three stories.
10. Revise elevations of the multiple-family buildings to provide of detail on the balconies indicating that the underneath supports shall be architecturally concealed.
11. Provide elevations for the detached garages, to have roofing shingles and stone material wainscot on exterior facing sides to match the multiple-family dwellings and community center.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested amendment to the Carman Estates PUD Conceptual Plan subject to providing the following revisions:

1. Provide locations of all existing and proposed public utilities and easements in place.
2. Provide a discussion of how the proposed amendment area would be serviced by public sanitary sewer.
3. Provide conceptual plantings within the proposed amendment are, with an amount of plant material to reflect minimums applied to "R-3" Districts.
4. Provide a note that requires all future development phases to comply with current Tree Protection and Mitigation Ordinance requirements as part of any Subdivision Plat, Grading Plan, or Development Plan.
5. Provide a note indicating that additional tree landscaping necessary over landscaping minimums for mitigation be prioritized to areas along the public street system where opportunities for successful growth are available subject to approval by the Municipal Arborist.

6. Provide pedestrian routes from the primary entrance of each of the multiple-family buildings to the trail proposed in East Porter Avenue.
7. Revise elevations of the multiple-family buildings to have cement board siding material and shake as well as show the stone material around the entire first floor on all facades. In addition, there shall be elements where the durable stone or masonry veneer material covers projecting elements on all three stories.
8. Revise elevations of the multiple-family buildings to provide of detail on the balconies indicating that the underneath supports shall be architecturally concealed.
9. Provide elevations for the detached garages, to have roofing shingles and stone material wainscot on exterior facing sides to match the multiple-family dwellings and community center.

Written Responses
5 In Favor
45 In Opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking to develop 96 multiple-family residential apartments at a density of approximately 5.2 units per acre and 96 detached garage units and 127 surface off-street parking spaces. The current approved Conceptual Plan designates the property for up to 17 units per acre (316 units) subject to a submittal of a future Conceptual Plan amendment to determine actual density and configuration. The proposed amendment indicates 96 units within four 3-story, 24-unit apartments buildings. They are proposed to be served by a private drive system feeding from East Porter Avenue in alignment with the west drive entrance from multiple-family condominiums directly south of East Porter Avenue. There is also a proposed private community center to serve residents within the development.

2. **Size of Site:** Area of the amendment request is approximately 18.6 acres. The Carman Estates PUD is an approximate total of 107 acres.

3. **Existing Zoning (site):** "PUD" Planned Unit Development.

4. **Existing Land Use (site):** Agricultural.

5. **Adjacent Land Use and Zoning**:

   North – "R1-80", Use is City of Des Moines Ewing Park.

   South – "PUD", Uses are multiple-family residential condominium dwellings.

   East – "PUD", Uses are undeveloped land and single-family dwellings.

   West – "R1-80", Use is City of Des Moines Ewing Park.

6. **General Neighborhood/Area Land Uses:** The subject area of the amendment is located in the Carman Estates mixed-density residential community located along Indianola Avenue south of Easter Lake Drive within the Easter Lake New Town area.

7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Easter Lake Area Neighborhood. This neighborhood association was notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhood associations on November 14, 2014. Additionally, separate notifications of the hearing for this specific item were mailed on November 24, 2014 (10 days prior to the hearing) to the Easter Lake Area Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the overall PUD Conceptual Plan boundary. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on November 26, 2014.

   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 Easter Lake Area Neighborhood notices were mailed to Jim Bollard, 4007 SE 26th Street, Des Moines, IA 50320.

8. **Relevant Zoning History:** The property was rezoned to "PUD" Planned Unit Development as part of the approval of the Carman Estates Conceptual Plan on June 18, 2001. Since that time, the Conceptual Plan has been amended four previous times to define development:

   - 1st Amendment, September 23, 2002, for 96-units within two-story multiple-family dwellings and 64 units of single-family semi-detached dwellings in vicinity of East Porter Avenue and SE 24th Street.

   - 2nd Amendment, July 14, 2003, for 83-units of two-story row townhome dwellings along Hart Avenue between Indianola Avenue and SE 24th Street, including reducing 8 previously approved single-family semi-detached dwellings.

   - 3rd Amendment, October 11, 2004, for 96-units of two-story multiple-family dwellings northeast of East Payton Avenue and SE 24th Street.

   - 4th Amendment, February 26, 2007, for 76-units of single-story row townhomes north east of East Payton Avenue and Indianola Avenue.

9. **2020 Community Character Land Use Plan Designation:** Medium Density Residential and Open Space (private).

10. **Applicable Regulations:** The application, accompanying evidence and Conceptual Plan amendment required 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. **Natural Site Features:** The majority of the subject property is undeveloped timber. The proposed development is focused to the higher topography on a ridge which is not as heavily timbered. The Conceptual Plan was originally approved prior to current tree protection and mitigation Ordinances. The developer shall comply with all current tree protection and mitigation provisions in the Ordinances for Subdivision, Grading, and Site Plans.

   Staff anticipates little disturbance of the trees outside the driveway access, buildings and parking areas. Language on the Conceptual Plan specific to any further development of the PUD should be included to require compliance with all existing tree protection and mitigation Ordinances as part of any Plat or PUD Development Plan. Therefore, tree removal and tree protection plans would be reviewed with any required Grading Plan or Development Plan for the proposed multiple-family dwellings, detached garages or community center.

2. **Drainage/Grading:** The overall area for the Carman Estates PUD drains north or northeast. A portion of the storm water is managed by a regional detention basin to the northeast of the PUD along Easter Lake Drive. The remaining portion is handled by a private detention ponds with Carman Estates. Stormwater to be generated from the proposed development will be required to be handled within the PUD. Since the original approval of the Conceptual Plan, requirements for on-site water quality detention for more frequent rain events have been added to future development. Development and grading plans for the proposed multiple-family dwellings will require demonstration of conformance with all storm water management and soil erosion control policies.

3. **Utilities:** All necessary utilities are generally available to the proposed development by extension of services from the surrounding development. Engineering staff indicates that all public utilities and easements in place need to be shown on the proposed Conceptual Plan amendment. It is not clear in the submitted Conceptual Plan where the proposed development will specifically access service to sanitary sewer. The anticipated access and location should be shown and discussed in the notations on the Conceptual Plan as a condition of approval.

4. **Landscaping & Buffering:** The submitted Conceptual Plan amendment does not propose conceptual landscape plantings within the proposed amendment area. Staff expects, as a minimum, that landscaping as required for "R-3" Districts be provided in addition to plantings needed for mitigation. Approval of any proposed amendment should require a planting plan acceptable to the Planning Director with a variety of deciduous and evergreen types. Staff will review this using the Des Moines Landscape Standards for multiple-family districts as a baseline. Staff will also consider mitigation of trees removed in review of any Development Plan. Staff recommends that additional tree landscaping necessary over the landscaping minimums for mitigation be prioritized to areas along the public street system where opportunities for successful growth are available and subject to approval by the Municipal Arborist.

