

★ Roll Call Number

Agenda Item Number

67A

Date February 12, 2007

WHEREAS, on August 7, 2000, by Roll Call No. 00-3381 the City Council adopted the Des Moines 2020 Community Character Land Use Plan; and

WHEREAS, the City Plan and Zoning Commission has advised in the attached letter that at a public hearing held December 21, 2006, the members voted 10-1 in support of a motion to recommend **APPROVAL** of a request from Mid-America Group (purchaser) represented by Theresa Wahlert (officer) to amend the Des Moines 2020 Community Character Plan future land use designation from Agricultural to Commercial Auto-Oriented, Small-Scale Strip Development, Medium Density Residential, Low Density Residential and Public/Semi-Public for property proposed for voluntary annexation located at 3930 SE 72nd Avenue in Polk County. Subject property is owned by NW 77 JV represented by Al Rivers (officer) and is more specifically shown in the accompanying map.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the proposed amendment to the Des Moines 2020 Community Character Land Use Plan described above, is hereby approved.
2. That all other parts of said Des Moines 2020 Community Character Land Use Plan are hereby deemed to remain in full force and effect and the Plan adopted by the City Council by Roll Call No. 00-3381 on August 7, 2000, and all subsequent amendments thereto including the amendment herein shall constitute the official comprehensive plan known as the Des Moines 2020 Community Character Land Use Plan.

MOVED by _____ to approve the proposed amendment.

FORM APPROVED:


 Roger K. Brown, Assistant City Attorney

(21-2006-4.20)

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| HENSLEY | | | | |
| KIERNAN | | | | |
| MAHAFFEY | | | | |
| VLASSIS | | | | |
| MEYER | | | | |
| TOTAL | | | | |

MOTION CARRIED

APPROVED

CERTIFICATE

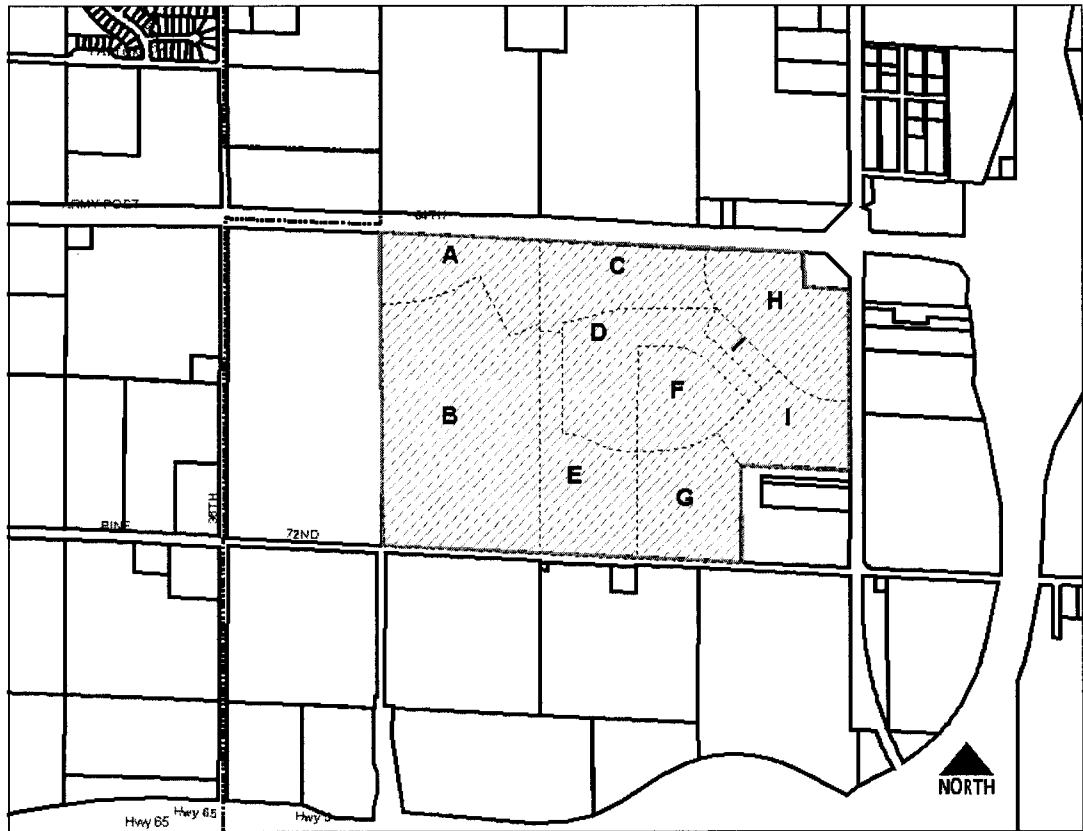
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ Mayor

