

Date..... January 7, 2008

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 20, 2007, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Hubbell Realty Company (purchaser) represented by Joe Pietruszynski (officer) to rezone a portion of the property located at 3915 Fleur Drive from "R1-80" to "PUD" subject to the owner agreeing to the following conditions:

1. No trees shall be removed from the subject property without approval by the Community Development Director, or based on an approved preliminary subdivision plat or development plan.
2. No grading shall be permitted prior to approval of a preliminary subdivision plat or development plan.

WHEREAS, by the same motion and vote, members recommended **APPROVAL** of the submitted Wakonda Townhomes PUD Conceptual Plan, subject to the following revisions.

1. Addition of a provision requiring that any preliminary subdivision plat or development plan shall include a tree survey identifying location and species of all trees over 6" in diameter, along with a plan for their long term protection or their removal and mitigation.
2. Addition of a general discussion of how storm water management is intended to be provided for the development.
3. Addition of a discussion for the strategy to serve each of the proposed dwelling units with sanitary sewer.
4. Addition of all existing public easements for utilities and drainage on the plan.
5. Revision of the Permitted Land Uses to only allow single-family residential and single-family semi-detached residential (duplex townhomes) along with the accessory uses permitted in the "R1-80" District.
6. Provision of requirements for fencing or inclusion of a statement that all fencing must be in accordance with Zoning Ordinance requirements for single-family dwellings and approved by the Wakonda Architectural Review Committee prior to issuance of a permit by the City.
7. Add a requirement that any necessary variation to the required setbacks be reviewed and approved by the Community Development Director after approval of the Wakonda Architectural Committee.

(Continued)

Date..... January 7, 2008

8. Provision for no more than 27 dwelling units.
9. Provision of a site plan for the Commission's review and approval that reflects the location and architectural character of all attached units and the building envelopes for all single-family lots with flexibility on the individual lots to provide the Commission with the opportunity to make an assessment on the impact on trees, slopes and accesses.
10. Single-family detached and single-family semi-detached units are permitted on any of the proposed lots subject to the 27 unit maximum.

The subject property is owned by the Wakonda Club and is more specifically described as follows:

Being part of Section 20, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M., Polk County, Iowa described as follows:

Beginning at the NW corner of the NE ¼ of Section 20, Township 78 North, Range 24 West of the 5<sup>th</sup> P.M., in the City of Des Moines, Polk County, Iowa; thence S89°53'53"E along the North line of said NE ¼, 2053.83 Feet, thence S00°05'53"W, 17169 Feet; thence N89°53'53"W, 78.59 Feet; thence S79°32'01"W, 474.81 Feet; thence S88°33'22"W, 255.35 Feet; thence N75°53'06"W, 154.62 Feet; thence N85°52'21"W, 471.00 Feet; thence S89°26'11"W to the West line of said NE ¼, 634.14 Feet; thence N00°17'52"E along said West line; 202.52 Feet to the Point of Beginning.

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 rezoning and "PUD" conceptual plan are to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on January 28, 2008, 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.

(Continued)

★ Roll Call Number

Agenda Item Number

20

January 7, 2008

Date

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

\_\_\_\_\_  
Roger K. Brown  
Assistant City Attorney

(ZON2007-00202)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
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.

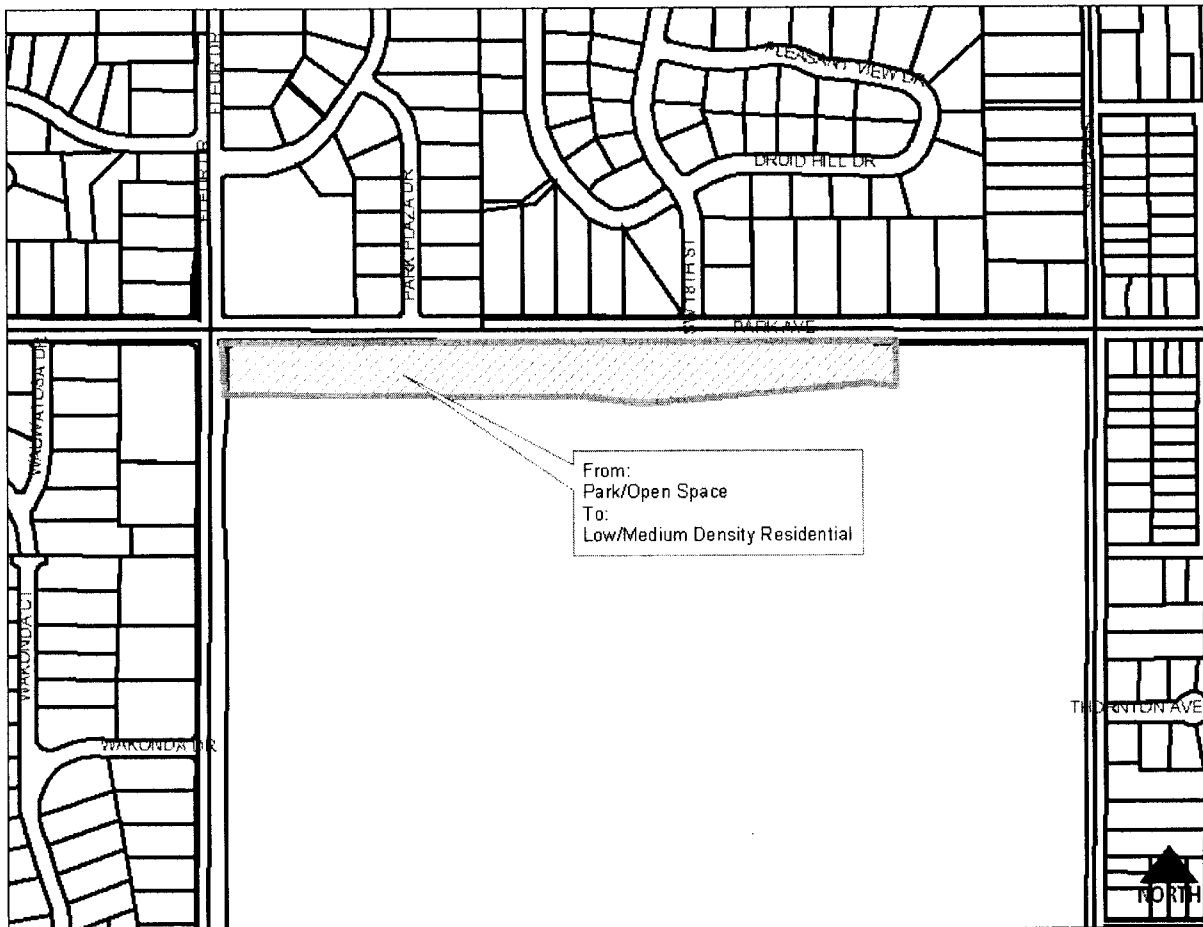
MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Hubbell Realty Company (Wakonda Townhomes) - 3915 Fleur Drive 21-2007-4.20



Request from Hubbell Realty Company (purchaser) represented by Joe Pietruszynski (officer) to rezone a portion of the property located at 3915 Fleur Drive. The subject property is owned by the Wakonda Club.			File # <b>ZON2007-00202</b>	
<b>Description of Action</b>	Rezone subject property from "R1-80" One Family Residential District to "PUD" Planned Unit Development and approve a PUD Conceptual Plan for "Wakonda Townhomes" with 5.16 acres of large lot single-family detached townhome development and 2.68 acres of single-family semi-detached townhome development, sharing three vehicular access drives from Park Avenue on the northwestern portion of the Wakonda Club property.			
<b>2020 Community Character Plan</b>	Park/Open Space			
<b>Horizon 2025 Transportation Plan</b>	Park Avenue from Valley Drive to SE 14 <sup>th</sup> Street to widen from 2 lane undivided to 3 lane undivided			
<b>Current Zoning District</b>	"R1-80" One Family Residential District.			
<b>Proposed Zoning District</b>	"PUD" Planned Unit Development			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	5	13	0	<20%
<b>Plan and Zoning Commission Action</b>	<b>Approval</b>	12-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	<b>Denial</b>			No