5. **Traffic/Street System:** There are no proposed modifications to the surrounding public street network.

6. **Access/Parking:** All access to proposed units is through a single access driveway from East Porter Avenue. This is sufficient for fire/emergency access requirements given the number of units (96). Traffic Engineering has further reviewed and approved the proposed location. Traffic Engineering staff further recommended that access to the site should not be changed to or added to Indianola Road which is currently under construction to widen from a 2 to 4 lane facility. The plan proposes a bike trail extension on the north side of East Porter Avenue to Indianola Avenue. No sidewalk would be required of the developer on Indianola Avenue. Staff recommends that pedestrian connections from the primary entrance of each of the dwellings or buildings to the bike trail in East Porter Avenue be provided.

   Multiple-family residential requires a minimum of 1.5 off-street parking spaces per unit. This would require a minimum of 144 spaces for 96 units. The developer is conceptually proposing 96 garage spaces and 127 surface parking spaces for a total of 223 spaces. Outside of PUDs, garage spaces are not typically calculated as parking spaces unless they are attached to the dwelling. The intent of this is due to the use of garage spaces as storage. In this case, staff believes the total number of garage spaces is sufficient enough to conclude that at least 17 will be used for vehicles. Therefore providing sufficient parking to meet the intent of the minimum requirement.

7. **2020 Community Character Plan:** The Des Moines 2020 Community Character Plan future land use designation for the proposed amendment area is Medium Density Residential, which provides for up to 17 units per acre of density and the private open space to protect existing large stands of trees. The proposed unit density of the amendment is approximately 5.2 units per acre. This is well below the medium density threshold.

8. **Urban Design:** The submitted elevations propose four 3-story buildings with gabled end roofs. There is vinyl lap siding material proposed on all levels and vinyl shake siding beneath the end gables. There are stone veneer accents proposed on the multiple stories of all façades. As proposed, the stone material would comprise approximately 20% of the façade areas below the eaves of the roof. There are horizontal bands defining each level between lap siding areas. The windows are proposed with wide vinyl trim bands where they are within a vinyl sided area. They are proposed with stone headers and sills where they are within the stone sided areas. The ends of buildings that face the street sides are proposed with two windows per floor (building type A). There are balcony projections proposed that would have metal railings. It is not clear whether the structural elements of the deck are exposed. Staff recommends that these be concealed in some fashion. The proposed buildings would have an architectural shingled roof that is gabled with a common ridgeline across all units. Cross gabled elements are proposed along the longer dimension of the roof. Some of these would have a louvered feature.

   The proposed community center elevations indicate siding, roofing, and window materials in a single-story design with character of a large single-family dwelling that are compatible to the multiple-family dwellings. There are not any proposed elevations submitted for the detached garages. Staff recommends that these be included as a

condition of any amendment approval. Any garage should have stone material wainscot on exterior facing sides to match the multiple-family dwellings and community center. Any end units facing the public street sides should have a window or louver element.

To be consistent with more recently approved multiple-family residential development in PUDs, staff recommends that hardi-plank or cement board type siding and shakes be used in lieu of the proposed vinyl siding which was allowed in previous phases of the Carman Estates PUD. This will also help meet more recent design guidelines for tax abatement. Staff also recommends that the stone veneer or other durable masonry material be used for the entire first level completely around the building with the amount of durable material increased to all three floors on certain elements of wall projections around entire structure at a minimum. All references to Adam Ridge Apartments in Johnston should be removed.

SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendation.

Greg Jones asked would this be considered medium density.

Jason Van Essen stated the site is designated as Medium Density on the Future Land Use Map. This designation and the approved concept plan allow for up to 17 dwelling units per acre. The proposal is for 5.2 units per acre, which is more in line with our Low/Medium Density Residential designation.

Mike Simonson asked if this amendment is approved would the maximum density allowed now be 5.2 units per acre.

Jason Van Essen replied yes and that any proposal to increase the number of units would have to return to the Plan and Zoning Commission and City Council through the same process.

Will Page asked about the traffic pattern changes and the Traffic and Transportation Division's review of the proposal.

Jason Van Essen indicated that the Traffic and Transportation Division has reviewed the proposal and supports what is being proposed.

CJ Stephens stated with her previous experience, she is concerned that once a PUD is approved the developer is allowed a lot of flexibility to make changes. Expressed concern that the developer has not addressed how sewer will be provided to the site or the other deficiencies noted in the staff recommendation.

Jason Van Essen stated the conditions pertaining to identifying easements and how sewer will be provided to the site are administrative type items that need to be clarified, but are not items that the feasibility of the project hinges on. The Commission is seeing the layout, the building elevations and building materials, which are set by the PUD. The other parts are more of a dialogue as to which direction a line might be brought in.

JoAnne Corigliano asked why only one access drive is being provided for the project.

Jason Van Essen stated that is all that is necessary for the proposed number of units. Noted that access points on major streets such as Indianola Avenue should be minimized to reduce conflict points and maintain efficiency.

JoAnne Corigliano stated she believes that one drive onto Indianola Avenue should be provided. Noted it would be a right turn only as there is a median.

Will Page asked what is to the north of the site and does Easter Lake Drive go all the way to the west.

Jason Van Essen stated there is park land to the north and that Easter Lake Drive stops at Indianola Avenue.

Will Page asked if a driveway from the site to Easter Lake Drive to the north was considered. Noted the concern about congestion expressed on several response cards.

Jason Van Essen stated the Traffic and Transportation Division has followed the standards as to the number of driveways needed.

Melissa Hills, Civil Engineer Consultants, stated the applicant has tried to follow the Easter Lake New Town Plan by only developing where there are less trees. Installing a driveway to Easter Lake Drive would require the removal of an extensive amount of trees in order to make the grades work. They do not want to remove any more trees than are necessary.

Indianola Avenue is considered a major arterial. Having too many access points will cause traffic problems such as accidents. The 1,200 feet between access points comes from the Des Moines standards, which is what the Traffic and Transportation staff use. Noted that in the entire 107 acres of the PUD there are several access points that get traffic in and out of the Carman Estates development.

The sanitary sewer would be extended to 24th Street and come up the hill and across to service the development as was planned with the preliminary plat. An existing detention basin was built with an earlier phase. It will be upgraded and used for infiltration practices, which will help with water quality going down stream.

Vicki Stogdill asked if this project is rental apartments or owned condominiums.

Melissa Hills stated they will be rental apartments.

Mike Simonson asked if the existing storm water detention basin was sized for this development or if it will need to be expanded.

Melissa Hills stated the basin was sized to accommodate the development of this site.

Mike Simonson asked if the developer was in agreement with the staff recommendation.

