Roll Call Number	Agenda Item Number
	38
Date March 22, 2021	

RESOLUTION HOLDING HEARING ON REQUEST FROM CALVIN PARK MIXED-USE CONDOMINIUMS FOR APPROVAL OF A 1ST AMENDMENT TO THE "CALVIN COMMUNITY" LEGACY PUD CONCEPTUAL PLAN FOR PROPERTY LOCATED AT 4326 HICKMAN ROAD

WHEREAS, on March 8, 2021, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing on February 18, its members voted 14-0 to APPROVE a request from Calvin Park Mixed-Use Condominiums (owner), represented by Carl Koedam (officer), to review and approve a 1st Amendment to the "Calvin Community" Legacy PUD Conceptual Plan on the property located at 4326 Hickman Road ("Property") to allow revision to reduce the number of units on the mixed-use building from 42 to 36 units with elimination of a 5th floor, modification of the north drive access to 44th Street, addition of directional signs, and addition of utility meters to the west façade of the row townhomes. Additional property owners include Calvin Community Corporation and Calvin Park Townhomes Condominiums; and

WHEREAS, the Property is legally described as follows:

LOTS 22, 23, 24, 25, 26, 27, 28 AND 29 IN KEOSAUQUA PLACE, AN OFFICIAL PLAT EXCEPT THE NORTH 20.5 FEET OF LOTS 22, 23, 24, 25 AND 26 IN KEOSAUQUA PLACE, AN OFFICIAL PLAT, ALL BEING IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, CONTAINING 2.580 ACRES (112,367 SQUARE FEET), MORE OR LESS.

WHEREAS, on March 8, 2021, by Roll Call No. 21-0374, it was duly resolved by the City Council that the request to approve a 1st Amendment to the Legacy PUD Conceptual Plan be set down for hearing on March 22, 2021 at 5:00 P.M., by electronic means in accordance with the Governor's and Mayor's Proclamations and to encourage and maintain social distancing to curb the spread of COVID 19 in the community, without public access to the meeting location; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed Legacy PUD Conceptual Plan amendment; and

WHEREAS, in accordance with said notice, those interested in said proposed Legacy PUD Conceptual Plan amendment both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

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

*	Roll	Call	Number
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Agenda	Item Number	
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Date	March	22.	2021

- 1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment to the Legacy PUD Conceptual Plan "Calvin Community" are hereby overruled, and the hearing is closed.
- 2. The proposed amendment to the Legacy PUD Conceptual Plan "Calvin Community", as on file in the Community Development Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved.

MOVED BY _____ TO ADOPT.

FORM APPROVED:

Judy K. Parks-Kruse

Assistant City Attorney

(ZON2021-00012)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED	•	•	API	PROVED

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



Date March 22,702	
Agenda Item	
Roll Cell #	

March 2, 2021

Honorable Mayor and City Council City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their February 18, 2021 meeting, the following action was taken regarding a City initiated request from Calvin Park Mixed-Use Condominiums (owner) represented by Carl Koedam (officer) for review and approval of a 1st Amendment to the "Calvin Community" Legacy PUD Conceptual Plan, on property located at 4326 Hickman Road, to allow revision to reduce the number of units on the mixed-use building from 42 to 36 units with elimination of a 5th floor, elimination of a propose skybridge connection to the main campus on the east, modification of the north drive access to 44th Street, addition of directional signs, elimination of access gates to the row townhomes, and addition of utility meters to the west façade of the row townhomes. Additional property owners include Calvin Community Corporation and Calvin Park Townhomes Condominiums.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 14-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	Χ			
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 proposed amendment to the "Calvin Community" Legacy PUD Conceptual Plan. (ZON2021-00012)

Written Responses
0 in Favor
0 in opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed amendment to the "Calvin Community" Legacy PUD Conceptual Plan.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. Purpose of Request: The proposed PUD Conceptual Plan amendment would allow for a revised monument sign concept and for the installation of directional signage. The proposed amendment also acknowledges discrepancies between the PUD Conceptual Plan and how the project was constructed, including the overall height of the mixed-use building, the material used to pave the emergency access drive to 44th Street, and the placement of utility meters on the west façade of the building. Collapsible bollards and signage were added to limit use of the emergency access drive.

Currently, the PUD Conceptual Plan allows for a skybridge connection to be constructed to a building on the Calvin Community property to the east and for an access gate to be installed for the driveway to the townhomes that have not been constructed to date. The applicant has determined that they may construct these elements in the future and has withdrawn the portion of their request that would have eliminated them from the PUD Conceptual Plan.

- 2. Size of Site: 2.58 acres (112, 367 square feet).
- 3. Existing Zoning (site): Calvin Community "Legacy PUD" District.
- **4. Existing Land Use (site):** Mixed-use building and townhomes.
- 5. Adjacent Land Use and Zoning:

North – "RX1" & "N4", Uses are a restaurant and single-family dwellings.

South – "N4", Uses are single-family dwellings.

East – "NX1". Use is the Calvin Community (continuing care facility).

West – "N4", Uses are a retail building and single-family dwellings.

6. General Neighborhood/Area Land Uses: The subject property is located on the southeast corner of the Hickman Road and 44th Street intersection. The Hickman Road corridor consists of a variety of residential and commercial uses.

7. Applicable Recognized Neighborhood(s): The subject property is located in the Beaverdale Neighborhood. The neighborhood association was notified of the public hearing by mailing of the Preliminary Agenda on January 29, 2021 and a Final Agenda on February 12, 2021. Additionally, separate notifications of the hearing for this specific item were mailed on January 29, 2021 (20 days prior to the hearing) and February 8, 2021 (10 days prior to the hearing) to the Beaverdale 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 Beaverdale Neighborhood Association notices were mailed to Marcus Coenen, P.O. Box 30175, Des Moines, IA 50310.

- 8. Relevant Zoning History: On November 23, 2015, the City Council approved Ordinance Number 15,430 rezoning the subject property from "C-1" Neighborhood Retail Commercial District and "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development District. The Calvin Community PUD Conceptual Plan was approved by Roll Call 15-2015 at the same Council meeting.
- 9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation: Neighborhood Mixed Use.
- 10. Applicable Regulations: Taking into consideration the criteria set forth in Chapter 18B of the lowa Code, the Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the lowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

The application, accompanying evidence and "PUD" Conceptual Plan shall be considered by the Plan and Zoning commission at a public hearing. The Commission shall review the conformity of the proposed development with the standards of the City Code and with recognized principles of civic design, land use planning, and landscape architecture. At the conclusion of the hearing, the Commission may vote to recommend either approval or disapproval of the amended "PUD" Conceptual Plan as submitted, or to recommend that the developer amend the plan or request to preserve the intent and purpose of this chapter to promote public health, safety, morals and general welfare. The recommendations of the Commission shall be referred to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. Signage: The proposed Conceptual Plan amendment would not increase the size of the monument sign structure. However, it would expand the area on the north side of the structure that could be dedicated to text and logos, and would allow directional signage to be added to the west facade of the monument sign structure that was not envisioned with the original PUD Conceptual Plan. A directional sign is also proposed along Franklin Avenue at the driveway.

SUMMARY OF DISCUSSION

Jason Van Essen presented staff report and recommendation.

Steve Grasso had technical difficulties and could not be heard clearly.

<u>Jason Van Essen</u> offered to forward any questions the commission may have for Mr. Grasso and facilitate a response.

CHAIRPERSON OPENED THE PUBLIC HEARING

<u>Valerie Findley</u> 2102 44th Street stated the notices she received didn't show the items struck as they do on tonight's agenda.

<u>Jason Van Essen</u> stated when the application came in, staff was under the impression they were no longer interested in building those 2 elements. The applicant might pursue those at some point. As a result, the request to eliminate them from the PUD has been removed from the agenda.

Valerie Findley asked if they were not going to add a second access off 44th Street?

Jason Van Essen stated that is correct.

CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION:

Rocky Sposato made a motion for approval of the proposed amendment to the "Calvin Community" Legacy PUD Conceptual Plan.

