



Date April 22, 2013

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 4, 2013, its members voted 6-3 in support of a motion to recommend **APPROVAL** of a request from Kading Properties (purchaser) represented by Karie Ramsey (officer), JKM Partners, LLC (owner) to amend the Meadowlands "PUD" Conceptual Plan for property located at 7400 Meadowlands Drive, to revise the configuration of 70 residential units permitted on the property from seven (7) two-story multiple-family dwellings to 35 single-story two-family dwellings subject to the following revisions:

1. Conformance with all administrative review comments by the Permit and Development Center.
2. Provision of a note to state that any PUD Development Plan for the development shall be presented to the Plan and Zoning Commission for review and approval.
3. Provision of a note to state that the number of permitted residential dwelling units within any future development shall be dependent upon the PUD Development Plan review and compliance with the PUD Conceptual Plan. However, the number of dwelling units shall not exceed 70 units.
4. Provision of a second remote access drive. This may require reconfiguration of the development or elimination of dwelling units and may necessitate an access easement on an adjoining property.
5. Provision of two additional building designs with varying massing, which could include either a porch element on the front of the unit or a gabled bumpout on the rear of the unit. The facades of these building designs should also include stone materials in amounts comparable to the submitted elevations. The elevations for the additional building designs shall be approved by the Planning Administrator.
6. Revision of Unit Types "E" and "E-2" to include a stone wainscoat on the front facades to match that on Unit Type "G".
7. Provision of a note to state that all lap siding shall be cement board, wood, or engineered wood with a minimum 50-year warranty.
8. Provision of a note to state that all windows within portions of the façade sided with lap siding shall include a minimum 4-inch wide trim board that is painted a different color than the lap siding.



Date April 22, 2013

9. Provision of a note to state that all dwelling units shall have architectural-type asphalt shingles.
10. Provision of a note to state there would be at least 10 feet of separation between the side facades of buildings and at least 25 feet of separation between rear facades of the buildings.
11. The "private park area" shall be relocated to be near the front of the development and shall include a children's play feature and a basketball court. The placement of this "private park area" to a more appropriate location may require the elimination or the shifting of dwelling units.
12. Provision of a note to state that foundation plantings shall be provided around each dwelling unit.
13. The Conceptual Plan shall provide a brief discussion of the proposed storm water management plan practices to the satisfaction of the Permit & Development Center's Engineering staff
14. The Conceptual Plan shall provide a brief discussion of the proposed sanitary sewer connection to the satisfaction of the Permit & Development Center's Engineering staff.
15. Provision of a note to state that any refuse collection container enclosure shall be constructed with masonry walls to match the development and steel gate.
16. The Legal Description shall be corrected on the PUD Conceptual Plan.
17. Provision of a note to reflect the 7<sup>th</sup> Conceptual Plan Amendment that was approved administratively on May 13, 2009.
18. The applicant shall provide on-site management and video surveillance equipment.

The subject property is more specifically described as follows:

Lots 1, 2, 3, B, C, The Meadowlands Plat 1, an Official Plat and Lots 1, 2, 3, 4, 5, A, B, The Meadowlands Plat 2, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.



Roll Call Number

Agenda Item Number

22

Date April 22, 2013

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

- 1. That the meeting of the City Council at which the proposed PUD Concept Plan Amendment is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on May 6, 2013, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

FORM APPROVED: MOVED by \_\_\_\_\_ to adopt.

Michael F. Kelley
Assistant City Attorney

(ZON2013-00033)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL.

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.

MOTION CARRIED APPROVED
Mayor

City Clerk

April 15, 2013

Date	April 22, 2013
Agenda Item	22
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 April 4, 2013, the following action was taken regarding a request from Kading Properties (purchaser) represented by Karie Ramsey (officer) to amend the Meadowlands PUD Conceptual Plan for property located at 7400 Meadowlands Drive.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 6-3 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley				X
Tim Fitzgerald	X			
Dann Flaherty		X		
John "Jack" Hilmes	X			
Ted Irvine				X
Greg Jones	X			
William Page		X		
Christine Pardee		X		
Mike Simonson				X
CJ Stephens				X
Vicki Stogdill				X
Greg Wattier				X

**APPROVAL** of the proposed 8<sup>th</sup> Amendment to the Meadowlands "PUD" Conceptual Plan, subject to the following revisions: (ZON2013-00033)

1. Conformance with all administrative review comments by the Permit and Development Center.
2. Provision of a note to state that any PUD Development Plan for the development shall be presented to the Plan and Zoning Commission for review and approval.
3. Provision of a note to state that the number of permitted residential dwelling units within any future development shall be dependent upon the PUD Development Plan review and compliance with the PUD Conceptual Plan. However, the number of dwelling units shall not exceed 70 units.



