



Roll Call Number

13-0747

Agenda Item Number

46

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.

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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.

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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.

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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 Meyer to adopt and to approve the proposed amendment to the PUD Conceptual Plan.

FORM APPROVED:

Michael F. Kelley, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

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.

T. M. Franklin, Mayor

Diane Rauh, City Clerk