Hubbell Realty Company (Wakonda Townhomes) - 3915 Fleur Drive ZON2007-00202



Date \_\_\_\_\_  
 Agenda Item 20  
 Roll Call # \_\_\_\_\_

January 7, 2008

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 20, 2007, the following action was taken:

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 12-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
David Cupp	X			
Shirley Daniels	X			
Dann Flaherty	X			
Bruce Heilman				X
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz				X
Kaye Lozier	X			
Jim Martin	X			
Brian Millard	X			
Mike Simonson	X			
Kent Sovern				X
Tim Urban	X			
Marc Wallace	X			

**APPROVAL** of a request from Hubbell Realty Company (purchaser) represented by Joe Pietruszynski (officer) to amend the Des Moines' 2020 Community Character Plan land use designation for property located at 3915 Fleur Drive from Park/Open Space to Low/Medium Density Residential. (21-2007-4.20)

By separate motion, Commissioners recommended **APPROVAL** of a request to rezone subject property from "R1-80" to "PUD" subject to the owner agreeing to the following conditions: (ZON2007-00202)

1. No trees shall be removed from the subject property without approval by the Community Development Director, or based on an approved preliminary subdivision plat or development plan.
2. No grading shall be permitted prior to approval of a preliminary subdivision plat or development plan.

and approve the submitted Wakonda Townhomes PUD Conceptual Plan, subject to the following revisions.



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

1. Addition of a provision requiring that any preliminary subdivision plat or development plan shall include a tree survey identifying location and species of all trees over 6" in diameter, along with a plan for their long term protection or their removal and mitigation.
2. Addition of a general discussion of how storm water management is intended to be provided for the development.
3. Addition of a discussion for the strategy to serve each of the proposed dwelling units with sanitary sewer.
4. Addition of all existing public easements for utilities and drainage on the plan.
5. Revision of the Permitted Land Uses to only allow single-family residential and single-family semi-detached residential (duplex townhomes) along with the accessory uses permitted in the "R1-80" District.
6. Provision of requirements for fencing or inclusion of a statement that all fencing must be in accordance with Zoning Ordinance requirements for single-family dwellings and approved by the Wakonda Architectural Review Committee prior to issuance of a permit by the City.
7. Add a requirement that any necessary variation to the required setbacks be reviewed and approved by the Community Development Director after approval of the Wakonda Architectural Committee.
8. Provision for no more than 27 dwelling units.
9. Provision of a site plan for the Commission's review and approval that reflects the location and architectural character of all attached units and the building envelopes for all single-family lots with flexibility on the individual lots to provide the Commission with the opportunity to make an assessment on the impact on trees, slopes and accesses.
10. Single-family detached and single-family semi-detached units are permitted on any of the proposed lots subject to the 27 unit maximum.

#### Written Responses

4 In Favor

8 In Opposition

*This item will not require a 6/7 vote of City Council.*

#### **STAFF RECOMMENDATION AND BASIS FOR APPROVAL**

Part A) Staff recommends that the Commission find the requested rezoning not in conformance with the Des Moines' 2020 Community Character Plan.

Part B) Staff recommends approval of the requested amendment to the Des Moines' 2020 Community Character Plan revising the future land use to Low/Medium Residential.

Part C) Staff recommends approval of the requested rezoning from "R1-80" to "PUD" subject to owner agreeing to the following conditions:

1. No trees shall be removed from the subject property without approval by the Community Development Director, or based on and approved preliminary plat or development plan.
2. No grading shall be permitted prior to approval of a preliminary subdivision plat or development plan.

Part D) Staff recommends approval of the submitted Wakonda Townhomes PUD Conceptual Plan, subject to the following revisions.

1. Addition of a provision requiring that any preliminary subdivision plat or development plan shall include a tree survey identifying location and species of all trees over 6" in diameter, along with a plan for their long term protection or their removal and mitigation.
2. Addition of a general discussion of how storm water management is intended to be provided for the development.

