

54A

Date May 20, 2019

RESOLUTION ON REQUEST FROM WE CAN BUILD IT, LC TO AMEND THE EXISTING PLANDSM: CREATING OUR TOMORROW PLAN FUTURE LAND USE DESIGNATION (4801 FRANKLIN AVENUE)

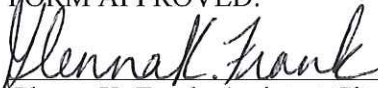
WHEREAS, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating Our Tomorrow Plan; and

WHEREAS, at a public hearing held on April 4, 2019, the City Plan and Zoning Commission voted 12-0 in support of a motion to recommend **APPROVAL** of a request by We Can Build It, LC (contract buyer), represented by Jeff Young (officer), to amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation for real property locally known as 4801 Franklin Avenue, from Neighborhood Mixed Use within a Neighborhood Node to Community Mixed Use within a Neighborhood Node, to allow for rezoning to "PUD" Planned Unit Development District and to allow a mixed-use renovation of the existing school and church building for uses described on the proposed "Franklin Junior High School PUD Conceptual Plan."

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the proposed amendment to the PlanDSM: Creating Our Tomorrow Plan, as described above, is hereby **approved / denied**.

MOVED by _____ to adopt and **APPROVE / DENY** the proposed amendment.

FORM APPROVED:



 Glenna K. Frank, Assistant City Attorney

(21-2019-4.03)

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



April 16, 2019

updated consent cards and maps 5/15/19

Honorable Mayor and City Council
City of Des Moines, Iowa

Date MAY 20 2019

Agenda Item 54

Roll Call # _____

Members:

Communication from the City Plan and Zoning Commission advising that at their April 4, 2019 meeting, the following action was taken regarding a request from We Can Build It, LC (contract buyer) represented by Jeff Young (officer) to rezone property located at 4801 Franklin Avenue from Limited "C-1" Neighborhood Commercial District to "PUD" Planned Unit Development. The subject property titleholder is The Knoll, LC.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 as follows:

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

APPROVAL of Part A) the proposed rezoning be found **not** in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation, Part B)

APPROVAL of the request to amend the PlanDSM Creating Our Tomorrow future land use designation from Neighborhood Mixed Use to Community Mixed Use, Part C)

APPROVAL of the request to rezone the subject property from Limited "C-1"

Neighborhood Commercial District to "PUD" Planned Unit Development and Part D) **APPROVAL** of the Franklin Junior High School PUD Conceptual Plan subject to the following conditions:

1. The PUD Conceptual Plan shall be updated to reflect the floor area and parking calculations for the proposed uses submitted by the applicant and included in Section II, subparagraph 2 of this report.
2. The PUD Conceptual Plan shall be updated to reflect the additional project description information submitted by the applicant and included in Section I, subparagraph 1 of this report.
3. Provision of easements for all existing utilities to the satisfaction of the City Engineer.
4. Provision of a note on 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.
5. Provision of a note on the PUD Conceptual Plan 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 footcandles for residential, 2.0 footcandles for commercial). The Development Plan must contain illuminance models showing light levels throughout the site."
6. Provision of a note on the PUD Conceptual Plan that states, "all utility and similar service lines to buildings shall be located underground.
7. Provision of a note on the PUD Conceptual Plan that states, "all rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the City's Planning Administrator.
8. Provision of a note on the PUD Conceptual Plan that states, "all utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along rear facades or facades that are internal to the site to the satisfaction of the City's Planning Administrator.
9. Provision of a note on the PUD Conceptual Plan that states, "landscaping and buffering shall be provided in accordance with the City's Landscaping Standards for the "C-2" District or exceeded as illustrated on the Conceptual Plan or determined necessary by the City's Planning Administrator.
10. Provision of a note on the PUD Conceptual Plan that states, "additional building mounted signage may be provided for individual tenants so long as the signage complies with the "C-1" District standards to the satisfaction of the City's Planning Administrator."

11. Provision of a note on the PUD Conceptual Plan that states, "sidewalk connections to the adjoining park shall be provided to the satisfaction of the City's Planning Administrator, and Park and Recreation Director.
12. Provision of a note on the PUD Conceptual Plan that states, "all uses of the property shall comply with article IV of chapter 42 of the City Code pertaining to noise control. Outside speakers or amplified sound is prohibited except when used in compliance with a type E sound permit."
13. Provision of a note on the PUD Conceptual Plan that states, "litter and trash receptacles shall be located at convenient locations inside and outside the premises, and operators of such business shall remove all trash and debris from the premises and adjoining public areas on a daily basis."
14. Provision of a note on the PUD Conceptual Plan that states, "the PUD Conceptual Plan shall be subject to a legislative amendment to preclude the sale of liquor, wine and/or beer if the Zoning Enforcement Officer determines that the operation of the business becomes a nuisance or exhibits a pattern of violating the conditions of approval."
15. Review and approval of the Final Development Plan by the Plan and Zoning Commission and the City Council.

(ZON2019-00040)

Written Responses

7 in Favor

9 in Opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the proposed rezoning be found not in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation.

Part B) Staff recommends approval of the request to amend the PlanDSM Creating Our Tomorrow future land use designation from Neighborhood Mixed Use to Community Mixed Use.

Part C) Staff recommends approval of the request to rezone the subject property from Limited "C-1" Neighborhood Commercial District to "PUD" Planned Unit Development.

Part D) Staff recommends approval of the Franklin Junior High School PUD Conceptual Plan subject to the following conditions:

1. The PUD Conceptual Plan shall be updated to reflect the floor area and parking calculations for the proposed uses submitted by the applicant and included in Section II, subparagraph 2 of this report.
2. The PUD Conceptual Plan shall be updated to reflect the additional project description information submitted by the applicant and included in Section I, subparagraph 1 of this report.

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15. Review and approval of the Final Development Plan by the Plan and Zoning Commission and the City Council.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The subject property is located on the northwest corner of the Franklin Avenue and 48th Street intersection. It contains a building that has been occupied by church and school uses over the years. The original portion of the building was constructed to house the Franklin Junior High School and opened in 1951. The building was occupied and expanded by the First Federated Church (AKA, The Mission Church) starting in 1980 and then by the Des Moines Christian School. The school left the property in 2018.

The applicant is proposing to renovate the property and occupy the building with a mix of uses. The following project summary was provided by the applicant to supplement the information listed on the submitted Conceptual Plan.

The existing Franklin Junior High building is comprised of a variety of spaces including classrooms, gymnasiums, and auditoriums. This project plans to keep most of the rooms intact by using each space for specific programs.

- a. *The two existing auditoriums will be used much as they have been in the past, as event venues. The small auditorium holds around 525 and the large auditorium currently holds around 4,200 with its current pew seating configuration. There are plans to change the current seating layout in the large auditorium to allow more flexibility for events such as banquets and concerts.*
- b. *There are two gymnasiums, which will continue to be used as space for athletic events such as community volleyball or basketball leagues as well as the occasional rental for a graduation party or wedding reception as examples.*
- c. *The existing school cafeteria and kitchen will be used as the building's main restaurant.*
- d. *The church's nursery area will continue to be used for a Montessori school.*
- e. *A few classrooms will be used to expand restrooms and create lobbies for the courtyards.*
- f. *The remainder of the classrooms throughout the building will be used for office spaces - housing up to 40 businesses and community organizations, retail/mercantile spaces such as a barber, smaller rental spaces that could*

- more easily be used for breakout conferences or luncheons, and finally boutique hotel rooms.
- g. There is one dedicated bar, planned for a second-floor science lab, as well as two concession-like bars – which will be open during certain events. The planned cafeteria restaurant as well as a north side (former girls' locker room) planned restaurant/bar space, and the outdoor cafe will likely have a bar component to it as well – though not the main use.
 - h. A few additional classroom and former back of house spaces are planned to be used as smaller event venues and a potential micro-brewery is planned for some of the larger existing classroom spaces on level 1.
 - i. Bar use and square footage breakdown:
 - i. Science lab bar: 1,362 square feet – Only full-time dedicated bar. Using the original science lab that still has the black science tables.
 - ii. Stair bar: 1,207 square feet – includes level 1, 2 and stair – not open full time
 - iii. Band/choir concession bar: 330 square feet – only open during small events in the original band or choir room.
 - iv. Concessions in large or small auditorium – temporary concession bars set up for events in large or small auditorium.
 - v. Cafeteria restaurant: 3,839 square feet – restaurant with alcohol service.
 - vi. Former girls' locker room restaurant/bar: 2,849 square feet – potential second restaurant that serves alcohol or may be a space that only activates during events in the large auditorium.
 - vii. Outdoor building: 800 square feet – main use is café or outbuilding to the restaurant with limited alcohol menu.
 - viii. All bar uses listed above will operate under one manager and license.
 - j. The outdoor movies will generally follow the same protocol as the City of Des Moines Parks Department's outdoor movie program. We would look for a model to use Bluetooth to broadcast the sound. Our interest is providing something fun for the community – specifically families. It would operate May through September, Tuesday through Saturday from sundown to 11:00 PM.
 - k. Parking during large events – there will be staff on-site during larger events to help direct parking and monitor neighborhood impact. If nuisances happen along city streets impacting neighbors, We Can Build It, L.C. will seek proactive solutions to decrease that impact. We are also investigating venue relationships with ride-sharing programs.
 - l. Starting this summer, a significant amount of plantings will be installed along 48th Street in order to buffer the looming building from 48th Street as well as significantly beautify the space. This long linear park-like space will be open to the public.

m. Outdoor patio will be along the commercial district of Franklin Avenue.

n. We Can Build It, L.C. is very interested in connecting Franklin Jr High and Tower Park to the nearby bike trail. We would like to be included in upcoming discussions around the re-design of Franklin Avenue to support a more pedestrian and bike friendly corridor.

2. Size of Site: 12.1 acres or 527,076 square feet.

3. Existing Zoning (site): "C-1" Neighborhood Commercial District, "GGP" Gambling Games Prohibition Overlay District and "FSO" Freestanding Sign Overlay District.

4. Existing Land Use (site): Birchwood Montessori School.

5. Adjacent Land Use and Zoning:

East - "R1-60"; Use is single-family residential.

West - "R-3" & "R1-60"; Use is multiple-family residential and City of Des Moines parkland (Tower Park).

North - "R1-60"; Use is City of Des Moines parkland (Tower Park).

South - "C-O"; Use is a vacant medical office building.

6. General Neighborhood/Area Land Uses: The subject property is located on the northwest corner of the Franklin Avenue and 48th Street intersection. The surrounding area consists of residential, commercial and park uses.

7. Applicable Recognized Neighborhood(s): The subject property is located within the Merle Hay Neighborhood and within 250 feet of the Beaverdale and Waveland Park Neighborhoods. All neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on March 18, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on March 15, 2019 (20 days prior to the hearing) and March 25, 2019 (10 days prior to the hearing) to the neighborhood association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the requested rezoning. A Final Agenda for the meetings were mailed to all the recognized neighborhood associations on March 29, 2019.