_____ City Clerk

67A



A, I:
From: Agricultural
To: High-Density Residential

B, D, E, G:
From: Agricultural
To: Low-Density Residential

C, H:
From: Agricultural
To: Commercial: Auto-Oriented
Small Scale Strip Development

F:
From: Agricultural
To: Public/Semi-Public

January 22, 2007

Date _____

Agenda Item 67A

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 meeting held December 21, 2006, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-1 as follows:

| Commission Action: | Yes | Nays | Pass | Absent |
|--------------------|-----|------|------|--------|
| David Cupp | X | | | |
| Shirley Daniels | X | | | |
| Dann Flaherty | X | | | |
| Bruce Heilman | | | | X |
| Jeffrey Johannsen | X | | | |
| Greg Jones | | | | X |
| Frances Koontz | | | | X |
| Kaye Lozier | X | | | |
| Brian Meyer | | X | | |
| Brian Millard | X | | | |
| Brook Rosenberg | X | | | |
| Mike Simonson | X | | | |
| Kent Sovern | | | | X |
| Tim Urban | X | | | |
| Marc Wallace | X | | | |



CITY PLAN AND ZONING COMMISSION
 ARMORY BUILDING
 602 ROBERT D. RAY DRIVE
 DES MOINES, IOWA 50309 -1881
 (515) 283-4182

ALL-AMERICA CITY
 1949, 1976, 1981
 2003

APPROVAL of a request from Mid-America Group (purchaser) represented by Theresa Wahlert (officer) to amend the Des Moines 2020 Community Character Plan future land use designation from Agricultural to Commercial Auto-Oriented, Small-Scale Strip Development, Medium Density Residential, Low Density Residential and Public/Semi-Public for property proposed for voluntary annexation located at 3930 SE 72nd Avenue in Polk County. Subject property is owned by NW 77 JV represented by AI Rivers (officer). (21-2006-4.20)

By same motion and vote, members moved for **APPROVAL** of a request for rezoning of subject property from the "A-1" Agricultural District it will automatically receive upon annexation, to "PUD" Planned Unit Development District along with a Conceptual Plan entitled "Harvest Hills" to include development of approximately 217 acres of agricultural land for 37.8 acres of general retail and highway oriented commercial development, 37.7 acres of medium-density multiple-family residential development, 61.3 acres of 70' wide lot single-family residential development, 21.4 acres of 60' wide lot single-family residential development, 40.5 acres of 50' wide lot single-family residential development, and 13.7 acres for school use with the following revisions: (ZON2006-00178)

1. Modification of the Preservation Guidelines on Sheet 1 to include a requirement that future plats and development plans outline measures to be taken to protect these preservation areas during the construction phase and specific easement language for perpetual protection and management of these areas.
2. Addition to the General Notes on Sheet 1 that implementation of low impact design methods to supplement the City's regular storm water management standards shall be considered with any subdivision plat or development plan submitted to provide some mitigation of storm events more frequent than a 5-year storm.
3. Addition of a note to the Landscape Guidelines on Sheet 1 that landscaping standards as applicable under the Site Plan policies to the referenced zoning districts shall be required of any Development Plan at a minimum, unless a more comprehensive conceptual landscaping scheme is approved as part of a formal amendment to the Conceptual Plan.
4. Addition of a note to the Landscape Guidelines on Sheet 1 that the required screen fencing for commercial and multiple-family parking buffer yard standards should be 100% solid opaque and shall be of a design and material that is common throughout the PUD. The architectural requirement of fencing will be determined at the time of site plan approval for Area C.
5. Modification of all 50' wide single-family lot requirements on sheet to "require" a detached or attached 1-car garage and delete the typical lot layout on Sheet 2 that does not show a garage. Encourage builders to push garages far enough back so a single car garage could be added on later to make a double garage without having to tear the garage down.
6. Addition of the following to the Architectural Guidelines for single-family dwellings on Sheet 1:
 - a) The same single-family dwelling plan shall not be built on adjacent lots.
 - b) The street façade of any single-family dwelling shall have either of the following:
 - i. A front porch of not less than 60 square feet or
 - ii. 1/3 to 1/2 stone or brick masonry
 - c) Windows on the street façade of any single-family dwelling shall have either of the following:
 - i. Shutters on each side
 - ii. Trim border not less than 4" in width
 - d) Roofs on any single-family dwelling shall be of asphalt type shingles or cedar shakes
 - e) Single-story single-family dwellings shall be constructed with a minimum of 1,200 square feet of finished floor area exclusive of the basement or attached garage.
 - f) 1-1/2 and Two-story single-family dwellings shall be constructed with a minimum of 1,400 square feet of finished floor area exclusive of the basement or attached garage.
 - g) Specific architectural plans shall be provided for the 50' wide lots by the builder partner(s) with the subdivision plat, and the Community Development Director shall have authority to reduce the required square footage for the dwellings below 1200 (no less than 1000) if a plat with rear alley loading and an association management is submitted and approved.
 - h) Exterior material for any single-family dwelling shall be masonry (brick or stone), vinyl (between 44 and 50 mills thickness), cedar or hardi-plank siding.
8. Area F shall be used as either a school site as proposed or as open space. If used as open space the developer shall be permitted to plat lots within the portion of Area F fronting on the north/south street while preserving the balance of Area F and the frontage on the south and southeast sides of Parcel F as open recreational space for public use.
9. The developer establish an architectural review and approval process.

Written Responses

8 In Favor

0 In Opposition

This item would not require a 6/7 vote at City Council.

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Part A) Staff recommends approval of the requested amendment to the Des Moines' 2020 Community Character Plan future land use designations, subject to annexation into the City of Des Moines.

Part B) Staff recommends that the Commission find the proposed rezoning and "PUD" Conceptual Plan in Conformance with the recommended amendment to the Des Moines' 2020 Community Character Plan future land use designations.

Part C) Staff recommends approval of the requested rezoning to "PUD" Planned Unit Development subject to annexation into the City of Des Moines; and approval of the submitted Conceptual Plan for Harvest Hills with the following revisions:

1. Modification of the Preservation Guidelines on Sheet 1 to include a requirement that future plats and development plans outline measures to be taken to protect these preservation areas during the construction phase and specific easement language for perpetual protection and management of these areas.
2. Addition to the General Notes on Sheet 1 that implementation of low impact design methods to supplement the City's regular storm water management standards shall be considered with any subdivision plat or development plan submitted to provide some mitigation of storm events more frequent than a 5-year storm.
3. Addition of a note to the Landscape Guidelines on Sheet 1 that landscaping standards as applicable under the Site Plan policies to the referenced zoning districts shall be required of any Development Plan at a minimum, unless a more comprehensive conceptual landscaping scheme is approved as part of a formal amendment to the Conceptual Plan.
4. Addition of a note to the Landscape Guidelines on Sheet 1 that the required screen fencing for commercial and multiple-family parking buffer yard standards should be 100% solid opaque and shall be of a design and material that is common throughout the PUD.
5. Modification of all 50' wide single-family lot requirements on sheet to "require" a detached or attached 1-car garage and delete the typical lot layout on Sheet 2 that does not show a garage.
6. Addition of the following to the Architectural Guidelines for single-family dwellings on Sheet 1:
 - a) No same single-family dwelling plan can be built on adjacent lots
 - b) The street façade of any single-family dwelling constructed shall have either of the following
 - i. A front porch of not less than 60 square feet or
 - ii. 1/3 to 1/2 stone or brick masonry
 - c) Windows on the street façade of any single-family dwelling constructed shall have either of the following:
 - i. Shutters on each side
 - ii. Trim border not less than 4" in width
 - d) Roofs on any single-family dwelling constructed shall be of asphalt type shingles or cedar shakes
 - e) Single-story single-family dwellings shall be constructed with a minimum of 1,200 square feet of finished floor area exclusive of the basement or attached garage.
 - f) 1-1/2 and Two-story single-family dwellings shall be constructed with a minimum of 1,400 square feet of finished floor area exclusive of the basement or attached garage.
 - g) Exterior material for any single-family dwelling constructed shall be masonry (brick or stone), vinyl (between 44 and 50 mills thickness), cedar, masonite, or hardi-plank siding.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking to create a mixed-use development of commercial and residential uses with a mix of residential densities.
2. **Size of Site:** 217.58 acres
3. **Existing Zoning (site):** The existing zoning in Polk County is "CS" Countryside District. Upon annexation into the City, the property becomes zoned "A-1" Agricultural District.
4. **Existing Land Use (site):** The subject property is primarily used for agricultural purposes, with an existing barn outbuilding located on the eastern portion of the property with access to SE 45th Street. There is also a communications tower and associated ground equipment located to the south of the barn outbuilding.
5. **Adjacent Land Use and Zoning:**
 - North* – "CS" Countryside District & "NB" Neighborhood Business District (Polk County), Uses are agricultural, vacant commercial site and Avondale Animal Hospital and Veterinary Clinic.
 - South* – "CS"(Polk County), Uses are agricultural and single-family residential estates.
 - East* – "CS" & "LB" Light Business (Polk County), Uses are agricultural and single-family residential estates.
 - West* – "CS"(Polk County) & "A-1" Agricultural, Use is agricultural.
6. **General Neighborhood/Area Land Uses:** The subject property is located south of the extension East Army Post Road (SE 72nd Avenue In Polk County)
7. **Applicable Recognized Neighborhood(s):** Adjoins the eastern boundary of the Bloomfield/Allen Neighborhood.
8. **Relevant Zoning History:** The subject property is within the pending involuntary annexation area for the City of Des Moines approved by referendum in November 2005. The applicant seeks to voluntarily annex the property into the City.
9. **2020 Community Character Land Use Plan Designation:** "Agricultural"
10. **Applicable Regulations:** The Commission 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. Section 134-695 of the Des Moines City Code specifies that the Commission shall also consider a conceptual plan as part of the rezoning to Planned Unit Development with a recommendation also forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Natural Site Features:** The property is generally rolling agricultural land. The northern portion subject property is bisected by a significantly timbered drainage way running from southwest to northeast. The submitted plan identifies a preservation area averaging 120' in width centered over most of the drainage way except where streets are proposed to cross. There is another small preservation area identified over a smaller cluster of timber in the northwestern portion of the property. These areas total approximately 8.4 acres. Voluntary fence-row timber lines the