3. Addition of a discussion for the strategy to serve each of the proposed dwelling units with sanitary sewer.
4. Addition of all existing public easements for utilities and drainage on the plan.
5. Revision of the Permitted Land Uses to only allow single-family residential and single-family semi-detached residential (duplex townhomes) along with the accessory uses permitted in the "R1-80" District.
6. Provision of requirements for fencing or inclusion of a statement that all fencing must be in accordance with Zoning Ordinance requirements for single-family dwellings and approved by the Wakonda Architectural Review Committee prior to issuance of a permit by the City.
7. Revise bulk standards for single-family residential (detached townhome lots) to increase the minimum lot width from 45' to 80' and the minimum side yard setbacks from 5' to 10'.
8. Add a requirement that any necessary variation to the required setbacks be reviewed and approved by the Community Development Director after approval of the Wakonda Architectural Committee.

## STAFF REPORT

### I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking to develop townhomes and custom single-family dwellings as part of a golf course community adjoining the Wakonda Club.
2. **Size of Site:** 10.18 acres.
3. **Existing Zoning (site):** "R1-80" One Family Residential District.
4. **Existing Land Use (site):** Golf course and open space.
5. **Adjacent Land Use and Zoning:**
  - North* – "R1-80" & "R-3", Uses are large lot (greater than 90' in width) single-family dwellings and Park Fleur Condominiums.
  - South* – "R1-80", Use is the Wakonda Club.
  - East* – "R1-80", Use is the Wakonda Club.
  - West* – "R1-80", Uses are large lot (greater than 90' in width) single-family dwellings.
6. **General Neighborhood/Area Land Uses:** The surrounding neighborhood is generally single-family residential in character with the Wakonda Club and Park Fleur Condominiums located at the intersection node of Park Avenue and Fleur Drive.
7. **Applicable Recognized Neighborhood(s):** Southwestern Hills Neighborhood (adjoining to the west).
8. **Relevant Zoning History:** N/A.
9. **2020 Community Character Land Use Plan Designation:** Park/Open Space.
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.

## II. ADDITIONAL APPLICABLE INFORMATION

- 1. Natural Site Features:** The Conceptual Plan identifies a number of mature trees and timbered areas. The applicant based on the statement in the Conceptual Plan intends to preserve mature trees and use the topography to the extent possible to reduce necessary grading in providing the housing development. Staff believes that a provision needs to be added to the Conceptual Plan requiring that any preliminary subdivision plat or development plan will include a tree survey identifying location and species of all trees over 6" in diameter, along with a plan for their protection or their removal and mitigation. Staff further recommends as a condition of the PUD zoning approval that the owner agree that no trees shall be removed from the subject property without approval by the Community Development Director, or based on and approved preliminary plat or development plan.
- 2. Drainage/Grading:** There are several small natural open drainage ways running south to north through the subject property. The developers statement in the Conceptual Plan indicates their intent to use the required erosion control provisions and control methods to protect these natural drainage ways. The size of site dictates that a Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the Iowa DNR. It is also required to be submitted to the City Engineering staff in the Permit and Development Center as part of a grading permit/erosion control plan review. Staff recommends that the owner agree as part of the rezoning to PUD that no grading shall be permitted prior to approval of a preliminary subdivision plat or development plan.

Engineering staff requests that a general discussion of the proposed storm water management for the development be provided on the Conceptual Plan.

- 3. Utilities:** All necessary utilities are generally available within the public street network. There are two separate sanitary sewers within the subject property, a 12" in the eastern portion and an 8" on the western portion served by a private lift station and connecting up to a public sewer in within Park Plaza.

Engineering staff in the Permit and Development Center has requested a detailed discussion on the Conceptual Plan of the strategy for serving each of the proposed dwelling units with sanitary sewer whether it be by extension of public mains, construction of private mains and lift stations to be maintained by an owners association, or another strategy. Also Engineering staff requires that all existing public easements for utilities and drainage be provided on the Conceptual Plan.

- 4. Traffic/Street System:** The proposed development will be served by Park Avenue. Traffic and Transportation Staff have indicated that the amount of trips to be generated by this development will not warrant any special traffic control improvements or upgrades to the design capacity of the surrounding public street network.

