Agenda	Item	Number
C	6	57

Date June 27, 2022

# RESOLUTION HOLDING HEARING ON REQUEST FROM DRAKE UNIVERSITY FOR REVIEW AND APPROVAL OF AMENDMENT TO THE "UNIVERSITY SQUARE" LEGACY PLANNED UNIT DEVELOPMENT FOR PROPERTY AT 1140 24<sup>TH</sup> STREET

WHEREAS, on June 13, 2022, by Roll Call No. 22-0882, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on May 19, 2022, its members voted 11-0 with one abstention in support of a motion to recommend APPROVAL of a request from Drake University (owner), represented by Michelle D. Morgan Huggins (officer), to review and approve an amendment to the "University Square" Legacy Planned Unit Development Conceptual Plan on property located at 1140 24<sup>th</sup> Street ("Property") to amend the conceptual development plan to change the use of the building from a hotel use to a college dormitory use subject to the following conditions:

- 1. The applicant shall submit an amended "PUD" Conceptual Plan that illustrates this intent to the satisfaction of the City's Planning & Urban Design Administrator.
- 2. Any use of the property for a college dormitory use shall be in accordance with an approved Site Plan that meets the requirements of Chapter 135 (Planning and Design Ordinance) of City Code.
- 3. In addition to an approved Site Plan, the applicant shall obtain any other applicable permits/approvals deemed necessary by the City's Permit and Development Center either prior to the commencement of a college dormitory use or as part of future work proposed within the existing building/site; and

WHEREAS, the Property is legally described as follows:

THE WEST 54 FEET OF LOTS 1 AND 2, ALL OF LOTS 3 THROUGH 8; 27 THROUGH 32; THE EAST 78.25 FEET OF LOTS 33 AND 34; ALL OF LOTS 35 THROUGH 41; THE SOUTH 20 FEET OF LOT 63 AND ALL OF LOT 64, UNIVERSITY PLACE, AN OFFICIAL PLAT, AND THE WEST 11 FEET OF THE NORTH 45 FEET OF LOT 405; ALL OF LOTS 406 THROUGH 410, UNIVERSITY LAND COMPANY'S 2<sup>ND</sup> ADDITION TO UNIVERSITY PLACE, AN OFFICIAL PLAT, AND LOTS 129 THROUGH 138, 142, 144 AND 145 IN THE SUBDIVISION OF THE OFFICIAL PLAT OF LOT 2 AND 4 OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

**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 amendment; and

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,		57

Date June 27, 2022

WHEREAS, in accordance with said notice, those interested in said proposed legacy PUD 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:

- 1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed PUD amendment for the University Square Legacy Planned Unit Development at 1140 24<sup>th</sup> Street are hereby received and filed, any and all objections to the proposed amendment are overruled, and the hearing is closed.
- 2. The proposed PUD amendment for the University Square Legacy Planned Unit Development at 1140 24<sup>th</sup> Street is hereby approved subject to the conditions set forth above.

Moved by	to adopt.	Second by	
APPROVED AS TO FORM:			
/s/ Gary D. Goudelock Jr.			
Gary D. Goudelock Jr.	_		
Assistant City Attorney			

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHUEMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED	•	•	APP	ROVED

# CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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.

<u> </u>	Mayor

Acting	Cit	CI	
Acting	LITV	V 16	чГK



Date June 27, 2022
Agenda Item 57
Roll Call #

May 24, 2022

Communication from the City Plan and Zoning Commission advising that at their May 19, 2022 meeting, the following action was taken regarding a request from Drake University (owner), represented by Michelle Huggins (officer), for review and approval of an 8<sup>th</sup> amendment to the University Square PUD Conceptual Plan to change the use of the building at the property located at 1140 24<sup>th</sup> Street from a previous hotel to a college dormitory

# **COMMISSION RECOMMENDATION:**

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

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dan Drendel	X			
Leah Rudolphi			X	
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Chris Draper	X			
Todd Garner				Χ
Johnny Alcivar	Χ			
Justyn Lewis				X
Carolyn Jenison	Χ			
William Page	X			
Andrew Lorentzen	X			
Emily Webb	X			

**APPROVAL** of the request to amend the University Square Legacy "PUD" Conceptual Plan, to change the use of the subject parcel(s) from a hotel use to a college dormitory use, subject to the following conditions:

- A) The applicant shall submit an amended "PUD" Conceptual Plan that illustrates this intent to the satisfaction of the City's Planning & Urban Design Administrator.
- B) Any use of the property for a college dormitory use shall be in accordance with an approved Site Plan that meets the requirements of Chapter 135 (Planning and Design Ordinance) of City Code.

