

Date January 11, 2021

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING PRELIMINARY PLAT FOR "DMPS COMMUNITY STADIUM AT DRAKE UNIVERSITY PLAT 1" LOCATED AT 2450 FOREST AVENUE

WHEREAS, on December 17, 2020, the City of Des Moines Plan and Zoning Commission voted 11-1 for APPROVAL of a Preliminary Plat "DMPS Community Stadium at Drake University Plat 1", submitted by Des Moines Public Schools (Owner), represented by Darrell Gierstorf (Officer), on property located at 2450 Forest Avenue, for subdivision of a 4.609 acre lot for an outdoor multipurpose stadium, subject to compliance with all administrative review comments from the City's Permit and Development Center; and concurrently approved by a vote of 10-2 a Public Hearing Site Plan requesting Type 2 Design Alternatives in accordance with Chapter 135 Sections 135-9.2.4.B and 135-9.3.1.B Public Hearing Site Plan "DMPS Community Stadium at Drake University Plat 1", subject to the following conditions:

1. Compliance with all administrative review comments from the City's Permit and Development Center; and
2. Provision of a shared parking agreement, in accordance with City Code Section 135-6.5.4, for the minimum number of required off-street parking spaces.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the attached communication from the City Plan and Zoning Commission is hereby received and filed.

MOVED by _____ to receive and file.

FORM APPROVED:

Judy K. Parks-Kruse
 Judy K. Parks-Kruse, Assistant City Attorney

(10-2021-7.27)
 (13-2021-1.12)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
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



December 29, 2020

Date January 11, 2021

Agenda Item 12

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 December 17, 2020 meeting, the following action was taken regarding a request from Des Moines Public Schools (owner) represented by Darrell Gierstorf (officer) for review and approval of a Preliminary Plat "Drake Community Stadium at Drake University Plat 1" for subdivision of a 4.609 acre lot for the stadium.

COMMISSION RECOMMENDATION:

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

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Jann Freed	X			
Johnny Alcivar	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 Preliminary Plat "DMPS Community Stadium at Drake University Plat 1" for subdivision of a 4.609-acre lot for the stadium, subject to compliance with all administrative review comments from the City's Permit & Development Center.

(13-2021-1.12)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the Preliminary Plat “Drake Community Stadium at Drake University Plat 1” for subdivision of a 4.609-acre lot for the stadium, subject to compliance with all administrative review comments from the City’s Permit & Development Center.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed Preliminary Plat and Site Plan would allow construction of a 4,000-seat outdoor multipurpose stadium. For Site Plan purposes, the stadium is being reviewed as a Civic Building Type in a “P-2” District.
2. **Size of Site:** 4.61 acres.
3. **Existing Zoning (site):** “P2” Public, Civic, and Institutional District.
4. **Existing Land Use (site):** The subject property has recently been cleared for redevelopment.
5. **Adjacent Land Use and Zoning:**

North – “P2” & “N5”, Uses is the Drake University tennis facility and one-household dwellings owned by Drake University.

South – “Drake University Recreation PUD”, Use is a parking lot on the Drake University campus.

East – “University Station PUD”, Use is a United State Post Office.

West – “Drake University Recreation PUD”, Use is the Knapp Center and Shivers Basketball Practice Facility.
6. **General Neighborhood/Area Land Uses:** The subject property is located on the north side of Forest Avenue at the northeast corner of Drake University’s campus.
7. **Applicable Recognized Neighborhood(s):** The subject property is in the Drake Neighborhood. The neighborhood association was notified of the hearing by mailing of the Preliminary Agenda on November 30, 2020 and by mailing of the Final Agenda on December 11, 2020. Additionally, separate notifications of the hearing for this specific item were mailed on December 7, 2020 (10 days prior to the hearing) to the Drake Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

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 Drake Neighborhood mailings were sent to Lori Calhoun, 2808 Cottage Grove Avenue, Des Moines, IA 50311.

8. Relevant Zoning History: On December 10, 2020, the City Council rezoned the subject property from “PUD” Planned Unit Development District, “RX1” Mixed Use District and “N5” Neighborhood District to “P2” Public, Institutional and Civic District.

9. PlanDSM Future Land Use Plan Designation: Public/Semi-Public.

10. Applicable Regulations: Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews proposed Preliminary Plats in accordance with Chapter 106 of the City Code and may approve the Preliminary Plat, approve the Preliminary Plat subject to revisions, or deny the Preliminary Plat. Record of the Commission’s decision will be forwarded to the City Council to receive and file.

Pursuant to Section 135-9.1.1.B of the Planning and Design Ordinance, the site plan review requirements of Chapter 135 are designed to ensure the orderly and harmonious development of property in a manner that shall:

- Promote the most beneficial relation between present and proposed future uses of land and the present and proposed future circulation of traffic throughout the city;
- Permit present development of property commensurate with fair and orderly planning for future development of other properties in the various areas of the city with respect to the availability and capacity, present and foreseeable, of public facilities and services. The factors to be considered in arriving at a conclusion concerning proposed present development of property shall include the following:
 - The maximum population density for the proposed development, the proposed density of use, and consideration of the effect the proposal will have on the capacity of existing water and sanitary sewer lines to the end that existing systems will not become overloaded or capacity so substantially decreased that site use will inhibit or preclude planned future development;
 - Zoning restrictions at the time of the proposal;
- The city’s comprehensive plan;
- The city’s plans for future construction and provision for public facilities and services; and
- The facilities and services already available to the area which will be affected by the proposed site use;
- Encourage adequate provision for surface and subsurface drainage, in order to ensure that future development and other properties in various areas of the city will not be adversely affected;

- Provide suitable screening of parking, truck loading, refuse and recycling disposal, and outdoor storage areas from adjacent residential districts;
- Encourage the preservation of canopied areas and mature trees and require mitigation for the removal of trees; and
- Consider the smart planning principles set forth in Iowa Code Chapter 18B.

Based on Chapter Section 135-9.2.4 and 135-9.3.1.B of the Planning and Design Ordinance, Type 2 Design Alternatives are to be considered by the Plan and Zoning Commission after a public hearing whereby the following criteria are considered:

- The design alternative provisions of Section 135-9.2.4 are intended to authorize the granting of relief from strict compliance with the regulations of this chapter as part of the site plan or alternate design documentation review process when specific site features or characteristics of the subject property, including the presence of existing buildings, creates conditions that make strict compliance with applicable regulations impractical or undesirable. The design alternative provisions are also intended to recognize that alternative design solutions may result in equal or better implementation of the regulation's intended purpose and greater consistency with the comprehensive plan.
- Consideration of requested design alternatives through the administrative and public hearing review processes will be evaluated on the merits of the applicable request and independently of prior requests from the same applicant, and may include the following criteria:
 - An evaluation of the character of the surrounding neighborhood, such as:
 - Whether at least 50% of the developed lots within 250 feet of the subject property are designed and constructed consistently with the requested design alternative(s); and
 - Whether the directly adjoining developed lots are designed and constructed consistently with the requested design alternative(s);
 - For purposes of this subsection, if the lots that exist within 250 feet of the subject property are undeveloped, then the neighborhood character determination will be based upon the assumption that such lots, as if developed, comply with the applicable requirements of this chapter for which a design alternative(s) has been requested;
 - The totality of the number and extent of design alternatives requested compared to the requirements of this chapter for each site plan or alternate design documentation reviewed;
 - Whether the requested design alternative(s) is consistent with all relevant purpose and intent statements of this design ordinance and with the general purpose and intent of the comprehensive plan;

- Whether the requested design alternative(s) will have a substantial or undue adverse effect upon adjacent property, the character of the surrounding area or the public health, safety and general welfare;
- Whether any adverse impacts resulting from the requested design alternative(s) will be mitigated to the maximum extent feasible; and
- Other factors determined relevant by the community development director, plan and zoning commission, or city council as applicable.

II. ADDITIONAL INFORMATION

1. **Type 2 Design Alternative Requested: Allow impervious surface in excess of the maximum allowed area of 70%.** Section 135-2.10.3.A.7 of the Planning and Design Ordinance applicable to Civic buildings within the “P2” District allows for a maximum 85% of the site to be impervious and semi-impervious. As proposed, the site area would be 96.1% impervious. This includes the artificial turn on the field, which would have an impervious surface beneath the turf. Staff believes that in this instance, the proposed amount of impervious surface is appropriate given the limited area available for the stadium.
2. **Type 2 Design Alternative Requested: Allow 15 feet less than the minimum required 15 feet of setback from non-primary frontage.** Section 135-2.10.3.A.4 of the Planning and Design Ordinance applicable to Civic buildings within the “P2” District requires principal buildings to have a minimum 15-foot setback from non-primary frontages. As proposed the structure would be located within 0 feet of the east property line and within 4.5 feet of the north property line. Staff believes that the proposed setbacks are appropriate given the required size of the stadium and the limited ability to assemble additional land.
3. **Type 2 Design Alternative Requested: Allow less than the minimum 12% transparency per each story and any half story:** Section 135-2.10.3.D.17 of the Planning and Design Ordinance applicable to Civic buildings within the “P2” District requires a minimum 12% of each story to be transparent. In this instance, Staff believes that it would not be reasonable for the stadium to meet the transparency requirement given that significant portions of the façade are the backsides of bleachers.
4. **Type 1 Design Alternatives:** In addition to the Type 2 Design Alternatives, the proposed Site Plan also requires Type 1 Design Alternatives with regards to fencing height, landscaping, mechanical equipment placement, and building materials. These Type 1 Design Alternatives can be approved administratively.
5. **Off-Street Parking:** The proposed 4,000-seat stadium requires provision of 667 off-street parking spaces. The applicant has indicated that these parking spaces would be achieved by obtaining a parking agreement with Drake University to use parking spaces within existing parking lots within 750 feet of the site. Final approval of the Site Plan will be contingent upon the provision of a shared parking agreement that is reviewed and approved by Staff in accordance with City Code Section 135-6.5.4.

SUMMARY OF DISCUSSION

Bert Drost presented staff report and recommendation.

Johnny Alcivar asked if the shared parking agreement is needed in case Drake decides to sell the parking lot in the future?

Bert Drost stated yes, the agreement is needed to make sure those parking spots are provided if Drake would ever sell the lot.

Matt Coen 301 Grand Avenue representing RDG stated the synthetic playing field which accounts for 2.4 acres out of the 4.6 acres of the site does not qualify as impervious space, however it does slow down rain water significantly. They will be using this entire site for the stadium and is contextual to the area. Forest Avenue in both directions includes zero set back conditions, along with 24th and 25th Street. There would be no harm to the East as there is a postal facility in that direction. To the North where there are several residential properties, they do have a 27-foot setback on the north. The only structures near the property line would be the fence and scoreboard. Along the East, the concessions building has an 8-foot setback and the bleachers at the most extreme condition has a 7-foot setback. Regarding transparency, there is a 9-foot gap between the lower and upper seating levels that runs the entire length of the site at sidewalk level. On the East side they have a total of 84-feet of building frontage out of the 465 feet with the bleachers being 200 feet long.

CHAIRPERSON OPENED THE PUBLIC HEARING

Dan Pardock 4118 Lower Beaver Road stated he was curious of the name shown on the plat as he believed the stadium is supposed to be named the DMPS Community Stadium. He feels the cart has been put before the horse as the stadium is already under construction and is curious why they are here talking about these requests tonight. He would like to know what type of assurance DMPS has from Drake regarding available parking when cars owned by students will be parked in the lots over the weekend.

Judy Park-Kruse stated the name on a plat or a site plan is not necessarily tied to or signifying ownership.

Bert Drost stated the name on the plat doesn't match the name on the public notices that were sent out and could be corrected on the final plan submittal if desired.

Jann Freed asked if the question regarding parking could be answered?

Bert Drost stated the site plan will need to comply with the City's parking requirements. A 4,000 seat stadium would require provision of 667 off street parking spaces. A parking analysis was done, which shows the 667 off street parking spots can be achieved within the required 750-foot radius of the site. Staff requests that a parking agreement be provided between Drake and DMPS as a condition of approval.

Matt Coen stated there will be a more detailed parking agreement and there is currently a 28E agreement between DMPS and Drake. The traffic analysis also shows adequate

parking within .25 and .50-mile radius beyond the site, which would accommodate just over 1,400 cars.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Greg Wattier stated these requests are reasonable and make sense for this site with the solutions being adequate. He would be in support of this request.

Bert Drost stated if staff recommendation is approved, he would suggest they revise it to say, DMPS Community Stadium at Drake University.

COMMISSION ACTION:

Greg Wattier made a motion for approval of the Preliminary Plat "DMPS Community Stadium at Drake University Plat 1" for subdivision of a 4.609-acre lot for the stadium, subject to compliance with all administrative review comments from the City's Permit & Development Center.

