



.....
Date May 6, 2013.....

WHEREAS, on April 22, 2013, by Roll Call No. 13-0645, the City Council duly resolved that a public hearing to be held on May 6, 2013, at 5:00 p.m., in the Council Chambers at City Hall, 400 Robert D. Ray Drive in Des Moines, to consider a proposal from Kading Properties (purchaser) and JKM Partners, LLC (owner), to amend the approved Meadowlands PUD Planned Unit Development District Conceptual Plan for property located in the vicinity of 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; and

WHEREAS, due notice of the hearing was published in the Des Moines Register on April 25, 2013, as provided by law, setting forth the time and place for hearing on the proposed amendment to the approved PUD Conceptual Plan; and

WHEREAS, at a public hearing on April 4, 2013, the Plan and Zoning Commission recommended by a vote of 6-3 that the proposed amendment to the approved PUD Conceptual Plan be approved, subject to the following conditions and subject to the conceptual plan being first amended as set forth in the attached letter from the Planning Administrator:

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.



Date May 6, 2013

-2-

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.



Roll Call Number

Agenda Item Number

46

.....
Date May 6, 2013

-3-

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 7th Conceptual Plan Amendment that was approved administratively on May 13, 2009.
18. The applicant shall provide on-site management and video surveillance equipment.

WHEREAS, in accordance with the published notice those interested in the proposed amendment to the approved PUD Conceptual Plan, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

(Continued on Page 4)



Date May 6, 2013

-4-

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

1. Upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed amendments to the approved PUD Conceptual Plan for the property in the vicinity of 7400 Meadowlands Drive, and more specifically described below, are hereby overruled and the hearing is closed.

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.

2. The proposed amended PUD Conceptual Plan is hereby found to be in conformance with the Des Moines 2020 Community Character Land Use Plan, subject to the conditions identified above.

3. The amended PUD Conceptual Plan for the Property described above, which is on file in the Community Development Department, is hereby APPROVED, subject to the plan being first amended to satisfy the conditions recommended by the Plan and Zoning Commission as set forth in the attached letter from the Planning Administrator, and subject to approval of such amendments by the Community Development Director.

MOVED by _____ to adopt and to approve the proposed amendment to the PUD Conceptual Plan.

FORM APPROVED:

Michael F. Kelley

Michael F. Kelley, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

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.

City Clerk

April 15, 2013

Date	_____
Agenda Item	46
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 8th 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 7th 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 8th 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.
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 7th 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 26th 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 7th 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.