Date
Agenda Item
Roll Cell #

C) In addition to an approved Site Plan, the applicant shall obtain any other applicable permits/approvals deemed necessary by the City's Permit and Development Center either prior to the commencement of a college dormitory use or as part of future work proposed within the existing building/site.

### STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the request to amend the University Square Legacy "PUD" Conceptual Plan, to change the use of the subject parcel(s) from a hotel use to a college dormitory use, subject to the following conditions:

- A) The applicant shall submit an amended "PUD" Conceptual Plan that illustrates this intent to the satisfaction of the City's Planning & Urban Design Administrator.
- B) Any use of the property for a college dormitory use shall be in accordance with an approved Site Plan that meets the requirements of Chapter 135 (Planning and Design Ordinance) of City Code.
- C) In addition to an approved Site Plan, the applicant shall obtain any other applicable permits/approvals deemed necessary by the City's Permit and Development Center either prior to the commencement of a college dormitory use or as part of future work proposed within the existing building/site.

# Written Responses

7 in Favor 1 in opposition

### STAFF REPORT TO THE PLANNING COMMISSION

# I. GENERAL INFORMATION

- 1. Purpose of Request: The requested amendment to the University Square Legacy "PUD" would allow a change of use at the site from a hotel to a college dormitory with approximately 46 units.
- **2.** Size of Site: The combined area of the parcels is approximately 1.44 acres.
- 3. Existing Zoning (site): "PUD" Planned Unit Development District.
- **4. Existing Land Use (site):** 1140 24<sup>th</sup> Street contains a two-story building previously used as a hotel, and an accompanying surface parking lot. 1139 25<sup>th</sup> Street contains a non-accessory surface parking lot.

# 5. Adjacent Land Use and Zoning:

**North** – "University Square Legacy PUD"; Uses are a parking lot and the Drake University Law School Legal Clinic.

**South** – "University Square Legacy PUD"; Uses are two 3-story apartment buildings.

**East** – "MX2", "RX1", "N5"; Uses are 24<sup>th</sup> Street and a mix of one-household and multiple-household dwelling units, and small commercial spaces.

**West** – "University Square Legacy PUD"; Uses are the Drake Diner, surface parking lots, and 25<sup>th</sup> Street.

- **6. General Neighborhood/Area Land Uses:** The subject property sits between 24<sup>th</sup> and 25<sup>th</sup> Streets, just south of their intersection with University Avenue. Drake University's main campus is situated a few hundred feet to the north, and the surrounding blocks contain a mix of one-household and multiple-household dwelling units, as well as small and medium-scale commercial uses.
- 7. Applicable Recognized Neighborhood(s): The subject property is located in the Drake Neighborhood. All neighborhood associations were notified of the public hearing by mailing of the Preliminary Agenda on April 29, 2022. Additionally, separate notifications of the hearing for this specific item were mailed on April 29, 2022 (20 days prior to the hearing) and May 9, 2022 (10 days prior to the hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. Additionally, a Final Agenda for the hearing was mailed to all recognized neighborhood associations on May 13, 2022.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Drake Neighborhood notices were mailed to Lori Calhoun, 2808 Cottage Grove Avenue, Des Moines, IA 50311.

The applicant will provide a summary of the neighborhood meeting at the public hearing.

- 8. Relevant Zoning History: None.
- 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 Iowa Code, the Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

The application, accompanying evidence and "PUD" Conceptual Plan shall be considered by the Plan and Zoning commission at a public hearing. The Commission shall review the conformity of the proposed development with the standards of the City Code and with recognized principles of civic design, land use planning, and landscape architecture. After 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. "University Square PUD" Conceptual Plan: If the proposed amendment to the "University Square PUD" District is approved, the applicant must submit to the City a revised version of the "PUD" Conceptual Plan on mylar material.
- 2. Site Plan Requirements: The proposed change of use at this site requires an updated PUD Development Site Plan before a college dormitory use can commence at this site. Any Site Plan application must be in accordance with Chapter 135 (Planning and Design Ordinance) of City Code and be reviewed and approved by the City's Planning and Urban Design Division. A Site Plan has been submitted and is currently under review. Although no changes are currently proposed to the exterior of the existing building, the new Site Plan will ensure that the site complies with all City site development requirements, including, but not limited to, stormwater management, landscaping, and motor vehicle/bicycle parking.
- 3. Other Applicable Permits/Approvals: As applicable, other changes within the existing building or site may necessitate approval from the City's Permit and Development Center either prior to the commencement of a college dormitory use or as part of future work proposed within the existing building/site. This includes, but is not limited to, building/site signage, Fire Department inspections, and building permits for changes to the building's occupancy classification or other interior building work.

# **SUMMARY OF DISCUSSION**

<u>Emily Webb</u> asked if any member of the public or commission desired to speak on the item. No one requested to speak.

# **COMMISSION ACTION:**

Abby Chungath made a motion for approval of the request to amend the University Square Legacy "PUD" Conceptual Plan, to change the use of the subject parcel(s) from a hotel use to a college dormitory use, subject to the following conditions:

- A) The applicant shall submit an amended "PUD" Conceptual Plan that illustrates this intent to the satisfaction of the City's Planning & Urban Design Administrator.
- B) Any use of the property for a college dormitory use shall be in accordance with an approved Site Plan that meets the requirements of Chapter 135 (Planning and Design Ordinance) of City Code.
- C) In addition to an approved Site Plan, the applicant shall obtain any other applicable permits/approvals deemed necessary by the City's Permit and Development Center either prior to the commencement of a college dormitory use or as part of future work proposed within the existing building/site.

Motion passed: 11-0-1

Respectfully submitted,

Jason Van Essen, AICP

Julia Com

Planning & Urban Design Administrator

JMV:tjh

# Drake University, Parcels in Vicinity of 1140 24th Street

# ZONG-2022-000038



SHIVEHATTERA

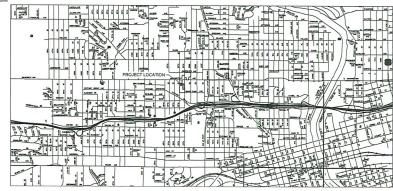
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UNIVERSITY SQUARE PLANNED UNIT DEVELOPMENT BTAMBEROMENT

PRELIMINARY
- NOT FOR
CONSTRUCTION

### PUD AMENDMENT FOR UNIVERSITY SQUARE PLANNED UNIT DEVELOPMENT CAMPUS SUITES @ DOGTOWN RESIDENCE HALL 8TH AMENDMENT

1 VICINITY MAP



2 LEGAL DESCRIPTION

LTS 129 THRU 134 SD LTS 2 & 4 OP NW 1/4 SEC 5-78-24, S 21.35 F LOT 135 SD LOTS 2 & 4 OP NW 1/4 SEC 5-78-24, EX S 5F - LT 144 SD LOTS 2 & 4 OP NW 1/4 SEC 5-78-24

St

22nd

Carpente

S Ave

St

Parpenter Ave

4 PROPOSED FUTURE LAND USE OF PLAN DSM MAP DESIGNATION

NEIGHBORHOOD MIXED USE

### 5 PROJECT DESCRIPTION

EXISTING HOTEL TO BE CHANGED FROM TYPE R-1 TO TYPE R-2 STUDENT HOUSING FOR DRAKE UNIVERSITY.

DRAKE UNIVERSITY IS PROPOSING TO CONVERT A PREVIOUS HOLIDAY INN EXPRESS THEY OWN INTO UPPER CLASSMAN STUDENT HOUSING. THE EXISTING BUILDING IS 2 STORIES WITH A TOTAL OF 29,658.5 OVER THE 2 FLOORS, IN PHASE 1 APPROXIMATELY 45 OF THE EXISTING 52 ROOMS "WOULD BE CONVEXTED FROM HOTEL ROOMS TO SINGLE OCCUPANCY LIVING QUARTERS. THE REMAINING 7 ROOMS WOULD BE CONVEXTED TO LOUNGE AND COMMON SPACES ALONG WITH 2 EN-SUITE AREA COORDINATOR SPACES, EXISTING LAUNDRY AREA WOULD BE REUSED MITH DRAKE UNIVERSITY OPERATED WASHER AND DRYERS INSTALLED IN LIEU OF EXISTING COMMERCIAL EQUIPMENT, MINIMAL REMODELING EFFORTS ARE REQUIRED FOR THIS TRANSITION.

FIRE ALARM AND SPRINKLER SYSTEMS HAVE BEEN RECENTLY TESTED AND ADDRESSED TO MEET CODE STANDARDS. NO TREE REMOVAL, GRADING OR STORMWATER WORK IS PLANNED FOR THIS WORK. AN ADDITIONAL DO SP OF PAVEMENT WILL BE ADDED TO ACCOMMODATE CITY REQUIRED BOYCLE RACKS WEAR THE FRONT ENTRANCE. 61 PARKING SPACES ARE AVAILABLE COUNTING INTERIOR PARKING AREA AND AREA OF THE RECEIVED FOR THE PROVIDENT AND A STANDARD AND A S ON-STREET PARKING. THE TOTAL SITE PLAN AREA IS 55,573 SF WHILE THE BUILDING FOOTPRINT THAT WILL NOT CHANGE IS 29,656.

### 6 PROPOSED TIMING AND PHASING OF DEVELOPMENT

PHASING OF IMPROVEMENTS TO BE COMPLETED: BIKE RACKS + CONCRETE PAD: FALL 2022 LANDSCAPING: FALL 2022 SIGNAGE: SUMMER 2023

A FUTURE PHASE 2 WILL CONSIDER IMPROVEMENTS TO THE LOBBY AND KITCHENETTE. AT THIS TIME NO SCHEDULE HAS BEEN SET AND THESE IMPROVEMENTS WILL BE BASED ON AVAILABLE FUNDING.

### 7 & 8 USES AND STANDARDS OF PUD

THESE IMPROVEMENTS WOULD BE COMPLETED FOR MOVE-IN BY JULY 31, 2022. LANDSCAPING MAY BE INSTALLED IN THE FALL OF 2022 DEPENDING ON WEATHER AND RAINFALL CONDITIONS

A FUTURE PHASE 2 WILL CONSIDER IMPROVEMENTS TO THE LOBBY AND KITCHENETTE. AT THIS TIME NO SCHEDULE HAS BEEN SET AND THESE IMPROVEMENTS WILL BE BASED ON AVAILABLE FUNDING.

### 9 ENVIRONMENTALLY SIGNIFICANT FEATURES

MUCH OF THE WORK TO BE CONDUCTED IS INTERIOR. NO GRADING OR PAVEMENT REPLACEMENT IS ANTICIPATED. NO ENVIRONMENTALLY SIGNIFICANT FEATURES CURRENTLY EXIST. NEW TREES, SHRUBS AND ORNAMENTAL GRASSES WILL BE ADDED TO SCREEN AND ENHANCE THE PARRING LOT AND TRASH ENCLOSURE.

3 ADJACENT PROPERTY ZONING

Forest Ave

Jniversity Ave

ADJECENT PROPERTY LAND USE



LOW DENSITY RESIDENTIAL

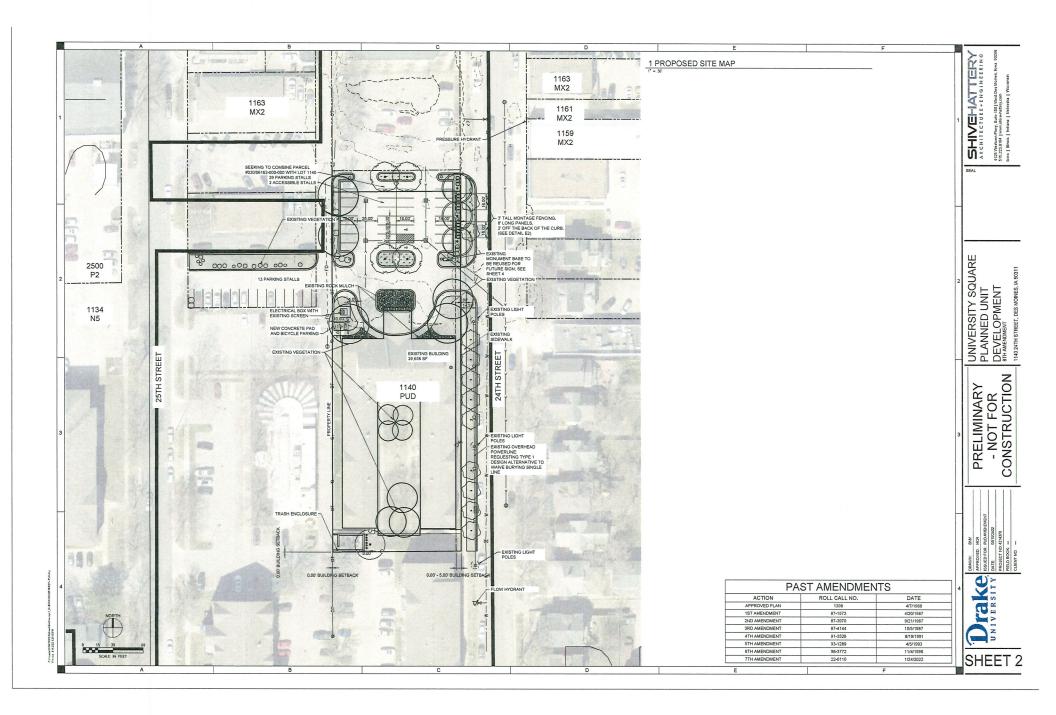
PUBLIC/ SEMI-PUBLIC

PARKS AND OPEN SPACE

DENSITY RESIDENTIAL NEIGHBORHOOD MIXED USE

PU	FINAL CONCE	PT PLA	N APPROVAL:
0	APPROVED		APPROVED WITH CONDITIONS - SEE EXHIBIT "A"
IN A	CCORDANCE WIT	нясп	ON 134-2 2.9. 2019 DES MOINES MUNICIPAL CODE, AS AMENDED.
NO	CHANGES TO THE	PUD C	ONCEPT PLAN UNLESS APPROVED IN WRITING FROM THE DEVELOPMENT SERVICES DIRECTOR
_			
PLA	N & ZONING COM	MISSIU	N MEETING DATE:
cm	COUNCIL APPRO	VAL DA	nt
DEV	ELOPMENT SERV	CES DIR	ECTOR:DATE:

ANDSCAPE ARCHITECT



1 BUILDING ELEVATIONS

NOTE: PROJECT WORK WILL NOT CHANGE EXTERIOR ELEVATIONS















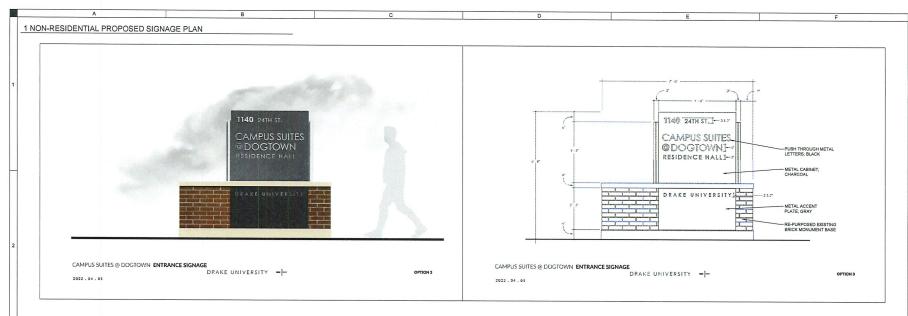




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UNIVERSITY SQUARE
PLANNED UNIT
DEVELOPMENT PRELIMINARY
- NOT FOR
CONSTRUCTION

SHEET 3



### 2 ZONING REQUIREMENTS FOR RX DISTRICT

- 1 MONUMENT SIGN PER STREET FRONTAGE
- 15 SF MAXIMUM SIGN AREA
- 8' MAXIMUM HEIGHT IF SETBACK LESS THAN 25 FEET FROM PROPERTY LINE
- MAY BE INTERNALLY ILLUMINATED
- . SIGN BASE MUST BE AT LEAST AS WIDE AS THE SIGN FACE.
- SIGN BASE MUST HAVE A HEIGHT OF AT LEAST 2 FEET.
- . SIGN BASE MUST HAVE SIMILAR MATERIAL COMPLEMENTING THE EXTERIOR OF THE PRIMARY BUILDING ON THAT LOT.