5. **Access or Parking:** Because of the existing topography, and the volumes of traffic that exist on Park Avenue, the developer has proposed three limited access driveways onto Park Avenue for the proposed dwelling units to serve common private frontage drives. The frontage drives would require private access easements for all properties they serve. Each individual dwelling will be responsible for providing minimum off-street parking. The proposed conceptual designs for the various residential units indicate that at least two garage parking stalls will be provided for each dwelling unit.
6. **2020 Community Character Plan:** The Des Moines' 2020 Community Character Plan will require an amendment of the subject property area to Low/Medium Density for the proposed mix of large lot detached single-family and the duplex or single-family semi-detached townhomes.

The Conceptual Plan indicates allowance of all uses in "R-2" District and multiple row dwelling units not to exceed eight units per row. The Conceptual Plan only indicates the large lot single-family parcels and the single-family semi-detached (duplex) parcels. Staff recommends that the uses be limited to only single-family detached residential, single-family semi-detached residential, and accessory uses permitted in the "R1-80" District.

7. **Urban Design:** The submitted Conceptual Plan includes an extensive set of design guidelines for all dwellings defining four major allowed design typologies (Old World, Craftsman, Prairie, and Colonial) and descriptions of architectural details for each. The guidelines also address landscaping, decks and porches, and materials and treatments. Also a procedure is outlined for review by the developers under the Wakonda Architectural Review Committee. This procedure includes a preliminary review, final review and approval by the committee. The developer has indicated that all potential buyers will be advised of these requirements and processes.

Staff does not have any issues with the proposed architecture or development standards. However, there is no provision for allowances of fencing, which will mean that the PUD will default to the provisions for single-family dwellings under the Zoning Ordinance. Staff believes that a statement be included that all fencing must be in accordance with provisions for single-family dwellings and approved by the Wakonda Architectural Review Committee prior to issuance of a permit by the City.

With regard to the bulk regulations provided for the single-family (detached townhomes lots), staff believes that the proposed minimum lot width should be adjusted from 45' to 80 feet and that the side yard setbacks be adjusted from 5' to 10'. This will ensure compatibility with the nearby large lot single-family properties. There is a statement on the Conceptual Plan that indicates "setbacks may be modified, if site conditions warrant, to accommodate for grade, terrain, trees, drainage, views, etc." Staff recommends that the note be refined to add a requirement that any such modification be reviewed and approved by the Community Development Director after approval of the Wakonda Architectural Committee.

## **SUMMARY OF DISCUSSION**

Mike Ludwig: Presented staff report and recommendation. Noted a preliminary plat would have to be submitted that would closely match the PUD Concept Plan and they would be limited, in general, to the same number of units unless they amend the concept plan. They could, however adjust the lot widths at platting stage. Indicated the applicant is identifying 40' of right-of-way on the plan that would be a part of any future plat. Anything not currently public right-of-way would be dedicated at plat stage. Explained there was an amendment to the staff recommendations to eliminate condition #7.

Tim Urban: Expressed concern that there was not a tree survey and suggested addressing it when alternatives for the use of the property are discussed.

Mike Ludwig: Explained a large portion of the trees are in the 40' of future right-of-way and future widening of Park Avenue would have significant impact on the existing trees because of the existing development to the north.

David Cupp: Asked if the proposed development would not affect the trees.

Mike Ludwig: Deferred to the applicant to explain their grading plan. Noted 40' back from the center line of Park Avenue is proposed for future public right-of-way. Suggested in the long term the trees would likely come out as a part of the widening of Park Avenue.

Tim Urban: Presented an aerial photo and noted the subject plan was conceived irrespective of the large trees on the property. Concerned that the only way the property can be developed is to identify where the building pads should be without removing the trees. Noted Wakonda has endured big battles over tree removals in the past on their golf course alone. Suggested it was a sensitive issue to both the club and residents to the north.

Mike Ludwig: Deferred to the applicant to address some of the building placement on the concept plan. Pointed out the detention/lake in the middle with a drainage outlet that goes out to Park Avenue. Noted it is shown on the plan as open space as an unbuildable area. He deferred to the applicant to discuss whether there is an opportunity to shift or adjust it.

Brian Millard: Asked for clarification on condition #3 of the staff recommendation.

Mike Ludwig: Explained it is only providing additional information and staff did not believe there was an issue with providing sewer to the units, it is only describing how they would do it. There is adequate sewer service to provide for the development.