Melissa Hills stated the developer will address the remaining comment, but with regards to the site notes they are in agreement.

Mike Simonson asked instead of having a series of garage doors facing someone who pulls into the development why wasn't the main drive taken all the way through to the next building. Noted more garage units could be added to the two center garage buildings to allow the configuration to be altered.

Melissa Hills stated they felt this layout did the most to limit impact on trees.

Mike Simonson asked are they saving trees in the center of this development.

Melissa Hills stated they are not.

CJ Stephens asked Ms. Hills if she or engineers in general ever calculate the value of trees in terms of storm water management capacity that is lost when they are removed.

Melissa Hills stated heavily tree canopy areas have a higher rate of runoff than landscape yard as there is typically little ground cover.

Greg Jones stated the engineering calculation that the City requires does not account for that.

CJ Stephens left the meeting @ 7:00 p.m.

CHAIRPERSON OPENED THE PUBLIC HEARING

Chip Claasen, Jerry's Homes, 10430 New York Avenue, Urbandale, IA, stated the building would have hardi-plank siding. Noted they have two objections to the staff recommendation. They are opposed to the proposed stone requirements for the buildings and the garages. They plan to put stone on all four sides of the buildings but request they not be made to make the entire first floor stone. They prefer to use the stone in a vertical orientation and not horizontally across the first floor of the buildings. Especially, with the buildings being shielded from view by a significant amount of trees.

Jann Freed asked about the layout and design of the development.

Chip Claasen stated they based their layout on the Easter Lake New Town Plan. Their design fits the topography and the character of the area.

Joe Henry, 2463 E. Highview Drive, stated he lives next to Carmen Estates and has lived in the Easter Lake area since 1991 and on the south side for most of his life. He represents Culver Ridge and Prairie Hills Senior Living and most of them are opposed to the applicant's request. He stated this is a very high density area and his concerns are the increased traffic on Porter Avenue and only having one entrance and one exit. This will add a lot of negativity, making it very hard to attract buyers in this area.

Mike Simonson asked Mr. Henry what bothers him most about the development.

Joe Henry stated the high density.

Lonie Gerken, 2480 Easter Lake Drive stated she opposes this development because it diminishes the open space and natural resources of the area. It would impact the natural habitat and mature trees. The lake and natural areas are an asset to this neighborhood and is the reason why many residents moved to the area. Their homes are major investments and multi-family development is seen as a negative. She is also concerned with the increased traffic, parking issue, noise pollution, safety and other adverse effects. Reduced property values and increased urban sprawl are a detriment. Noted that Porter is a very narrow street and the roundabouts makes it difficult to drive.

Chris Civitate, 2430 E. Porter Avenue, stated he opposes the applicant's request because when he moved into this area he was told by a representative of Jerry's Homes that because of how densely populated the trees were that this land would never be developed. This was a huge selling point in this neighborhood. That alone proves they cannot trust what Jerry's Homes is going to do. Aligning the driveway with the driveway to the south will create a road hazard. Noted that it is hard to stop on East Porter as you head towards Indianola Avenue during the winter. Believes the real issue with building a drive to Easter Lake Drive is the money it would take to cut down more trees. Asked the Commission to deny the request.

Dann Flaherty asked what he would put in that area.

Chris Civitate stated it is fine the way it is. However, if he was told something had to go there he would prefer single-family housing.

Lisa Tjaden, 5446 SE 29th Court, stated she chose this area because she is an avid cyclist and loves the bike trails, Easter Lake and Ewing Park. Her concern is safety with the increase traffic. Compliment Jerry's Homes on their single-dwelling homes and would be more receptive to that for this site.

Judy Shepard, 5513 SE 24th Street, stated she has lived in the area for 8 years in a bi-attached townhome. Believes they already have enough units around the area without adding 96 more. She is concerned with the increased traffic and would rather see something like a Ewing Woods with nice homes to balance out the townhomes and condos in that area. Believes the residents of this development would park on the streets causing more bottlenecks in the area.

Linda Hendricks, 5505 SE 24th Street, stated she has lived in the area for 10 years. She has the same concerns as those who have already spoke in opposition particularly with increased traffic. She would like to see this area left alone.

John "Jack" Hilmes asked what percentage of the living units whether they are condos or bi-attached or single-family that are there now were not there when she moved in 10 years ago.

Linda Hendricks estimated about 50%.

John "Jack" Hilmes asked have the neighbors or neighborhood association investigated preserving it as a wood lot by purchase or some other endeavor.

Linda Hendricks stated she is not aware of any.

Darwin Wahl, 2428 E. Southlawn, stated he is concerned with the increased traffic and agrees with everyone who is opposed to the applicant's request.

Kate Cardamon, 2442 SE Porter, stated she is concerned with the increased traffic and is opposed.

Rebuttal

Chip Claasen Noted that Jerry's Homes bought the property in 2003. The Easter Lake New Town Plan was adopted by the City Council in 2001 and identifies this property for multi-family medium density development. Indicated they fought the City about the roundabouts and would like to see them removed. Stated that Jerry's Homes owns property adjoining the site that is planned to be developed with single-family houses and that they have a vested interest in not do anything that would drive down property values. The site is zoned for 17 units per acre and they are only proposing in 5.2 units per acres. The Porter Avenue driveways being aligned is a requirement because of traffic flow. At the beginning it worked very well to sale condos, but after the crash people could not get loans for condos. It became hard to sale condos so they have turned them into apartments. The land use decision for this area was planned before they owned it and they are following through with the City's plan.

Vicki Stogdill asked if they explored developing single-family in this area.

Chip Claasen stated they looked at it but if you are struggling to have your values up it is not very practical.

John "Jack" Hilmes asked how much undeveloped land in the area Jerry's Homes owns.

Chip Claasen stated they have the two plats next to this project.

John "Jack" Hilmes stated that wouldn't they build a product that is going to help keep the property values up so they will be able to market future property in the area in a zone that is profitable to them.

Chip Claasen stated yes, they will have the single-family homes next to it. The units they are proposing to develop are high value units and we do not believe these units will drive housing values down in this area.

Will Page asked when 24th Street will be pushed north to Easter Lake Drive.

Chip Claasen stated he believes it will be 2 to 3 years before 24th Street is connected to Easter Lake Drive.

Will Page stated that in five to six years if one came off of Indianola Road and turned on to Easter Lake Drive conceptually 24th Street is going to reduce some of the traffic that currently comes in on Porter.

Chip Claasen stated that is correct.

Vicki Stogdill asked if they have thought about making these condos instead of apartments as she believes ownership is one of the concerns she is hearing.

Chip Claasen stated the issue happened on the 16-plexes in Carmen. The construction actually stopped after the first few building because they were condos and they could not get them sold, but they could get the apartments leased.