### 3 EXISTING BRICK MONUMENT BASE



SHIVE-IATTERY
ARCHITECTURE-FRODINERRING

UNIVERSITY SQUARE PLANNED UNIT DEVELOPMENT

PRELIMINARY
- NOT FOR
CONSTRUCTION

May 16, 2022

CITY OF DES MOINES 602 ROBERT D RAY DRIVE, DES MOINES, IOWA 50309

To: Sreyoshi Chakraborty, Nicholas Tarpey, Jillian Sommer

On behalf of the Drake Neighborhood Association, I am writing to state our unanimous support for the review and approval of the 8<sup>th</sup> amendment to the University Square PUD Conceptual Plan to change the use of the building at the property located at 1140 24<sup>th</sup> Street from a previous hotel to a college dormitory. (ZONG-2022-000038)

Drake University presented plans for the conversion of a previous hotel to a dormitory to the Drake Neighborhood Association at the January 12 and February 9<sup>th</sup> meetings. The Board appreciated the overview of the initial options being considered for the property and the final direction the University decided to pursue. The Board had very positive feedback on the plans and expressed no concerns regarding the conversion to a dormitory.

The Drake Neighborhood Association is very appreciative of the continued partnership with Drake University. We are excited to have the new dormitory integrated into the neighborhood and part of the Dogtown business district.

SINCERELY

LORI CALHOUN

PRESIDENT, DRAKE NEIGHBORHOOD ASSOCIATION

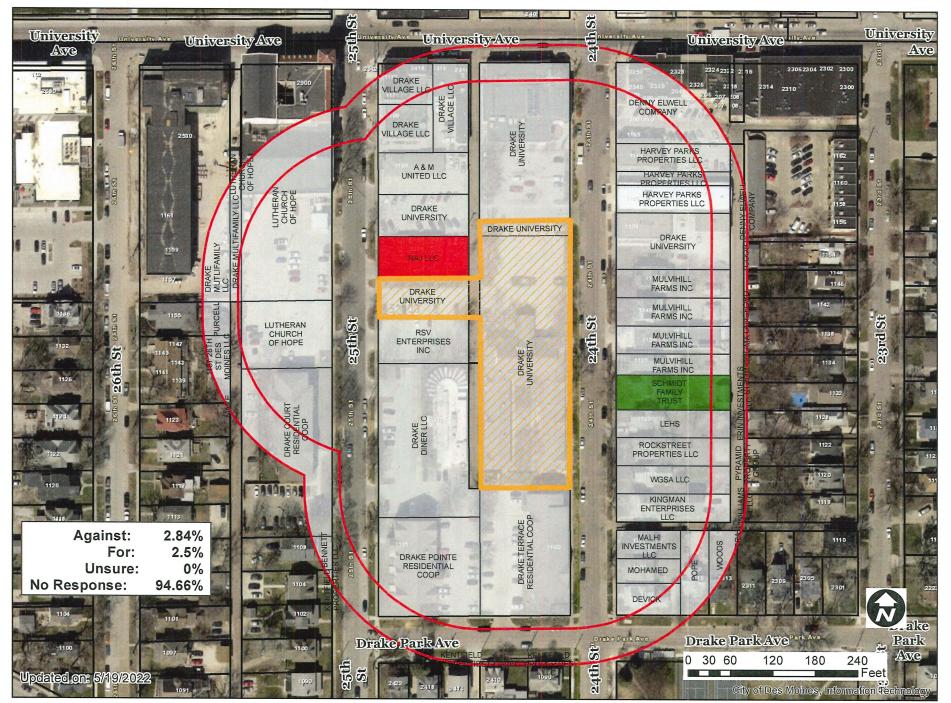
GOOD USE OF THE PROPERTY.