The Merle Hay Neighborhood Association mailings were sent to Jason Pulliam, 2327 49th Place, Des Moines, IA 50310. The Beaverdale Neighborhood Association mailings were sent to CeCelia Ibson, 2629 Beaver Avenue, Suite 3 Des Moines, IA 50310. The Waveland Park Neighborhood Association mailings were sent to Ethan Standard, 1307 48th Street, Des Moines, IA 50310.

8. Relevant Zoning History: On June 22, 2015, by Ordinance Number 15,379, the City Council rezoned the subject property from "R1-60" District to a Limited "C-1" District subject to permitted uses on the property being limited to those allowed in the "R1-60" District and to a daycare center with a pre-school

9. PlanDSM Land Use Plan Designation: Neighborhood Mixed Use located within a Neighborhood Node.

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 required 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 this division 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 and request for rezoning 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 PlanDSM Comprehensive Plan was approved on April 25, 2016. The subject property is designated as Neighborhood Mixed Use, which is described as "small-scale mixed-use development typically located at the intersection of collector and/or arterials streets and along transportation corridors. Non-residential development is designed to serve the immediate neighborhood and includes small retail, offices, restaurants, and service-oriented development. Low-medium density residential may be included in mixed-use development."

The site is located within a Neighborhood Node on the Future Land Use Map that is centered on the Franklin Avenue and 48th Street intersection. Neighborhood Nodes are described as follows:

The nodes are the smallest in size and offer services that provide for basic daily needs of the local population in the surrounding neighborhood. May include restaurants, shops and small-scale businesses. Residential development including low-medium and medium densities may occur.

The proposed rezoning requires the Future Land Use Map designation for the subject property to be amended to Community Mixed Use. This designation is described as "small- to medium-scale mixed-use development, located on high capacity transit corridors or at the intersection of transportation corridors. Community mixed-use areas include both a mix of medium density residential and a mix of retail and service establishments designed to attract customers from a large service area encompassing multiple neighborhoods and may include specialty retail that attracts regional customers." The proposed facility would serve multiple neighborhoods and be a

regional draw, which are the primary distinction between the Neighborhood Mixed Use and Community Mixed Use designations.

Staff believes that the proposed development and necessary Future Land Use Map amendment are supported by the following goals found in PlanDSM.

Land Use Goal 2

Direct new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services, and public amenities.

LU8: Encourage continued redevelopment and enhancement of regional nodes emphasizing a mix of uses, ease of access by transit, enhanced walkability, and high density residential.

LU9: Identify new neighborhood nodes and proposed land uses considering the following criteria:

- The ability to create a compact, walkable structure within the identified node;
- The capacity for employment and economic vitality;
- The ability to provide housing in close proximity to jobs; and
- Access via transit and other alternative modes of transportation.

LU10: Prioritize new mixed-use development and redevelopment along proposed high capacity transit corridors and nodes.

LU15: Prioritize development and redevelopment in areas with existing infrastructure and properties included in adopted Urban Renewal Plans.

Land Use Goal 4

Continue to embrace the distinct character of Des Moines' neighborhoods while allowing for new development and redevelopment.

LU23: Create opportunities for a mixture of land uses within neighborhoods including mixed use centers, diverse housing products, recreational opportunities, public spaces, and schools.

Land Use Goal 6

Recognize the value of Des Moines' historic building stock and landscapes and ensure their preservation for future residents.

LU33: Promote preservation, restoration, and reuse of historical structures and landmarks.

Economic Development Goal 2

Recognize the value of Des Moines' historic building stock and landscapes and ensure their preservation for future residents.

ED7: Focus economic development efforts in neighborhood, community, and regional nodes and corridors served by transit.

1. **PUD Standards:** The following are standards from Section 134-704 of the City Code that provide the foundation that all PUD Conceptual Plans should be based on.

- A) All uses proposed in a PUD planned unit development district plan shall be in harmony with the existing or anticipated uses of other properties in the surrounding neighborhood and shall generally be in conformance with the city's land use plan. The design of a PUD development shall be based on harmonious architectural character; compatible materials; orderly arrangement of structures and open space; and conservation of woodlands, streams, scenic areas, open space and other natural resources.

The proposed development would reuse a historic school structure that is located on a large city block shared with a City park and large apartment complex. The building sits on the Franklin Avenue corridor, which contains commercially zoned land across from the site. DART Route S includes Franklin Avenue between Beaver Avenue and Merle Hay Road. Staff believes that the proposal meets this criterion.

- B) Setbacks and other appropriate screens shall be provided around the boundary of a PUD development to protect the adjoining district properties. Only in exceptional circumstances shall such a setback be less than the amount of the setback which the adjoining district is required to maintain from the PUD development.

The property is currently zoned a Limited "C-1" District. The bulk regulations for this district require the following minimum setbacks:

- 25-foot front yard,
- 10-foot side yard when abutting any R district, and
- 10-foot rear yard when adjoining any PUD, R or C-0 district.

The submitted Conceptual Plan references these standards. The existing building exceeds the required minimums. The proposed café building and associated pergola structures would setback 15 feet from the Franklin Avenue property line. Staff believes 15 feet is appropriate here given the commercial nature of the property to the south and limited scale of the structures. Staff believes that the proposal meets the intent of this criterion so long as the development complies with the landscaping, buffering, lighting and operational requirements found in Section III of this report.

- C) A PUD development shall comply with all applicable city ordinances, specifications and standards relating to all dedicated street, sanitary sewer and storm sewer facilities and to surface drainage and floodwater retention.

All necessary utilities are available to the site. Storm water facilities are planned that include basins along the east perimeter of the site. There is an existing City-owned, 15-inch sanitary sewer line running north/south along the east perimeter of the site. A 30-foot wide sewer easement must be provided. The proposed storm water basins and any associated improvements would be evaluated at the Development Plan stage to ensure that they would have no impact on the sewer line.

- D) The streets surrounding a PUD development must be capable of accommodating the increased traffic that would be generated by the new development. The

development shall be designed to provide maximum feasible separation of vehicular traffic from pedestrian ways and recreational areas. If turning lanes or other forms of traffic controls within or adjacent to the development are deemed necessary by the city council, the developer shall provide the necessary improvements.

See Section II, subparagraph 4 of this report for information pertaining to traffic and the street network.

- E) Off-street parking and loading spaces shall be provided as appropriate to the size and character of the development. Each off-street loading space shall be not less than ten feet in width and 25 feet in length. All off-street parking spaces shall be provided in accordance with the requirements of subsection 134-1377(g).

See Section II, subparagraph 2 and 4 of this report for information pertaining to parking.

- F) Where appropriate to the size and character of a PUD development, provision shall be made therein for open space for recreation and other outdoor uses, and for places of worship, convenience shopping and other community services.

The development would include green spaces and patio areas along the south and east edges of the building. Courtyard spaces that are internal to the building would be utilized to support the proposed uses and may include pools and a dog exercise area.

2. Parking: The applicant has provided the following chart that includes the square footages of each proposed use and proposed parking calculations. The number of spaces required for the different uses are based on the Zoning Ordinance requirements for "C" Districts. The total number of spaces required based on these calculations is 654. The submitted Conceptual Plan indicates that the site would have a total of 688 parking spaces, which exceeds the minimum required.

Use	Breakdown of SF	Total SF for Use	Stalls Required (if based on SF)
Hotel/Hostel (General Areas)	2868	4736	16 stalls
	1868		
Hotel/Hostel (Rooms)	926	2320	15 stalls (based on number of rooms)
	1813		
	1891		
	3465		
	1868		
	930		
	2226		
	5681		
	900		

	1705		
	970		
	351		
	478		
Hotel/Hostel (Halls & Lobbies)	847	1669	6 stalls
	822		
Large Auditorium	1824	3827 5	255 stalls
	1054		
	2869		
	1069		
	1503		
Small Auditorium	6089	8450	57 stalls
	2361		
Blackbox Theater	4144	4144	28 stalls
Band Room	1346	1346	9 stalls
Choir Room	1286	1286	9 stalls
Restaurant	1795	5634	38 stalls
	3839		
Bar areas	886	6548	44 stalls
	2849		
	330		
	1362		
	321		
	800		
Gymnasium(s)	9762	9762	65 stalls
Brewery	6033	6033	3 stalls (based on employees and office space in
Rental Classrooms (Event Space)	3410	3410	23 stalls
Rental Retail Space	1083	2867	7 stall
	1784		
School	3246	5586	14 stalls (based on # of teachers + visitor stalls)
	2340		
	878		
	866		

Office Use	1337	2583 4	65 stalls
	558		
	2567		
	885		
	1416		
	5206		
	1199		
	2824		
	2937		
	2336		
	2825		

- 3. Signage:** The submitted Conceptual Plan identifies three monument signs and two building-mounted signs that would identify the overall development. Staff understands that the concept is to market and identify the facility as a collective with no signage for individual uses within the building. Staff believes there may be future interest in signage for tenants and recommends that any additional signage be limited to building-mounted signage in accordance with "C-1" District standards to the satisfaction of the City's Planning Administrator.
- 4. Traffic/Transportation:** A traffic impact study was prepared for the proposed project and approved by the City's Traffic and Transportation Division in accordance with City policy. The study found that the proposed development would have negligible impact on the existing street network and that no roadway improvements are necessary. The site is served by an existing DART route that runs along Franklin Avenue. A bus stop is located in front of the subject property, providing direct access to the property by transit users.

SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendation. Noted that there was currently less than 20% opposition by owners of property within 200 feet of the proposed rezoning.

Mike Ludwig clarified the staff's understanding regarding the "5 taverns" listed in the agenda heading. It appears that one bar/tavern is proposed in a former science classroom and that there will be four additional areas within the building where alcohol is may be served. Those areas would be sales stations near performance venues and within a restaurant.

Carolyn Jension stated it would be much like attending an Iowa Cubs game, where there are several locations to purchase beverages.

Mike Ludwig stated that would be a similar example to what has been described to staff.

Jacqueline Easley asked if a wedding reception held at the facility would fall under the owner's liquor license.

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Mike Ludwig stated yes. Staff believes that the proposed condition requiring review of the final development plan by the P&Z and City Council would allow time for specific locations and regulations on sale of alcohol within the building. Also noted that proposed condition #14 would allow the Zoning Enforcement Officer to initiate a legislative amendment to the PUD if it is determined that sale of alcohol is contributing to the creation of a nuisance.

David Courard-Hauri asked if the brewery would just be for brewing or another place where beer could be sold.

Mike Ludwig stated that staff's understanding that product from the brewery could be sold at the "classroom" bar tavern, the restaurant or the distribution stations outside performance venues.

Jeff Young, 3400 Lincoln Place Drive, stated this is something we have seen all over country with specific examples in Oregon and Washington. The McMenamin brothers have done this type of plan for 65 different properties since 1974 including Kennedy School in Portland, Oregon.

Khalid Kahn and Lyndley Kent 418 6th Ave, representing Neumann Monson Architects identified specifics of the applicants request and noted similarities between Franklin School and Kennedy School in Portland, Oregon which has been redeveloped for similar uses. Noted that there would be staff assigned to directing traffic to and through the parking lot like any other entertainment venue.