western edge of the subject property. The balance of the property is cultivated for agricultural purposes.

In order to ensure adequate protection of the preservation areas, the developer has indicated the specific intent regarding how tree and drainage way protection measures will be considered on future subdivision plats and development plans. Staff believes this statement should be modified to include a requirement that future plats and development plans outline measures to be taken to protect these preservation areas during the construction phase and specific easement language for perpetual protection and management of these areas.

- 2. Drainage/Grading:** All proposed development is subject to compliance with standards for storm water management and soil erosion protection as part of approval of any subdivision plat, development plan, or issuance of a grading permit. There are statements in the standards for each area that indicate that detention will be provided per the City requirements. The submitted plan also identifies conceptual areas for storm water collection and detention basins and a permanent pond feature in the commercial Area "H".

Much of the development in the southeast area of the City to west is covered by a regional storm water master plan implementing a network of storm water management facilities. However, the subject property falls outside of that watershed plan and there are no planned or designed regional facilities to be maintained by the City in support of the subject property area. Staff strongly encourages the implementation of low impact design methods to supplement the City's regular storm water management standards. This is emphasized especially with the proposal of a more compact arrangement of single-family dwellings with narrower lot widths. Even though some sub-areas of the Conceptual Plan allow for smaller than typical lot areas, it does not provide for any additional common open space for drainage methods other than the conservation area along the main drainage way.

- 3. Utilities:** There are significant petroleum pipeline facilities running north to south through the center of the entire site. There are also overhead electrical transmission lines running through the extreme northwest corner of the subject property.

The submitted plan indicates that public sanitary sewer will be accessed at the northeast corner of the property from a 10" main, and at the southeast corner from a 8" main. The proposed sanitary sewer laterals generally follow the proposed street network and extend to the adjoining property to the west that will need to be served by the same system for future development.

The closest Des Moines Waterworks public water main to the subject property is a 12" main located in SE 36th Street to the west. Public water main is shown on the Plan to be extended from this location by the developer to serve the primary needs of the development for water supply and fire protection.

- 4. Landscaping & Buffering:** There are several buffer areas and street trees shown conceptually on the submitted plan. Additionally there are specific minimum guidelines for the individual single-family lot landscaping to including one street tree in the right-of-way, and one deciduous tree and five shrubs on the private property with 75% of the material in view of the public street within the front or side yards. The applicant may have intended to imply compliance with current landscaping standards when referencing the Development Plan requirements. However, staff believes the areas providing for commercial and multiple-family uses should indicate that landscaping standards as applicable under the Site Plan policies to the referenced zoning districts shall be required of any Development Plan at a minimum, unless a comprehensive conceptual landscaping scheme is approved as part of a formal amendment to the Conceptual Plan.

The plan does not permit fences, walls, hedges, or barriers except fences no taller than six feet with the finished side facing the exterior of the lot. The plan further indicates that no chain link, including pet confinements, shall be permitted unless it is black vinyl coated. Staff would suggest that a guideline be added that the required screen fencing for commercial and multiple-family parking buffer yard standards should be 100% solid opaque and shall be of a design and material that is common throughout the PUD.

- 5. Traffic/Street System:** The submitted Conceptual Plan provides for a network of streets with 50' and 60' right-of-way widths with paved widths of 26' and 31' respectively. There are two street connections to the property adjoining to the west for extension to serve future development. There is a potential future street connection shown to the property adjoining to the southeast. In addition there are three street connections to East Army Post Road to the north, one street connection to SE 45th Street to the east, and two street connections to SE 72nd Street to the south. Traffic circles are proposed at the intersection of two north/south through traffic streets where they intersect with a through east/west street. Traffic and Transportation Engineering staff have reviewed the Plan and determined that the street layout provides good circulation for the proposed and future development.

The Plan provides a statement that "A traffic analysis and recommendations for off-site traffic control improvements shall be completed and submitted to City staff prior to a preliminary plat." This will determine the need for additional improvements such as signals, turn lanes, etc.

The Plan generally requires four feet wide (4') sidewalks on both sides of all public streets. There are also proposed eight feet (8') sidewalks on one side of three of the through streets, and 10' recreational trails shown along the western edge of the subject property and generally parallel to the east/west drainage feature. This network is in response to a similar configuration suggested by the planning staff of the Parks and Recreation Department.