Jim Martin: Referred to the accesses and asked if there were any traffic concerns with regard to the significant incline on the access toward Fleur.

Mike Ludwig: Explained the third lane that is to be added was to be a future turn lane along Park Avenue. Suggested Park Avenue may not be at its ultimate grade but there would likely be adjustments when the third lane is added. Deferred to the applicant to show where their driveway points are and noted the Traffic Division did not have any issue with the placement of the driveways in relation to Park Avenue or Fleur or any of the other intersections and it would be looked at again with the preliminary plat.

Joe Pietruszynski, Hubbell Realty, 6900 Westown Parkway, West Des Moines: Noted the Wakonda project is a unique project. Explained the proposal is to provide for high-end attached units to the west of the development between \$400,000 to \$500,000 townhome units. To the east will be single-family detached association homes. Lots will start at \$250,000 each and the homes will be somewhere between \$700,000 to \$1,000,000 homes. Explained the architectural standards are stringent. Noted it is another level of control that has been put on the development of the course. Any type of architecture developed in the PUD has to be true to its period. Noted the architectural review board is currently made up of members of the course and Hubbell Realty Company and Hubbell has put a restriction on the development of all the homes so they are managed and built by Hubbell Homes. Explained there is a challenging grade to the drainage way and pointed out the trees on the aerial photo.

Jeff Shug: McClure Engineering Company, 8101 Birchwood Ct., Suite D, Johnston, Iowa: Explained every single tree 6" caliper and larger but have not noted the species yet because it was not required on the PUD.

Joe Pietruszynski: Noted the goal is to maintain as many trees as possible and they are doing everything they can to preserve them. Noted there is a significant problem with the storm water infrastructure at the drainage way location. There is a deep storm water intake that is fractured that needs repair and the City will require them to improve the infrastructure as part of the subject project during the platting process. Noted it is public infrastructure and to fix the problem will require the removal of trees in that location (drainage way). Thus putting a road system through the drainage way creates a significant problem. The siting of the project and landscaping that will be added back into the project should mitigate a great deal of the trees that will have to be removed as a result of the public infrastructure. They are avoiding at all cost the removal of all the sizeable oak trees throughout the project.

Tim Urban: Expressed concern that the developer has already gone through a tree survey and they have the data available but have not included it as part of the submittal package. Indicated the drawing provided to the Commissioners does not allow them to assess each building envelope and determining what impact it and its driveway would have on trees. Also concerned with the frontage drive and noted if 26 homes are generating trips anytime of day and they are all trying to get onto Park Avenue they will either try to queue up at three or four locations and be frustrated trying to get out or will be dispersed and be able to get out onto Park. Noted traffic disbursement is preferable to focusing on points of congestion. Suspected the issue from the residents with regard to the development would be relative to the additional traffic that will be dumped on the street. Suggested it would be better to disburse traffic rather than concentrating it and would do a favor to the developer and would mitigate against the removal of a lot of trees. Asked the developer if they had considered the mentioned issues and how they ended up with the solution they have.

Jeff Shug: Explained the reasons for having a frontage road rather than individual driveways was that the residents on Park Avenue would perceive individual driveways on Park Avenue as a negative and there was a lot of controversy when the original notice went out to the neighbors mentioning there would be individual driveways from each unit. Additionally, part of the reason for a frontage drive is to reduce the amount of grading that will have to be done on the site. There is a large, steep hill centered in the center of the site so homes are being pushed to the back and in order to do individual driveways would require grading the hill off or the driveways would be too steep to get a car up and down in a safe manner. The frontage road was even split because going across the hill would be too steep and require taking out more vegetation. The concentration of traffic will concentrate at the three locations, but would not be dissimilar to having a cul-de-sac anywhere in the City, so it is not a unique situation.

David Cupp: Asked what the maximum height on the structures would be.

Jeff Shug: Indicated the maximum height to be two stories.

David Cupp: Asked staff what was proposed for Park Avenue grading.

Mike Ludwig: Noted there are no design plans yet, but has only been identified in year 2020 of the 2030 Transportation Plan. Explained they may not level it. If they had to cut into the hillside they would have to place a retaining wall adjoining the roadway.

