Roll Call Number	Agenda Item Numl
Date August 10, 2015	
MOINES' 2020 COMMUNITY CHARA	LUTHER CARE SERVICES TO AMEND THE DES CTER PLAN FUTURE LAND USE DESIGNATION HULL AVENUE)
WHEREAS, on August 7, 2000, by Moines' 2020 Community Character Land Use	Roll Call No. 00-3381, the City Council adopted the Dese Plan; and
communication from the City Plan and Zoning 2015, its members voted 10-0 to recommend Al represented by Nick Miller, to amend the Des	Roll Call No. 15-1242, the City Council received a Commission advising that at a public hearing held July 16, PPROVAL of a request from Luther Care Services (owner), a Moines' 2020 Community Character Plan existing future nown as 1546 Hull Avenue from Public/Semi-Public to High
	LVED, by the City Council of the City of Des Moines, Iowa, es' 2020 Community Character Land Use Plan, as described
MOVED byamendment.	to adopt and APPROVE / DENY the proposed
FORM APPROVED: June Lank Glenna K. Frank, Assistant City Attorney	(21-2015-4.13)

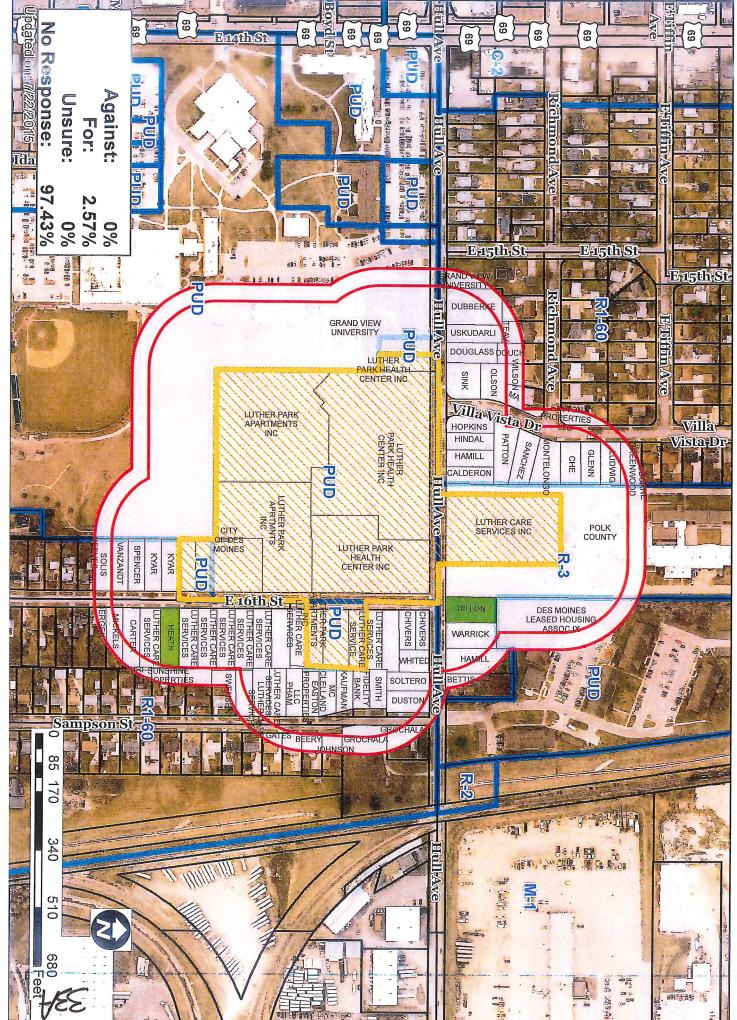
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				_
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				
MOTION CARRIED		•	API	PROVED

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.

201 201	City Cler
Mayor	City Cler.









July 20, 2015

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 July 16, 2015, the following action was taken regarding a request from Luther Care Services (owner) represented by Nick Miller to rezone property located at 1546 Hull Avenue.

