



Council Communication

Office of the City Manager

Date	February 11, 2008
Agenda Item No.	43
Roll Call No.	<u>08-</u>
Communication No.	<u>08-072</u>
Submitted by:	Richard A. Clark, City Manager

AGENDA HEADING:

Report from City Manager in response to request from Ted Grob, Savannah Homes, 800 50th Street, WDM, regarding Silver Leaf PUD, 5100 NE 38th Avenue.

SYNOPSIS:

At the August 20, 2007 City Council meeting, Council requested follow-up on issues that were presented regarding the rezoning and development of property at 5100 NE 38th Street (Douglas Avenue). Staff evaluated the developer's requests to reduce the cost of development in Des Moines and specifically the proposed Silver Leaf Planned Unit Development and reported back to the City Council. At the January 7, 2008 Council meeting Ted Grob, (Savannah Homes, 800 50th Street, WDM,) spoke regarding Silver Leaf PUD, 5100 NE 38th Avenue and requested a meeting with the City Manager to further explore potential cost savings. The City Manager and staff met with Mr. Grob twice to evaluate potential cost saving ideas and have a number of recommendations. In our meeting with Mr. Grob on 02-07-08, he advised that the various proposed actions satisfactorily addressed his concerns about cost. Elimination of the sanitary sewer connection fee, as was originally requested, is not necessary (or recommended).

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

The following are potential cost savings items identified by Ted Grob of Savannah Homes regarding the proposed Silver Leaf PUD at 5100 NE 38th Avenue. The staff response follows each item:

1. *Reduce the east/west street to 26' back-to-back width (potential savings of \$20,800).*

Staff believes that the request is acceptable.

2. *Eliminate Alleys.*

This request was eliminated from consideration by Ted Grob since any lot without access on an alley must have a garage.

3. *Reduce street lights from 35 to 30 (potential savings \$10,000).*

This refers to the total number of street lights in the development. Street light configuration in a subdivision is a collaborative effort involving the developer's designer, MidAmerican Energy, and City Traffic Engineering. A proposal must be submitted to Traffic for approval in accordance with set standards. There is no way at this time to tell how many street lights will be required, since no

proposal has been submitted.

4. *Allow PVC (plastic) pipe to be used for storm sewer rather than CIP (cast iron) pipe (potential savings \$45,360).*

This refers to footing drain storm sewer service stubs from the public storm sewer system to each lot that will have a basement in the dwelling. It is a Plumbing Inspection issue. PVC pipe is allowed as long as a minimum 48 inches of cover can be maintained over the top of the pipe. CIP is required within the frost zone. The developer's engineer should be able to design the system deep enough to allow the PVC pipe. Any more discussion of this matter should be with the Permit and Development Center and/or the Plumbing Board.

5. *Allow Ecotech to tap each water service (potential savings of \$9,400).*

This is Des Moines Water Works issue that is not under the City Council's purview.

6. *Allow the developer to conduct their own certified inspections (potential savings \$ 21,420).*

This refers to inspection of public improvements constructed under a Council-approved private construction contract. This has not been done for any subdivision plats in the past. If allowed to occur, the scope of services must equal or exceed that of services provided by City staff and include a Professional Engineer's certification. The City staff believes that if the developer is comparing equal services, the cost difference is very small. In addition, this will be our first narrow street with a "drivable" sidewalk. Since we are already allowing differences to the street standards, this project must be inspected by City staff in order to make sure the proposed changes are correctly installed. Because of this allowance, City staff does not consider this request acceptable.

7. *Allow cleanouts vs. manholes at the terminus of sanitary sewers (potential savings \$14,000).*

This refers to dead end sanitary sewer situations. Manholes must be used at permanent dead end sanitary sewers. We can allow a cleanout instead of a manhole in a temporary dead end sanitary sewer situation when future upstream development would extend the sewer at the same slope and direction. The maximum distance between the cleanout and the next downstream manhole should be 100 feet.

8. *Allow 500' manhole separation vs. 400' (potential savings \$16,500).*

The City must follow SUDAS requirements which only allows the 500' spacing for 24-inch or larger diameter sanitary sewers. This would not meet the requirements.

In addition, Mr. Grob has requested the following assurances.

1. *No requirement for sidewalk along Douglas Avenue.*

We cannot assure this at this time. Traffic Engineering and Planning staff currently believe there is a need for sidewalk on the north side of E. Douglas Avenue.

2. *Allow 20' street loop streets with integrated 6' sidewalk (recycled aggregate sub-base).*

The design was previously agreed to by staff.

3. *No tree ordinance requirements other than townparks including construction of detention areas.*

The PUD was approved with a condition that a tree survey and protection plan be submitted with any preliminary plat. Mitigation would be evaluated at the time of platting. The PUD was also approved with a condition that overstory trees be planted at 50' spacing along NE 38th Avenue. The City's Subdivision Ordinance requires one street tree to be planted on each lot. Changing the conditions would require a new hearing by the City Council. Waivers of tree preservation or planting requirements could be considered at the time of the Preliminary Plat. However, staff cannot assure that the preservation or planting requirements will be waived.

4. *No requirement for street lights along Douglas Avenue.*

Staff believes that the request is acceptable.

5. *No requirement for turn lanes on Douglas Avenue.*

Staff believes that the request is acceptable.

6. *Sanitary sewer allowed being located in townparks vs. streets.*

Staff believes that the request is acceptable.

7. *Request that project be "grandfathered" from recently approved ordinance requiring developer to retain 1 1/4" rainfall on site.*

Staff believes that the request is acceptable. However, the developer must attempt to improve water quality post construction, which is the intent of the new ordinance.

8. *Allow driveway versus turnaround at the end of north / south street on the east edge of the development and allow existing crescent as a turnaround at the end of east / west street.*

The north end of the north/south street must be provided with a temporary turn-around mirroring one of the Fire Department's approved configurations - not necessarily the cul-de-sac version. No temporary turnaround is required at the west end of the east / west street as long as the street stub remains only one lot deep.

9. *Sanitary Sewer Connection Fee paid with first occupancy permit rather than at the time of plat approval.*

The sanitary sewer connection fee must be paid prior to final plat approval by Council. Typically developers construct sanitary sewers upon preliminary plat and public improvement construction plan approval in order to avoid the cost of providing a subdivision bond for the sewers. Phased public improvement construction and final platting are also common. We are able to phase fees, based on the final plat service areas, by presenting a proposal to Council for approval. This would allow the developer to delay fee payment until just before the issuance of the first building permit in the final plat, but not until occupancy.

If the developer would rather provide a subdivision bond for the required public improvements prior to final plat approval, and construct the sewers within a year of that approval, building permits could be issued after the plat is recorded, but no occupancy certificates could be issued until all public improvements in the ground have been accepted by Council. In this scenario, the connection fee must be paid prior to Council acceptance of the "in the ground" public sanitary sewers.

10. *Building Department approves house plans now.*

The City currently has a stock plan approval program. The developer should contact the Permit and Development Center for more information.

11. *All other P&Z conditions still valid.*

The developer must comply with all conditions that were approved by the City Council pursuant to Roll Call 07-1663 on August 20, 2007. Any changes to these conditions are subject to a re-hearing by the City Council. Staff believes that review by the Plan and Zoning Commission would be necessary.

PREVIOUS COUNCIL ACTION(S):

Date: January 7, 2008

Roll Call Number: [08-065](#).

Action: [From](#) Ted Grob, Savannah Homes, 800 50th Street, WDM, to speak regarding Silver Leaf PUD, 5100 NE 38th Avenue. Moved by Mahaffey to receive and file comments; refer to the City Manager to work with Mr. Grob and report back to Council at the January 28, 2008 Council Meeting. Motion Carried 7-0.

Date: August 20, 2007

Roll Call Numbers: [07-1662](#)

Action: Approval of amendment to the 2020 Community Character Plan Land Map, request for PUD zoning and Silverleaf PUD Conceptual Plan subject to conditions. [Hearing](#) on rezoning of the property from "A-1" (Agricultural) to "PUD" (Planned Unit Development) to develop approx. 37 acres of agricultural land for 121 single-family residential lots and 38 bi-attached residential units. Moved by Mahaffey to adopt and approve the rezoning and Conceptual Plan, subject to final passage of the rezoning ordinance; item #10 – Street width—design must be acceptable to the City Manager and Fire Chief. City Manager will review all issues raised. Motion Carried 6-1.

Date: August 20, 2007

Roll Call Numbers: [07-1663 through 07-1665](#).

Action: [Hearing](#) on rezoning of the property from "A-1" (Agricultural) to "PUD" (Planned Unit Development) to develop approx. 37 acres of agricultural land for 121 single-family residential lots and 38 bi-attached residential units. Moved by Mahaffey to adopt and approve the rezoning and Conceptual Plan, subject to final passage of the rezoning ordinance; item #10 – Street width—design must be

acceptable to the City Manager and Fire Chief. City Manager will review all issues raised. Motion Carried 6-1.

Date: August 6, 2007.

Roll Call Number: [07-1516](#)

Action: [On](#) request from Savannah Homes, Inc. to rezone property in the vicinity of 5100 NE 38th Avenue, from “A-1” (Agricultural) to “PUD” (Planned Unit Development) and approve a PUD Conceptual Plan for “Silver Leaf”, to include development of approximately 37 acres of agricultural land for 121 single-family residential lots and 38 bi-attached residential units, (8-20-07). Moved by Vlassis to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: July 19, 2007.

Roll Call Number: N/A.

Action: Recommended approval of the request to designate the subject property as Low Density Residential and Low-Medium Density Residential on 2020 Community Character Plan Land Use Map by a vote of 8-1. Recommended approval of the request for PUD zoning by a vote of 8-1. Recommended approval of the Silverleaf PUD Concept Plan, with conditions, by a vote of 8-1.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE