



Roll Call Number

19-2007

Agenda Item Number

22

Date December 16, 2019

**RESOLUTION SETTING HEARING ON REQUEST FROM 3750 GRAND, LLC TO REZONE  
AND APPROVE PUD CONCEPTUAL PLAN FOR PROPERTY  
LOCATED AT 3750 GRAND AVENUE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on December 5, 2019, its members voted 7-1 in support of a motion to recommend **APPROVAL** of a request from 3750 Grand, LLC (developer), represented by Kate Miller (officer), to rezone real property locally known as 3750 Grand Avenue ("Property") from "R-3" Multiple-Family Residential District and "R1-80" One-Family Residential District to "PUD" Planned Unit Development, and to approve the "Thirty Seven Fifty on Grand" PUD Conceptual Plan for the Property, to allow for redevelopment by demolition of the sanctuary and tower portion of the existing vacant First Church of Christ Scientist building and renovation of the remainder of the building with an 8-story, 42-unit residential condominium tower with indoor parking and commercial first floor uses, subject to the following revisions to the PUD Conceptual Plan:

1. Removal of the reference to restaurant as a permitted use from the Conceptual Plan.
2. Provision of a note that states, "no more than 2,000 square feet of floor area shall be utilized for commercial uses."
3. The bulk regulation notes shall be updated to reflect the drawings shown on the Conceptual Plan to the satisfaction of the City's Planning Administrator.
4. Provision of a note that states, "the finalized height and design of any fencing shall be determined during the review of any Development Plan" in place of the notes on Sheet 1 that provide maximum height and minimum opaqueness standards.
5. Provision of a note that states, "any Development Plan shall minimize the amount of pavement near the main entrance to the building to the extent possible."
6. Provision of a note that states, "any Development Plan shall provide an identifiable pedestrian route from the main entrance of the building to the Grand Avenue sidewalk."
7. Provision of a note that states, "landscaping and buffering shall be provided in accordance with the City's Landscaping Standards in place at the time the Development Plan is submitted, or exceeded as illustrated on the Conceptual Plan or as determined necessary by the City's Planning Administrator."
8. Provision of a note 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.
9. Provision of a note that states, "direct light trespass beyond property lines is prohibited. The maximum horizontal illuminance at grade and the maximum vertical illuminance at five feet above grade measured at the property line should not exceed Illuminating Engineering Society of North America (IESNA) recommended practices for light trespass. (0.5 foot-candles for residential, 2.0 foot-candles for commercial). The Development Plan must contain illuminance models showing light levels throughout the site."
10. Provision of a note that states, "all utility and similar service lines to buildings on the property shall be located underground."
11. Provision of a note that states, "all overhead utility and similar service lines within the adjoining portions of the Grand Avenue and 38<sup>th</sup> Place rights-of-way shall be located underground."
12. Provision of a note that states, "all utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along rear or side facades that are internal to the site to the satisfaction of the City's Planning Administrator."

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13. Provision of a note that states, "all reuse and recycling containers shall be stored within the building or within a trash enclosure constructed of masonry walls with solid steel gates as approved with any Development Plan"; and

WHEREAS, the Property is legally described as follows:

Lots 2, 3, 4, and 5 in MASON PLACE and Lots 11, 12, 13, and 14 (except the South 55 feet thereof) in MASON PLACE, 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 rezoning and proposed PUD Conceptual Plan is to be considered shall be held at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on January 13, 2020, at which time the City Council will hear both those who oppose and those who favor the proposals.
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.

MOVED BY Gatto TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2019-00224)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Frankhu Cownie Mayor

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.

P. Kay Cmelik

City Clerk