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

4. Provision of a second remote access drive. This may require reconfiguration of the development or elimination of dwelling units and may necessitate an access easement on an adjoining property.
5. Provision of two additional building designs with varying massing, which could include either a porch element on the front of the unit or a gabled bumpout on the rear of the unit. The facades of these building designs should also include stone materials in amounts comparable to the submitted elevations. The elevations for the additional building designs shall be approved by the Planning Administrator.
6. Revision of Unit Types "E" and "E-2" to include a stone wainscoat on the front facades to match that on Unit Type "G".
7. Provision of a note to state that all lap siding shall be cement board, wood, or engineered wood with a minimum 50-year warranty.
8. Provision of a note to state that all windows within portions of the façade sided with lap siding shall include a minimum 4-inch wide trim board that is painted a different color than the lap siding.
9. Provision of a note to state that all dwelling units shall have architectural-type asphalt shingles.
10. Provision of a note to state there would be at least 10 feet of separation between the side facades of buildings and at least 25 feet of separation between rear facades of the buildings.
11. The "private park area" shall be relocated to be near the front of the development and shall include a children's play feature and a basketball court. The placement of this "private park area" to a more appropriate location may require the elimination or the shifting of dwelling units.
12. Provision of a note to state that foundation plantings shall be provided around each dwelling unit.
13. The Conceptual Plan shall provide a brief discussion of the proposed storm water management plan practices to the satisfaction of the Permit & Development Center's Engineering staff
14. The Conceptual Plan shall provide a brief discussion of the proposed sanitary sewer connection to the satisfaction of the Permit & Development Center's Engineering staff.
15. Provision of a note to state that any refuse collection container enclosure shall be constructed with masonry walls to match the development and steel gate.
16. The Legal Description shall be corrected on the PUD Conceptual Plan.
17. Provision of a note to reflect the 7<sup>th</sup> Conceptual Plan Amendment that was approved administratively on May 13, 2009.
18. The applicant shall provide on-site management and video surveillance equipment.

## STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed 8<sup>th</sup> Amendment to the Meadowlands "PUD" Conceptual Plan, subject to the following revisions:

1. Conformance with all administrative review comments by the Permit and Development Center.
2. Provision of a note to state that any PUD Development Plan for the development shall be presented to the Plan and Zoning Commission for review and approval.
3. Provision of a note to state that the number of permitted residential dwelling units within any future development shall be dependent upon the PUD Development Plan review and compliance with the PUD Conceptual Plan. However, the number of dwelling units shall not exceed 70 units.
4. Provision of a second remote access drive. This may require reconfiguration of the development or elimination of dwelling units and may necessitate an access easement on an adjoining property.
5. Provision of two additional building designs with varying massing, which could include either a porch element on the front of the unit or a gabled bumpout on the rear of the unit. The facades of these building designs should also include stone materials in amounts comparable to the submitted elevations. The elevations for the additional building designs shall be approved by the Planning Administrator.
6. Revision of Unit Types "E" and "E-2" to include a stone wainscoat on the front facades to match that on Unit Type "G".
7. Provision of a note to state that all lap siding shall be cement board, wood, or engineered wood with a minimum 50-year warranty.
8. Provision of a note to state that all windows within portions of the façade sided with lap siding shall include a minimum 4-inch wide trim board that is painted a different color than the lap siding.
9. Provision of a note to state that all dwelling units shall have architectural-type asphalt shingles.
10. Provision of a note to state there would be at least 10 feet of separation between the side facades of buildings and at least 25 feet of separation between rear facades of the buildings.
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12. Provision of a note to state that foundation plantings shall be provided around each dwelling unit.

13. The Conceptual Plan shall provide a brief discussion of the proposed storm water management plan practices to the satisfaction of the Permit & Development Center's Engineering staff
14. The Conceptual Plan shall provide a brief discussion of the proposed sanitary sewer connection to the satisfaction of the Permit & Development Center's Engineering staff.
15. Provision of a note to state that any refuse collection container enclosure shall be constructed with masonry walls to match the development and steel gate.
16. The Legal Description shall be corrected on the PUD Conceptual Plan.
17. Provision of a note to reflect the 7<sup>th</sup> Conceptual Plan Amendment that was approved administratively on May 13, 2009.

Written Responses

7 In Favor

28 In Opposition

**STAFF REPORT**

**I. GENERAL INFORMATION**

1. **Purpose of Request:** The proposed amendment would allow "Parcel 6" of the Meadowlands PUD Conceptual Plan to be developed with 70 dwelling units within 35, 1-story, 2-unit (duplex) structures. The PUD Conceptual Plan currently allows this parcel to be developed with 70 dwelling units within 7 separate two-story structures. 70 dwelling units on 7.21 acres represents a density of 10.3 dwelling units per acre.

The development would be accessed by a drive approach from the roundabout within Meadowlands Drive. The units would all front a private access road circling through the development. Each dwelling unit would have two (2) parking spaces in front of each unit, as well as an attached garage space.

As noted in this Staff Report, staff is recommending conditions of approval that could potentially alter the layout of the development. Therefore, staff recommends that any PUD Development Plan (Site Plan) for the development be presented to the Plan and Zoning Commission for final review and approval. Staff also recommends provision of a note on the PUD Conceptual Plan to state that the number of permitted residential dwelling units within any future development shall be dependent upon the PUD Development Plan review and compliance with the PUD Conceptual Plan. However, the number of dwelling units shall not exceed 70 units.

2. **Size of Site:** 7.21 acres.
3. **Existing Zoning (site):** "PUD" Planned Unit Development District.
4. **Existing Land Use (site):** "Parcel 6" is currently undeveloped land.

**5. Adjacent Land Use and Zoning:**

**North** – “R-5”, Use is undeveloped land used for agricultural production.

**South** – “PUD”, Use is multiple-family residential within 2-story buildings.

**East** – “PUD”, Use is multiple-family residential within 2-story buildings. (Only 2 of the 5 approved buildings have been constructed at this time.)

**West** – “R1-60”, Use is undeveloped land used for agricultural production.

**6. General Neighborhood/Area Land Uses:** The site is located at the northwest corner of the Meadowlands subdivision, which includes a mix of multiple-family residential uses.

**7. Applicable Recognized Neighborhood(s):** The subject property is not located with a recognized neighborhood. However, the Meadowlands PUD is within 250 feet of both the Easter Lake Area Neighborhood and the Hillsboro Neighborhood. These neighborhoods were notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhoods on March 15, 2013. Additionally, separate notifications of the hearing for this specific item were mailed on March 15, 2013 (20 days prior) and March 25, 2013 (10 days prior to the scheduled hearing) to the Neighborhood Associations and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the PUD Planned Unit Development. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on March 29, 2013.

All agendas and notices are mailed to the primary contact person designated to the City of Des Moines Neighborhood Development Division by the recognized neighborhood association. The Easter Lake Area Neighborhood Association mailings were sent to Jim Bollard, 4007 Southeast 26<sup>th</sup> Street, Des Moines, IA 50320, and the Hillsboro Neighborhood Association mailings were sent to Michael Schoborg, 2519 East Havens Avenue, Des Moines, IA 50320.

**8. Relevant Zoning History:** The currently approved configuration for 70 dwelling units within 7 buildings on “Parcel 6” was allowed by the 7<sup>th</sup> amendment to the Meadowlands PUD Conceptual Plan, which was approved administratively on May 13, 2009. This amendment needs to be listed below Amendments 1-6 on Sheet 1 of the PUD Conceptual Plan.

**9. 2020 Community Character Land Use Plan Designation:** Medium Density Residential, which allows for densities of up to 17 dwelling units per acre. The proposed 70 dwelling units on 7.21 acres represents a density of 10.3 dwelling units per acre.

**10. Applicable Regulations:** The Commission reviews all proposals to amend zoning regulations or zoning district boundaries 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 recommend that certain conditions be applied to the subject property if the property owner agrees in writing, in addition to the existing regulations. The recommendation of the Commission will be forwarded to the City Council.



The application, accompanying evidence and conceptual plan required shall be considered by the Plan and Zoning commission at a public hearing. The Commission shall review the conformity of the proposed development with the standards of this division and with recognized principles of civic design, land use planning, and landscape architecture. At the conclusion of the hearing, the Commission may vote to recommend either approval or disapproval of the conceptual plan and request for rezoning as submitted, or to recommend that the developer amend the plan or request to preserve the intent and purpose of this chapter to promote public health, safety, morals and general welfare. The recommendations of the commission shall be referred to the City Council.

The Commission reviews all preliminary subdivision plats. The Commission shall determine if such preliminary plat conforms to the standards and requirements outlined in Chapter 354 of the Iowa Code, and the City Subdivision Ordinance and shall approve, conditionally approve or reject such plat within 45 days after the date of submission to the City Permit and Development Center. Unless the applicant agrees in writing to an extension of time, the preliminary plat shall be deemed approved if the Commission does not act within such 45-day period. The Commission's action for approval or conditional approval shall be null and void unless the final plat is submitted to the City Permit and Development Center within 270 days after the date of such action; provided, however, that the Permit and Development Administrator may grant, upon written request of the applicant, up to a 90-day extension for submittal of the final plat to the City Permit and Development Center.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **Fire Protection Comments:** The layout of the proposed development must be revised to comply with the City's requirements for fire protection. International Fire Code Section D107.1 requires that any development with more than 30 units within one- or two-family structures shall be provided with two separate and approved fire apparatus access roads. International Fire Code Section D104.3 requires that these two separate access roads shall be placed a distance apart equal to not less than one half of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between the accesses. In this instance, the access roads must be at least 375 feet apart. This may require reconfiguration of the development or elimination of dwelling units and may necessitate an access easement on an adjoining property.
2. **Urban Design:** The PUD Conceptual Plan demonstrates that all 35 structures would have the same massing and that the units would be differentiated by a mix of 8 façade types that include varying amounts of stone material, horizontal lap siding, and shake-pattern siding, as well as asphalt shingles.

In order to provide visual relief within the development, Staff believes it is necessary to provide two additional massing types that could include either a porch element on the front of the unit or a gabled bumpout on the rear of the unit. The facades of these units should also include stone materials in amounts comparable to the submitted elevations.

The elevations demonstrate that the most visible rear and side facades of the units would be sided with predominantly with stone materials. All Units Types have stone on the front facades, except Unit Types "E" and "E-2" since they have substantial stone on the side and rear facades. However, Staff believes that these should be revised to