CHAIRPERSON CLOSED THE PUBLIC HEARING

JoAnne Corigliano stated her only concern is traffic. The roundabouts should be taken out they are nothing but an obstruction.

Dann Flaherty moved staff recommendation with an addition that the Development Plan and finalized building elevations come back to the Commission for approval. Stated that he does not like apartments but looking at the topography on this area they cannot build anything else there. Developing single-family lots would require substantial grading and tree removal. This proposal leaves a majority of the trees intact.

JoAnne Corigliano stated she would like to see what they could do about getting a drive onto Indianola Avenue.

Chip Claasen stated that the Traffic and Transportation Division said no access to Indianola Avenue would be allowed.

Vicki Stogdill stated she is not going to support the applicant's request and believes they could do executive single-family lots, maybe 3 acres lots. They would have to charge a lot for them but potentially there is a market for that and they should look at that again.

Greg Jones stated they are requesting a revision to an existing PUD. They have approval for 17 units per acre, what they are getting tonight is way less. The natural aspects of the site are being saved and if the Commission does not approve it then the applicant could go back and propose something worse. Expressed support for the request.

Mike Simonson asked for a friendly amendment to request the Traffic and Transportation Division look at Porter to see if it could be striped to have left and right turning lanes as it might help traffic flow.

Dann Flaherty accepted the friendly amendment.

Mike Simonson asked the developer to look at the garages to see if a better layout could be developed that allowed for better on-site circulation.

John "Jack" Hilmes stated at some point the Easter Lake area became desirable for development and that there was probably public outcry when rural land was taken and subdividing to make what is there today. We heard from Ms. Hendricks that in the past 10 years there have been a 50% increase in the number of dwellings in the area. This is the natural progression of what was going to happen with this property. They are doing a good thing, even though to the people who spoke in opposition tonight it may not seem so. They are preserving as much of that wood lot as they can and downsizing the occupancy for that site from what has already been approved.

COMMISSION ACTION:

Dann Flaherty moved staff recommendation for approval of the requested amendment to the Carman Estates PUD Conceptual Plan subject to providing the following revisions:

1. The Development Plan and finalized building elevations shall be reviewed and approved by the Plan and Zoning Commission.
2. East Porter Avenue shall be stripped for left and right turning lanes onto Indianola Avenue if approved by the City Traffic Engineer.
3. Provide locations of all existing and proposed public utilities and easements in place.
4. Provide a discussion of how the proposed amendment area would be serviced by public sanitary sewer.
5. Provide conceptual plantings within the proposed amendment are, with an amount of plant material to reflect minimums applied to "R-3" Districts.
6. Provide a note that requires all future development phases to comply with current Tree Protection and Mitigation Ordinance requirements as part of any Subdivision Plat, Grading Plan, or Development Plan.
7. Provide a note indicating that additional tree landscaping necessary over landscaping minimums for mitigation be prioritized to areas along the public street system where opportunities for successful growth are available subject to approval by the Municipal Arborist.
8. Provide pedestrian routes from the primary entrance of each of the multiple-family buildings to the trail proposed in East Porter Avenue.
9. Revise elevations of the multiple-family buildings to have cement board siding material and shake as well as show the stone material around the entire first floor on all facades. In addition, there shall be elements where the durable stone or masonry veneer material covers projecting elements on all three stories.
10. Revise elevations of the multiple-family buildings to provide of detail on the balconies indicating that the underneath supports shall be architecturally concealed.
11. Provide elevations for the detached garages, to have roofing shingles and stone material wainscot on exterior facing sides to match the multiple-family dwellings and community center.

Motion passed 9-1 (Vicki Stogdill voted in opposition).

Respectfully submitted,

Jason Van Essen, AICP
Senior City Planner

JMV:clw

Attachment

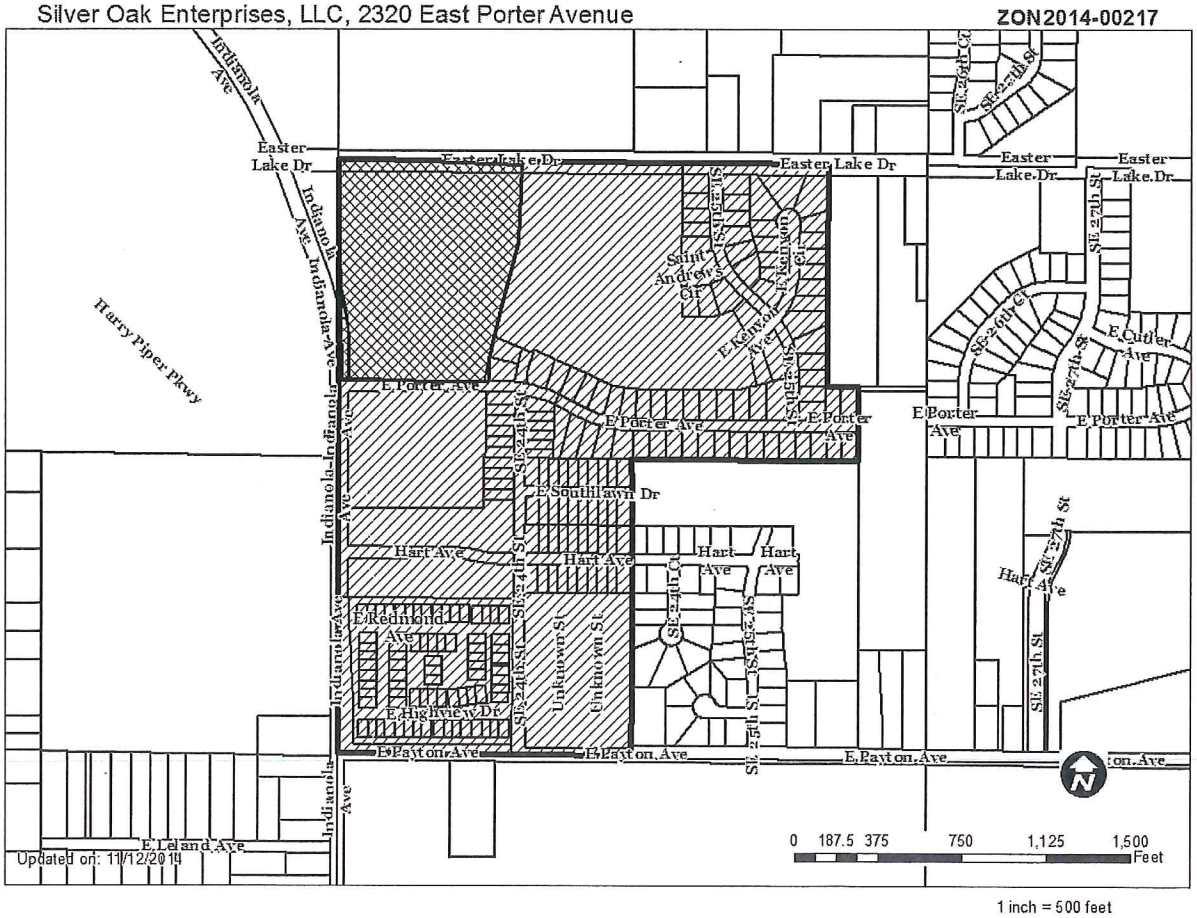
Request from Silver Oak Enterprises, LLC represented by Chip Classon (officer) for property located at 2320 East Porter Avenue.	File # ZON2014-00217