COMMISSION RECOMMENDATION:

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

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles				X
JoAnne Corigliano	X			
Jacqueline Easley				X
Tim Fitzgerald	Χ			
Jann Freed	X			
John "Jack" Hilmes	X			
Greg Jones	X			
Sasha Kamper	X			
Brian Millard				Χ
William Page	X			
Jonathan Rosenbloom				Χ
Mike Simonson	X			
CJ Stephens	X			
Greg Wattier	Χ			

APPROVAL of Part A) that the proposed rezoning be found not in conformance with the existing Des Moines' 2020 Community Character Plan future land use designation of Public/Semi-Public, Part B) for approval of the requested amendment to the Des Moines' 2020 Community Character Plan to revise the future land use designation from Public/Semi-Public to High Density Residential, Part C) for approval of the requested rezoning from "R-3" Multiple-Family Residential District to "PUD" Planned Unit Development District and Part D) for approval of an amendment to the Luther Park PUD Conceptual Plan to expand the area to add property at 1546 Hull Avenue and allow

conversion of the former Polk County youth shelter facility to an adult day care center, subject to the following modifications: (21-2015-4.13 & ZON2015-00122)

- 1. Provision of a note that describe the uses and activities that would occur within the building, to the satisfaction of the Planning Administrator.
- 2. Revision of the note on shingles to state that any shingles shall be architectural profile shingles.
- 3. Revision of the note on landscaping to state that any off-street parking shall be landscaped in accordance with the landscape standards applicable to the "C-2" District.
- 4. Provision of a note to state that the existing monument sign at the southeast corner of the site shall only identify a tenant on the subject property or a tenant on the adjoining property at 1548 Hull Avenue.
- 5. Provision of a note that the portion of the PUD to north of Hull Avenue shall only earn one (1) freestanding sign that shall not exceed 24 square feet in area and shall be a monument style sign as defined in Section 134-3 of the City Code that is constructed in compliance with the "FSO" Freestanding Signs Overlay District requirements.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends the rezoning be found not in conformance with the existing Des Moines' 2020 Community Character Plan future land use designation of Public/Semi-Public.

- B) Staff recommends approval of the requested amendment to the Des Moines' 2020 Community Character Plan to revise the future land use designation from Public/Semi-Public to High Density Residential.
- C) Staff recommends approval of the requested rezoning from "R-3" Multiple-Family Residential District to "PUD" Planned Unit Development District.
- D) Staff recommends approval of an amendment to the Luther Park PUD Conceptual Plan to expand the area to add property at 1546 Hull Avenue and allow conversion of the former Polk County youth shelter facility to an adult day care center, subject to the following modifications:
 - 1. Provision of a note that describe the uses and activities that would occur within the building, to the satisfaction of the Planning Administrator.
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Written Responses

- 3 In Favor
- 0 In Opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request: The applicant is seeking to expand the retirement campus for Luther Park Center to incorporate the property at 1546 Hull Avenue. The applicant has indicated that they intend to convert the vacant structure on this property to an adult day care center use. Staff recommends that a note be added to the PUD Conceptual Plan to better describe the uses and activities that would occur within the building, to the satisfaction of the Planning Administrator.
- **2. Size of Site:** The amendment would add a 1.58-acre parcel to the Luther Park PUD, bringing its overall area to 12.54 acres.
- 3. Existing Zoning (site): "R-3" Multiple-Family Residential District.
- **4. Existing Land Use (site):** The property includes an 11,424-square foot, 1-story-building formerly occupied as a youth shelter and an off-street parking lot with 28 parking spaces.

5. Adjacent Land Use and Zoning:

North – "R-3", Use is the Polk County youth detention center.

South - "PUD", Use is the Luther Park senior living campus.

East – "R-3" and "PUD", Uses are single-family residential and multiple-family residential (Fenway Apartments.

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

- 6. General Neighborhood/Area Land Uses: The subject property is in a transition area between the Grand View University campus to the west, residential neighborhoods to the north and south, and an industrial area to the east.
- 7. Applicable Recognized Neighborhood(s): The subject property is located in the Highland Park Neighborhood and is within 250 feet of the Union Park Neighborhood. The neighborhoods were notified of the Commission meeting by mailing of the Preliminary Agenda on June 29, 2015. A Final Agenda was mailed to the neighborhood association on July 10, 2015. Additionally, separate notifications of the hearing were mailed on June 26, 2015 (20 days prior to the hearing) and on July 6, 2015 (10 days prior to the hearing) to the neighborhood associations and to the primary titleholder on file with the Polk County Assessor for each condominium owner within the property and every owner of property or condominium within 250 feet of the subject property.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Highland Park Neighborhood Association notices were mailed to Andy Anderson, 4011 North Union Street, Des Moines, IA 50313. The Union Park Neighborhood Association notices were mailed to Jack Daugherty, PO Box 16113, Des Moines, IA 50316.