- 6. Access or Parking:** The Plan references underlying zoning standards from existing districts in the Zoning Ordinance, staff recommends that a specific reference be made to ensure minimum off-street parking requirements are met in accordance with the requirements of Section 134-1377 of the code unless specifically stated otherwise.

There is special parking allowance made in the Plan for Area "C" which is designated for mixed-use. This includes a 10% reduction of the minimum required parking spaces where parking lots are shared by multiple tenants. A 20% reduction allowance is made for shared mixed-use office/residential parking. The Plan indicates that garage spaces shall be counted toward required parking for multiple-family use. Staff believes that this will not present a problem with parking demand and will help reduce the amount of pervious surface providing storm water impact.

The Plan encourages but does not require a garage for single-family detached dwellings on lot ranging from 50'-59' wide. Staff believes that given the location of the subject property relative to distance from major employment opportunities, and given that nothing in the Plan provides for inter-modal/transit facilities within the development, each household will have at least one automobile. Therefore staff believes that 50'-59' single-family lots shall provide a minimum of a one-vehicle garage either attached or detached. The areas with underlying "R1-60" and "R1-70" standards require two-vehicle garages.

- 7. 2020 Community Character Plan:** The Des Moines 2020 Community Character Plan identifies the subject property as "Agricultural". The proposed mixed use and mixed residential density development will require an amendment to define the future land use in relationship to the proposed conceptual plan.

Staff believes that the proposed development should be viewed in terms of its proximity to the Iowa Highway 65/5 bypass and its distance from other commercial and mixed-density

development. The subject property is in transitional area between the Easter Lake New Town Plan area and the Iowa 5/65 bypass. Staff believes that this is an appropriate location to allow a concentration of higher density residential and commercial uses.

The proposed commercial area within the Conceptual Plan is appropriately located along East Army Post Road where there is a potential to serve the general public as well as provide a neighborhood commercial village. The more dense residential use, of up to 20 units per acre, is located along East Army Post Road and to the eastern portion of the development where there is immediate access to the bypass. The proposed school site is situated so that traffic does not have to flow through the neighborhood to have access. Should the Carlisle School District decline the site, it is proposed to allow for single-family development per the "R1-60" requirements. The single-family minimum lots widths in the Plan get larger from east to west, going from 50' and 60' wide lots to 70' wide lots at the western edge of the development.

- 8. Urban Design:** The plan provides for some general architectural guidelines and gives examples of single-family house designs that would be emulated with the development. However, with more recent planned unit residential development the Commission has sought to provide some more detailed standards for residential development to ensure that there is a blend of quality and aesthetics with the proposed development. There are minimum standards for homes on 50'-59' lots to require architecturally detailed porches and masonry features. Staff believes that more detailed standards should be provided for all single-family dwellings in the general architectural standards. Staff recommends that all single-family dwellings comply with the following standards:

- A) No same single-family dwelling plan can be built on adjacent lots
- B) The street façade of any single-family dwelling constructed shall have either of the following
 - 1) A front porch of not less than 60 square feet or
 - 2) 1/3 to 1/2 stone or brick masonry
- C) Windows on the street façade of any single-family dwelling constructed shall have either of the following:
 - 1) Shutters on each side
 - 2) Trim border not less than 4" in width
- D) Roofs on any single-family dwelling constructed shall be of asphalt type shingles or cedar shakes
- E) Single-story single-family dwellings shall be constructed with a minimum of 1,200 square feet of finished floor area exclusive of the basement or attached garage.
- F) 1-1/2 and Two-story single-family dwelling shall be constructed with a minimum of 1,400 square feet of finished floor area exclusive of the basement or attached garage.
- G) Exterior material for any single-family dwellings constructed shall be masonry (brick or stone), vinyl (between 44 and 50 mills thickness), cedar, masonite, or hardi-plank siding.

Future design and layout for any commercial and multiple-family development is required to be considered with subsequent amendments to the "PUD" Conceptual Plan.

SUMMARY OF DISCUSSION

Erik Lundy: Presented staff report and recommendation and explained a letter that was received by the Carlisle School District, which was disseminated to Commissioners. Noted the sewer is coming up from the south through the bypass area so the applicant will be accessing that sewer for the site. Noted there is a gas pipeline, which goes through the site. Noted the applicant agreed with most of the staff recommendations, with the exception of the square footage of homes and the provision of screened fencing for the commercial and multiple-family parking buffer. Noted there are only two cul-de-sacs within the development so there is good connectivity within the development and the applicant has done a good job of allowing for connection to future adjoining development.

Marc Wallace: Asked if there was anything included in the proposal for connectivity to surrounding trail systems.