Tiva Dawson, 1424 48th Street stated for the past 70 years this large piece of property hasn't created any taxes and they are estimating \$400,000 in tax revenue a year from this project. This land borders 3 neighborhood associations and all 3 have voted in favor of this project. They would like to amend condition #15 to only require P&Z review of the final development plan so they are able to start working on outdoor gardens this spring. Noted that normally, final development plans are reviewed administratively by staff.

CHAIRPERSON OPENED THE PUBLIC HEARING

CeCe Ibson, 4310 Ovid Avenue stated she was speaking on behalf of the Beavertdale Neighborhood association which voted to approve this project in March. They believe Franklin Junior High is of historical importance to the area and with the City's support, this project will become a regional draw that will further the economic vitality of the area. A boutique hotel would do very well in this area due to the small homes without much guest space for friends and family who visit.

Ethan Standard, 1307 48th Street read submitted letter verbatim.

Betsy Parker, 2101 48th Street stated she is terrified of this building remaining empty with the violence that has already occurred in the neighborhood. With the Mercy building already empty on the same street, we would hate to see another vacant building.

Joseph Parker, 2101 48th Street stated Beavertdale is at a turning point with the violence that has occurred there over the past year. Everyone he has met loves to live in Beavertdale and this project would be a great asset to the area.

Megan Christofferson, 6285 Sudbury Court stated she is one of the founders of Birchwood Montessori which is currently located in Franklin Junior High. They are very excited to be a part of this project and being able to teach their students how a community works.

Bill Nellans, 7108 Jefferson Avenue stated the people involved and the enthusiasm around this project is great. He plans to move his studio there once the project is completed.

Mark Johnson, 1089 44th Street stated the enthusiasm this project brings is just what the neighborhood needs.

Geoff Wood, 317 6th Avenue stated he has been working with Jeff Young for the past 5 years and after visiting the McMEnamin sites in Oregon and Washington, he can really see what Jeff has a vision for.

Joseph Barron, 1503 48th Street stated he and his wife visited the McMEnamin site in Portland, Oregon and are very excited to have something like this in their neighborhood.

Chris Jansen, 2206 52nd Street stated Jeff has been very engaged with the neighborhood by attending neighborhood and board of director's meetings. Concerns they have heard from the neighbors have been traffic, alcohol sales and signage around the building.

Sam Summers, 640 56th Street stated he is the owner of Wooly's, and manages the acts for Hinterland Music Festival and Nightfall on The River. He is in full support of this project and this gives Des Moines a unique concert venue we don't have. There are a lot of acts that don't make it to Des Moines because of the lack of seated venues of this size.

Jarin Hart, 718 18th Street stated she is the Executive Director for the Des Moines Music Coalition and this space would help them achieve their goal of making Des Moines a recognized music city.

Dory Jansma, 1900 High Street stated she is the President of Girls Rock Des Moines. Franklin Junior High is now their home and has been a huge change for their organization. She hopes this plan is approved so they are able to stay in their new home.

Rachel Gulick, 2310 Stanton Avenue stated she is a chair member for Girls Rock Des Moines. Jeff has done his due diligence throughout this process and made sure the neighbors have had a voice. She understands the concerns because of the size of this project but believes it will be great for the area.

Ian Miller, 1422 8th Street stated it's hard for him to find projects that allow his creativity to flourish so he is very excited to be a part of Jeff's team for this project.

Melvin Frueh, 1916 47th Street stated this project is within 300 feet of his house. There are many small children in the neighborhood and with this project it will be busier than ever. He strongly urges the commission to deny this request.

Barbra Frueh, 1916 47th Street stated there are 5 bars proposed within 300 feet of her home. She believes they won't be able to be outside. She is concerned about the noise and activity this will bring.

Terri Pond, 1921 48th Street stated there are great things happening in this building already and it could continue without the alcohol. She is concerned about the children in the neighborhood because the influx on traffic this will bring. There is also a concern with storm water, the more patio space and cement we lay down, the more water that will rush down their street.

David Stewart, 1919 48th Street stated he is concerned about the introduction of alcohol into a residential neighborhood.

Harold Reinbolt, 1909 48th Street stated with the streets not being well maintained in the area and there have been a number of accidents. He is concerned about the traffic this project will bring to the neighborhood. He also is opposed to 5 taverns.

Tom Compiano, 301 47th Street stated he is the majority owner of Franklin Court Apartments. He is opposed to any outside terrace or concerts because of the noise it brings to the neighborhood.

Rebuttal

Lyndley Kent, stated they are being cognizant of where specific uses are placed throughout the site to eliminate noise. They have 1 designated bar, which is on the second floor in a former science classroom. The designated spaces for alcohol consumption is a small percentage to the total building square footage and number of uses within this project. The outdoor spaces will not be a bar but will act as a family friendly space. There will be no addition to the parking lot or additional lighting to this site.

Jacqueline Easley asked if the Montessori School has expressed concerns around alcohol in the building.

Lyndley Kent stated she hasn't heard any concerns from them. The hours of operation for the school are different than the entertainment venues, etc. There are also multiple and separate entrances to the building.

Jacqueline Easley asked the applicant to address storm water concerns that have been raised.

Lyndley Kent stated they are not adding any hardscape. They eliminating some hardscape and plan to make improvements to their detention area.

Will Page asked how they plan to use the courtyard areas and how many will there be?

Lyndley Kent stated there will be 3 courtyard areas. They will have soaking pools, Zen Gardens and small play areas for the Montessori school.

Jacqueline Easley asked for clarification around parking staff and the traffic study.

Lyndley Kent stated a traffic study was prepared by the City's consultant that was paid for by the developer. The traffic study indicates that the surrounding transportation system

can accommodate this proposed development. Staff during events will direct cars to the on-site parking lots to limit parking on street.

Tiva Dawson stated the traffic study came back showing no changes need to be made by the developer and the current roadway system will be able to handle the traffic.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Francis Boggus stated Franklin Avenue needs help. This would be a great project to increase economic activity and draw more tax revenue. He does not support revision of condition #15. He believes that review of the Final Development Plan by P&Z and City Council will ensure that concerns about alcohol sales are addressed. Noted that there are numerous bars and restaurants near the intersection of Beaver Avenue and Urbandale Avenue that also immediately adjoin or are in close proximity to single-family residences.

Greg Wattier asked if the applicant will need to obtain a conditional use permit from the Board of Adjustment to allow alcohol sales and consumption.

Mike Ludwig stated that this is proposed PUD and Board of Adjustment review is precluded in PUD's. They will need to obtain an alcohol license through City Council. Per the proposed conditions, if the Zoning Enforcement Officer determines that the use is creating a nuisance, the Zoning Enforcement Officer can initiate a legislative reconsideration of the PUD zoning by P&Z and City Council.

Greg Wattier stated one of the things that is dynamic throughout our neighborhoods is the walkability to entertainment. This is an exciting project and we need to continue to revitalize our neighborhoods so they can flourish. He also believes the final development plan should come back to the Plan and Zoning Commission and City Council.

COMMISSION ACTION:

Francis Boggus made a motion for **APPROVAL** of Part A) the proposed rezoning be found **not** in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation, Part B) **APPROVAL** of the request to amend the PlanDSM Creating Our Tomorrow future land use designation from Neighborhood Mixed Use to Community Mixed Use, Part C) **APPROVAL** of the request to rezone the subject property from Limited "C-1" Neighborhood Commercial District to "PUD" Planned Unit Development and Part D) **APPROVAL** of the Franklin Junior High School PUD Conceptual Plan subject to the following conditions:

1. The PUD Conceptual Plan shall be updated to reflect the floor area and parking calculations for the proposed uses submitted by the applicant and included in Section II, subparagraph 2 of this report.
2. The PUD Conceptual Plan shall be updated to reflect the additional project description information submitted by the applicant and included in Section I, subparagraph 1 of this report.
3. Provision of easements for all existing utilities to the satisfaction of the City Engineer.

4. Provision of a note on 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.
5. Provision of a note on the PUD Conceptual Plan 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 footcandles for residential, 2.0 footcandles for commercial). The Development Plan must contain illuminance models showing light levels throughout the site."
6. Provision of a note on the PUD Conceptual Plan that states, "all utility and similar service lines to buildings shall be located underground.
7. Provision of a note on the PUD Conceptual Plan that states, "all rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the City's Planning Administrator.
8. Provision of a note on the PUD Conceptual Plan that states, "all utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along rear facades or facades that are internal to the site to the satisfaction of the City's Planning Administrator.
9. Provision of a note on the PUD Conceptual Plan that states, "landscaping and buffering shall be provided in accordance with the City's Landscaping Standards for the "C-2" District or exceeded as illustrated on the Conceptual Plan or determined necessary by the City's Planning Administrator.
10. Provision of a note on the PUD Conceptual Plan that states, "additional building mounted signage may be provided for individual tenants so long as the signage complies with the "C-1" District standards to the satisfaction of the City's Planning Administrator."
11. Provision of a note on the PUD Conceptual Plan that states, "sidewalk connections to the adjoining park shall be provided to the satisfaction of the City's Planning Administrator, and Park and Recreation Director.
12. Provision of a note on the PUD Conceptual Plan that states, "all uses of the property shall comply with article IV of chapter 42 of the City Code pertaining to noise control. Outside speakers or amplified sound is prohibited except when used in compliance with a type E sound permit."
13. Provision of a note on the PUD Conceptual Plan that states, "litter and trash receptacles shall be located at convenient locations inside and outside the premises, and operators of such business shall remove all trash and debris from the premises and adjoining public areas on a daily basis."
14. Provision of a note on the PUD Conceptual Plan that states, "the PUD Conceptual Plan shall be subject to a legislative amendment to preclude the sale of liquor, wine

and/or beer if the Zoning Enforcement Officer determines that the operation of the business becomes a nuisance or exhibits a pattern of violating the conditions of approval."

