



**Date** March 25, 2019

**RESOLUTION HOLDING HEARING ON REQUEST FROM LUTHER MEMORIAL CHURCH OF DES MOINES, IOWA TO REZONE PROPERTY LOCATED AT 1101 GRANDVIEW AVENUE, AND TO AMEND THE GRAND VIEW UNIVERSITY WEST PUD CONCEPTUAL PLAN**

**WHEREAS**, on March 11, 2019, by Roll Call No. 19-0361, the City Council received a recommendation from the City Plan and Zoning Commission advising that at a public hearing held on February 21, 2019, its members voted 9-0 in support of a motion to recommend **APPROVAL** of a request from Luther Memorial Church of Des Moines, Iowa (purchaser), represented by Lowell Jacobson (officer), to rezone property located at 1101 Grandview Avenue (“Property”) from “PUD” Planned Unit Development to Limited “R-3” Multiple-Family Residential District to remove the Property from the Grand View University campus and assemble it with 1201 Grandview Avenue to allow for expansion of the existing church thereon, and to amend the Grand View University West PUD Conceptual Plan to remove the subject property from said Plan, subject to the following conditions:

1. Any use of the Property shall be limited to a church or university use; and
2. Any construction on the Property shall be in compliance with a site plan as reviewed and approved by the City’s Permit & Development Center; and

**WHEREAS**, on March 11, 2019, by Roll Call No. 19-0361, it was duly resolved by the City Council that the application of Luther Memorial Church of Des Moines, Iowa to rezone the Property, as legally described below, and to amend the Grand View University West PUD Conceptual Plan to remove the Property therefrom, be set down for hearing on March 25, 2019 at 5:00 p.m. in the Council Chambers at City Hall; 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 amendment to the Zoning Ordinance and to the Grand View University West PUD Conceptual Plan; and

**WHEREAS**, in accordance with said notice, those interested in said proposed rezoning and 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; and

**WHEREAS**, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property locally known as 1101 Grandview Avenue, legally described as:

**THE EAST 45.7 FEET OF LOT6, BLOCK 8, GRAND VIEW, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA**



Date March 25, 2019

from "PUD" Planned Unit Development to Limited "R-3" Multiple-Family Residential District, to remove the Property from the Grand View University campus and assemble it with 1201 Grandview Avenue to allow for expansion of the existing church thereon, subject to the conditions stated above as agreed to and accepted by execution of an Acceptance of Rezoning Ordinance in writing by the owner(s) and purchaser of the Property, which is binding upon the owner(s) and their successors, heirs and assigns.

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 rezoning of the Property to Limited "R-3" Multiple-Family Residential District with conditions as set forth above, are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property to Limited "R-3" Multiple-Family Residential District with conditions as set forth above, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to final passage of an ordinance rezoning the Property as set forth herein.
3. The proposed amendment to amend the Grand View University West PUD Conceptual Plan to remove the subject property from said Plan is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY \_\_\_\_\_ TO ADOPT.

FORM APPROVED:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(ZON2019-00005)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED

Mayor

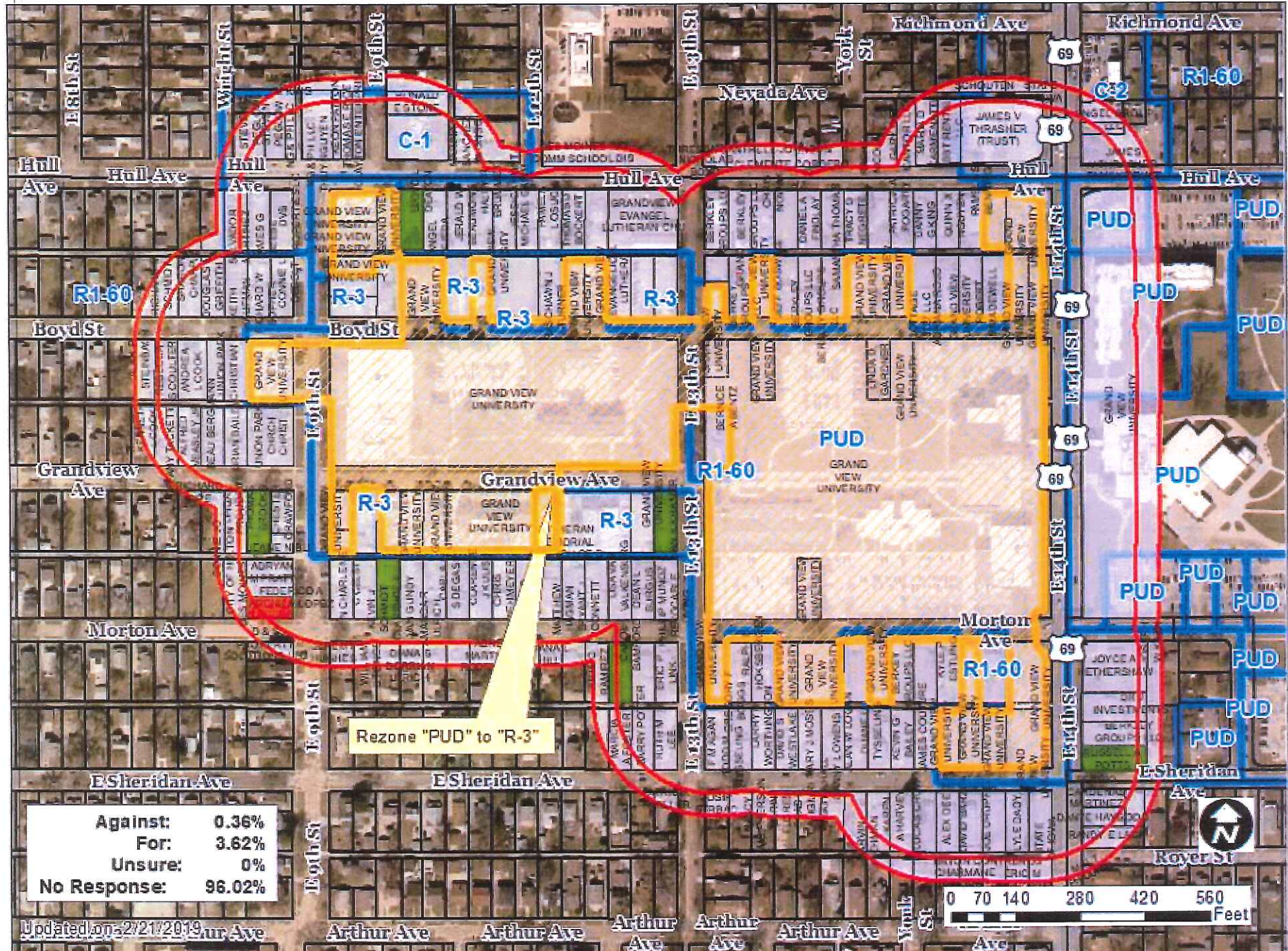
CERTIFICATE

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.

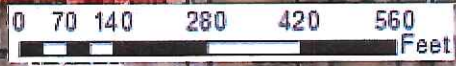
City Clerk





Rezone "PUD" to "R-3"

Against:	0.36%
For:	3.62%
Unsure:	0%
No Response:	96.02%



1 inch = 278 feet

47



March 5, 2019

Date March 25, 2019  
 Agenda Item 47  
 Roll Call # \_\_\_\_\_

Honorable Mayor and City Council  
 City of Des Moines, Iowa

**Members:**

Communication from the City Plan and Zoning Commission advising that at their February 21, 2019 meeting, the following action was taken regarding a request from Luther Memorial Church of Des Moines, Iowa (purchaser) represented by Lowell Jacobson (officer) to rezone property at 1101 Grandview Avenue from "PUD" Planned Unit Development to "R-3" Multiple-Family Residential District, to allow for the expansion of the existing church at 1201 Grandview Avenue. The subject property is owned by Grand View University.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 9-0 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

**APPROVAL** of Part A) the Commission find the proposed rezoning in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation of Public/Semi-Public, Part B) **APPROVAL** of the request to rezone property from "PUD" Planned Unit

Development to “R-3” Multiple-Family Residential District, subject to the following conditions:

1. Any use of the property shall be limited to a church or university use.
2. Any construction on the property be in compliance with a Site Plan as reviewed and approved by the City’s Permit & Development Center.