Erik Lundy: Noted the applicant has followed suggestions from the Parks Planning staff for trail development up the west side that follows the drainage amenity into the commercial area and they are proposing wider sidewalks on the north side that will provide linkages to, over time, get to the Easter Lake network.

Tim Urban: Suggested the issues regarding room for the bike path and extra wide sidewalk along the street and whether the building sites on the adjacent lots would have adequate room for the typical yard and depth and size for the extra right-of-way for the public pathways would all be looked at more closely when plats come in for each of the concept areas. Suggested Area D with the proposed 50' lots could be considered for the neo-traditional solution of rear alleyways with all garages loaded off the alleyway.

Erik Lundy: Noted staff brought those suggestions to the attention of the applicant during a pre-application meeting and might be open to that. He explained the applicant had looked at an area where they would likely load garages on one end with the front side toward the more visible component of the community. Indicated there was no typical architecture or layout of the commercial sites and Areas A, C and H would return with a concept plan; only the general use is being defined and the plats would come in for the single-family development areas.

David Cupp: Referred to the preservation area and asked how the storm water would drain.

Erik Lundy: Noted it is a drainage way and it drains to the north and east. It eventually gets into the system to the northeast, but the applicant will have to manage it through storm water management; they will have to design to meet the guidelines.

Mike Ludwig: Noted when the water leaves the site it cannot release at any greater velocity than it does prior to development. It will have to be detained on site to maintain the release.

Erin Ollendike, Civil Design Advantage, 5501 NW 112th Street, Suite G, Grimes: Noted they are trying to create a neighborhood inclusive of a number of uses and provide home styles that will cater to a variety of homeowners. Attempting to provide services to the surrounding neighbors, with no heavy commercial uses or adult entertainment. The multi-family areas are being requested for a 20-unit density. Along the commercial use there is an existing barn on the site that is unique and it is the developer's intention to retain it on the site for a community center or potential residence. Regarding the future school site, the developer has had positive communications with Carlisle School District. If that does not go through with the school district they are requesting 60' wide lots for residential. There are specific architectural requirements they are intending to provide such as attached garages being set back 5' from the house, shutters on any windows that face the street or trim border 4" in width. They would amend the plan to require a minimum one car detached or attached garage so there would be no lots without garages. The intent for the architecture on the lots is to accentuate the porches more than the garages and the developer is in agreement with the 60' minimum porch requirement or 1/3 to 1/2 masonry on the front of the buildings. Explained landscaping and fencing requirements and noted there would be no front yard fencing allowed. Regarding the minimum square footage of the homes, noted they would like to maintain affordable housing prices and referred to other developments that were allowed 1100 square foot for ranch style homes on 50' lots and 1200 square foot for 1 1/2 story and 1400 square foot for 2 story homes. Noted properties toward the western edge of the development will be from 60' to 80' wide lots and there will be recreational trails provided throughout the development along the main corridors and traffic circles to help slow traffic down and provide a unique amenity to the street system.

Mike Simonson: Asked about the traffic circles diameter and sideyard setbacks.

Erin Ollendike: Noted the traffic circle is around 30' in diameter. Noted the side yard requirement is 15'.

Erik Lundy: Noted in a typical R1-60 the typical setback would be a total of 15' with 7' on one side and 8' on the other side for 50' wide lots and larger lot widths such as R1-80 the minimum side yard setbacks are 10' on both sides. Lots of record are based on 10% minimum on one side, which would be 5' and a total of 30% which would be 15' on a 50' lot.

Mike Simonson: Suggested there will be several cases where driveways abut each other; expressed concerns it would appear to have a lot of pavement and encouraged the developer to cluster the garages side-by-side to avoid individual slivers for every lot. Asked if the architectural styles that were shown were what would actually be built.

Brad Long, Mid-America Group, 4700 Westown Parkway: Noted they wanted homes that would be architecturally pleasing and unique enough that would be attractive to the market. Noted they needed a hook to attract people and are strongly encouraging home styles such as were shown. They are comfortable and feel it is imperative for the development that the homes be built as shown.

Mike Simonson: Asked if they would be using masonite siding.

Brad Long: Noted masonite has come a long way and noted the membrane cannot be broken when nailing the siding, or sealant has to be put on it. They don't physically build houses, but a lot of the developments they've been in have used masonite, but it needs to be properly applied. Noted the way to control the look of the homes is through the PUD and the covenants.

Tim Urban: Asked about a homeowners association and noted the neo-traditional alley loaded design is a more viable option with 50' wide lots, however there are burdens created with neo-traditional platting, which are the expense of putting the alleys in and who maintains them. He explained eliminating the driveways that penetrate the lots from the street the curb cuts are eliminated, as are all the cars parked up and down the street in driveways, and it creates a different street environment for children because there are no cars going down the street and is much safer. He suggested thinking about lowering the square foot requirements on the 50' lot plats in return for rear alley loading design and as the width is moved up to 60' and 70' wide lots, the square footage could be increased and the rear alley platting would not be required.