15. Review and approval of the Final Development Plan by the Plan and Zoning Commission and the City Council.

Motion Carried: 12-0

Respectfully submitted,



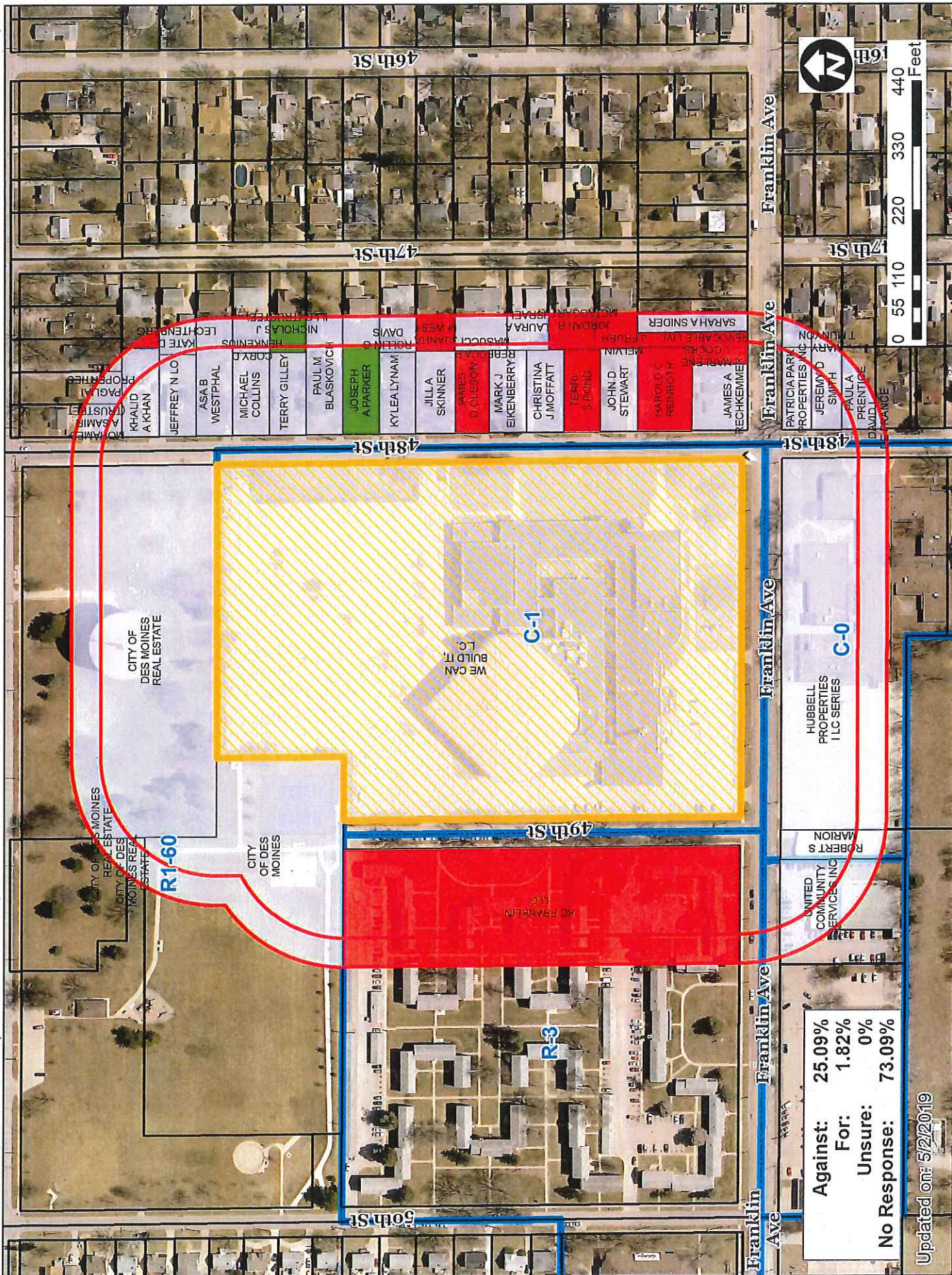
Michael Ludwig, AICP
Planning Administrator

MGL:tjh

We Can Build It, LC, 4801 Franklin Avenue

ZON2019-00040

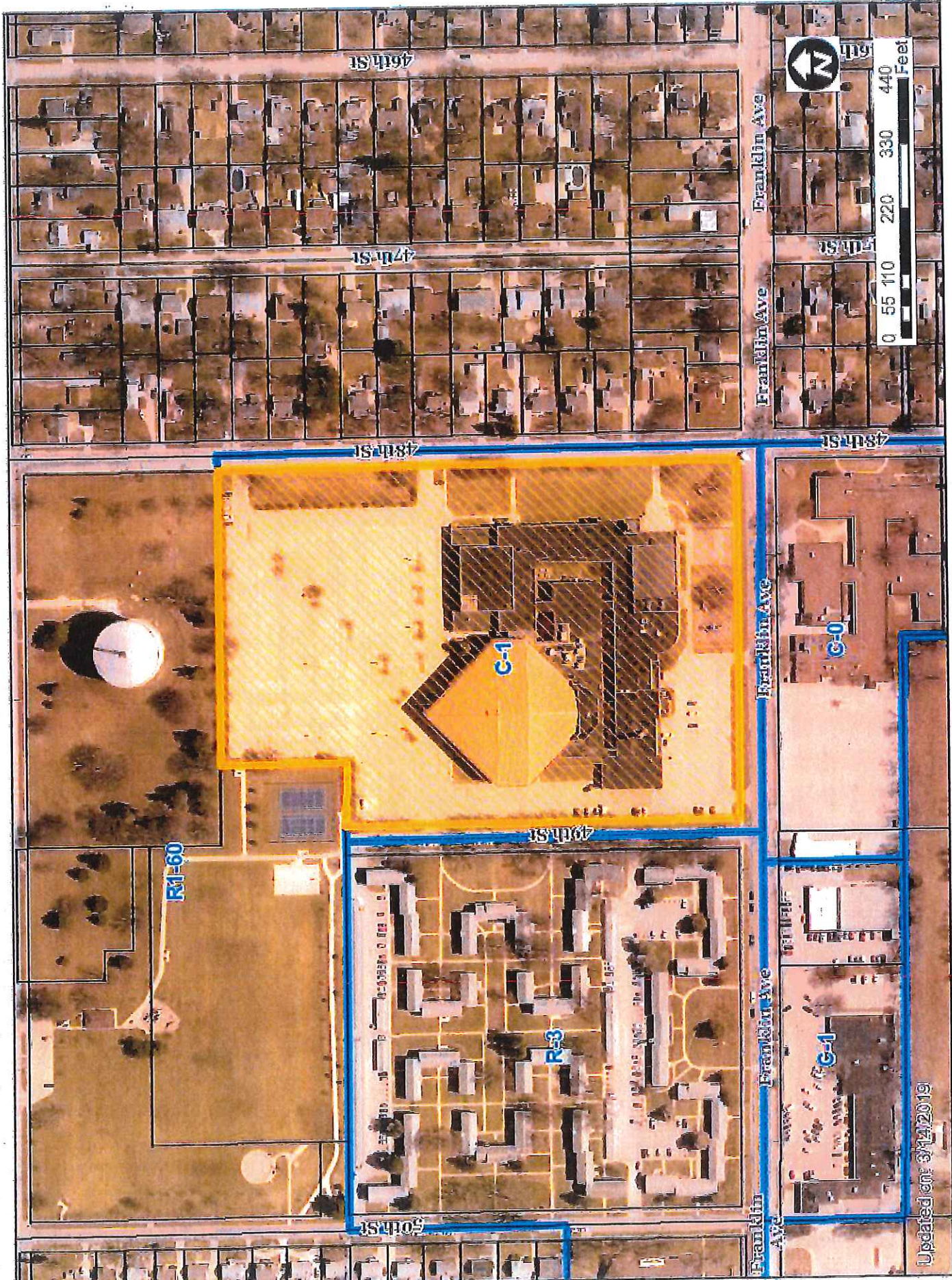
54



Against:	25.09%
For:	1.82%
Unsure:	0%
No Response:	73.09%

Updated on: 5/2/2019

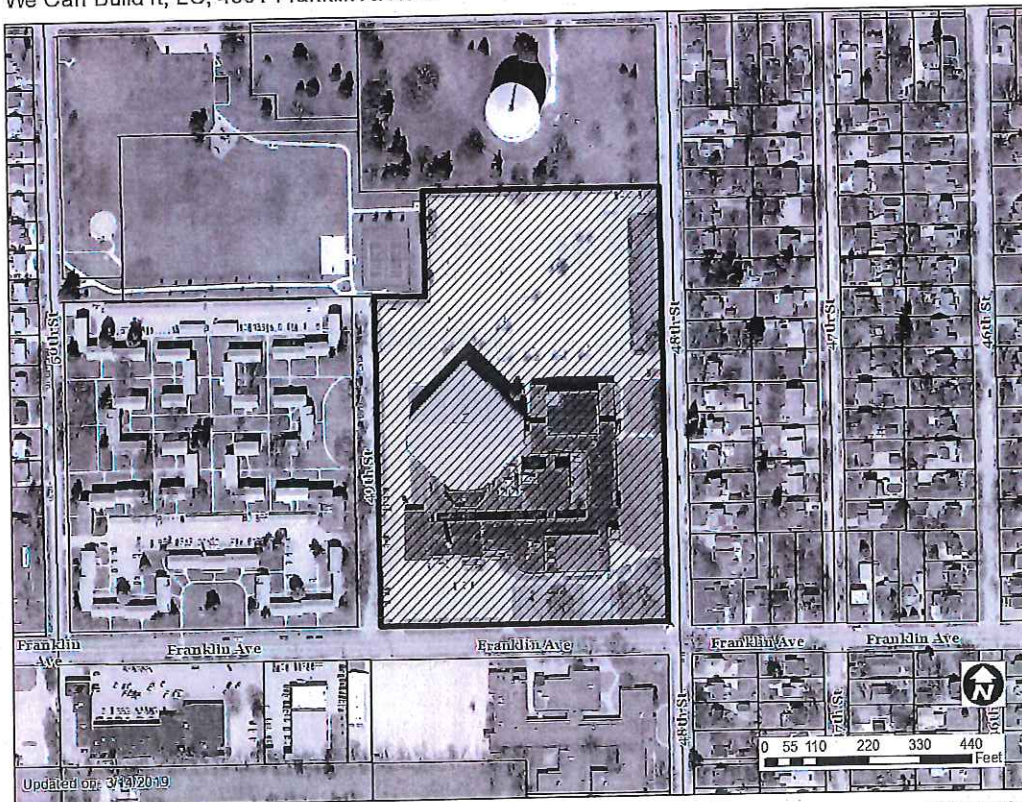
1 inch = 218 feet



We Can Build It, LC (contract buyer) represented by Jeff Young (officer) for property located at 4801 Franklin Avenue. The subject property titleholder is The Knoll, LC.				File # ZON2019-00040	
Description of Action	Rezone from Limited "C-1" Neighborhood Commercial District to "PUD" Planned Unit Development. Approval of the "Franklin Jr. High School PUD Conceptual Plan" to allow for a mixed use renovation of the existing 213,269-square foot school and church building for uses that could include a private elementary/intermediate school; event space rental within the existing gymnasium, small and large auditoriums and within additional area of the building; a 30 guestroom boutique hotel; professional office and retail space; a restaurant with outdoor seating and detached accessory kitchen, up to five (5) separate taverns; a craft brewery with production for on-site consumption; and a pop-up screen drive-in theater for periodic use within the existing north off-street parking lot.				
PlanDSM Future Land Use	Current: Neighborhood Mixed Use within Neighborhood Node. Proposed: Community Mixed Use within a Neighborhood Node.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	Limited "C-1" Neighborhood Retail Commercial District and "FSO" Freestanding Signs Overlay District.				
Proposed Zoning District	"PUD" Planned Unit Development and "FSO" Freestanding Signs Overlay District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Subject Property	2	6			
Outside Area (200 feet)	5	3			
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council		Yes
	Denial				No X

We Can Build It, LC, 4801 Franklin Avenue

ZON2019-00040



1 inch = 218 feet

We Can Build It, LC (contract buyer) represented by Jeff Young (officer) for property located at 4801 Franklin Avenue. The subject property titleholder is The Knoll, LC.				File # 21-2019-4.03	
Description of Action	Amendment to the PlanDSM future land use classification from Neighborhood Mixed Use within a Neighborhood Node to Community Mixed Use within a Neighborhood Node.				
PlanDSM Future Land Use	Current: Neighborhood Mixed Use within Neighborhood Node. Proposed: Community Mixed Use within a Neighborhood Node.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	Limited "C-1" Neighborhood Retail Commercial District and "FSO" Freestanding Signs Overlay District.				
Proposed Zoning District	"PUD" Planned Unit Development and "FSO" Freestanding Signs Overlay District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Subject Property	2	8		25.09%	
Outside Area (200 feet)		1			
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes	X
	Denial			No	

We Can Build It, LC, 4801 Franklin Avenue

21-2019-4.03



Item ZON2019-00040

Date 3-29-19

(am not) in favor of the request.
(Circle One)

RECEIVED

COMMUNITY DEVELOPMENT

APR 04 2019

Print Name

THOMAS Compiano

Signature

Thomas Compiano

Address

301 47th West Des Moines

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

What exactly are they going to do.
Parking in this area is in bad shape

Item ZON2019-00040

Date 3/29/19

(am not) in favor of the request.

