



Roll Call Number

Agenda Item Number

26

Date May 4, 2020

RESOLUTION SETTING HEARING ON REQUEST FROM WALDEN POINT, LP TO AMEND PUD CONCEPTUAL PLAN FOR PROPERTY LOCATED AT 1200 4TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 16, 2020, its members voted 11-0-1 in support of a motion to recommend APPROVAL of a request from Walden Point, LP (owner), represented by Robert Burns (partner), for the 2nd Amendment to the Walden Point PUD Conceptual Plan for property located at 1200 4th Street ("Property"), to allow the existing 3-story, 60-unit facility to be converted to units for either group living, assisted living, or multiple household living for seniors, with a mix of assisted living and independent living options for persons aged 55 and older; and

WHEREAS, the Property is legally described as follows:

LOTS 62 THROUGH 68 AND LOTS 71 THROUGH 79 AND THE VACATED NORTH-SOUTH ALLEY LYING WEST OF AND ADJOINING LOTS 71 THROUGH 79, ALL IN RUTHEFORD HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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

- 1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed 2nd Amendment to the Walden Point PUD Conceptual Plan is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at 5:00 p.m. on May 18, 2020, by electronic means in accordance with the Governor's and Mayor's Proclamations.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposals in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code. The City Clerk is instructed to provide this notice including information about participation in the electronic meeting as indicated above.

MOVED BY _____ TO ADOPT.

FORM APPROVED:

/s/ Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2020-00036)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

MOTION CARRIED

APPROVED

CERTIFICATE

I, P. KAY CMELIK, 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



April 28, 2020

Date May 4, 2020
 Agenda Item 210
 Roll Call # _____

Honorable Mayor and City Council
 City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their April 16, 2020 meeting, the following action was taken regarding a request from Walden Point, LP (owner) represented by Robert Burns (partner) for a 2nd Amendment to the Walden Point PUD Conceptual Plan for property located at 1200 4th Street, to allow use of the 3-story, 60 bed Group Living, Assisted Living Facility to be converted to units allowing either Group Living, Assisted Living Facility or Multiple Household Living for seniors.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 11-0-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dory Briles	X			
Abby Chungath	X			
Jacqueline Easley	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones	X			
William Page	X			
Rocky Sposato	X			
Steve Wallace				X
Greg Wattier			X	
Emily Webb	X			

APPROVAL of the proposed 2nd Amendment to the Walden Point "PUD" Conceptual Plan.
 (ZON2020-00036)

Written Responses

2 in Favor

0 in Opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed 2nd Amendment to the Walden Point “PUD” Conceptual Plan.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request:** The proposed amendment to the Walden Point PUD Conceptual Plan would allow the 3-story, 60-unit Group Living, Assisted Living Facility to be converted to units that are used for either Group Living, Assisted Living Facility or Multiple Household Living for seniors. Thus, the amendment would allow the facility to contain a mix of assisted living and independent living options for person aged 55 and older. All modifications would be internal to the existing building.
- 2. Size of Site:** 2.44 acres.
- 3. Existing Zoning (site):** “PUD” Planned Unit Development District.
- 4. Existing Land Use (site):** The site contains the Walden Point Assisted Living Facility and surface parking lots.
- 5. Adjacent Land Use and Zoning:**
 - North** – “N5”, Uses are one-household residential.
 - South** – “Mercy PUD”, Uses include University Avenue and Mercy Medical Center.
 - East** – “RX2”, Uses include 4th Street and a surface parking lot for Mercy Medical Center.
 - West** – “N-5”, Uses include 5th Avenue and one-household residential.
- 6. General Neighborhood/Area Land Uses:** The subject property is located to the north of University Avenue in an area that transitions from commercial uses along the corridor to residential uses.
- 7. Applicable Recognized Neighborhood(s):** The subject property is in the River Bend Neighborhood. A notice of the April 16, 2020 electronic/Zoom meeting was mailed on April 3, 2020 to the Riverbend Neighborhood Association and the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda was mailed to all recognized neighborhoods on April 10, 2020.

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 River Bend Neighborhood mailings were sent to Jon Royal, 1830 8th Street, Des Moines, IA 50314.

Due the COVID-19 pandemic, the applicant is unable to hold a neighborhood meeting. However, on March 27, 2020, the applicant mailed a letter to the neighboring property owners to explain their proposal and to provide contact information in case they had any questions or comments. The applicant will provide a summary of any communications with neighboring property owners prior to the public hearing.

8. **Relevant Zoning History:** The subject property (excluding the property known as 1223 5th Avenue) was rezoned to “PUD” Planned Unit Development District by the City Council on August 9, 2004 by Ordinance 14,368. Also at that time, the PUD Conceptual Plan was established and a north/south alley through the site was vacated and conveyed to the applicant.

The 1st amendment to the Conceptual Plan was approved by City Council on April 25, 2005, by Roll Call 05-1020. This amendment added the property known as 1223 5th Avenue to the PUD, shifted the 60-unit assisted living facility building to the west, and reconfigured the off-street parking areas.

9. **PlanDSM Land Use Plan Designation:** High Density Residential.