David Cupp: Asked the applicant if they would preserve the fence across Park Avenue.

Joe Pietruszynski: Explained the existing fence along Park Avenue that currently keeps people from accessing the golf course will be removed and replaced with a decorative wrought iron fence and will have controlled gate access.

David Cupp: Asked how the subject development would affect the 40' easement with the trees.

Jeff Shug: Explained they have tried to avoid it as much as possible. Part of the reason of the placement of the frontage road was to put less pavement within the 40' strip by going along it, so they were able to preserve a number of trees close to the street that may be taken by the Park construction. Indicated they would not take out any single tree unless absolutely necessary, which is why they are trying to minimize the grading. They expect each house to be custom-designed individually, so they will likely try to build around the trees.

David Cupp: Asked where the surface water would run to.

Jeff Shug: Explained some of the storm water will be contained in a drainage way off the course and the rest will come through the major drainage way. There is one problem in a very large, old and decrepit drainage structure under Park Avenue. The intake will have to be replaced, closed and that portion of the infrastructure will have to be fixed to improve the drainage through the entire area.

Joe Pietruszynski: Explained in the architectural guidelines it is required that the site and the homes be LEED certified, so they will do everything they can to meet that certification, which requires providing storm water mitigation devices on the homes and on site. Indicated the plan has been scrutinized and there are a lot of restrictions in the covenants. The project originally began in a different layout and has been changed to meet the demands of the people wishing to live on the course.

Dann Flaherty: Asked if there had been any thought to running the road behind the houses as opposed to running it in front of the subdivision and what the impact would be on the trees.

Jeff Shug: Explained there would be a greater impact on the trees because the largest and nicest trees on the course are the ones behind the proposed units.

Joe Pietruszynski: Indicated they are doing everything they can to preserve as many trees as possible to make it an economically viable process and will mitigate where they need to and do everything they can to make the project valuable.

Kaye Lozier: Asked what the process would be if an individual purchased a lot and wanted to cut down a tree.

Joe Pietruszynski: Explained they would have to go through the scrutiny of an architectural review board made up of the course and Hubbell Realty Company. To clear cut a site and change the view corridors of people living there, would receive protest from the board. The landscape plan and house plans have to be approved and it has to fit within the context of the architectural review standards and what they want to see on the course.

Brian Millard: Asked where the controlled gate would be located.

Joe Pietruszynski: Explained there are three access points shown on the PUD and staff will take a greater level of scrutiny during the preliminary plat and subdivision process to precisely locate those entrances. There are some limitations, but they will likely shift them so they are safe and/or line up with other streets.

Tim Urban: Asked how the developer arrived at the unit mix.

Joe Pietruszynski: Explained it was dictated by the market the Wakonda Club requested. Indicated there are two markets they are attempting to meet, the higher end homes to the east outprice some of the members who would like to live there. The demographic of the townhome are Druid Hill-type residents who want to live on the golf course and they do not want to be priced

out of the opportunity to live on the Wakonda golf course. Noted they had a different arrangement of homes and changed the plans to fit the Club's market conditions. Club members will get first opportunity to buy lots and if there are any left over it will be opened up to the public market.

Tim Urban: Asked if they had developed a specific design for the bi-attached or if they would be custom-built.

Joe Pietruszynski: Explained they are in discussions with the course regarding the architecture, but they will have to follow the criteria in the architectural guidelines. He suggested the elevations could change but he surmised it would be more like Druid Hill from what he has heard from people. Something that could be produced quickly and not go through the rigorous architectural design process.

### **CHAIRPERSON OPENED THE PUBLIC HEARING**

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

### **CHAIRPERSON CLOSED THE PUBLIC HEARING**

Tim Urban: Moved to find the requested rezoning to not be in conformance with the existing land use designation of the Des Moines' 2020 Community Character Plan.

Motion passed 12-0.

Tim Urban: Expressed frustration that the terrain, trees and drainage ways on the site was not contributing to the development with regard to the density and use of the land. Concerned with the frontage road and suggested having more access points would be preferable and less disruptive to the trees. Preferred to continue the Concept Plan after the developer assesses the specific suitability of the site for specific building sites and develop a plan around those sites rather than establish a plan that is based upon a regimented plat layout of a subdivision.