Brad Long: Noted concern with the 1100 square footage requirement is there are three houses shown in their drawings that are 1056 square foot and building is costly. They were trying to maintain attractiveness and affordability with 1100 square foot ranch style homes.

Tim Urban: Suggested that since they are not the actual builder, if the developer came forward with the PUD and plat on Areas D, E and G and could pair up with a builder that could show the architecture they propose to build and sell the approach for alley-loaded rear lots would be beneficial to the applicant.

Brian Meyer: Expressed concern for the roads leading out to Army Post relative to the traffic congestion; asked about the consequences of high-density in that area with only two or three outlets.

Brad Long: Noted they are in the process of hiring a traffic engineer to conduct a traffic study to determine the need.

Brian Meyer: Noted a left-hand turn there will be a disaster.

David Cupp: Asked the developer if the 1200 square foot homes recommended by staff would be a stumbling block to them.

Brad Long: Noted it is not a stumbling block, but suggested 1100 foot for a compromise to avoid having to increase the price drastically.

Marc Wallace: Suggested short driveways are nice and noted some developments are sharing green spaces in the back.

Brian Millard: Asked about the proposed school site (Area F). Suggested 50' wide lots make the open space more palpable. Suggested the space become a park or open space as part of the plan if a school does not go in.

Brad Long: Noted if the school does not come to fruition it would be an important amenity to the development for a park; hopefully do a 28E agreement to share the park. They have been in contact with staff. They are in the talking stages with the Park and Recreation department.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one in the audience to speak in favor of this item.

The following individual spoke in opposition:

Jim Bollard, 4007 SE 26th Street, President of Bloomfield-Allen Neighborhood Association: Expressed concern for the density of the development. Noted in approximately ½ of the development they are proposing 60' lots or smaller or high density. Expressed concern that the density keeps getting higher and higher. Noted the neighborhood association was concerned about the ability to traverse to and from the school from the neighborhoods and expressed concern for street traffic. Asked that the developer look at that. Also have architectural concerns. Garages are an issue; based on the volume of houses there is a lot of car traffic on the street if there are single garages. He was encouraged to hear the developer has discussed the trail system with City staff.

There was no one else in the audience to speak on this item.

Mike Ludwig: Noted the subject site is outside the Easter Lake New Town Plan. As it moves closed to the bypass, from a transition standpoint, there will not likely be 80' wide lots out near the bypass. Respected the neighborhood's concerns regarding the 50' wide lots, but staff has advised the applicant that if there are 50' wide lots there will have to be trade-offs in architecture or something in exchange added to the project. Staff is comfortable if they are providing the architecture being proposed the development would be a good example of how 50' wide lots can work. Noted there could be a condition that when the areas proposed for 50' wide lots are platted alleys be looked at and how they would be aligned. Offered an example that conditional R1-50 zoning be subject to review of the plat and whether or not they could incorporate alleys and if the design at that time does not meet the Commission or neighborhood's needs wider lots could be required. Noted the subject area was designated as agriculture in the Easter Lake New Town plan because there was no sewer to the area. The area was included in the involuntary annexation boundary and one of the challenges to the involuntary annexation was how the City would provide sewer service to it. The City proved it can provide sewer service and it is being installed now and it extends from the southside of the bypass through the Colby property and comes up along the south and under the bypass and comes up into the subject area. That was one of the primary contentions between Carlisle and Des Moines over who could provide sewer to it and Des Moines has proven it can provide sewer to it. The property is currently in Polk County and the voluntary annexation is scheduled to go to City Council on January 22, 2007.

Dan Willrich, SVPA Architects, 1466 28th Street, Suite 200, West Des Moines: Noted the home styles for the 50' wide lots were limited to 40' width but the addition of the garage component will make some potential changes to some of the styles. Added that SVPA works with Carlisle Schools and they have discussed some concepts regarding the school site but he didn't know what the building schedule was.

Steve Colman, Mid-America Group, 4700 Westown Parkway: Noted they are excited about the development and want it to be a first-class development they can be proud to hand their name on.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Tim Urban: Moved staff recommendation with two amendments to the staff report:

- A. Any 50' lot plat submitted pursuant to the PUD (areas D, E, G) would have to meet certain criteria:
 - 1. Specific architectural plans be presented along with a builder partner that is prepared to make some representations regarding the architecture that would be provided and show plans specific to that plat;
 - 2. Consider square footage between 1,000 square feet and 1,200 square feet if the plan incorporates alleys and rear-loaded access to the properties.
- B. Area F either be a school site as proposed or a "park" site and if not developed as a school, they be at least permitted to front lots on the north/south street adjoining the street with the remainder of the site to be used for park purposes.

David Cupp: Liked the idea of a compromise of 1,100 square fee if there can be assurances that the architecture shown is built.

