



Date ..... November 23, 2015 .....

**RESOLUTION HOLDING HEARING ON REQUEST FROM CALVIN COMMUNITY TO REZONE PROPERTY LOCATED AT 4302-4326 HICKMAN ROAD AND 2121 AND 2245 44TH STREET, AND TO APPROVE THE "CALVIN COMMUNITY" PUD CONCEPTUAL PLAN**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held November 5, 2015, its members voted 7-1-1 in support of a motion to recommend **APPROVAL** of a request from Calvin Community (owner), represented by Mark Teigland (officer), to rezone real property locally known as 4302-4326 Hickman Road, 2121 44<sup>th</sup> Street and 2245 44th Street (collectively "Property") from "C-1" Neighborhood Retail Commercial District and "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development, and to recommend **APPROVAL** of the "Calvin Community" PUD Conceptual Plan for redevelopment of the Property with a 5-story building containing first floor office space, as well as 48 units of senior apartments and 6 units of 2-story senior townhouses subject to the following revisions:

1. The basement level parking ramp shall not be located between the 5-story building and the north property line. The building may be located closer to the north property line than proposed if necessary to facilitate the relocation of the ramp.
2. A predominant building entrance feature oriented toward Hickman Road shall be provided that is architecturally integrated to the satisfaction of the Community Development Director.
3. The emergency vehicle drive and overhead door for the proposed clinic shall be located internal to the site.
4. All brick siding shall consist of full-dimension brick.
5. The design of the rowhouses shall be altered to provide additional articulation to reduce the visual mass of the building and better blend with the single-family dwellings in the area to the satisfaction of the Community Development Director. Each unit should generally appear to be an individual building.
6. A pedestrian connection shall be provided internal to the site that provides a direct connection from the 5-story building to the existing Calvin Community building to the east.
7. A pedestrian access point connecting the parking lot to the rowhouses shall be provided.
8. A pedestrian connection from the front doors of the rowhouse units to the 44th Street sidewalk shall be provided.
9. A note shall be added to the Conceptual Plan that states all building mounted signage is subject to compliance with the "C-1" District standards.

( continued )

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10. Rain gardens and/or other green storm water management technics shall be utilized to the satisfaction of the Community Development Director.
11. A note shall be added to the Conceptual Plan that states landscaping shall be provided that meets or exceeds the "C-1" District Landscaping Standards.
12. A note shall be added to the Conceptual Plan that states that foundation plantings shall be provided around the perimeter of all buildings.
13. A dense row of shrubs shall be provided along the west perimeter of the parking lot.
14. Evergreens shall be provided along the south property line excluding the western 30 feet that is located within the front yard setback area.
15. A note shall be added to the Conceptual Plan that states any HVAC equipment shall vent through the roof and rooftop vents shall be complimentary in color to the roofing material. Any rooftop mechanical equipment shall be architecturally screened from view.
16. A note shall be added to the Conceptual Plan that states all utility meters, transformers, ground-mounted equipment, and other utilities shall be placed on building facades that do not face a public street.
17. The PUD Conceptual Plan shall demonstrate the location of any outdoor refuse collection container enclosure and provide a statement that any such structure will be constructed with masonry materials that match the primary buildings and 100% opaque steel gates. Any enclosure structure should also include non-gated pedestrian entrance and be sized to accommodate recycling containers. If no outdoor enclosures are proposed, then a note should be added to state that all refuse collection containers must be located within the building.
18. A note shall be added to the PUD Conceptual Plan that states all site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height. Private light poles and pole mounted light fixtures are to be similar in style to a KIM Archetype light fixture, an AEL Autobahn LED Series ATBO light fixture, or of other similar esthetic quality as approved by the Community Development Director.
19. A note shall be added to the PUD Conceptual Plan that states all utility service lines to any building shall be underground; and

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**WHEREAS**, the Property is legally described as follows:

Lots 22, 23, 24, 25, 26, 27, 28 and 29 in Keosauqua Place, an Official Plat, Except The North 20.5 feet of Lots 22, 23, 24, 25 and 26 in Keosauqua Place, an Official Plat, all being in and forming a part of the City of Des Moines, Polk County, Iowa, containing 2.58 acres (112,367 square feet), more or less; and

**WHEREAS**, on November 9, 2015, by Roll Call No. 15-1863, it was duly resolved by the City Council that the application from Calvin Community to rezone the Property and approve the proposed PUD Conceptual Plan for the Property, be set down for hearing on November 23, 2015 at 5:00 P.M., in the Council Chamber at City Hall; and

**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 Zoning Ordinance and consideration of the PUD Conceptual Plan; and

**WHEREAS**, in accordance with said notice, those interested in said proposed rezoning and proposed 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; and

**WHEREAS**, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property locally known as 4302-4326 Hickman Road, 2121 44<sup>th</sup> Street, and 2245 44<sup>th</sup> Street, and legally described above.

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed rezoning of the Property to "PUD" Planned Unit Development District, and any objections to the proposed "Calvin Community" PUD Conceptual Plan with revisions as set forth in the Plan and Zoning Commission recommendation, are hereby overruled, and the hearing is closed.
3. The proposed rezoning of the Property, as legally described above, to "PUD" Planned Unit Development District, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

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4. The proposed "Calvin Community" PUD Conceptual Plan, as on file in the Community Development Department, is hereby found to be in conformance with the Des Moines' 2020 Community Character Land Use Plan and is hereby approved, subject to the revisions identified in the communication from the Plan and Zoning Commission received by the City Council, and subject to the Community Development Director finding that such revisions have been satisfied by amendments to the Plan.

MOVED BY \_\_\_\_\_ to approve.

FORM APPROVED:



\_\_\_\_\_  
Lawrence R. McDowell, Deputy City Attorney

(ZON2015-00202)

NOTE: Six affirmative votes are required to approve the proposed rezoning due to written protest by twenty percent or more of adjoining properties. Des Moines City Code §134-4.

| COUNCIL ACTION | YEAS | NAYS | PASS     | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE         |      |      |          |        |
| COLEMAN        |      |      |          |        |
| GATTO          |      |      |          |        |
| GRAY           |      |      |          |        |
| HENSLEY        |      |      |          |        |
| MAHAFFEY       |      |      |          |        |
| MOORE          |      |      |          |        |
| TOTAL          |      |      |          |        |
| MOTION CARRIED |      |      | APPROVED |        |

**CERTIFICATE**

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

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk