



Council Communication

Office of the City Manager

Date July 9, 2007

Agenda Item No. 61
Roll Call No. 07-
Communication No. 07-421
Submitted by: Larry Hulse, Community
Development

AGENDA HEADING:

Request from Conlin Equities, LLC for amendment to River Oaks Centre PUD Conceptual Plan for 6000 Creston Avenue to allow for development of a lot into four three-story 24-unit buildings, one three-story 16-unit building, and one single-family dwelling for the manager's residence.

SYNOPSIS:

This amendment to the Planned Unit Development requires 6 votes as the Plan and Zoning Commission did not recommend the increased number of units. After the public hearing on June 18, 2007, the Council voted to allow staff to facilitate a meeting with neighborhood representatives and the developer to discuss the issues raised during the hearing. The major areas of concern were traffic and access, security, and recreational opportunities. A brief discussion of the issues and possible solutions is provided below.

FISCAL IMPACT:

Amount:

Unknown. There are potential costs associated with the construction and ongoing maintenance of a future recreational trail connection from the proposed development east into Des Moines Waterworks property. There also are potential costs for the construction and ongoing maintenance of a public access drive to the public street system to the south of the development. Finally, should it become warranted in the future, there are potential construction and ongoing maintenance costs for a traffic signal at SW 63rd Street and Creston Avenue. It should be noted, however, that the potential costs associated with these future improvements are not solely attributable to this development request.

Funding Source:

At this time, funding has not been programmed for any public improvements in this area. The proposed development is privately funded.

ADDITIONAL INFORMATION:

On June 18, 2007, by Roll Call 07-1222, the Council directed the City Manager to work with Conlin Properties (the applicant) and four or five representatives of the area homeowners to review the following items:

1. Current traffic issues (the entering and exiting at 63rd Street)
2. Safety and security issues (possible NBSD officer)

3. Adequate traffic flow inside the development
4. Additional entrance/exit for the development
5. Age appropriate playground

Community Development staff facilitated a meeting on Tuesday, June 26, 2007, between several residents in the Creston Avenue area and the development team, led by James Conlin, J.B. Conlin, and Attorney William Lillis. Councilmember Hensley attended the first part of the meeting. The City Traffic Engineer and several Police Department officers attended as well. At this writing, the Developer is working to hold a second meeting with the neighbors to inform them of the developer's responses. The following are highlights from the discussion and possible responses:

Access and Traffic

Councilmember Hensley indicated that Des Moines Area Regional Transit (DART) plans to extend its West Des Moines On-Call service to the neighborhood in August. This neighborhood shuttle service will take riders to specific locations or connections with regular route service. It will operate from 6.30am-8pm (Mon.-Fri.) and 8am-6pm (Sat.) on a space/time available basis. DART officials indicate that this shuttle service provides a limited amount of transportation for the current development in the area.

The meeting attendees discussed several possible alignments for connecting this neighborhood to the public street system south of the development; there are several possible alignments that could be used in the future if there is an opportunity or if funds are available to extend a public access drive to the south and link with the existing street system, either Willowmere Drive or Park Avenue.

The proposed PUD Conceptual Plan revision provides an easement to accommodate this street along the west parcel boundary in conjunction with other utility access easements. A public access drive of some service level could then continue south to a point where it could join into Willowmere Drive, the first east/west public street to the south of this development. Two other longer streets alignments are also possible. The first would run from the southwest corner of the development parcel to a point just to the east of the R.R. Donnelly facility, then south to the traffic signal on Park Avenue. The second would be similar, but continue east along the railroad right of way to join into the drive from Park Avenue that serves the Little League/Waterworks property. All of these options would require acquisition of right-of-way from multiple property owners and are not funded or in the Capital Improvement Plan for the City. The neighborhood representatives suggested that this should be constructed concurrently with additional development.

The meeting attendees discussed the continued desire for a traffic control light at the intersection of SW 63rd Street and Creston Avenue. This has been an ongoing concern and, as with all traffic signal locations, must meet the State's warrant system for need. This has not been the case to date. The intersection functions fairly well with some delays, especially during peak traffic flow times. The fact that it is a "T" intersection makes it function better. Depending on traffic growth and other factors, a light could be warranted in the future, but that consideration falls under IDOT jurisdiction. Estimates for a signal reach \$250,000.

The meeting attendees discussed a change to the new development's driveway's access point to the existing private drive way. This option was well received by the residents and offers direct access to the development from the Creston Circle rather than through the existing drive. The revised site plan from the developer shows this change.

The meeting attendees discussed the striping of lanes on Creston in order to have a dedicated left turn lane and a dedicated right turn lane entering SW 63rd Street. This is already the practice for drivers familiar with the traffic, however, the neighborhood estimated that twenty five percent of vehicles at the intersection do not line up to make it easier to turn. Traffic and Transportation can install a sign illustrating the right only and left only lanes from Creston. If necessary, the lanes can be painted.

The addition of a paved deceleration lane on SW 63rd Street to better accommodate traffic turning on to Creston was also discussed. The west side of the street has a paved shoulder; if the east side was paved as well, it could serve as a turn-off deceleration lane for vehicles turning into the development from SW 63rd Street. Like the signal request, this is also in the purview of IDOT. Traffic and Transportation will review this request with the IDOT officials. The current CIP does not include a project that would complete this improvement.

Security and Policing

The meeting attendees discussed the illegal parking of cars along Creston. Whenever cars are illegally parked, residents should call the Police dispatch; the cars will be ticketed.

Issues related to calls for police service in the neighborhood were also discussed as were leasing and applicant screening practices. This is a major issue facing the residents and the Police Department had several officers in attendance who were instrumental in this discussion. They presented a review of data on police dispatched calls. Officers suggested that more definitive tenant screening was needed while the residents suggested procuring private security during times of more frequent calls, such as weekends and evenings. The developer has reviewed the information and hired private security.

It was further discussed that unauthorized tenancy, in which people who are not officially on the lease contract are living at the complex, is a tenant management issue. The developer and residents agreed to organize and work together with a Neighborhood Watch to better coordinate and police the neighborhood.

Age Appropriate Recreation

The meeting attendees discussed a trail or access to the Waterworks property to the east. The property abuts the Waterworks property and it is possible to walk to the Little League ball field further to the east. The developer is dedicating a pedestrian easement across the north edge of the project for a possible future trail. This trail connection is not in the City's CIP. There was also discussion that the project needed to have a place where young adults could gather. The developer is reviewing the idea and is looking at providing a gazebo and bike racks to provide a designated gathering place.

Fire and Emergency Access

The developer has committed to providing an emergency vehicle use only access point that would run from the Emergency Animal Hospital south to the MidAmerican Group business park property. This would be a 20-foot wide emergency lane, with gated access only to be used by emergency vehicles as a secondary means of ingress/egress. If the Conceptual Plan amendment is approved, the developer will need to finalize the access easement agreements with the affected property owners; these agreements need to be reviewed and approved by the City Attorney's Office prior to approval of the Development Plan (site plan).

PREVIOUS COUNCIL ACTION(S):

Date: June 18, 2007

Roll Call Number: 07-1222

Action: On request from Conlin Equities, LLC for amendment to River Oaks Centre PUD Conceptual Plan for 6000 Creston Avenue to allow for development of a lot into four three-story 24-unit buildings, one three-story 16-unit building and one single-family dwelling for the manager's residence, (Plan and Zoning Commission recommends denial). Moved by Hensley to continue the hearing to July 9, 2007 at 5:00 PM; refer to the City Manager to work with Conlin Properties and 4 or 5 representatives of the area homeowners to review the following items: 1. Current traffic issues entering and exiting at 63rd Street. 2. Safety and security issues, possible NBSD officer. 3. Adequate traffic flow inside the development. 4. Additional entrance/exit for the development. 5. Age appropriate playground. Motion Carried 6-1.

Date: June 4, 2007

Roll Call Number: 07-1070

Action: On request from Conlin Equities, LLC for amendment to River Oaks Centre PUD Conceptual Plan for 6000 Creston Avenue to allow for development of a lot into four three-story 24-unit buildings, one three-story 16-unit building and one single-family dwelling for the manager's residence, (6-18-07). Moved by Vlassis to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: June 7, 2007

Board: Plan & Zoning Commission

Action: Recommended denial of the requested amendment to the River Oaks Centre PUD Conceptual Plan.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Approval of the proposed amendment to the approved "PUD" Conceptual Plan requires the favorable vote of 4/5ths of all members of the City Council, due to the Plan and Zoning Commission recommendation for denial.