The applicant is required to conduct a neighborhood meeting with the surrounding property owners and neighborhood representatives and will be available to provide a summary of the events at the public hearing.

- 8. Relevant Zoning History: The existing Luther Park PUD located entirely to the south of Hull Avenue was established by the City Council on November 17, 2003. On November 11, 2004, the City Council approved an amendment to the PUD Conceptual Plan to allow for the subject three-story building with 32 independent senior living units and 19 assisted living units. On August 8, 2005 the City Council expanded the PUD zoned area to east of East 16th Street and approved a second amendment to the PUD Conceptual Plan to allow for an off-street parking lot intended primarily to serve employees and visiting nurses.
- 9. 2020 Community Character Land Use Plan Designation: Public/Semi-Public.
- 10. Applicable Regulations: The Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code, and taking into consideration the criteria set forth in Chapter 18B of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

The application, accompanying evidence and Conceptual Plan amendment shall be considered by the Plan and Zoning commission at a public hearing. The Commission shall review the conformity of the proposed development with the standards of the Zoning Ordinance and with recognized principles of civic design, land use planning, and landscape architecture. At the conclusion of the hearing, the Commission may vote to

recommend either approval or disapproval of the Conceptual Plan amendment as submitted, or to recommend that the developer amend the plan or request to preserve the intent and purpose of this chapter to promote public health, safety, morals and general welfare. The recommendations of the commission shall be referred to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Use of Property: The applicant has indicated that they intend to convert the vacant structure on this property to an adult day care center use, which would function as an accessory use to the existing Luther Park senior living campus across Hull Avenue to the south. A note must be added to the PUD Conceptual Plan to better describe the uses and activities that would occur within the building, to the satisfaction of the Planning Administrator.
- 2. Urban Design: The appellant does not propose any exterior building modifications at this time. The existing 1-story building is sided entirely with brick and has asphalt shingles. Any future structures or additions would be subject to the design guidelines applicable to the existing PUD Conceptual Plan, as it currently states "All future buildings to have a minimum of 50% brick veneer. No exposed concrete block is allowed except for a minimum amount (less than 12 inches) above grade for foundation." All siding is to be "hardi-plank" and shall be painted an earth tone color. It also states that roofing is to be a minimum 30-year shingle in an earth tone color and roof slope is to be a minimum of 4:12 slope. Staff recommends that the note on shingles be clarified to state any shingles shall be architectural profile shingles.

The proposed PUD Conceptual Plan currently states that building setbacks along all property lines shall be as follows: 10 feet along any south or west property line; 26 feet along any north property line; and 28 feet along any east property line. Staff notes that these are setbacks that are required for the existing PUD Conceptual Plan, which is currently entirely south of Hull Avenue. Staff recommends that the PUD Conceptual Plan establish a separate set of setback requirements for the portion of the site that is north of Hull Avenue as follows: 30 feet from the south (front) and north (rear) property lines and 10 feet from the east and west (sides) property lines.

- 3. Landscaping & Buffering: Staff recommends that the note regarding landscaping be clarified to state that any off-street parking shall be landscaped in accordance with the landscape standards applicable to the "C-2" District.
- 4. Access or Parking: The PUD Conceptual Plan demonstrates that the existing parking lot with 28 parking spaces would remain in its current configuration. Access is provided from two existing driveways on the adjacent property that is owned by Polk County. The PUD Conceptual Plan demonstrates that easements would be provided on the adjoining property to ensure access.

The PUD Conceptual Plan states that 28 parking spaces are provided for the "adult daycare use". In accordance with City Code Section 134-1377(a)(6), the Zoning Ordinance requires day care centers to provide one parking space for every two staff members. Therefore, staff believes that parking as proposed is sufficient.

- 5. Signage: The PUD Conceptual Plan demonstrates an existing monument style sign near the southeast corner of the site. The PUD Conceptual Plan must provide a note to state that this sign shall only identify a tenant on the subject property or a tenant on the adjoining property at 1548 Hull Avenue.
 - The PUD Conceptual Plan does not demonstrate whether any new freestanding signs would be constructed for the proposed use. Staff recommends that a note be added to state that any new freestanding sign shall not exceed 24 square feet in area and shall be a monument style sign as defined in Section 134-3 of the City Code constructed in compliance with the "FSO" Freestanding Signs Overlay District requirements.
- **6. Drainage/Grading:** The appellant doesn't propose any site modifications at this time. There is an existing stormwater detention basin on the eastern portion of the site.
- 7. Des Moines' 2020 Community Character Plan: The proposed use requires the Des Moines' 2020 Community Character Plan land use designation to be revised to High Density Residential, as daycare center uses are permitted as accessory uses within the high-density residential zoning districts, such as "R-3" & "R-4" Districts.