Description of Action	Approval of an amendment to the Carman Estates PUD Conceptual Plan, to more specifically define the development of land previously identified in the Plan for medium density residential (up to 17 units per acre), to allow development of four (4) 3-story, 24-unit multiple family dwellings (96 units total) with drive access from East Porter Avenue subject to revisions.
2020 Community Character Plan	Current: Medium Density Residential and Private Open Space. Proposed: N/A
Horizon 2035 Transportation Plan	2011-2015: East Indianola Avenue widen from 2 lanes to 4 lanes.
Current Zoning District	PUD Planned Unit Development.
Proposed Zoning District	N/A.

Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area	5	45		
Outside Area				

Plan and Zoning Commission Action			**Required 6/7 Vote of the City Council**		
	Approval	9-1		Yes	
	Denial			No	X

Silver Oak Enterprises, LLC, 2320 East Porter Avenue — ZON2014-00217



ZON2014-00217

Item _____ Date 12-04-14

I (am) (am not) in favor of the request. Received post P&Z meeting

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT
DEC 10 2014
DEPARTMENT

Print Name Becky Topp

Signature Becky Topp

Address 2323 E. Porter Ave Unit 81

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

Jerry's Homes are Terrible. Poorly constructed & they don't stand behind their warranties. This area does not need a new apartment complex right next to Carmen Estates Condominiums. I oppose any construction by Jerrys Homes or Greb

ZON2014-00217 public hearing

Item ZON2014-00217 Date 12-4-14

I (am) (am not) in favor of the request. Received post P&Z meeting today's Date of signature 12-4-14

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT
DEC 10 2014
DEPARTMENT

Print Name Joy Nangle

Signature Joy Nangle

Address 2323 E. Porter Ave. Unit 2C Des Moines, IA 50320

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

I am in favor of low density or green space. I am not in favor of current plan of an amendment to the Carman Estates PUD Conceptual Plan on property located at 2320 E Porter Ave.

ZON2014-00217

Item _____ Date 12/8/14

I (am) (am not) in favor of the request. Received post P&Z meeting

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT
DEC 10 2014
DEPARTMENT

Print Name JAMES WALTRIP

Signature James E. Waltrip Jr.

Address 2415 HART AVE

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

WILL LEAD TO LOWER PROPERTY VALUES AND TOO MUCH TRAFFIC IN A CONFINED AREA WHERE HOUSING IS ALREADY DENSE.

ZON2014-00217

Item _____ Date 11-29-14

I (am) (am not) in favor of the request. Received post P.C. meeting

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

DEC 09 2014

DEPARTMENT

Print Name Stacie Gering

Signature Stacie L Gering

Address 2462 E Porter Ave

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

The garbage and poor upkeep of the existing complexes in this area is already a problem. This will hurt the value of existing single family homes. Parking issues are already a problem.

ZON2014-00217

Item _____ Date 12/01/2014

I (am) (am not) in favor of the request. Post P.C. meeting

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

DEC 04 2014

DEPARTMENT

Print Name Jamie Burris

Signature Jamie L. Burris

Address 5333 E. Kenyon Circle

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

ZON2014-00217

Item _____ Date Received post P.C. meeting

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

DEC 09 2014

DEPARTMENT

Print Name Rachel Mustambuki

Signature Rachel Mustambuki

Address 2420 E Southlawn

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

Not in favor of more apartments. Please stick w/ original plan of single family dwellings. Property values already have dropped in this area & don't want to see them drop more.

ZON2014-00217

Item _____ Date 11/29/2014

I (am) (am not) in favor of the request. Post PZ meeting

(Circle One)

Print Name Thongsai Keomany

RECEIVED
COMMUNITY DEVELOPMENT

Signature Thongsai Keomany

DEC 04 2014

Address 2340 Hart Ave Unit #3

DEPARTMENT

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

We have too many housing in the area plus the area will be a busy traffic. We need to preserve the beautification, green house next to the park, it's becoming too much building.

ZON2014-00217

Item _____ Date 11-30-14

I (am) (am not) in favor of the request. Post PZ meeting

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

Print Name Ronald J. Buch

DEC 04 2014

Signature _____

DEPARTMENT

Address 2320 Hart Ave #3

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

There is abundant multiple housing in the area. Keep the ratio of single home ownership and rental property so homeowners keep pride and the area kept its appeal.

ZON2014-00217

Item _____ Date 12-2-14

I (am) (am not) in favor of the request. Post PZ meeting

RECEIVED
COMMUNITY DEVELOPMENT

Print Name Tannene Martin

DEC 04

Signature Tannene Martin

DEPARTMENT

Address 2323 E. Porter, #10

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

Everything from Porter to Payton is multi-family. Porter is a short side street. There would be too much traffic congestion. He could build further north and access Easter Lake Drive.

ZON2014-00217

Item Linda Hendricks Date 12-4-14
Submitted during PBZ meeting

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

(Circle One)

Print Name LINDA Hendricks

Signature Linda Hendricks

Address 5305 SE 24th

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

Traffic - parking - de Value of property. Too many apartments in neighborhood now.

ZON2014-00217

Item [illegible] Date 11/30/14
Post PBZ meeting

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 04 2014
DEPARTMENT

(Circle One)

Print Name HW-RT LLC

Signature [signature]

Address 2457 E Kenyon

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

Additional apartments/units in the area decreases the value of the homes in the area.

ZON2014-00217

Item [illegible] Date 11-26-14
Submitted during PBZ meeting

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

(Circle One)

Print Name PARWIN K WARTH

Signature [signature]

Address 2428 E South Lawn Drive

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

1) Previous approved for single family homes
2) Will affect value of my home
3) Will cause excess traffic and parking issues. Maybe on street parking. Like now.
4) If changed what other properties will be affected to apartments

ZON2014-00217

Item _____ Date 12/1/14

I (am) (am not) in favor of the request. Received post PZ meeting
(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT
DEC 05 2014
DEPARTMENT

Print Name Terra Williams

Signature Terra Williams

Address 2425 E Southern Dr

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

We have enough apartments in this area. It will end up turning the purchased townhouses, such as mine, into a rental neighborhood, bringing property values down more. NO I vote.

ZON2014-00217

Item _____ Date 12-3-2014

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 05 2014
DEPARTMENT

Print Name Keith and Michele Brown

Signature Michele Brown

Address 5336 E Kenyon Circle
DM 50320

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

Only single family dwellings were planned when we purchased our property. We feel this will harm our property value.

ZON2014-00217

Item _____ Date 11-26-14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 04 2014
DEPARTMENT

Print Name Paul and Teresa Oliver

Signature Paul D. Oliver Teresa R. Oliver

Address 2201 SE 32nd St Unit 73
DES MOINES IA 50320

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

This area is already saturated with "multi-family dwellings" (ie Kirkwood apartments, Hubbell, etc.) The last thing this area needs is a change or amendment that would allow that development to increase the number of units. Property values have already declined and crime increased with the addition of rental properties. Residents of this area purchased with the understanding that this area would remain single family dwellings.

ZON2014-00217

Item _____ Date 12-3-14

I (am) (am not) in favor of the request. Received post PZ meeting
(Circle One)

Print Name Darlene Putz

Signature Darlene Putz

Address 2323 E. Porter Ave. #34

RECEIVED
COMMUNITY DEVELOPMENT
DEC 05 2014
DEPARTMENT

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

We don't need the added traffic at E. Porter. There is more space that could be developed accross from the fire station to the south.

ZON2014-00217

Item _____ Date 11/27/14

I (am) (am not) in favor of the request. Received post PZ meeting
(Circle One)

Print Name STEPHANIE CIVITATE

Signature Stephanie Civitate

Address 2430 E. PORTER AVE DSM, IA 50320

RECEIVED
COMMUNITY DEVELOPMENT
DEC 05 2014
DEPARTMENT

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

ZON2014-00217

Item _____ Date 11-25-14

I (am) (am not) in favor of the request. Received post PZ meeting
(Circle One)

Print Name LARRY Hubbell

Signature Larry Hubbell

Address 2221 EAST Hire #6

RECEIVED
COMMUNITY DEVELOPMENT
DEC 09 2014
DEPARTMENT

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

ZON2014-00217

Item _____ Date 11/28/14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

Print Name JEFF TOMLIN

Signature Jeff Tomlin

Address 2323 E. PORTER AVE #8

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

- TOO MANY APARTMENTS IN THE AREA.
- NOT ZONED FOR IT.
- ENTRANCE ON TO PORTER AVE WILL CAUSE MUCH MORE TRAFFIC

ZON2014-00217

Item _____ Date 12/1/14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

Print Name Mark Mumm

Signature

Address 2320 HART AVE #1 DES MOINES IA 50320

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

We Already Have Too Many Complexes In This Area Already.

ZON2014-00217

Item _____ Date 11/28/14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

Print Name Sinipasith Kothammakhoun

Signature

Address 2411 Hart Ave Unit #7

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

This will lower property value.

ZON2014-00217

Item _____ Date 12-1-14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

(Circle One)

Print Name Jennifer Tichen

Signature _____

Address 2323 E Porter Ave #4 Dsm 50320

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

I do not want to live around transient housing! Also, I chose to live in the area for its green space - not so I can overlook Apartment buildings. If this is Approved I'll be selling my home & moving to the suburbs.

ZON2014-00217

Item ZON2014-00217 Date 11-26-14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

(Circle One)

Print Name Patricia Schnoor

Signature Patricia A Schnoor

Address 2323 E Porter ave #33

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

We are Lowering the Value of our Property by Building rental units + will be Low income section 8. UNITS Will destroy the Nice Park We have. We currently have This problem at Carmen Estates Property being Destroyed.

ZON2014-00217

Item _____ Date 11-27-14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

(Circle One)

Print Name Jean Abele

Signature Jean Abele

Address 2323 E Porter #18

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

ZON2014-00217

Item _____ Date Nov 29 2014

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

RECEIVED
COMMUNITY DEVELOPMENT
(Circle One)
DEC 03 2014
DEPARTMENT

Print Name Anthony Wallace

Signature Anthony Wallace

Address 2418 E Porter Ave

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

I didnt buy a home with $3,500+ Property taxes to stare at apartments out my back window!! This will bring to much traffic, crime and over crowding to the all ready over crowded Schools in this area

Please Don't do this!

ZON2014-00217

Item Carmen Estates PUD Date 12-1-14

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

RECEIVED
COMMUNITY DEVELOPMENT
(Circle One)
DEC 03 2014
DEPARTMENT

Print Name Kathy Darrah

Signature Kathy Darrah

Address 2575 Easter Lake Drive

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

1) Abundance of Apartment Complexes east of SE 14th Street
2) Traffic congestion with only one in the same entrance & exit
3) Drainage issues to compound with issues from single family homes to east of property.
4) Crime

ZON2014-00217

Item _____ Date 12-01-2014

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

RECEIVED
COMMUNITY DEVELOPMENT
(Circle One)
DEC 03 2014
DEPARTMENT

Print Name Andrea Zarling

Signature Andrea Zarling

Address 2323 E Porter Ave

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

ZON2014-00217

Item _____ Date 12-1-14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

Print Name JOSEPH R SHEPARD/JUDY M SHEPARD

Signature Joseph R Shepard Judy M Shepard

Address 5513 SE 24th ST, DM, IA 50320

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

We oppose building 96 units on Porter + Indianola Ave. One reason is, the builder was to have Vineyards II as condos. They were mostly sold to investors who in turn rented them out. These proposed new units are supposed to be higher end but we do not trust the builder to keep them at that level. Traffic will be a major issue as they plan to exit on Porter.

ZON2014-00217

Item _____ Date 11-29-14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

Print Name Greg Ott

Signature Greg Ott

Address 2403 E. Hart DSM

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

to much traffic. Against renting - hurting our area + value.

ZON2014-00217

Item _____ Date 11-30-14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

Print Name Jennifer Rico

Signature Jennifer Rico

Address 530 E Kenyon Cir

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

The cars parked along Hart Ave make driving difficult. It is a concern when considering more on road parking, having to weave in and out with on coming traffic.

ZON2014-00217

Item: _____ Date 12-1/2014

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

(Circle One)

Print Name Zelda Vry

Signature Zelda L Vry

Address 5525-SE 24th ST

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

There is enough Condo's 3 Stories making town homes make more sense to me! Just because we have this year, its not a Reason to just the way it is.