RECEIVED

COMMUNITY DEVELOPMENT

APR 1 2019

Print Name

JUANITA WEST

Signature

Juanita West

Address

206-47th

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

The whole area is residential & this would generate too much traffic, also be afraid it would drop property values.

Item ZON2019-00040

Date 3-27-19

(am not) in favor of the request.

RECEIVED
COMMUNITY DEVELOPMENT

APR 1 2019

Print Name

Jordan & Carlin McTaggart

Signature

Jordan McTaggart

Address

2000 47th St. Des Moines, IA 50310

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

5+ drinking establishments in a family neighborhood.
This is ridiculous! We (and others) will continuously challenge this if it's approved.

Item ZON2019-00040

Date 3-28-19

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

RECEIVED
COMMUNITY DEVELOPMENT

APR 1 2019

Print Name Pat + Jim Oleson

Signature *Patricia Oleson Jim Oleson*

Address 2009-48th St. DM IA 50310

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

- increase in traffic in front of my house
- I BELIEVE THERE WILL BE INCIDENTS DUE TO ALCOHOL CONSUMPTION ON THE PREMISES INCLUDING DRUNK DRIVING, PUBLIC INTOXICATION, TRAFFIC ACCIDENTS DOMESTIC FIGHTS, ASSAULTS, ETC. NOT APPROPRIATE FOR OUR FAMILY ORIENTED NEIGHBORHOOD

Item ZON2019-00040

Date March 27, 2019

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

APR 1 2019

Print Name MEL + Barbara Frueh

Signature *Mel + Barbara Frueh*

Address 1916 47th Street - zip 50310

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

This neighborhood has been a quiet, peaceful residential place and our home, for the last 50 years. Concerns of proposals: 5 bars within 300ft of our home, safety of neighborhood children, 24 hours lights and noise, increased traffic & parking, crime, decrease of our home resale value.

Item ZON2019-00040

Date 3/29/19

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

APR 04 2019

Print Name

Terriford

Signature

Terriford

Address

1921 48th Street, DM 50310

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

- takes away "neighborhood feel" of my area into commercial
- patio areas (esp. w/ alcohol) will mean noise that we will have to endure until late hours of the evening. I do not want to have access the street from a bar venue
- more traffic onto an already busy street - also safety concerns of traffic at corner of 48th / Franklin as well as children/pets of the homes on 48th street.

Item ZON2019-00040

Date 3-28-2019

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

APR 1 2019

Print Name Harold Reinboth

Signature Harold Reinboth

Address 1909 48th St

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

- Do not need 5 taverns in a residential area. With all the outside activities, we are concerned about noise level.
- Franklin Ave. (48th to 63rd) has been very poor condition concerned about adding more traffic to this area. Extra traffic will cause inadequate parking for neighborhood residents. Water from north parking lot causes street flooding & basement flooding to residents.

Item ZON2019-00040 Date 4-3-19

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

APR 05 2019

Print Name

Marlene Locks

Signature

[Signature]

Address

4711 Franklin Ave

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

I was excited about new plans until I saw
S TAVENS, craft brewery + pop up drive in.
We don't need this in our neighborhood, streets
are a mess - we need neighborhood basic
improvements - Not drinking establishments!!
Invitation to crime!!

Item ZON2019-00040 Date 4-9-2019

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

RECEIVED
COMMUNITY DEVELOPMENT

APR 12 2019

Print Name

Cynthia Scarpino

Signature

[Signature]

Address

2130-47th St.

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

I oppose the rezoning due to the
possibility of retail, restaurant, hotel.
Two of these could adversely impact
restaurants on Beaver and the noise
factor in a quiet residential neighborhood.

Item ZON2019-00040 Date 3/30/19

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

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

APR 09 2019

Print Name

Nicholas J Ily

Signature

[Signature]

Address

2110 47th St. DSM IA 50310

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

Good for the community.

~~ZDN 2019-00040~~

Lundy, Erik M.

OUTSIDE 250 FT

From: Todd M. Stein <tmsoriginal@msn.com>
Sent: Tuesday, April 2, 2019 3:46 AM
To: Lundy, Erik M.
Subject: Fwd: Franklin Jr. High rezoning

From: Todd M. Stein <tmsoriginal@msn.com>

Sent: Saturday, March 30, 2019 11:54 PM

To: Gray, William S. <BillGray@dmgov.org>; Coleman, Chris <CColeman@DMGOV.ORG>; Boesen, Connie S. <ConnieBoesen@dmgov.org>; Cownie, Frank <FCownie@DMGOV.ORG>

Cc: Todd M. Stein <tmsoriginal@msn.com>

Subject: Franklin Jr. High rezoning

I am copying Community Development on this letter detailing my position on the Franklin Jr. High property (I have also sent a copy to the officers of the Merle Hay Neighborhood Association):

Mayor Cownie, City Councilman Gray, City Councilman Coleman & City Councilwoman Boesen:

As a property owner in, and citizen of, Des Moines, specifically the Merle Hay Neighborhood Association (just down the street from the Franklin Jr. High), I am writing you to encourage you to vote AGAINST any rezoning of that property/area which would include the allowable sale of alcohol (beer/wine and/or liquor). I am not anti-alcohol (I once owned a popular & successful sports bar and night club). I am simply against the sale of alcohol in a primarily residential area a few blocks from my (and other) family home(s) and so near multiple public and private schools. If the new owners of the Jr. High try to claim their business plans would be jeopardized by not allowing alcohol sales, I would remind them and you that they purchased the property knowing alcohol sales are prohibited at that address location and we citizens moved into our homes knowing there was no alcohol sales in our immediate neighborhood. According to Franklin Jr. High's new owners' plans, they not only want to open a restaurant (with possible bar service), but multiple "boutique" bars and even a brewery. Expecting families to suddenly accept multiple alcohol sales focused businesses within our established residential community is preposterous and could, potentially, lead to more people relocating to the suburbs outside Des Moines. Our infrastructure is already deteriorating in our neighborhood. Adding additional stress of traffic - not to mention the increased possibility of drunk and/or impaired drivers - to our residential streets is simply "asking for problems." Again, I strongly urge you as representatives of the people to be AGAINST any rezoning of the area which would permit the legal sale and/or brewing of alcohol in our neighborhood.

ZON 2019-00040
OUTSIDE 250 FT

April 3, 2019

City of Des Moines Plan and Zoning Commission

Erik Lundy

RE: 4801 Franklin

I am writing in strong opposition to the re-zoning request at 4801 Franklin Avenue. The intensity of use that is being proposed is extremely harmful in a quiet residential neighborhood. It belongs in a commercially zoned district which can handle it. There is residential to the east, west and north (past Tower Park). Hubbell is developing residential at the old Mercy site to the south, so it is surrounded by residential. We have lived in our home at 47th and Franklin since 1982. When First Federated church was going strong in the mid 80's through the late 90s, they had Sunday services, Wednesday services and special occasion services. With their 4200 seat sacristy and undersized parking lot, we had cars parked all along 48th Street, Franklin Avenue, 47th Street and 46th Street. They would park cars that extended into the intersections, block sidewalks, block driveways and even park in the neighbor's driveways and yard. We got blocked in so many times that we had to park one of our cars on the street so we could leave when we needed. As church membership declined, we once again had a quiet neighborhood and no interference from 4801 Franklin. Now, they want to return to overflow parking to promote music venues (both large and small). City staff mistakenly used a formula that calculates square footage to determine parking stalls. With 4200 seats in the sacristy alone, calculating 3 people per car, that would require 1400 stalls – far, far more than staff's estimate of 255. Using the same calculation for the 525 seat theater would require 175 parking stalls – far more than the 57 city staff had calculated. The only place to park then would be on the streets that are paid for by the citizens and taxpayers of Des Moines. Add to that the plans to remove parking on Franklin will only exacerbate the problem with parking. The owner's response? "If nuisances happen along city streets impacting neighbors, We Can Build It will seek proactive solutions to decrease that impact". That means he has no plan and doesn't know how to mitigate it. We know the parking impact from past experience. It played out right before our eyes. It is not conjecture, it is pure fact. It should not be allowed.

In addition, our quiet neighborhood has not had a tavern located here in the entire time the area was platted. Now, they feel a need for **FIVE** taverns, a restaurant with a bar and a micro brewery in the same building – the same building that houses a school. This is complete overuse for a quiet residential neighborhood.

Signage is also a concern. They seem to want outdoor signage on the building for every tenant. This would present an ugly sight for the neighbors as well. More importantly, if the signs are lit up at night (we can only assume they will), it will shine in my living room and bedroom as well as all of the nearby neighbors. This is not conducive and harmful to a quiet residential neighborhood.

A pop-up drive in movie theater? In a quiet residential setting? The owner's plan is to operate it May through September, Tuesday through Saturday from sundown to 11:00PM. No assurances the show will end at 11:00. This is just a more overuse that will bleed over into the neighbor's homes late at night. It should not be allowed at all. The neighbors have rights to peace and quiet in their own homes.

In closing, the uses proposed for 4801 Franklin are far too intense for a quiet residential neighborhood. He should look to a commercial area for his ideas. The main thing to remember is this: The neighbors were here first – not the development. Nearby residents have not asked for anything like this and we do not appreciate having it thrust upon us. Please vote no to the rezoning request and let our neighborhood remain peaceful and quiet. The owner has other areas he can look at for high use commercially zoned area for his project. We want to remain a quiet residential neighborhood.

Ann Gray

4617 Franklin Avenue

20202019-00040

Lundy, Erik M.

From: Jone and Gary Culp <jgculp@centurylink.net>
Sent: Monday, April 8, 2019 8:27 PM
To: Lundy, Erik M.
Subject: RE: Pans for Franklin Jr. High

Hi,
My name is Jone Culp. I live at 1661 Marella Trail. I volunteer at Glenwood Cemetery and the Pet Project Midwest, which are both close to Franklin Jr. High. I frequent the Franklin Libray about twice a week. So I am near Franklin Jr High often.

Here are my thoughts again.

I believe that the current plans for Franklin Jr. High are doomed to failure; will increase crime and trouble in the neighborhood; and will disrupt the neighborhood.