SUMMARY OF DISCUSSION

<u>Greg Jones</u> asked if anyone was present to speak on this item. None were present or requested to speak.

COMMISSION ACTION:

<u>CJ Stephens</u> moved staff recommendation for approval of Part A) that the proposed rezoning be found not in conformance with the existing Des Moines' 2020 Community Character Plan future land use designation of Public/Semi-Public, Part B) for approval of the requested amendment to the Des Moines' 2020 Community Character Plan to revise the future land use designation from Public/Semi-Public to High Density Residential, Part C) for approval of the requested rezoning from "R-3" Multiple-Family Residential District to "PUD" Planned Unit Development District and Part D) for approval of an amendment to the Luther Park PUD Conceptual Plan to expand the area to add property at 1546 Hull Avenue and allow conversion of the former Polk County youth shelter facility to an adult day care center, subject to the following modifications:

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Motion passed 10-0. (Jacqueline Easley had not joined the meeting at the time of the vote).

Respectfully submitted,

Erik Lundy, AICP Senior Planner

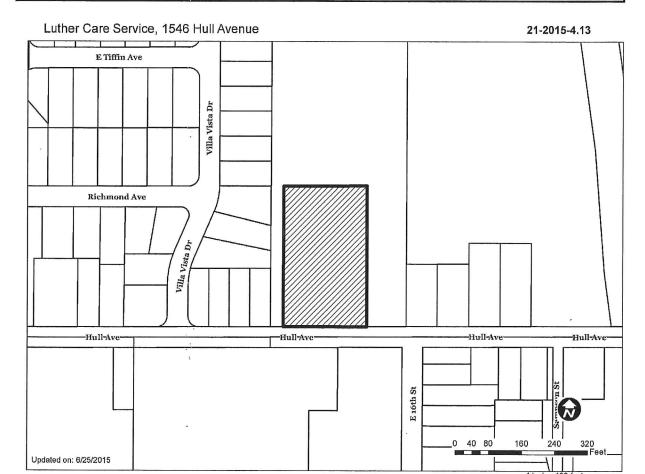
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Attachment

Luther Care Services (owner) represented by Nick Miller for property located at 1546 Hull Avenue.							File #			
10-10 Hall Atoliac.								20	N2015-00122	
Description of Action	Approval of the request to rezone property from "R-3" Multiple-Family Residential District to "PUD" Planned Unit Development District. This will allow approval of an amendment to the Luther Park PUD Conceptual Plan to expand the area to add property at 1546 Hull Avenue and allow conversion of the former Polk County youth shelter facility to an adult day care center.									
2020 Commun Character Plan	Carry Market M. Carry Carry C. Carry Carry C. Ca									
	Mobilizing Tomorrow No planned impr Transportation Plan					ovements.				
Current Zoning District "R-3" Mul				3" Multiple-Family Residential District.						
Proposed Zoni	Zoning District "PUD" Planned			Planned Unit Development.						
Consent Card	t Card Responses In		In F	Favor		Not In Favor	Undetermined		% Opposition	
Inside / Outside			3							
Parameter and the second secon	Plan and Zoning Approval Commission Action Denial		oval	10-0		Required 6/7		Yes		
Commission A			al			the City Coun	No		Х	

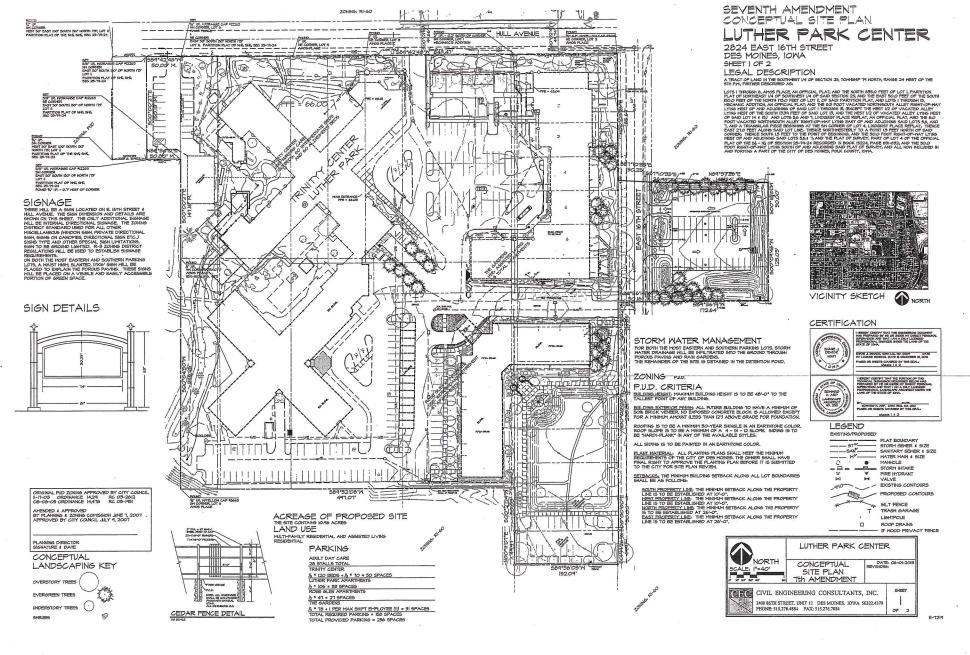
Luther Care Service, 1546 Hull Avenue ZON2015-00122 Richmond Ave Richmond Ave Hull-Ave Hull-Ave

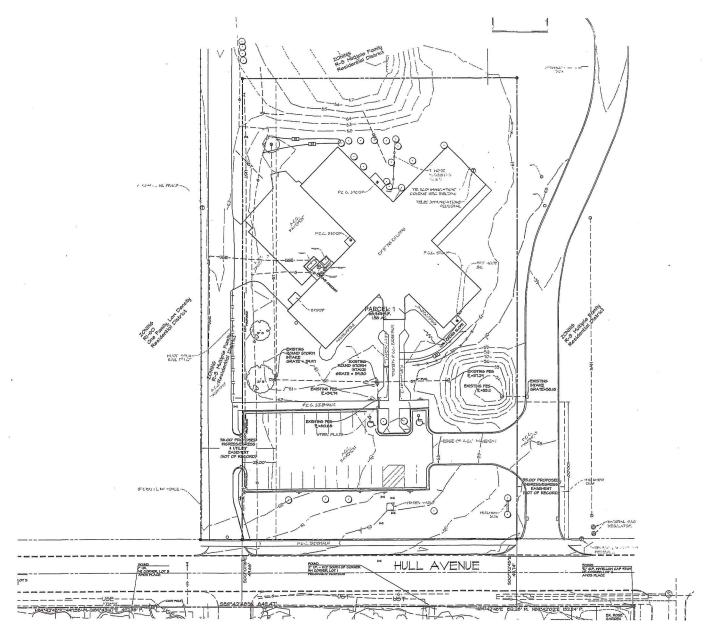
Luther Care Services (owner) represented by Nick Miller for property located at 1546 Hull Avenue.							at	File # 21-2015-4.13			
Description of Action						Des Moines' 20 lic/Semi-Public t					
2020 Commun Character Plar							istrict.			,	
Mobilizing Ton Transportation		No plan	No planned improvements.								
Current Zoning District "R-3" Multiple-Family					ily F	ly Residential District.					
Proposed Zoning District "PUD" Planned Unit				it D	it Development.						
Consent Card Responses			In F	In Favor		Not In Favor Undetern		nined	0	% Opposition	
Inside			3			0					
Outside	Outside Area										
Plan and Zonir		Appr	roval 10-0			Required 6/7		Yes			
Commission A	ction	Denial the City Co		the City Coun	ıcil	No		х			



	ZON2015-00122
CQMMUNT DevelopMENT DevelopMENT DevelopMENT DevelopMENT DevelopMENT DevelopMENT DevelopMENT Signature Department Address 別刊	Date 6 — 5 Train (am not) in favor of the request. RECEIVED JUL 1 3 2015 Signature Conductor Conductor Community Development Reason for opposing or approving this request may be listed below: Date 7 — 10 2015 Date 7 — 10 2015 Date 1 — 10 2



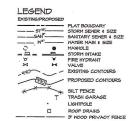




SEVENTH AMENDMENT
CONCEPTUAL SITE PLAN

LUTHER PARK CENTER

2824 EAST 16TH STREET DES MOINES, IOWA SHEET 2 OF 2





E-7219