



Council Communication

Office of the City Manager

Date	May 10, 2010
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Agenda Item No.	51
Roll Call No.	10-746
Communication No.	10-244
Submitted by:	Larry Hulse, Community Development Director

AGENDA HEADING:

Public hearing regarding request from Sutton Hill Residential Cooperative to rezone property located at 2080 King Avenue from “R-6” Planned Residential Development and “R1-80” One-Family Residential to a “PUD” Planned Unit Development.

SYNOPSIS:

Sutton Hill Residential Cooperative proposes a total of 318 apartment units (210 existing and 108 new) on 16.85 acres which is a density of 18.87 dwelling units per acre. The existing 2020 Community Character Plan land use designation for the property is Medium Density Residential which allows a maximum 17 dwelling units per acre. On April 19, 2010 the Plan and Zoning Commission recommended denial of a request to amend the 2020 Community Character Plan land use designation to High Density Residential (allows over 17 units per acre). The Plan and Zoning Commission also recommended approval of the Planned Unit Development subject to conditions including, but not limited to, the entire site having a maximum density of 17 dwelling units per acre. This would allow Sutton Hill to add only 76 new dwelling units.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

Upholding the Plan and Zoning Commission’s recommendation for denial of the 2020 Community Character Plan land use map amendment requires a simple majority vote of the City Council. However, overturning the Plan and Zoning Commission’s recommendation requires a 6/7th vote of the City Council. If request for a High Density Residential Land Use designation is approved by a 6/7th vote of the City Council, a simple majority vote of the Council is required to approve a PUD Concept Plan for 108 units.

PREVIOUS COUNCIL ACTION(S):

Date: April 26, 2010

Roll Call Number: 10-604

Action: [On](#) request from Sutton Hill Residential Cooperative to rezone 2080 King Avenue from “R-6” (Planned Residential Development) and “R1-80” (One-Family Residential) to “PUD” (Planned Unit Development), subject to conditions, (5-10-10). Moved by Coleman to adopt. Motion Carried 7-0.

Date: April 26, 2010

Roll Call Number: 10-588

Action: [Approving](#) first modification of offer to purchase real estate between Sutton Hill Residential Cooperative and the City for excess City-owned property adjoining 2080 King Avenue. Moved by Coleman to adopt. Motion Carried 7-0.

Date: January 25, 2010

Roll Call Number: 10-149, 10-150, and 10-151

Action: [On](#) vacation and conveyance of property adjoining 2080 King Avenue to Sutton Hill Residential Cooperative, \$127,147. ([Council Communication No. 10-043](#)) Moved by Hensley to adopt. Motion Carried 7-0. (A) [First](#) consideration of ordinance above. Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0. (B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes. Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,915](#). Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: April 19, 2010.

Roll Call Number: 10-2009-5.02.

Action: The Plan and Zoning Commission recommended as follows:

Motion to find the request for a total of 318 dwelling units on 16.85 acres (18.87 units/acres) not in conformance with the existing Des Moines’ 2020 Community Character Plan’s future land use designation of Medium-Density Residential (allows up to 17 units/acres). Motion passed by a vote of 12-1.

Motion to amend the Des Moines’ 2020 Community Character Plan to change the future land use designation from Medium Density Residential to High Density Residential with the proviso that overall density of the site may not exceed 18.87 dwelling units per acre. Motion failed by a vote of 6-7.

Motion to deny request to amend the Des Moines’ 2020 Community Character Plan future land use designation from Medium-Density Residential to High-Density Residential. Motion passed by a vote of 8-5.

Motion to approve request from Sutton Hill Residential Cooperative to rezone property located at 2080 King Avenue from “R-6” Planned Residential Development & “R1-80” One-Family Residential District to a “PUD” Planned Unit Development. Motion passed by a vote of 12-0.

Motion to approve the Sutton Hill PUD Conceptual Plan subject to the following conditions, motion passed by a vote of 10-2:

1. The entire site shall have a maximum density of 17 dwelling units per acre. This requires the proposal to either eliminate 32 dwelling units (resulting in the addition of only 76 new dwelling units) or assemble an additional 1.86 acres to the site that is not encumbered by residential units.
2. The note for building setbacks on Page 1 of the Conceptual Plan shall be corrected to reflect the 20-foot setback along the north site boundary demonstrated on Page 2 of the Conceptual Plan.
3. A note shall be added to the Conceptual Plan to state that all garage doors on the site shall be maintained in a functional working order.
4. A note shall be added to the Conceptual Plan to state that all refuse collection on the site (new and existing) shall be enclosed and effectively screened on all sides by enclosures constructed with steel gates and brick or masonry materials to match the brick or masonry on the proposed buildings.
5. A note shall be added to the Conceptual Plan to state that all utility meters shall be placed on building facades that do not face parking lots or streets.

A note shall be added to the Conceptual Plan to state that the 3-foot tall wood fence that screens the eastern perimeter of the parking lot from SE 22nd Street shall be placed 2 feet back from the curb of the parking lot, with plantings placed on the street-side of the fence.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Second and Third readings of the ordinance unless waived by the City Council.

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