The neighborhood does not draw customers. Look at the status of the strip mall across the street.

Soaking Tubs (hot tubs), 5 bars and hotel rooms means hookers, pimps and sex slaves.

The neighborhood is middle income working families and retired senior citizens. The property would be better use if it drew in the neighbors. For example, bridge parties, walking exercise, child day care and senior day car. Since there will be no more Adult Ed., by the schools, people who teach line dancing, languages courses and such could rent space there.

Some schools, that are close, may be interested in renting the gym.

Jone Culp

From: Lundy, Erik M. [mailto:EMLundy@dmgov.org]
Sent: Monday, April 08, 2019 8:14 AM
To: Jone and Gary Culp
Subject: RE: Pans for Franklin Jr. High

Hi Jone-

At their hearing on April 4, 2019, the Plan and Zoning Commission voted on this matter to recommend approval of the We Can Build It request for rezoning. The City Council will receive this on April 22, 2019 where they would set a hearing for first reading of the Ordinance at their May 6 meeting. If you would like the City Council to receive your comments and concerns as a valid petition, please reply with your address of residence or place of business.

Lundy, Erik M.

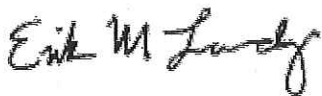
From: ROGER DIAL <rogermarykay@msn.com>
Sent: Wednesday, April 10, 2019 3:36 PM
To: Lundy, Erik M.
Subject: Re: 48th and Franklin

thank you, my address 2100 34th street, 50310. mary kay dial

From: Lundy, Erik M. <EMLundy@dmgov.org>
Sent: Tuesday, April 9, 2019 1:41 PM
To: ROGER DIAL
Subject: RE: 48th and Franklin

Hi Mary Kay-


At their hearing on April 4, 2019, the Plan and Zoning Commission voted on this matter to recommend approval of the We Can Build It request for rezoning. The City Council will receive this on April 22, 2019 where they would set a hearing for first reading of the Ordinance at their May 6 meeting. If you would like the City Council to receive your comments and concerns as a valid petition, please reply with your address of residence or place of business.



ERIK M. LUNDY, AICP, CPM
SENIOR CITY PLANNER



CITY OF DES MOINES
COMMUNITY DEVELOPMENT
602 ROBERT D. RAY DRIVE
DES MOINES IA 50309
515.283.4144 VOICE
515.237.1694 FAX
emlundy@dmgov.org

 BE GREEN Please don't print this e-mail unless necessary!

From: ROGER DIAL [mailto:rogermarykay@msn.com]
Sent: Tuesday, April 9, 2019 8:12 AM
To: Lundy, Erik M. <EMLundy@dmgov.org>
Cc: bgray@dmgov.org
Subject: 48th and Franklin

54

Mr. Lundy, Mr. Bill Gray asked that I write to you. I appreciate your time. I am in favor of new development, but in it's place.

I am not in agreement of re-zoning the residential area where there a families and children living. It would seem a disruption of our family centered Beaverdale community. It seems to be too much in a small area, with increase parking, noise and heavy traffic. Would you want your young children and or grandchildren exposed to that? As you know there is Tower Park close by. Again thank you for your time. Mary Kay Dial

Item ZON2019-00040

Date 3/28/19

(am) (am not) in favor of the request.

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

APR 1 2019

Print Name

Joe & Betsy Parker

Signature

[Handwritten Signature]

Address

2101 48th STREET

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

We are excited for revitalization in our neighborhood
With the recent increase in crime, a vibrant,
welcoming business/venue will be a welcome
change. No more empty buildings!!
All for Franklin Jr. High!

ZON 2019 - 00040
WAVELAND PARK
NEIGHBORHOOD ASSOC.



To: Members of the City of Des Moines Plan & Zoning Commission

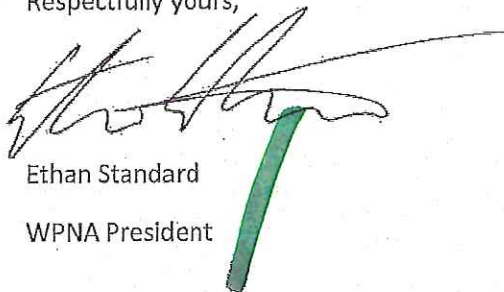
Re: Franklin Junior High Rezoning

My name is Ethan Standard and I am the current President of the Waveland Park Neighborhood Association. I am writing on behalf of our association board with regard to the request for rezoning of the property located at 4801 Franklin Avenue, commonly known as Franklin Junior High.

Over the past year, the development team has made a concerted effort to engage neighborhood residents to gather input on the proposed redevelopment. They have also worked extensively with nearby neighborhood associations, including ours, to ensure that the project reflects the needs and wants of the area and does not detract from the existing character of the neighborhoods. We believe that the proposed project has the potential to become a great amenity and asset for our neighborhood, and we look forward to watching the school transform into a fantastic community space.

Our association board has voted unanimously to support the rezoning of the property from Limited "C-1" Neighborhood Commercial District to "PUD" Planned Unit Development, and the approval of the "Franklin Jr. High School PUD Conceptual Plan".

Respectfully yours,



Ethan Standard
WPNA President

RECEIVED
COMMUNITY DEVELOPMENT
MAR 27 2019

ZON 2019 - 00040



RECEIVED
COMMUNITY DEVELOPMENT

APR 1 2019

OUTSIDE 250 FT.

March 29, 2019

Plan & Zoning Commission
Des Moines City Hall
400 Robert D. Ray Drive
Des Moines, IA 50309

RE: Franklin Junior High Rezoning

To the Members of the Plan & Zoning Commission,

We wish to express our support for the proposed rezoning of the property located at 4801 Franklin Avenue. We have lived 1½ blocks south of this location for nearly 23 years. We believe the Franklin Junior High project would be an asset for our neighborhood.

The renovations planned for Franklin Junior High are very similar to those made to the Kennedy School in Portland, Oregon. The Kennedy School was an old, abandoned elementary school that was converted, in part, into a hotel in 1997. We were fortunate to be able to stay there last summer and we found it to be a beautiful and vibrant part of the community. Teeming with social activity, the presence of the Kennedy School is perceived as a positive factor by those who live in the surrounding Concordia Neighborhood. Zillow searches reveal that sellers favorably note the proximity of their properties to the Kennedy School. Attached you will find a copy of Facebook correspondence with Gina Levine, a Portland resident who shared her observations about the impact of the Kennedy School upon her neighborhood.

The developer's request for rezoning Franklin Junior High and his plans for renovating the school are consistent with the purposes served by a planned unit development (PUD) district. PUD zoning facilitates a diversification of land uses and it supports the revitalization of older

neighborhoods by allowing appropriate mixed-use development for underutilized properties.

The proposed rezoning for Franklin Junior High is also consistent with several goals contained in the City's Comprehensive Plan (PlanDSM: Creating Our Tomorrow). For example, rezoning would advance the PlanDSM goal of prioritizing rehabilitation over demolition and it would allow for the preservation, restoration, and reuse of a significant neighborhood asset. Rezoning would also promote the PlanDSM goal of compact, mixed-use development that supports neighborhood revitalization.

Finally, the proposed rezoning is consistent with concerns addressed in the city's "Neighborhood Revitalization Planning Program Review." That 2018 report observed that Des Moines' "middle neighborhoods" (which include Waveland Park, Merle Hay, and Beaverdale) "may have a real opportunity to grow the city's tax base" and to "leverage existing stability into genuine revitalization opportunities." The transformation planned for Franklin Junior High could not present a better example of an opportunity for such revitalization.

As you consider the proposed rezoning for Franklin Junior High we ask that you keep in mind what a truly unique and significant opportunity this project presents for our neighborhood. To call it a game changer would be an understatement. We thank you for your service to the City of Des Moines and for your attention to this matter.

Roberta Gilbert *Joseph Barron*

Roberta Gilbert and Joseph Barron
1503 48th Street
Des Moines, Iowa 50311



Facebook Correspondence from March 15-17, 2019.

Hello,

I found your name on the Concordia Neighborhood Association page and I'm hoping you can point me in the right direction to obtain some information about the Kennedy School. Specifically, I'm interested in what effect the school has had on the surrounding neighborhood. My husband and I stayed at the Kennedy School last summer when we attended a family wedding in Oregon and we thought it was amazing. A developer in Des Moines, Iowa (where we live) is also familiar with the Kennedy School and he is planning to convert an old, empty school in our neighborhood in a similar fashion. We are very pleased with the proposal, but it's hard for some people in our neighborhood to imagine and they are concerned about how it will impact the neighborhood. I'd like to find information about how the presence of the Kennedy School has affected the surrounding neighborhood. Is it considered to be a positive factor to prospective home buyers? Has it had any effect on the value of the surrounding homes? If you know of information like this (whether it be a formal study or anecdotal in nature) I'd really appreciate knowing where I could find it.

*Many thanks,
Roberta Gilbert
1503 48th Street
Des Moines, IA 50311
joeandbobbi@msn.com*

You're friends on Facebook
CFO/COO of the Levine Family Household at i have the best job in the world im a stay at home mommy
Studied at Boise State University
Lives in Portland, Oregon
FRI 6:33 AM



I am a volunteer with the Concordia Neighborhood and have lived here for about 12 years. The Kennedy School was already established here and part of the reason we chose this area when we moved to Portland. Isn't it a quirky, charming place???



It is hard to believe, but 25 years ago, this neighborhood was not safe to drive or walk through. There were gangs and poverty and empty store fronts. None of the fun trendy boutiques and restaurants that we have now. Homes were run down and you could buy a place for \$100,000 (now the median sale price is \$550,000!)



Then, two things happened: McMenamins opened the Kennedy School and New Seasons, a local grocery chain, built a store. This was a huge turning point for Concordia and Alberta. Families started moving in and fixing up homes, galleries opened on Alberta Street and tourists put us on our list of places to see.



So--- for our neighborhood, most people would say that Kennedy School has made a huge difference for the better.



As a side note, they have gone above and beyond to create a community feel. For example, everyone that lives in Concordia can soak for free in the pool (Usually \$5/per person) And, they have donated a community room to the neighborhood association to use for all of our meetings. We rent the space to others for a nominal fee and this is what helps pay for community events that we put on and supplements the Concordia News that we publish monthly and mail to all residents.



So-- hopefully that answers your question about how Kennedy School has affected our neighborhood. I could also get you in touch with our neighborhood historian if you would like more info on how it was before Kennedy School opened.

Happy Friday!

SAT 12:48 PM

Ms. Levine, Would it be okay if I share your insights about the Kennedy School and the Concordia Neighborhood with my Councilman, Bill Gray?



Glad I could help. And of course, pass info & my contact to anyone that is interested.

ZON 2019-00040

OUTSIDE 250 FT

To whom it may concern;

March 29, 2019

My name is Julie Fetters and I am the Before & After School Specialist for Des Moines Public Schools at Hillis Elementary School. 2401 56th Street, Des Moines, Iowa 50310

Mr. Jeff Young and his vision for Franklin Junior High is one of the best ideas for this area of Des Moines that has come along in a very long time. Mr. Young and his staff are the most generous and friendly people and are willing to do anything and everything they can to help us whenever we are in need of a venue for a school activity.