Tim Urban: Noted they are already bound with the staff report to the characterization of the architecture with the drawings presented.

David Cupp: Expressed concern with the alleys and back loading of the garages. Typically in the City of Des Moines there is no maintenance on alleys and he asked if problems were going to be created with alleys. He would prefer a minimum of 14' driveway regardless of whether it is a single car or double car garage instead of a 5' driveway.

Tim Urban: Noted there are plats with rear loading in other developments. The subdivisions work well for starter families and young families with children because they take the cars and driveways completely off the street and put them behind the houses, which provides an opportunity for the builder to provide a private play area environment and limit the front yard to minimum setbacks with front porches and the streets become play areas. The sale of those homes sell for 15% more according to a study done in Pennsylvania by the Urban Land Institute. This would be an incredible standard with high-quality homes and elegant architecture and will set a trend to encourage other developers to emulate. The tradeoffs for rear-loading, neo-traditional subdivisions are the smaller lot size because of giving up 16' – 20' for right-of-way for the alley, and a homeowners association, which must exist for the neo-traditional subdivision to work for maintenance of the alleyways. Noted if they come in with a 50' plat must meet conditions and if they want less than 1200 square feet, that is one of the conditions. If they come in with 1100 or 1000 square foot houses, they have to come in with the alleys; they must show that they can incorporate them into rear-loaded subdivisions to get relief on the size of the units.

Mike Ludwig: Noted there needed to be clarification regarding private or public use for the school site.

Tim Urban: Clarified his motion to be for open space, not necessarily publicly owned park for the school site area if not a school site.

Dann Flaherty: Noted the current motion speaks to item C for the rezoning and suggested items A and B could be dealt with together to amend the 2020 Community Character plan and determine the proposed rezoning is in conformance.

Tim Urban: Moved staff recommendation for A & B to amend the 2020 Community Character plan and determine the proposed rezoning is in conformance with the plan.

Motion passed 10-1 (Brian Meyer was in opposition).

Motion to approve Amendment A, which requires specific architectural plans be provided with a builder partner at the time of submittal; and that the square footage for such a plat could be reduced below 1,200 (no less than 1,000) if the developer submitted a plat with rear alley loading and an association management.

Brad Long: Noted the associations typically begin to get unfair and administering the common area fee could be a problem; and in some instances the developer begins to hear of complaints regarding snow removal after the association is in full swing. Noted it is something they would consider, but would strongly consider if the limitation was potentially not all of the 50' lots. Noted there were some areas that would lend themselves very well to brownstone architecture.

Tim Urban: Noted if they want relief from the staff recommendation of 1,200 square footage, they need to offer some innovative platting alternatives that would allow smaller homes with the rear loading and they need to determine whether they can work with that or not at the time they submit their plat.

Mike Ludwig: Suggested shared driveways on 50' wide lots as an alternative that could be considered as an option, although the alleys would be preferred from a neo-traditional standpoint. There are areas where the shared driveways between two houses works well.

Tim Urban: Did not want to create a mandate; noted this development is a great opportunity to try something different and he was looking for an incentive to the developer to build smaller houses.

Brad Long: Asked if a consideration could be made for 1,100 square feet and if any go under that they would be obligated to meet the recommended standards.

Tim Urban: Would not accept that because of the set platform on other plats of 1,200 square feet, which requires a need to discuss something substantially different to justify a smaller house.

Brian Millard called the question.

Motion for Amendment A regarding the 50' lots passed 10-2 (Jeffrey Johannsen and Brian Meyer were in opposition).

Motion for Amendment B that Area F be required for use as either a school site or a park site but if used as a park they be permitted to plat with lots fronting on the north/south street adjoining the street with the south street (main collector street) open to the open space site for recreational open space; incorporate recreational open space into Area F as a requirement if it is not used as a school.

Applicant agreed.

Motion for Amendment B regarding Area F passed 11-0.

Tim Urban: Moved staff recommendation for the rezoning with the exception of masonite as an acceptable exterior material and Amendments A and B. The requirement of fencing will be determined at the time of site plan approval for Area C.

Mike Simonson: Offered two recommendations to the initial motion:

1. The developer establishes an architectural review and approval process so the buyer will know they have architectural review;
2. Encourage developers to push garages far enough back so a single car garage could be added on to later to make a double without having to tear the garage down.

Tim Urban: Accepted the recommendation.

David Cupp: Suggested requiring the driveways to be 14' wide to avoid the need to park on the streets.

Tim Urban: Noted if the driveways reach to the back of the lot with a detached garage, there would be plenty of room for stacking. There would be room for at least a car in the garage and one in the driveway regardless.

Motion for approval of the rezoning with conditions and amendments passed 10-1 (Brian Meyer was in opposition).

Respectfully submitted,



Larry Hulse, AICP
Community Development Director

LDH:dfa

Attachment