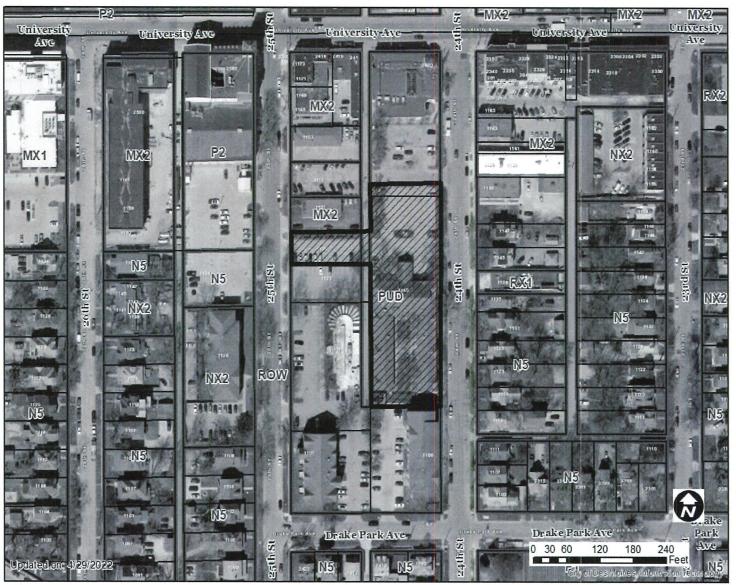
Item: ZONG-2022-000038	
Please mark one of the following  I am in favor of the request  Signature: Sury More  Name: Lucy Mac E  Address: 1/23-24  De mane, 2-3731  Reason for opposing or approving this request may be	Staff Use Only  RECEIVED COMMUNITY DEVELOPMENT  MAY 1 7 2022  De listed below:
Item: ZONG-2022-00038	non 11 ZnZd
I am in favor of the request  I am not in favor of the request  Signature:  Name:  Add	Staff Use Only  RECEIVED COMMUNITY DEVELOPMENT  MAY 1 9 2022
David C. Strom 2807 NW 39th Ln.	be listed below:

.

Item: ZONG-2022-0000-88	
Please mark one of the following	
I am in favor of the request	° 'aff U-
I am not in favor of the request Signature:	RECEIVED COMMUNITY DEVELOPMENT
Name: Lori Calhovn	MAY 1 9 2022
Address: 2808 Cottage Grove Ave	
DES MOTOS, NOWA 503 <b>21</b> Reason for opposing or approving this request may be	listed below:
Drake reviewed with the neighbor	
and we fail the dornitory locate	1
Will rulp to e meighborhood wo	0
and help vitalize bogtown	1
Item:ZONG-2022-000038	Date: May 11, 2022
Item: ZONG-2022-000038  Please mark one of the following	
	Date: May 11, 2027 Staff Use Only
Please mark one of the following  I am in favor of the request  I am not in favor of the request	
Please mark one of the following  I am in favor of the request  I am not in favor of the request  Signature.	Staff Use Only  RECEIVED COMMUNITY DEVELOPMENT
Please mark one of the following  I am in favor of the request  I am not in favor of the request  Signature:  Name:  Mark Wente	Staff Use Only  RECEIVED
Please mark one of the following  I am in favor of the request  I am not in favor of the request  Signature:  Name:  Mark Wente  Address: 1151 - 25th 5T. DSM. 7	Staff Use Only  RECEIVED COMMUNITY DEVELOPMENT  MAY 1 8 2022
Please mark one of the following  I am in favor of the request  I am not in favor of the request  Signature:  Name:  Mark Wente  Address: 1151 - 25th 5T. DSM. 7	Staff Use Only  RECEIVED COMMUNITY DEVELOPMENT MAY 1 8 2022
Please mark one of the following  I am in favor of the request  I am not in favor of the request  Signature:  Name:  Mark Wente  Address: 1151 - 25th 5T. DSM. 7	Staff Use Only  RECEIVED COMMUNITY DEVELOPMENT  MAY 1 8 2022
Please mark one of the following  I am in favor of the request  I am not in favor of the request  Signature:  Name:  Mark Wente  Address: 151-251 57. D5M. 7  Reason for opposing or approving this request may be there is not even closely	Staff Use Only  RECEIVED COMMUNITY DEVELOPMENT  MAY 1 8 2022  Parking  Tumber of Parking
Please mark one of the following  I am in favor of the request  I am not in favor of the request  Signature:  Name:  Mark Wente  Address: 151-251 57. D5M. 7  Reason for opposing or approving this request may be there is not even closely	Staff Use Only  RECEIVED COMMUNITY DEVELOPMENT  MAY 1 8 2022  Plants of Parking Received Parking Received Parking

# Drake University, Parcels in Vicinity of 1140 24th Street





1 inch = 131 feet