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

ZON2014-00217

Item Canna Estates Plan - 2320 E. Porter Date December 1, 2014

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

(Circle One)

Print Name Lonie Gerken

Signature Lonie Gerken

Address 2480 Easter Lake Drive

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

I live just off of Easter Lake Drive, I adamately oppose this multi-unit development; congestion, pollution, reduction in trees, it takes away from a peaceful rural setting. I will be at the city council mtg to share my thoughts

I VERY MUCH OPPOSE THIS MULTI-UNIT DEVELOPMENT OFF PORTER! - Lisa Tjaden Lisa Tjaden

Nicholas Mezera

I bought my home off Easter Lake Drive because of the peaceful setting. I am very against the Proposed Multi-family Development units off Porter. Lowered property value noise, traffic, Congestion and removal of trees around the area are some reasons

Lonie Gerken

ZON2014-00217

Item

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

(Circle One)

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

Date 11-29-14

Print Name Renee D. Osborne

Signature Renee D. Osborne

Address 2325 E Highview

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

increase population density with reduced traffic density & compounding issues pertaining West Orion & open fire district & life in neighborhood! Thank

ZON2014-00217

Item 2320 E PORTER AVE Date 11-30-14

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

(Circle One)

Print Name JAMES LOOMIS

Signature [signature]

Address 2460 EASTER LAKE DR

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

OVER POPULATING AREA - FIRE - MAIL - CANT KEEP UP
NOW - (DEFINITELY DECREASE PROPERTY VALUE)
INDIANOLA AVE GETS TO MUCH OUT OF TOWN TRAFFIC
SHOULD NOT INCREASE TRAFFIC - THE TREES THERE
NOW ARE good to HAVE - 72 UNITS - IS PLAIN STUPID-GREEDY

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

ZON2014-00217

Item Date 11·26·14

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

(Circle One)

Print Name Carolyn Birdsell / WILLIAM J. BIRDSELL

Signature Carolyn Birdsell / William J. Birdsell

Address 2440 EASTER LAKE DR

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

TO MANY BODIES IN SUCH A SMALL AREA
TO MANY CARS + SUCH A NARROW ENTRANCE
AND EXIT ON TO A SMALL NEIGHBORHOOD DR.
3 STORY BLDGS ARE TOO HIGH. BE CAREFUL OF
STACKING TOO MANY PEOPLE - CLOSE TO GATHER

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

ZON2014-00217

Item Date 11/29/14

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

(Circle One)

Print Name Whitman Mazzie

Signature [signature]

Address 5323 E Idaho Cir.

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

ZON2014-00217

Item 4.3 Date 11-28-14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 02 2014
DEPARTMENT

Print Name Ronda Yeager

Signature Ronda Yeager

Address 5726 SE 24th Ct

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

There are too many mult-family dwelling with the addition of the units currently being built in the area east of SE 24th St and north of east Payton. Also these additions will create an impaction at Andrew Jackson Elementary School on Indianola Ave with the potential of overcrowding at that school. Would rather see more single family or duplex-like homes added to the area.

ZON2014-00217

Item 4.3 Date 12/1/14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 01 2014
DEPARTMENT

Print Name Scott Hutchens

Signature Scott Hutchens

Address 2454 E. Highview Dr

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

There are too many multi-family buildings in the area. This development needs to be single family homes not apartments. The South side has enough Apartment complexes on the Southeast side of Des Moines

ZON2014-00217

Item 4.3 Date 11/28/2014

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 02 2014
DEPARTMENT

Print Name Cecil S. Murphy

Signature Cecil S Murphy

Address 2320 Hart Av Unit 2 DSM

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

We are saturated with Condo/Rental Units. Since the market Collapse our home values have dropped about 30% and remain there. See POLK & Assessor Values!

The land was supposed to be 17 units and it is not in our or the city's best interests to change now Thank you.

ZON2014-00217

Item _____ Date 11-28-14

RECEIVED
COMMUNITY DEVELOPMENT

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

(Circle One)

DEC 01 2014

Print Name Mary C. Clausen

DEPARTMENT

Signature Mary C. Clausen

Address 2323 E. Porter Ave Unit 65
Des Moines, IA 50320

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

I opposing it because we need more Senior Housing on the South-side of Des Moines.

ZON2014-00217

Item SILVER OAK ENT LLC Date 11-29-14

RECEIVED
COMMUNITY DEVELOPMENT

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

(Circle One)

DEC 02 2014

Print Name DWAYNE FOLAND

DEPARTMENT

Signature Dwayne Foland

Address 2520 EASTER LAKE DR.

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

We already have To many Multipul dwellings in the area now, and they always bring problems. Crime & drugs seems to be going up on the Southside as it is.

ZON2014-00217

Item _____ Date 28 Nov 2014

RECEIVED
COMMUNITY DEVELOPMENT

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

(Circle One)

DEC 02 2014

Print Name Cindy Fahrenholz

DEPARTMENT

Signature Cindy Fahrenholz

Address 2430 Kent Ave
DSM, IA 50320

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

ZON2014-00217

Item _____ Date 11/26/14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

Print Name LeMar Koepke

Signature _____

Address 6900 Douglas Ave Ste 210

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

ZON2014-00217

Item _____ Date 12-4-14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 01 2014
DEPARTMENT

Print Name Judy Prettyman

Signature Judy Prettyman

Address 240 N Hart Ave

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

This 96 unit addition with at least 96 more cars in traffic will clog Porter like Easter Lake drive was B/4 the construction. This will also turn the area majority to apt. as opposed to homes not a good thing for the neighborhood!

ZON2014-00217

Item _____ Date _____

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 01 2014
DEPARTMENT

Print Name Scott Sailor

Signature Scott Sailor

Address 2201 E Hart 7

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

The Proposed development and housing density is not appropriate for the property and adjoining neighborhood. It would also overburden and negatively affect the area traffic design + flow.

ZON2014-00217

Item _____ Date 11/25/2014

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

DEC 01 2014

DEPARTMENT

Print Name Mark Porter

Signature _____

Address 2323 E. Porter Ave. (owner) Unit 96

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

More people in the area will be good for economic development, they good for property values.

ZON2014-00217

Item _____ Date 11/30/14

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

DEC 02 2014

DEPARTMENT

Print Name Veri Nunez

Signature _____

Address 2323 E Porter Ave Unit 96 Des Moines IA 50320

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

ZON2014-00217

Item _____ Date 11-29-14

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

DEC 02 2014

DEPARTMENT

Print Name Judith Poulsen

Signature Judith Poulsen

Address 2323 E. Porter Ave #82 Des Moines, IA 50320

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

ZON2014-00217 2323 E. Porter Ave

Item Silver Oaks Enterprises LLC Date 11-26-14

I (am) (am not) in favor of the request. Pud Conceptual Plan Plat 3 Amendment Carman Estates

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT
DEC 01 2014
DEPARTMENT

Print Name Barbara Jay

Signature Barbara Jay

Address 2323 E. Porter Ave, U-7

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

See attached letter - oppose because of over-development in neighborhood, and my property value has dropped THOUSANDS, and please, especially I am very opposed to Terrys Homes building any more properties in my neighborhood! I have been wanting to move out of state, but it is very hard for me to sell my property! See attached letter

over

ZON2014-00217

Item Date 11/26/14

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

RECEIVED
COMMUNITY DEVELOPMENT
DEC 03 2014
DEPARTMENT

(Circle One)

Print Name Carla Kauzlarich

Signature Carla Kauzlarich

Address 2341 Hart Ave, Unit 1

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

Too many rental units in the area already causing traffic congestion and lowering the value of the homes more that I purchased. The quality of people moving in already into rental units near me has declined and this is quite alarming.

NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES

BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 7089 DES MOINES, IA
POSTAGE WILL BE PAID BY ADDRESSEE

ATTN: PLANNING URBAN DESIGN
DES MOINES COMMUNITY DEVELOPMENT
602 ROBERT D. RAY DR.
DES MOINES, IA 50309-9603

November 27, 2014

City of Des Moines
City Plan and Zoning Commission
Argonne Armory Bldg.
602 Robert D. Ray Drive
Des Moines, IA 50309

RE: Public Hearing on Thursday, 12/4/14 at 6:00pm - City Hall

Carman Estates Plat 8 Amendment - Planned Unit Development

I vote NO to the three-story Jerry's Homes apartments that are proposed to be built at the southeast corner of Indianola Avenue and Easter Lake Drive (Plat 8)).

Since I moved to my condominium in July of 2007 at Vineyards at Carmen Estates, 2323 East Porter Avenue, more apartments and condos have been built, saturating the neighborhood with over-development. The value of my property has dropped so low, mainly as a result of the "housing bubble," and consequently, I have not been able to sell and move out of state. I am now faced with taking a loss of thousands of dollars if I want to get out of here! Additionally, Jerry's Homes made a huge profit on enough homeowners, and I do not want any more of them built in my neighborhood.

I have indicated my opposition on the enclosed formal notice.

Sincerely,

Barbara Jay

Barbara Jay
Carman Estates
2323 East Porter Avenue
Unit 7

Enclosure

Drost, Bert A.

From: Steve Dunn <supercub48@gmail.com>
Sent: Tuesday, December 02, 2014 11:27 AM
To: Drost, Bert A.
Subject: Apartment building project

As new townhouse owners on East Southlawn Drive in Des Moines, we are quite interested in the proposal to build apartment buildings with a total of 96 units on property at 2320 East Porter Ave.
I attended a meeting on Nov. 20 at the Eagles on Bloomfield Road when Jerry's Homes presented information about the project. When I asked whether there is a market for this type of housing in this area, I was told there is a market. However, the Jerry's Homes representative acknowledged that no feasibility study had been done.
I am also concerned that there would be only one way in and out of the new apartments, which may pose a fire hazard, especially in the mornings and late afternoons when people are going to school and work and returning home later in the day. Granted, the city only requires two exits if there are 100 or more units.
I know other residents in this area have raised concerns that traffic congestion and parking issues will increase if the apartments are built. The proposed 96 units would have one garage per unit as I understand it. If more than one person occupies these units, there could be two or more vehicles for each unit, adding to the vehicular traffic in the area.
Some residents also raised concerns about whether the watershed would actually run north as the Jerry's Homes representative and consulting engineer maintained.Is there new environmental study information that supports this belief?
Also, what is there to keep Jerry's Homes from selling the four proposed apartment dwellings off to individual investors as in the case of Vineyards II? Those investors might rent the units to people who could not afford the market rate without some help from subsidized housing.
One of the things that attracted us to this area is the country-like feeling while still being relatively close to downtown Des Moines with its many cultural and sports-related activities.
If there is to be more housing on the 16.78-acre site, it should be kept to single-family homes and townhouses - not higher density housing.
Thank you for taking the time to consider our views. We enjoy living in the Des Moines metro area with all that it has to offer.
Steve and Cindy Dunn

Van Essen, Jason M.

From: Joy Nangle <traveljoyfully@gmail.com>
Sent: Wednesday, December 03, 2014 8:02 PM
To: Van Essen, Jason M.
Subject: Vote for public hearing on 12-4-14 from Joy Nangle, owner of Carmen Estates Unit 20

Hello Jason,

I vote no to three story development next door to Carmen Estates. I moved to the condo ten years ago because the area was not Urban/Suburban sprawl, but beautiful green space. Ewing Park with beautiful lilac bushes across the street and Easter Lake Park down the road bring a tranquility to the busyness of life. Those beautiful trees that line E Porter Ave. create tranquility and clean air for all who view them outside on the sidewalk or from a balcony. Medium or high density development takes away from the beauty of quiet tranquility of the area plus brings about 200 more cars along with pollution and noise.

This medium density development will not help Carmen Estates' current homeowners' quality of life. I support low density development or green space. Please join me in support of NO!

I do support greenspace and low density development.

--
Sincerely,

Joy Nangle
Carmen Estates Unit 20

--
In Christ,
Joy

Van Essen, Jason M.

From: Easter Lake Area NA Sec <elana.sec@gmail.com>
Sent: Wednesday, December 03, 2014 11:44 PM
To: Ludwig, Michael G.
Cc: Delafield, Phil M.; Van Essen, Jason M.; Gatto, Joe P.
Subject: Re: 5th Amendment to Carman Estates PUD Conceptual Plan

Mike,

Thank you for the information.

It appears that you are asking them to comply with the current standards and not what they used in the most recent buildings. I think this is a must. This complex will be right across the street from Ewing Park, and as a city we have put a lot of time, effort and money into making it a great park. Couple that with all the change occurring in the adjoining Easter Lake Park and improvements to Indianola Ave and this should be a very desirable place to live and I would hope the quality of this development would reflect all this.

I know the density issue is a done deal, but this is another life lesson. I believe everyone became comfortable with all the density in the area as proposed initially because the bill of goods that was sold was that most of the density would be owner occupied. I understand that the city may not ultimately have much control over this, but this dramatic change from what was proposed will impact property values in the area and then property taxes as a result. As a citizen, my expectation is that city planning would be mindful of how things like this could develop and not expect that I or our neighbors would anticipate this. Like other experiences, I will not forget this one and will not be so willing to agree to an initial zoning request like this again in the future.

Maybe I have an unreal expectation that city staff is providing a critical future look at all proposed developments and anticipating what sort of possible negative impacts could occur from them. Obviously it is not possible to predict when the next market change might occur, but shouldn't someone be at least doing the critical analysis around what would happen to a neighborhood if it does. And by neighborhood that ultimately means the city.

I will out of town and not able to attend the meeting on Thursday night.
Jim Bollard

On Wed, Dec 3, 2014 at 1:26 PM, Ludwig, Michael G. <MGLudwig@dmgov.org> wrote:

> Jim,
>
> Please see the attached meeting agenda and staff report. I have not attempted a point by point response to each e-mail I have received as I believe the discussion is best held at the P&Z meeting. However, I will provide a summary of thoughts based on general comments I have received to date.