Larry Hulse: Clarified Commissioner Urban's desire was to have the developer customize the development more with the trees and other situations on the site. Suggested the Concept should be that they explore the issues and asked if there could be enough flexibility in the Concept if it's approved that they catch it further down into the subdivision and know the answers to the questions.

Mike Ludwig: Explained the building envelope frontage and suggested there is a lot of latitude between two lots that would provide flexibility for building location, but indicated the applicant would have to explain what their yield is to make the project work.

Tim Urban: Suggested if the development were platted conventionally without the trees and drainage issues it would be a minor plat. As soon as a parallel private driveway and some of the other factors are introduced, the cost begins to escalate. Explained his suggestion was that the developer approach the development by looking at what the land dictates for building locations, they can mitigate some of the cost of creating extensive frontage road construction, which would mean the City would have to be willing to accept more curb cuts. If the City's standpoint is that they would not accept anything more than three curb cuts, it would be hard to give the developer that necessary flexibility. He explained there are two options for the developer. They could follow the motion if they agree with it, or they could bring a preliminary site plan or plat to the Commission that would show exactly what trees would be affected by the roads and building envelopes.

Larry Hulse: Suggested it could be done with the Concept being passed, with some notes added with the items indicated. The Concept could say the City would authorize no more than so many

lots and when it gets to the preliminary plat and returns to the Commission the developer would have those answers.

Tim Urban: Moved to amend the Community Character Plan land use designation from Park Open Space to Low/Medium Density Residential.

Motion passed 12-0.

Tim Urban: Recommended the Concept Plan be approved for no more than the 27 units as presented and that a site plan be submitted for the Commission's approval that reflects the location and architectural character of all attached units and the building envelopes for all single-family lots to provide the Commission with the opportunity to make an assessment on the impact on trees, slopes and accesses.

Mike Simonson: Asked for the applicant's response to the motion.

Dan Dutcher, Hubbell Realty Company: Explained he has been intimately involved with the negotiations with the Wakonda Club. Indicated a stipulation of the Club has been that Hubbell build and gate the community, which automatically dictates fewer entrances. Noted if there were to be 27 separate entrances they would not be doing the project. Regarding the tree issue, he noted there are four levels of control. One is what the City will require and a site survey of all trees is required. No tree can be removed from the subject section of the Club without the approval of the Wakonda Club, which is in the covenants. Also, the presented project is a Concept Plan and they are aware they will have to move units and the footprints of units to allow trees to remain. They are not interested in getting close to some of the trees. Another level of control is the architectural review committee. Explained Hubbell and the Wakonda Club are members of the committee, as is Bloodgood Sharp who designed the architectural standards as a member of the review committee. Additionally, Hubbell Homes will build all the homes so there will not be other builders involved in developing the houses. Explained what is being reflected on the presented plan is the building envelope. The detached units will likely be designed by other architects. The specific design of the detached units may require designing around some trees and the building envelope may have to be reduced when an architect gets involved. Noted the attached units will likely be designed and built by Hubbell Homes but they have to adhere to the same architectural standards.

Tim Urban: Asked if it is rigid that the attached units be on the west end of the development. For example, if the footprint of the attached units could be larger than many of the single-family units and there is more flexibility to the east in terms of terrain and open land area so larger building envelopes could be put there, if they would.

Dan Dutcher: Explained they were asking for the flexibility to do attached or detached on the entire site. They had to come in with a Concept Plan and indicated they have no problem with moving forward.

Dann Flaherty: Asked if he was amenable to the motion.

Dan Dutcher: Affirmed.

Mike Ludwig: Indicated the Commission would want to include, as part of the motion, that they are granting the flexibility to permit detached or bi-attached structures on any lot.

Tim Urban: Amended his motion to clarify that all that is being proposed in the approval of the Concept Plan is the placement of single or bi-attached units on any of the lots but no more than 27 units total.

Motion passed 12-0.

Respectfully submitted,



Michael Ludwig, AICP  
Planning Administrator

MGL:dfa

Attachment

Date	_____
Agenda Item	<u>20</u>
Roll Call #	_____