Part C) **APPROVAL** of the request to amend the Grand View University West PUD Conceptual Plan to remove the subject property from the PUD in order to assemble it with property to the east at 1201 Grandview Avenue. (ZON2019-00005)

Written Responses

7 in Favor  
1 in Opposition

**STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Part A) Staff recommends that the Commission find the proposed rezoning in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation of Public/Semi-Public.

Part B) Staff recommends approval of the request to rezone property from “PUD” Planned Unit Development to “R-3” Multiple-Family Residential District, subject to the following conditions:

1. Any use of the property shall be limited to a church or university use.
2. Any construction on the property be in compliance with a Site Plan as reviewed and approved by the City’s Permit & Development Center.

Part C) Staff recommends approval of the request to amend the Grand View University West PUD Conceptual Plan to remove the subject property from the PUD in order to assemble it with property to the east at 1201 Grandview Avenue.

**STAFF REPORT TO THE PLANNING COMMISSION**

**I. GENERAL INFORMATION**

1. **Purpose of Request:** The proposed rezoning would allow for a 45.7-foot wide portion of a parcel on Grand View University’s campus to be assembled with the adjoining parcel that is owned by Luther Memorial Church. The church would use the additional land to construct a building addition to the west façade of it’s building.

Any expansion of the church would be required to be in compliance with a Site Plan reviewed and approved by the City’s Permit & Development Center. This Site Plan must comply with all requirements, including the pertaining to zoning, stormwater, landscaping, and parking. This includes provision a 35-foot building setback from any property line and provision of at least one (1) off-street parking space per 80 square



feet of principal auditorium unless the Zoning Board of Adjustment grants waiver of such.

2. **Size of Site:** 45.7 feet by 150 feet (6,855 square feet).
3. **Existing Zoning (site):** Grand View University West “PUD” Planned Unit Development District.
4. **Existing Land Use (site):** Open space and off-street parking.

5. **Adjacent Land Use and Zoning:**

**North** – “PUD”, Use is Grand View University.

**South** – “R1-60”, Use is single-family residential.

**East** – “R-3”, Use is Luther Memorial Church.

**West** – “PUD”, Use is Grand View University.

6. **General Neighborhood/Area Land Uses:** The subject property is located along the edge of the Grand View University campus, in an area that transitions from educational uses to low-density residential uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is in the Union Park Neighborhood and within 250 feet of the Highland Park Neighborhood. These neighborhoods were notified of the Commission meeting by mailing of the Preliminary Agenda on February 1, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on February 1, 2019 (20 days prior to the hearing) and on February 11, 2019 (10 days prior to the hearing) to the Union Park Neighborhood, Highland Park Neighborhood, and to the primary titleholder on file with the Polk County Assessor for each property adjacent to the subject Right-of-Way. A final agenda was mailed on February 15, 2019.

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 Union Park Neighborhood notices were mailed to Jack Daugherty, P.O. Box 16113, Des Moines, IA 50316, and the Highland Park Neighborhood notices were mailed to Drew Kelso, 815 East Seneca Avenue, Des Moines, IA 50316.

The applicant is required to hold a neighborhood meeting as part of the rezoning process. They will be available to provide a summary of that meeting at the public hearing.

8. **Relevant Zoning History:** The subject property was rezoned from “R-3” District to “PUD” District on January 21, 2007, by Ordinance 14,624.
9. **PlanDSM Future Land Use Plan Designation:** Public/Semi-Public.
10. **Applicable Regulations:** The Commission, considering the criteria set forth in Chapter 18B of the Iowa Code, 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.

## **II. ADDITIONAL APPLICABLE INFORMATION**

- 1. PlanDSM:** The subject site is designated as "Public/Semi-Public" on the Future Land Use Map. The proposed "R-3" District would comply with this designation so long as any use of the property is limited to a church or university use.
- 2. Site Plan Requirements:** Any expansion of the church would be required to be in compliance with a Site Plan reviewed and approved by the City's Permit & Development Center. This Site Plan must comply with all requirements, including those pertaining to zoning, stormwater, landscaping, and parking. This includes provision a 35-foot building setback from any property line and provision of at least one (1) off-street parking space per 80 square feet of principal auditorium unless the Zoning Board of Adjustment would grant relief of such requirements.

## **SUMMARY OF DISCUSSION**

Jann Freed asked if any member of the audience or the commission desired to speak regarding the item. None were present or requested to speak.

## **COMMISSION ACTION:**

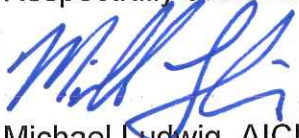
Greg Jones made a motion for **APPROVAL** of Part A) the Commission find the proposed rezoning in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation of Public/Semi-Public, Part B) **APPROVAL** of the request to rezone property from "PUD" Planned Unit Development to "R-3" Multiple-Family Residential District, subject to the following conditions:

1. Any use of the property shall be limited to a church or university use.
2. Any construction on the property be in compliance with a Site Plan as reviewed and approved by the City's Permit & Development Center.

Part C) **APPROVAL** of the request to amend the Grand View University West PUD Conceptual Plan to remove the subject property from the PUD in order to assemble it with property to the east at 1201 Grandview Avenue.

Motion Carried: 9-0

Respectfully submitted,



Michael Ludwig, AICP  
Planning Administrator

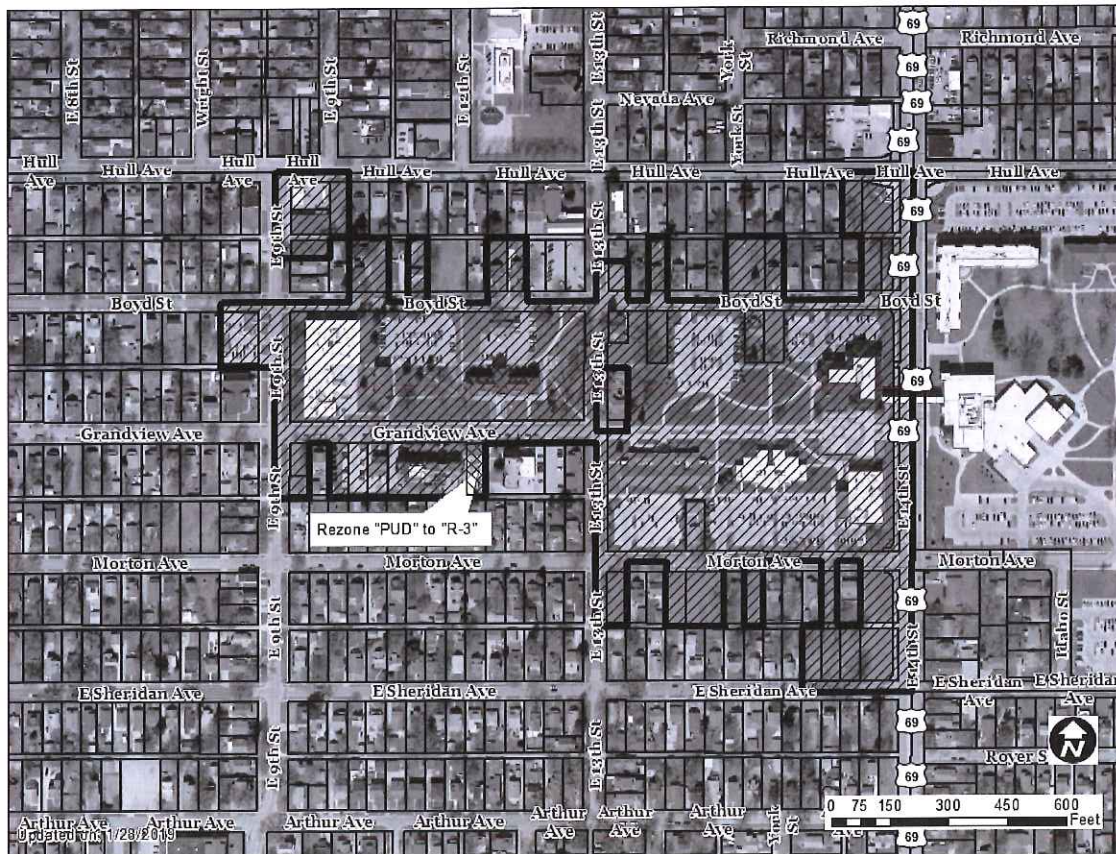
MGL:tjh



Luther Memorial Church of Des Moines, Iowa (purchaser) represented by Lowell Jacobson (officer) for property at 1101 Grandview Avenue. The subject property is owned by Grand View University.			File # ZON2019-00005	
<b>Description of Action</b>	Rezone property from "PUD" Planned Unit Development to "R-3" Multiple-Family Residential District, to allow for the expansion of the existing church at 1201 Grandview Avenue. Amend the Grand View University West PUD Conceptual Plan to remove the subject property from the PUD in order to assemble it with property to the east at 1201 Grandview Avenue for expansion of the existing church.			
<b>PlanDSM Future Land Use</b>	Current: Public/Semi-public. Proposed: N/A.			
<b>Mobilizing Tomorrow Transportation Plan</b>	No planned improvements.			
<b>Current Zoning District</b>	"PUD" Planned Unit Development, "GGP" Gambling Games Prohibition Overlay District and "FSO" Freestanding Signs Overlay District.			
<b>Proposed Zoning District</b>	"R-3" Multiple-Family Residential District, "GGP" Gambling Games Prohibition Overlay District and "FSO" Freestanding Signs Overlay District.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
<b>Subject Property</b>	7	1		
<b>Outside Area (200 feet)</b>				