Motion passed: 11-1

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:tjh

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Des Moines Public Schools (owner) represented by Darrell Gierstorf (officer) for property located at 2450 Forest Avenue.		File #		
		13-2021-1.12		
Description of Action	Review and approval of a Preliminary Plat "Drake Community Stadium at Drake University Plat 1" for subdivision of a 4.609 acre lot for the stadium.			
PlanDSM Future Land Use	Current: Public/Semi-Public. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	"P2" Public, Civic and Institutional District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Outside Area (200 feet)	0	0		
Within Subject Property				
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes
	Denial			No

Des Moines Public Schools, 2450 Forest Avenue

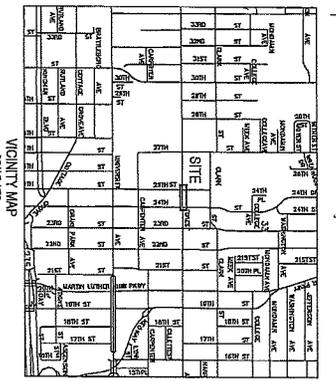
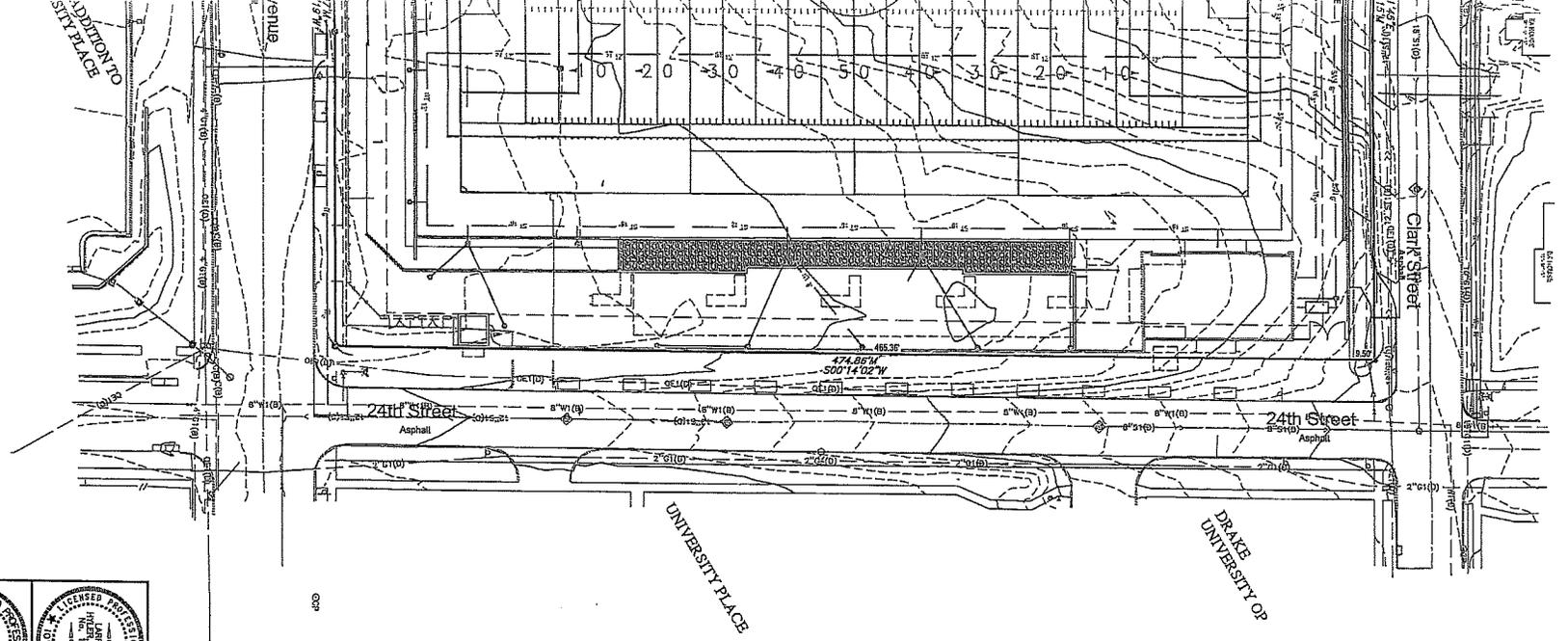
13-2021-1.12



1 inch = 145 feet

STY PLAT 1

GENERAL NOTES:
 1. ALL DIMENSIONS ARE IN FEET UNLESS NOTED OTHERWISE.
 2. LOT A NUMBER IS LOCATED TO THE SOUTHWEST CORNER OF THE LOT.



- LEGEND:**
- SANITARY SEWER
 - STORM SEWER
 - WATER LINE
 - GAS LINE
 - UNDERGROUND ELECTRIC
 - TELEPHONE LINE
 - TELEPHONE WIRE
 - FIBER OPTIC
 - CABLE TV
 - STORM MANHOLE
 - CURB MANHOLE
 - SURFACE MANHOLE
 - FLOOD BASIN SECTION
 - SANITARY MANHOLE
 - CLEANOUT
 - FIRE HYDRANT
 - SPRINKLER
 - IRRIGATION CONTROL VALVE
 - WATER MANHOLE
 - WELL
 - WATER VALVE
 - WATER SHUT OFF
 - YARD HYDRANT
 - ELECTRIC MANHOLE
 - ELECTRIC METER
 - ELECTRIC RISER
 - ELECTRIC WALT
 - POWER POLE
 - TRANSFORMER POLE
 - LIGHT POLE
 - ELECTRIC JUNCTION BOX
 - ELECTRIC PANEL
 - TRANSFORMER
 - GROUND LIGHT
 - GUY WIRE
 - ELECTRIC HANDLE
 - GAS METER
 - GAS VALVE
 - AIR CONDITIONING UNIT
 - TELEPHONE RISER
 - TELEPHONE WALT
 - TELEPHONE MANHOLE
 - TRANSFORMER MANHOLE
 - FIBER OPTIC RISER
 - FIBER OPTIC PATCH
 - CABLE RISER
 - SIGN
 - DENOTES NUMBER OF PARKING SPACES
 - PROPERTY CORNER - FOUND AS NOTED
 - SECTION CORNER - FOUND AS NOTED
 - ALL SITES AND SERVICES ARE INTENDED TO BE USED TO SERVICE AGRICULTURE AND WATER MANAGEMENT USES OF LOT A AND ADJ.

- ABBREVIATIONS:**
- AC ACRES
 - ASPH ASPHALT
 - CON CONCRETE
 - D DEENDED DISTANCE
 - EX EXISTING
 - FF FINISHED FLOOR
 - FL FLOW LINE
 - FRAD FROST RESISTANCE
 - HA HATCH
 - HW HATCH
 - MA MANHOLE
 - ORF ORANGE PLASTIC CAP
 - PAE PAVED AREA
 - PCB POINT OF BEGINNING
 - PCF POINT OF BEGINNING
 - PUE PUBLIC UTILITY EASEMENT
 - ROW RIGHT OF WAY
 - SPC SPREADER CAP
 - SWN SWANNEY
 - TP TYPICAL
 - TYD TYPICAL
 - N NORTH
 - S SOUTH
 - E EAST
 - W WEST



I HEREBY CERTIFY THAT THIS LAND SURVEYING INSTRUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNED: **JOB E. JACKSON, P.E. 18397** DATE: _____

Des Moines Public Schools - Community Stadium at Drake PRELIMINARY - NOT FOR CONSTRUCTION SITE PLAN RESUBMITTAL

<p>2450 Forest Avenue Des Moines, Iowa 50311</p> <p>DES MOINES PUBLIC SCHOOLS</p>	<p>MECH / ELEC / PLUMB RDC Engineering 275 4th Street 101 Grand Avenue Des Moines, Iowa 50319 Phone: (515) 724-7202</p> <p>LANDSCAPE RDC Planning & Design 101 Grand Avenue Des Moines, Iowa 50319 Phone: (515) 282-2141</p>	<p>STRUCTURAL RDC 654 Leavelle Street, Suite 202 Des Moines, Iowa 50319 Phone: (515) 278-2662</p> <p>CIVIL RDC Engineering 2511 84th Street Urbandale, Iowa 50222 Phone: (515) 274-8461</p>	<p>ARCHITECT RDG Planning & Design 201 Grand Avenue Des Moines, Iowa 50319 Phone: (515) 282-2141</p> <p>ESTIMATOR RDC Engineering 2415 17th Street #10 Ames, Iowa 50010 Phone: (515) 324-4518</p> <p>RDG.. PLANNING • DESIGN</p>
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