Motion passed: 14-0

Respectfully submitted,

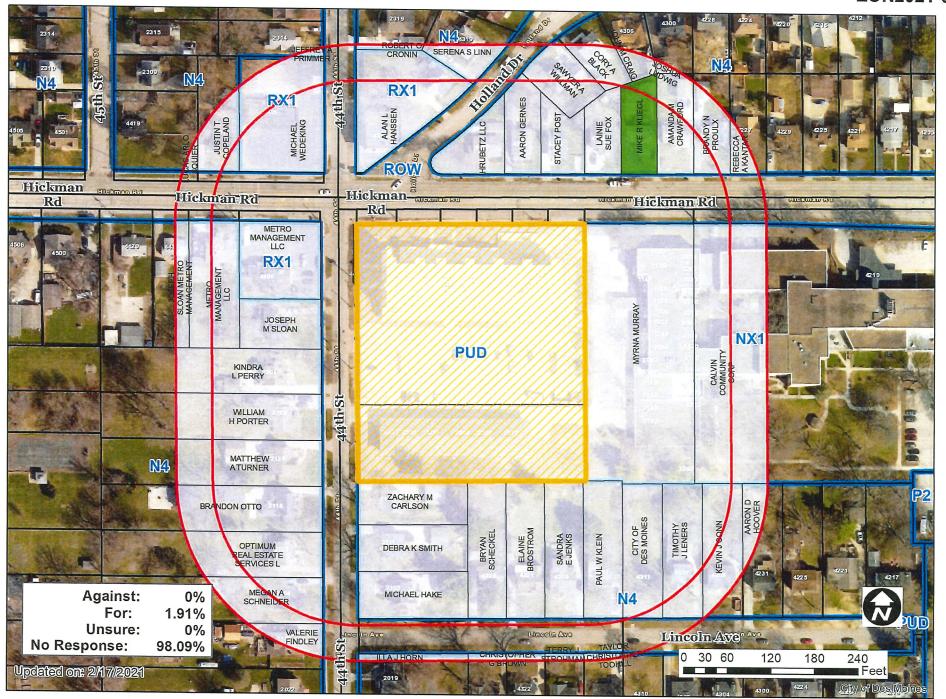
Julia Con

Jason Van Essen, AICP

Planning & Urban Design Administrator

JMV:tjh

Calvin Park Mixed-Use Condominiums, 4326 Hickman Road

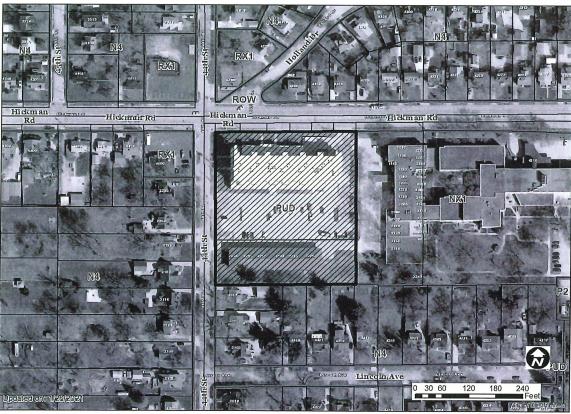




Request from Calvin Park Mixed-Use Condominiums (owner) represented by Carl File #							File #	
Koedam (office	Koedam (officer) for property located at 4326 Hickman Road. ZON2021-000						DN2021-00012	
Description of Action Review and approval of a 1 st Amendment to the "Calvin Community" Legacy PUD Conceptual Plan to allow revision to reduce the number of units on the mixed-use building from 42 to 36 units with elimination of a 5 th floor, modification of the north drive access to 44 th Street, addition of directional signs, and addition of utility meters to the west façade of the row townhomes. Additional property owners include Calvin Community Corporation and Calvin Park Townhomes Condominiums.								
PlanDSM Futur	e Land Use Current: Neighborhood Mixed Use. Proposed: N/A.							
Mobilizing Tom Transportation			No planned improvements.					
Current Zoning	Distric	t	Calvin Community Legacy "PUD" Planned Unit Development.					
Proposed Zonir	ng Disti	rict	N/A.					
Consent Card F Outside Area (2 Within Subject	00 feet)	In Favor Not In Favor Undetermined % Opposition 0 0			oposition		
Plan and Zoning	_	Appro			Yes			
Commission Ac	tion	Denia	I		the City Council No			Х

Calvin Park Mixed-Use Condominiums, 4326 Hickman Road

ZON2021-00012



1 inch = 128 feet

ZON2021-00012	Date: 2-10-2051
Please mark one of the following I am in favor of the request Signature: Name: Mike Klieg! Address: 4305 Hickney Pd.	Staff Use Only RECEIVED COMMUNITY DEVELOPMENT FEB 1 7 2021
Reason for opposing or approving this request may be list	ed below:
-	