<b>Plan and Zoning Commission Action</b>	Approval	X	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No

Lutheran Memorial Church of Des Moines, 1101 Grandview Avenue

ZON2019-00005



1 inch = 288 feet

ZON2019-00005

am ~~for~~ not

Date 2/13/19

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

(Circle One)

RECEIVED

COMMUNITY DEVELOPMENT

FEB 19

Print Name

Federico Archila

Signature

*[Handwritten Signature]*

Address

2700 E. 9th St. DM. IA 5031

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ZON2019-00005

am

Date 2/13/19

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

(Circle One)

RECEIVED

COMMUNITY DEVELOPMENT

FEB 19

Print Name

Carol Bamford

Signature

*[Handwritten Signature]*

Address

1201 Morton

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



ZON2019-00005

Date 2-17-2019

Item

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

RECEIVED

Print Name Lloyd I. Deaton

COMMUNITY DEVELOPMENT

Signature Lloyd I. Deaton

FEB 19

Address 915 Hill Ave.

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

This does not directly affect me.

ZON2019-00005

Date 2-13-19

Item

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

(Circle One)

RECEIVED

Print Name KENEN Schmidt

COMMUNITY DEVELOPMENT

Signature *[Signature]*

FEB 19

Address 908 Weston

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

ZON2019-00005

Item

Date

2-14-19

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

(Circle One)

RECEIVED

Print Name

Jan Kramer

COMMUNITY DEVELOPMENT

Signature

*[Signature]*

FEB 19

Address

1211 Grandview Ave, DM

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

Positive thing for community. Church next door to me wishes expand with adult programs for for the neighborhood, college students, and community.

ZON2019-00005  
 Item \_\_\_\_\_ Date 2/13/2019  
 (am) (am not) in favor of the request. SUBJECT PROPERTY OWNER  
 (Circle One)  
**RECEIVED** Print Name ADAM VOIGTS GRAND VIEW UNIVERSITY  
 COMMUNITY DEVELOPMENT Signature [Signature]  
 FEB 19 Address 1200 GRANVIEW AVE, DES MOINES IA 50316

Reason for opposing or approving this request may be listed below:  
Grand View University approves

ZON2019-00005  
 Item \_\_\_\_\_ Date 2/18/19  
 (am) (am not) in favor of the request  
 (Circle One)  
**RECEIVED** Print Name Tom Brooks  
 COMMUNITY DEVELOPMENT Signature [Signature]  
 FEB 20 Address 831 Grandview DSM

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

47

ZON2019-00005  
 Item \_\_\_\_\_ Date 2-13-19  
 (am) (am not) in favor of the request  
 (Circle One)  
**RECEIVED** Print Name RUSSEL A. DETHS  
 COMMUNITY DEVELOPMENT Signature [Signature]  
 FEB 19 Address 2601 E 14th St. Dsm

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_





LUTHER  
MEMORIAL  
CHURCH  
ELCA

11  
Luther  
Memorial  
Church  
Employee

LUTHER MEMORIAL

02/06/2019





11400 S 134th St  
United States  
134th St  
11400 S 134th St

Google

Imagery provided by - Jan. 2014 © 2014 Google United States Terms Report a problem





JENSEN HALL

NO PARKING  
LOADING ZONE  
→

© 2015





02/06/2018





PIVING HOUSE

02/06/2019





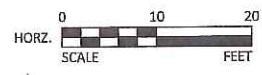
02/06/2019

DWB 103  
NEW YORK

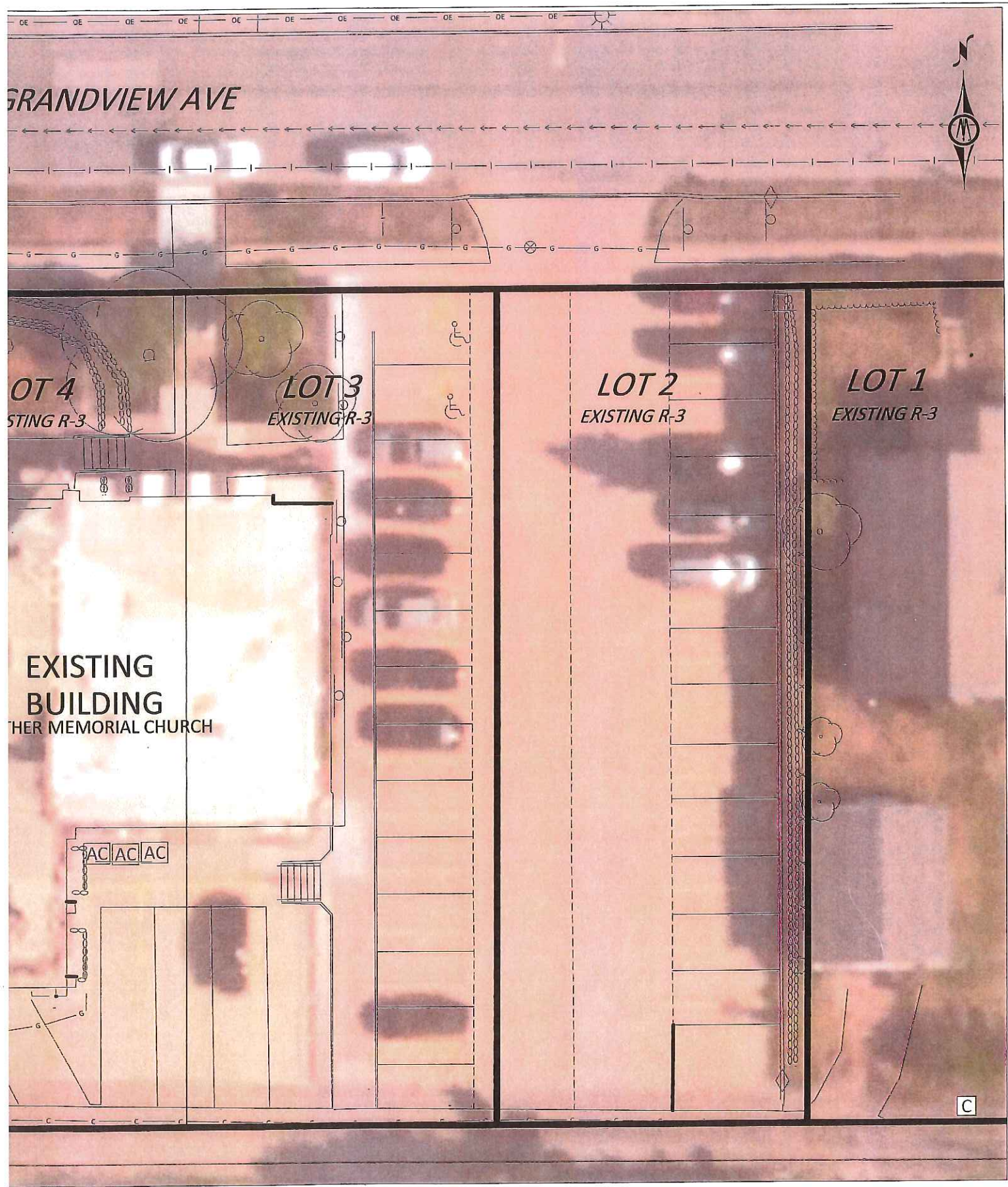
EVE HUNDRED

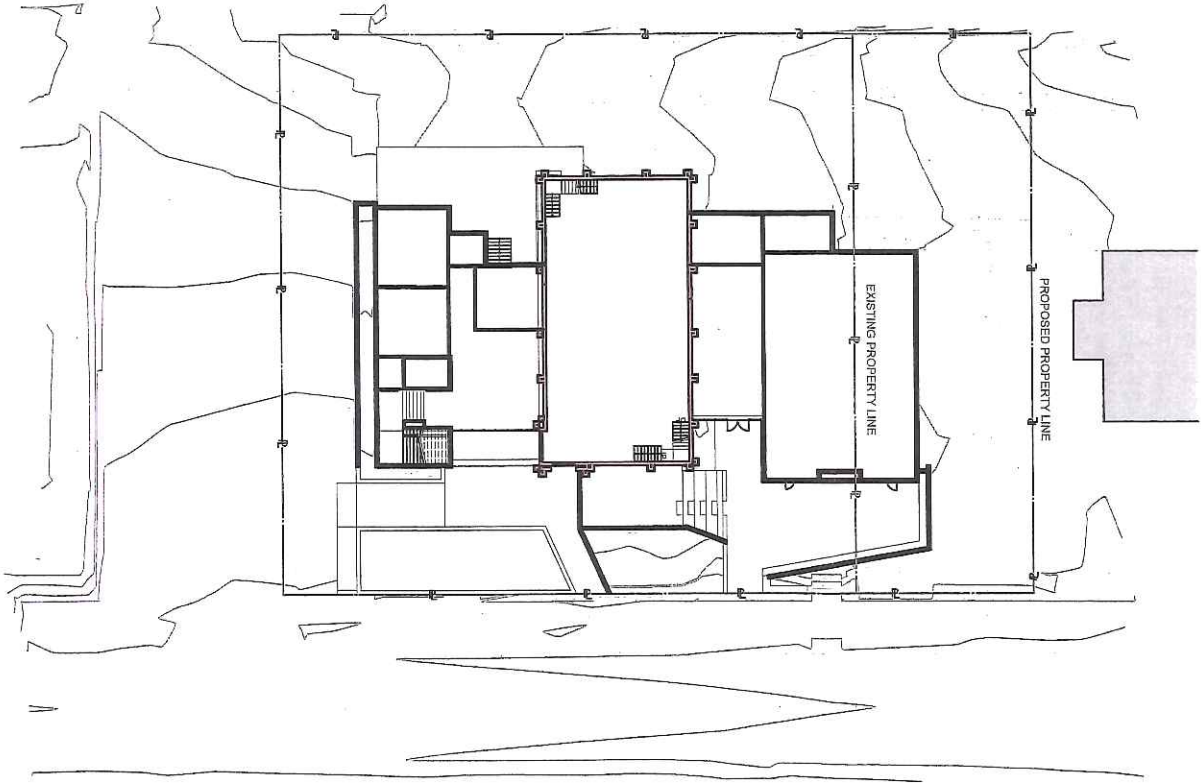


# Figure: PUD ZONING DISPLAY



01/2019





LUTHER MEMORIAL CHURCH  
SITE PLAN





# LUTHER MEMORIAL CHURCH

## NORTH ELEVATION

### MATERIAL LEGEND



LIMESTONE



BRICK



GLASS



METAL PANEL 1



METAL PANEL 2