We have held our annual spring musical there for the past 8 years at least, renting from the previous owners, First Federated Church. Last year was the first year Mr. Young was the property owner. He made things so incredibly easy for us to continue that tradition, making sure to keep things affordable for us. Some of our students have literally grown up performing on that stage. His generosity has made it possible for us to rehearse and perform our annual musical like a legitimate production! With the lights and sound equipment, the extra space for dressing rooms and parent pick up, plus that gorgeous auditorium for our families to come and watch their students shine under the stage lights in comfort, as opposed to standing room only in a hot, crowded gym without any of the theater amenities at all. These are memories our students will take with them forever, and Mr. Young helped make that happen.

The plans he has for the rest of the building can only do great things to the Northwest/Beaverdale neighborhoods. First being, eliminating that huge vacant parking lot that was inviting loitering and problems. It is keeping a beautiful piece of architecture that has a long history of our area and providing a new and exciting destination for out of state visitors as well as Des Moines residents. All of which, will in turn spark more interest in the area and possibly create more improvements to the old Northwest Hospital as well as the Franklin Plaza area. Both of which have been neglected and are becoming an eyesore to our area.

It is my opinion and others from this area that the city should get behind Mr. Young and support him and help him make his vision come to fruition. He can only make things better in many more ways than one.

Thank you for your time,

Julie Fetters
Before & After School Specialist
Des Moines Public School
Hillis Elementary

RECEIVED
COMMUNITY DEVELOPMENT

MAR 29 2019

ZON 2019-00040

OUTSIDE 250 FT

Craig Martin
1429 47th Street
Des Moines, IA 50311-2432

City of Des Moines Plan & Zoning Commission
400 Robert D. Ray Drive
Des Moines, IA 50309

Dear Sir or Madam,

Please support the rezoning and redevelopment that has been proposed for Franklin Junior High. I attended Franklin Junior High and have lived in the surrounding area for most of my life. This project could invigorate an aging neighborhood that might otherwise be vulnerable to decline. The existence of traffic lights at 48th and Hickman and the fact that Hickman is a four lane road should mitigate any problems that could arise from an increase in traffic.

Sincerely,

Craig Martin

RECEIVED
COMMUNITY DEVELOPMENT

APR 11 2019

ZON 2019-00040

54

OUTSIDE 250'

RECEIVED
COMMUNITY DEVELOPMENT

MAR 28 2019

March 25, 2019

Jessica Dietz
Music Teacher, Perkins Elementary
4301 College Ave.
Des Moines, IA 50311

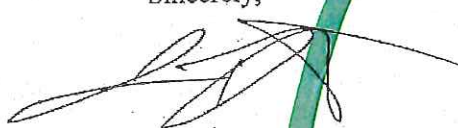
To Whom It May Concern:

I am writing on behalf of over 450 children and hundreds of parents and families of Perkins Elementary children in support of Franklin Junior High and how amazing they have been for this community. I am the music teacher and held my kindergarten through 2nd grade concert as well as my 3rd through 5th grade concert. Both Jeff and Tim were incredibly amazing to work with and went above and beyond any of our expectations.

I met with Tim on several occasions and not only did he accommodate my students' every need, he exceeded them. He created a movie with the school logo without even being asked – the kids loved it! He added multiple decorations, without being asked, to create an outstanding atmosphere. One of my students even wrote to him, on his own, and said that the crew at Franklin Junior High helped him “to not be scared.” Another student said he “felt at home.” These are not typical things children say when they are performing in front of over 500 people; this was done by Tim to help these kids feel comfortable. The parents gave Tim a standing ovation when I announced a big thank you to him at the end of the shows, and families in the community were commenting on what a great space it was for the kids to shine.

Parents have asked on multiple occasions about the space at Franklin Junior High wanting to know if they could use it. This building is clearly an asset for this community. If there is any doubt, come talk to the community at Perkins. This is a great space for the local economy, a space with people that are completely community-centered, and, from my own personal experience, a place that has helped developed confidence in our local children.

Sincerely,



Jessica Dietz

Zen 2019-00040
OUTSIDE 250 FT.

RECEIVED
COMMUNITY DEVELOPMENT
MAR 28 2019



Hillis Elementary School

To whom it may concern;

I am writing in support of Jeff at Franklin Junior High. As the music teacher at neighborhood school, Hillis Elementary, I've had the pleasure of working with Jeff and his team in preparation for our school wide music concerts. We support their PUD request and we are writing asking you to grant this request because it will allow the school to continue to use this fabulous space for various events and school programming needs including music concerts, retreats, after school programming and school musical.

Jeff and Tim at Franklin were amazing to work with and so accommodating and helpful to our school. They made hosting our event very easy and accommodated the whole school in one evening. It is so great to use their facility for concerts; we have outgrown our space for concerts at Hillis and we needed a bigger space that was safe and more comfortable to host our families. After struggling to book the performing space at Hoover High School, we investigated other options. Jeff and Tim have been helpful since day 1 and we couldn't have been happier with how our event turned out and with how helpful and accommodating they were to work with. They went above and beyond to accommodate our needs and made hosting an event there easy! The families loved the comfort and safety provided by the facility at Franklin. There is no where else in the neighborhood that could accommodate us for such a large event including 400 students and their families.

In addition to being a huge asset to our school, Franklin Junior High will also provide many wonderful features for the neighborhood and families in the area. With the addition of a hotel, restaurants, meeting spaces, performing spaces, gyms, professional offices, etc, this facility has the power to change and improve the neighborhood for the better!

Thank you for considering their request for PUD.

Sincerely,

Kelly Janson

Kelly Janson
Hillis Elementary Music Teacher

*RON & TERRY GILLEY - 2111 48th ST.

WE LIVE DIRECTLY ACROSS THE STREET FROM THE PROPERTY FRANKLIN JUNIOR HIGH.

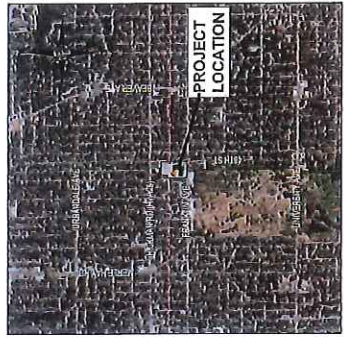
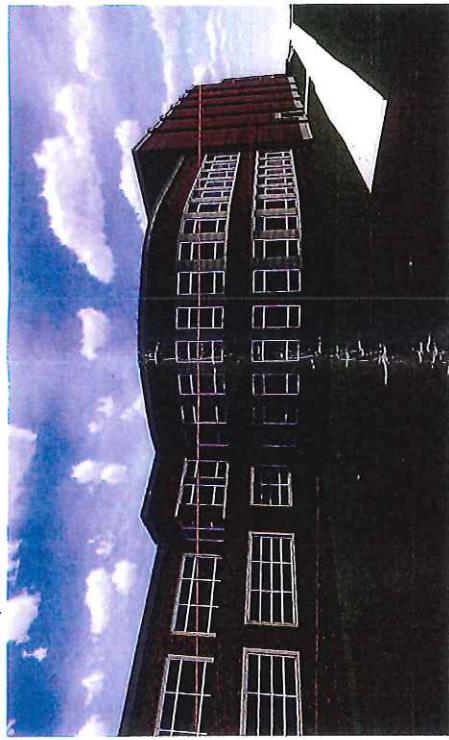
THE OWNER OF THE PROPERTY HAS TAKEN EXCELLENT CARE OF THE BUILDING AND LANDSCAPING. HE HAS BEEN RESPONSIVE AND AVAILABLE TO NEIGHBORHOOD QUESTIONS & REQUESTS.

IN THE PAST FEW MONTHS SEVERAL WORKSHOPS, CONCERTS AND MEETINGS HAVE TAKEN PLACE HERE. FROM SCHOOL CHORALS AND PROGRAMS TO COMPANY MEETINGS AND BENEFITS.

~~IF~~ WE ARE EXCITED FOR THE VISION OF FRANKLIN JR. HIGH AS A MULTI-PURPOSE PROPERTY. AS CITIES GROW AND CHANGE, THE NEEDS OF THE COMMUNITY MUST EVOLVE AS WELL. WE ARE OPEN TO INNOVATION AND THE IMPROVEMENTS PROPOSED TO THE LANDSCAPING. WE WOULD LIKE TO SEE THIS EMPTY SPACE BECOME VITAL AGAIN. I BELIEVE THE TAX BENEFIT WOULD SERVE THE CITY AS WELL. I WOULD LOVE TO SEE A PATIO BAR, GATHERING SPOT AS WELL. SO FAR, FRANKLIN'S OWNER HAS BEEN AN EXCELLENT NEIGHBOR. WE ARE VERY WILLING TO WELCOME THIS EXCITING NEW PROJECT TO OUR STREET.

RON & TERRY GILLEY
2111 48th ST.
Ph 208-3822
306-6372

CONCEPTUAL PLAN FOR FRANKLIN JR. HIGH SCHOOL - A PLANNED UNIT DEVELOPMENT IN THE CITY OF DES MOINES, COUNTY OF POLK, STATE OF IOWA



VICINITY MAP
SCALE: 1" = 400'

1. STATE OF IOWA PROJECT PROPOSER REQUESTS THE CITY OF DES MOINES TO CONSIDER THE "FRANKLIN JUNIOR HIGH SCHOOL" PROJECT AS A PLANNED UNIT DEVELOPMENT (PUD) IN THE CITY OF DES MOINES, COUNTY OF POLK, STATE OF IOWA.

2. THE PROJECT PROPOSER REQUESTS THE CITY OF DES MOINES TO CONSIDER THE "FRANKLIN JUNIOR HIGH SCHOOL" PROJECT AS A PLANNED UNIT DEVELOPMENT (PUD) IN THE CITY OF DES MOINES, COUNTY OF POLK, STATE OF IOWA.

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TYPE	DESCRIPTION	AREA	PER CITY CODE	PROVIDED
TYPE 1	RESIDENTIAL (SINGLE-FAMILY)	1.00	1.00	1.00
TYPE 2	RESIDENTIAL (MULTI-FAMILY)	1.00	1.00	1.00
TYPE 3	COMMERCIAL	1.00	1.00	1.00
TYPE 4	INDUSTRIAL	1.00	1.00	1.00
TYPE 5	OFFICE	1.00	1.00	1.00
TYPE 6	RETAIL	1.00	1.00	1.00
TYPE 7	RESTAURANT	1.00	1.00	1.00
TYPE 8	BAR	1.00	1.00	1.00
TYPE 9	CLUB	1.00	1.00	1.00
TYPE 10	THEATER	1.00	1.00	1.00
TYPE 11	CINEMA	1.00	1.00	1.00
TYPE 12	CONVENTION CENTER	1.00	1.00	1.00
TYPE 13	OFFICE BUILDING	1.00	1.00	1.00
TYPE 14	RETAIL STORE	1.00	1.00	1.00
TYPE 15	RESTAURANT	1.00	1.00	1.00
TYPE 16	BAR	1.00	1.00	1.00
TYPE 17	CLUB	1.00	1.00	1.00
TYPE 18	THEATER	1.00	1.00	1.00
TYPE 19	CINEMA	1.00	1.00	1.00
TYPE 20	CONVENTION CENTER	1.00	1.00	1.00

LEGAL DESCRIPTION:
THE SOUTH HALF OF THE EAST 600 FEET AND THE NORTH 234 FEET OF THE EAST 900 FEET OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

DESIGNED BY: [Name]
CHECKED BY: [Name]
DATE: [Date]



NEIGHBORHOOD CONNECTIVITY MAP

1. THE PROJECT PROPOSER REQUESTS THE CITY OF DES MOINES TO CONSIDER THE "FRANKLIN JUNIOR HIGH SCHOOL" PROJECT AS A PLANNED UNIT DEVELOPMENT (PUD) IN THE CITY OF DES MOINES, COUNTY OF POLK, STATE OF IOWA.

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LEGAL DESCRIPTION:
THE SOUTH HALF OF THE EAST 600 FEET AND THE NORTH 234 FEET OF THE EAST 900 FEET OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

DESIGNED BY: [Name]
CHECKED BY: [Name]
DATE: [Date]

NEIGHBORHOOD CONNECTIVITY MAP

54

AREA B - CONCEPTS AND PRECEDENTS

A - HEART OF THE EAST LAWN



B - EAST LAWN PATH



C - ADJACENT TO WALKWAY



D - BIOSWALES



E - PERGOLA



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PROJECT

FRANKLIN JUNIOR HIGH PUD

DESIGNER: IOWA

DATE: _____

DESCRIPTION: _____

BY: _____

DATE: _____

DESCRIPTION: _____

BY: _____

DATE: _____

DESCRIPTION: _____

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DATE: _____

DESCRIPTION: _____

AREA B - CONCEPTS AND PRECEDENTS

SHEET 20 OF 09

ISG



NEUMANN MONSON ARCHITECTS

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PROJECT

FRANKLIN JUNIOR HIGH PUD

DESIGNER: ISG

DATE: 10/22/2018

REVISION: 01

DESCRIPTION: 2018 PUD SHEETS

DESIGNED BY: ISG

DRAWN BY: ISG

ISSUE DATE: 10/22/2018

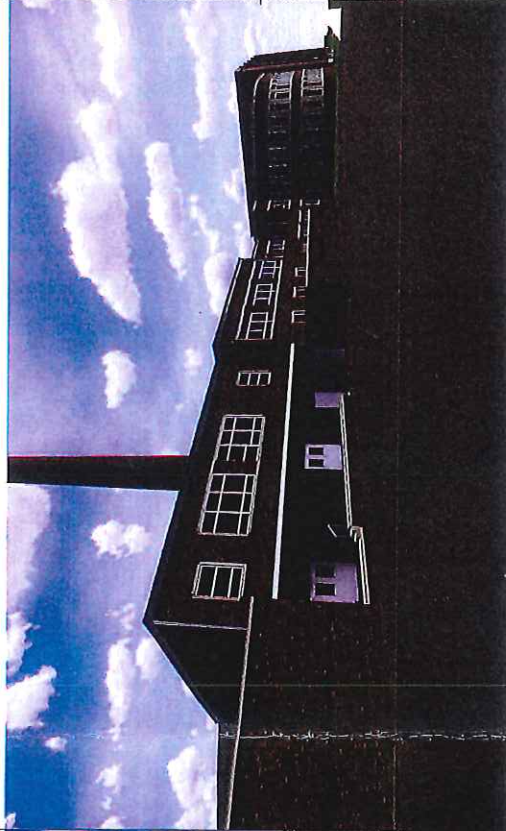
CLIENT PROJECT NO.:

TITLE:

BUILDING RENDERS

SHEET **SHEET 3A** of 09

EXISTING NORTHWEST ELEVATION VIEW

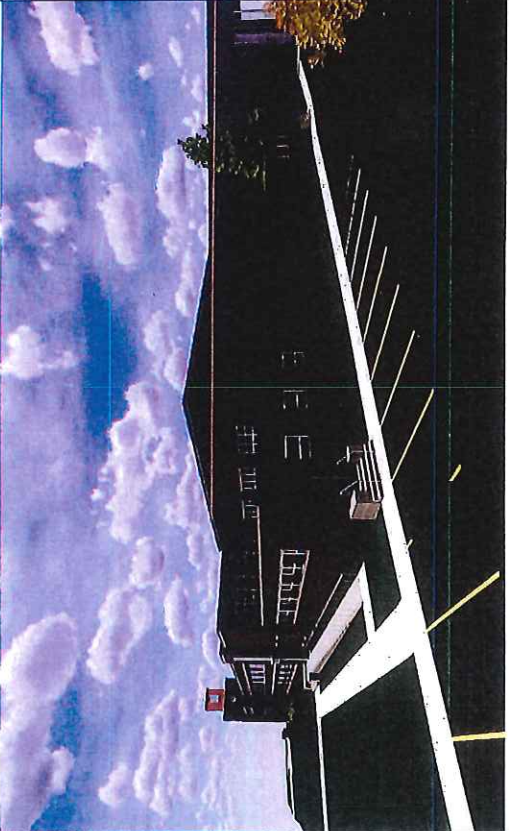
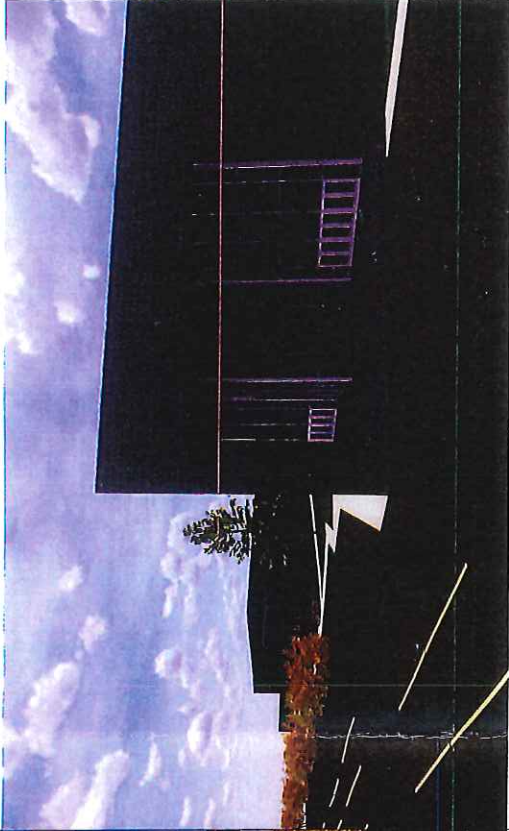


EXISTING SOUTHWEST ELEVATION VIEW



EXISTING SOUTHEAST ELEVATION VIEW

EXISTING NORTHEAST ELEVATION VIEW



54



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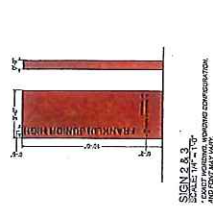
FRANKLIN JUNIOR HIGH PUD

DESIGNER	ISG
DATE	10/22/2008
REVISION	
NO.	
DESCRIPTION	

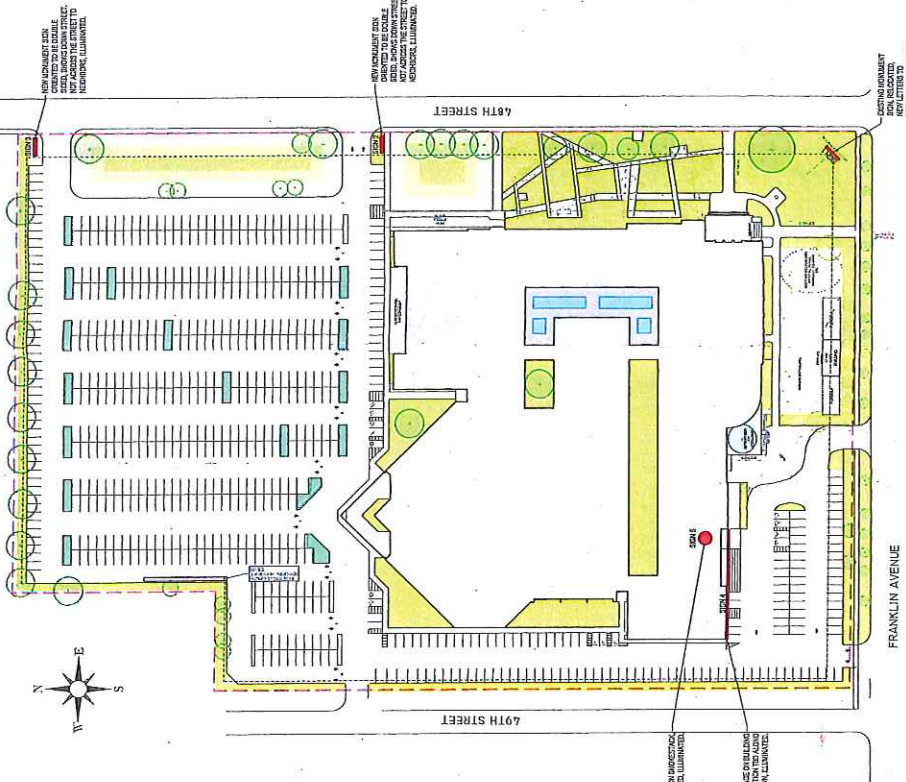
PROJECT NO.	18-22588
FILE NAME	22588 PUD SHEETS
DRAWN BY	CSY
DESIGNED BY	CSY
ORIGINAL ISSUE DATE	08/09/09
CLIENT PROJECT NO.	
TITLE	

PROPOSED SIGNAGE

SHEET 4 of 09



SIGNS 2 & 3
COSTA MARY
SIGN PRECEDENTS



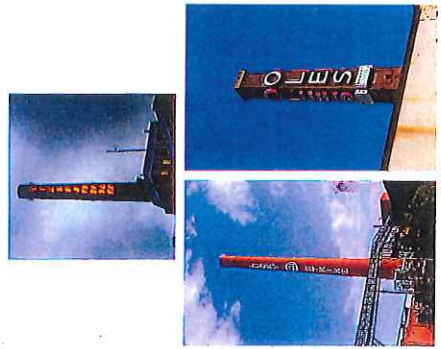
SIGN 1
EXISTING MONUMENT SIGN



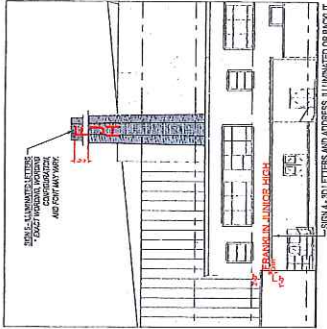
SIGN 5
SIGNAGE ON BUILDING PRECEDENTS



SIGN 6
SIGNAGE ON BUILDING PRECEDENTS



SIGN 4
SIGNAGE ON SMOKESTACK PRECEDENTS



SIGN 5 & 6 - SOUTH ELEVATION VIEW
1/16" = 1'-0"



SIGN 5
SIGNAGE ON BUILDING PRECEDENTS