10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, 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. 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 “PUD” Conceptual Plan shall be considered by the Plan and Zoning commission at a public hearing. The Commission shall review the conformity of the proposed development with the standards of the City Code 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 amended “PUD” Conceptual Plan 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. **PlanDSM Creating our Tomorrow:** The subject property is designated as High Density Residential, which is defined as, “Areas developed with primarily higher intensity multi-family housing with a minimum density over 17 dwelling units per net acre.” The proposed amendment to the PUD Conceptual Plan is compatible with designation. Furthermore, Staff believes that this is an appropriate location for a use

that involve both assisted living and independent living options for persons aged 55 and older.

- 2. Off-Street Parking:** The PUD Conceptual Plan does not propose any modifications to the existing off-street parking areas. There is an existing parking lot immediately to the east of the building, which contains 26 parking stalls. There is an additional existing parking lot on the southern portion of the PUD, which contains 57 parking stalls. This lot functions as overflow parking for Walden Point, as well as Mercy Medical Center.

SUMMARY OF DISCUSSION

Jann Freed asked if any member of the audience or the Commission desired to speak regarding the item. None were present or requested to speak.

COMMISSION ACTION:

John "Jack" Hilmes made a motion for approval of the proposed 2nd Amendment to the Walden Point "PUD" Conceptual Plan.

Motion passed: 11-0-1

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

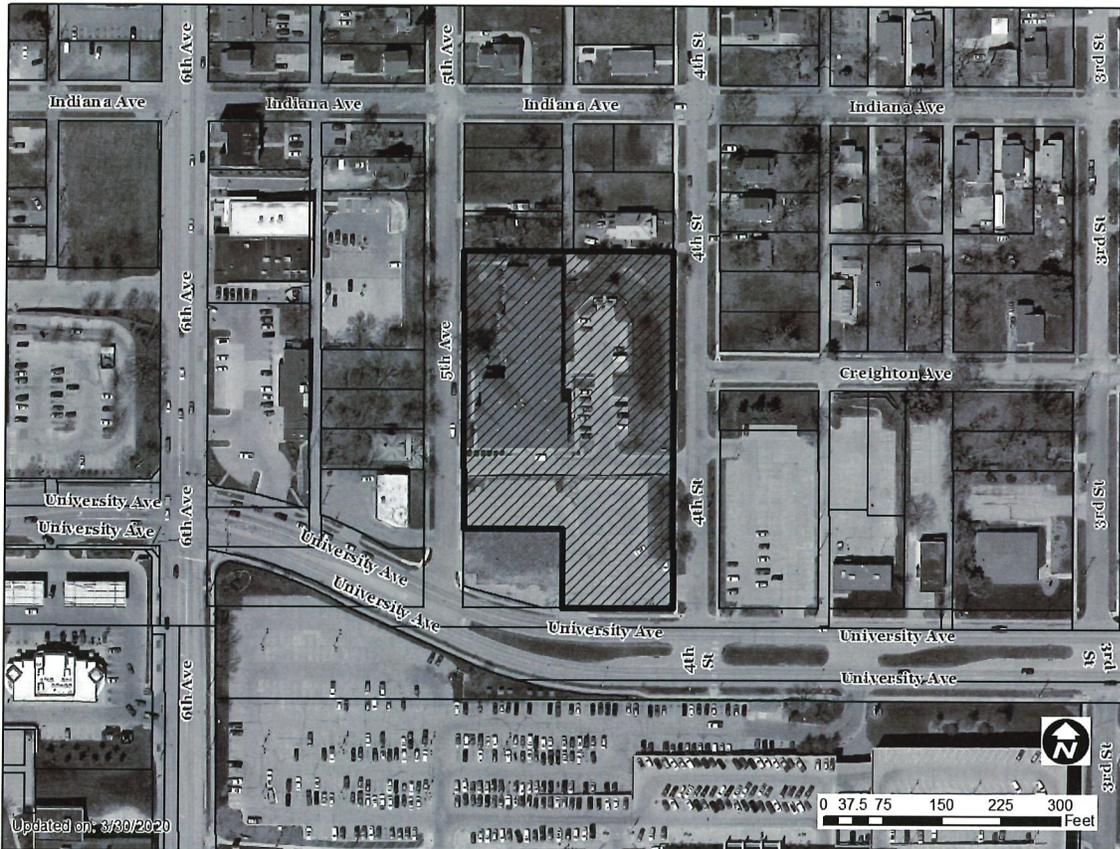
MGL:tjh

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Walden Point, LP (owner) represented by Robert Burns (partner) for property located at 1200 4th Street.			File # ZON2020-00036	
Description of Action	2nd Amendment to the Walden Point PUD Conceptual Plan to allow use of the 3-story, 60 bed Group Living, Assisted Living Facility to be converted to units allowing either Group Living, Assisted Living Facility or Multiple Household Living for seniors.			
PlanDSM Future Land Use	Current: High Density Residential. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	"PUD" Planned Unit Development District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Outside Area (200 feet)	2	0		
Within Subject Property				
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes
	Denial			No

Walden Point, LP, 1200 4th Street

ZON2020-00036



1 inch = 143 feet

Item: ZON2020-00036

Date: 4-4-20

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

26

(Circle One)

Print Name: Rebyn Walker

RECEIVED
COMMUNITY DEVELOPMENT

Signature: Rebyn Walker

APR 10 2020

Address: 1216 5TH AVE

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

NEED more ASSIST living



Item: ZON2020-00036

Date: 4-6-2020

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

(Circle One)

Print Name: Peter Comito

RECEIVED
COMMUNITY DEVELOPMENT

Signature: [Signature]

APR 10 2020

Address: 501 University, DM IA

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



