

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: June 27, 2011
	Agenda Item No. 50 Roll Call No. <u>11-1151</u> Communication No. <u>11-431</u> Submitted by: Phillip Delafield, Community Development Director

AGENDA HEADING:

Public Hearing regarding request from HDR Land Development, LLC (owner) represented by Larry Handley (officer) for Amendment to The Woods at Copper Creek PUD Conceptual Plan for property located in the vicinity of the 4600 block of Easton Boulevard. The amendment would revise the southeastern five acres removing it from Area “C” which is designated for multiple-family residential use and adding it to Area “A” which is designated for single-family residential use. Additional property is owned by Richard N. Downs Trust.

SYNOPSIS:

The Plan and Zoning Commission and staff recommend approval of the Amended Woods at Copper Creek Conceptual Plan subject to conditions. Please see the “Additional Information” section of this report for review of the current standard regarding caliper of trees required in residential areas.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

Planned Unit Developments provide the opportunity to “write your own zoning” for a property. Historically, PUD’s have resulted in a higher development and landscaping standard than development that is subject to minimum City requirements.

The existing Woods at Copper Creek PUD Concept Plan and Preliminary Plat approved on September 10, 2007 includes landscaping notes that state:

“The following landscape standards shall apply to the development of all single-family residential lots:

1. Landscaping standards as applicable under the City of Des Moines site plan policies and ordinances for each referred zoning district shall be required of any development plan. Exceptions are allowed if a more comprehensive conceptual landscaping scheme is approved as part of a formal amendment to the conceptual plan.
2. “On each single-family lot, the owner or builder at the time the dwelling is constructed is required

to plant, as a condition of occupancy, one tree on such lot. Street trees shall be planted in the public right-of-way and shall meet the requirements of the City's overstory trees as described in the City of Des Moines Site Plan Policy.....”

The City of Des Moines Site Plan Policy incorporates the City's Landscape Standards. Chapter 1 of the existing landscape standards (adopted by Council in March 2004) requires a minimum 1.5” caliper size for “required” overstory trees and a minimum 1” caliper size for “required” ornamental trees unless otherwise noted.

The proposed amendment to the Woods at Copper Creek PUD Concept Plan that will be heard on June 27, 2011 currently includes the same landscaping notes as the existing/approved PUD Concept Plan.

However, the Woods at Copper Creek Preliminary Plat approved by the P&Z on June 2, 2011 exceeds the minimum required by the existing and proposed PUD Conceptual Plans and states:

“On each single-family lot, the owner or builder at the time the dwelling is constructed is required to plant, as a condition of occupancy, one ornamental tree in the front yard and one minimum 1.5” caliper overstory tree in the rear yard on such lot. One street tree per single-family lot shall be planted in the public right-of-way and shall meet the requirements of the City's overstory trees as described in the City of Des Moines Site Plan Policy.....”

Community Development staff believes the developer should be commended for proposing additional plantings on each single-family lot. Staff and Plan and Zoning Commission have simply recommended that the wording on the proposed PUD Concept Plan match the wording on the approved Preliminary Plat.

The Council may, as part of the consideration of the Amended PUD Concept Plan, specify that only 1” caliper overstory trees be planted within the subject property (right-of-way only or entire property). However, such a zoning requirement would only apply to the subject property. If the Council wants only 1” caliper overstory trees planted in public right-of-way and/or all “required” landscape areas citywide, the City Council should direct a review and revision of the City's existing Landscape Standards.

PREVIOUS COUNCIL ACTION(S):

Date: June 13, 2011

Roll Call Number: 11-0990

Action: **On** request from HDR Land Development, LLC to amend The Woods of Copper Creek PUD Conceptual Plan (4600 block of Easton Blvd.) revising the southeastern five acres removing it from Area “C” for multiple-family and adding to Area “A” for single-family development, subject to conditions, (6-27-11). **Moved by Moore to adopt, and refer to the City Manager to review the current standard regarding caliper of trees required in residential areas. Motion Carried 6-1. Absent: Meyer.**

Date: September 10, 2007

Roll Call Number: 07-1766, 07-1767, 07-1768 and 07-1769

Action: To amend the Des Moines 2020 Community Character Land Use Plan future land use designation for the southern portion of the site (18.88 acres) from Low Density Residential to Low/Medium-Density Residential, which allows for a maximum density of 12 dwelling units per acre. **Moved by Mahaffey to adopt, and approve the proposed amendment. Motion Carried 7-0.**

Hearing on rezoning of the property from “A-1” (Agricultural) to “PUD” (Planned Unit Development) to develop approx. 71 acres for 60’ wide lot single-family residential, approx. 22 acres of 70’ wide lot single-family development and approx. 18 acres for medium-density multiple-family residential. **Moved by Mahaffey to adopt and approve the rezoning and conceptual plan, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

First consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Mahaffey 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, #14,699. Motion Carried 7-0.**

Date: March 22, 2004

Roll Call Number: 04-653

Action: Approving City of Des Moines’ Landscape Standards as part of City’s Site Plan Policies. (Council Communication No. 04-146). Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Brooks.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: June 2, 2011

Resolution Number: ZON 2011-00095

Action: The Commission voted 11-0 to approve the amendment to “The Woods of Copper Creek” PUD Conceptual Plan subject to the following revisions:

1. Each single-family residential lot shall provide one 1.5-inch caliper street tree, one ornamental or overstory tree in each front yard, and one 1.5-inch caliper overstory tree in the rear yard.
2. Demonstration of the sanitary sewer that would serve the additional single-family lots as provided on the preliminary plat.
3. Provision of a note to state the development will comply with the International Fire Code Section D107.1, which requires a secondary separate and approved fire apparatus access road where the number of single-family dwelling units exceeds 30.

Board: Plan and Zoning Commission

Date: June 2, 2011

Resolution Number: 13-2011-1.30

Action: The Commission voted 11-0 to approve the amendment to “The Woods of Copper Creek” Preliminary Plat subject to the following revisions:

1. Compliance with all administrative review comments by the Permit and Development Center.
2. Each single-family residential lot shall provide one 1.5-inch caliper street tree, one ornamental or overstory tree in each front yard, and one 1.5-inch caliper overstory tree in the rear yard
3. Provision of low-level shrubs within all landscape islands within cul-de-sacs and traffic circles planted by the developer and owned and maintained by a homeowners association.
4. Any cul-de-sac over 150 feet in length must have a minimum diameter of 96 feet.
5. Provision of a note to state the development will comply with the International Fire Code Section D107.1, which requires a secondary separate and approved fire apparatus access road where the number of single-family dwelling units exceeds 30.
6. Demonstration of how Outlots Y & Z will be owned and maintained to the satisfaction of both Polk County and the City of Des Moines.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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