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Date..... May 22, 2006

RESOLUTION APPROVING AMENDMENT TO THE
DES MOINES 2020 COMMUNITY CHARACTER LAND USE PLAN

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, on March 20, 2006, by Roll Call No. 06-552, the City Council initiated a proposal to amend the Des Moines 2020 Community Character Land Use Plan to change the future land use designation of the property in the vicinity of 1900 SE 6th Avenue owned by the South Des Moines Little League, from Low Density Residential to Low/Medium or Medium Density Residential; and,

WHEREAS, the City Plan and Zoning Commission has advised in the attached communication that at a public hearing held on April 20, 2006, the members declined to consider the proposal to amend the 2020 Community Character Land Use Plan from Low Density Residential on the basis that the Commission recommended the property be redeveloped under the "PUD" Planned Unit Development District regulations, and that a "PUD" Conceptual Plan be submitted as part of any redevelopment of the property; 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 to change the future land use designation of the property in the vicinity of 1900 SE 6th Avenue owned by the South Des Moines Little League and shown on the accompanying map, from Low Density Residential to Low/Medium-Density Residential, 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.

(continued)

49B

Date May 22, 2006

MOVED by _____ to adopt and approve the proposed amendment.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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NOTE: This resolution may be approved by a simple majority of quorum of the City Council. The requirement for a supermajority vote is only triggered by a recommendation for denial. In this instance the Plan and Zoning Commission recommended denial of the rezoning, and declined to consider the proposed plan amendment to the Des Moines 2020 Community Character Land Use Plan.

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



May 22, 2006

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 20, 2006, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 9-0 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

in support of a motion to recommend denial of the City Council initiated proposal to rezone property in the vicinity of 1900 SE 6th Street owned by the South Des Moines Little League, from the "R1-60" One-Family Low-Density Residential District and the "C-1" Neighborhood Retail Commercial District to a Limited "R-3" Multiple Family Residential District", and to further recommend that any future redevelopment of the property be subject to the "PUD" Planned Unit Development District zoning classification and regulations. (ZON2006-00038)

Members declined to consider a City Council initiated request to amend the Des Moines 2020 Community Character Land Use Plan future land use designation from Low Density Residential on the basis that the Commission recommended a Planned Unit Development (PUD) be submitted as part of any redevelopment of the property. (21-2006-4.07)

Written Responses

2 In Favor
5 In Opposition

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

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Part A) Staff recommends amending the Des Moines' 2020 Community Character Plan future land use designation from Low-Density Residential to Low/Medium Density Residential.

Part B) Staff recommends that the proposed rezoning be in found in conformance with the Des Moines' 2020 Community Character Plan future land use designation of Low/Medium-Density Residential.

Part C) Staff recommends rezoning the site to "R-3" Multiple-Family Residential District subject to the following conditions:

1. Future redevelopment of the site shall be limited to single-family, bi-attached, or townhome residential;
2. Maximum density of the site shall not exceed 12 dwelling units per net acre; and
3. The developer shall hold a neighborhood meeting during the site plan review phase for any redevelopment of the site.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** On March 20, 2006 by Roll Call 06-552, the City Council initiated amending the Des Moines 2020 Community Character Land Use Plan future land use designation of the site to either Low/Medium-Density Residential or Medium-Density Residential and rezoning the site to either "R-3" District or "R-4" District. (Official notifications proposed High-Density Residential and "R-4" District since High-Density Residential and "R-4" District are the least restrictive designations.)

The Low/Medium-Density Residential future land use designation permits a maximum 12 dwelling units per net acre, whereas Medium-Density Residential permits a maximum of 17 dwelling units per net acre. Thus, Low/Medium-Density Residential designation would permit up to 57 dwelling units and Medium-Density Residential designation would allow up to 81 dwelling units on the 4.81-acre (209,537 square feet) site.

The "R-3" District bulk regulations would permit a maximum 83 dwelling units on the 209,537-square foot site (2,500 square feet of lot area per dwelling unit) and the "R-4" District bulk regulations would permit up to 246 dwelling units (850 square of lot area per dwelling unit).

The subject property currently includes a softball complex that will cease operations upon completion of a new complex under construction off-site. The current owner intends to sell the land for future redevelopment upon relocation to the new complex.

Future redevelopment of the site for multiple-family residential use would be subject to review and approval of a site plan under Design Guidelines for Multiple-Family Residential by the Plan and Zoning Commission.

2. **Size of Site:** Irregular-shaped site containing approximately 209,537 square feet or 4.81 acres.
3. **Existing Zoning (site):** "R1-60" One-Family Low-Density Residential District and "C-1" Neighborhood Retail Commercial District

4. **Existing Land Use (site):** The subject property currently contains the South Des Moines Little League complex with 4 baseball fields, multiple structures for concessions and restrooms, and a graveled parking lot.
5. **Adjacent Land Use and Zoning:**
 - North* – “R1-60”, Use is single-family residential.
 - South* – “R1-60” and “C-1A”; Uses include bi-attached residential, East Columbus Avenue, and Don’s Lawn Service.
 - East* – “R1-60” and “C-1”; Uses include the Firehouse Lounge tavern, Southeast 6th Street, and City of Des Moines’ Fire Station #6.
 - West* – “R1-60”, Use is single-family residential.
6. **General Neighborhood/Area Land Uses:** The subject property is located just northwest of a neighborhood-commercial node at the intersection of Southeast 6th Street and East Hartford Avenue. The subject property is bounded by a low-density residential neighborhood to the north and west.
7. **Applicable Recognized Neighborhood(s):** McKinley School/Columbus Park Neighborhood Association.
8. **Relevant Zoning History:** N/A.
9. **2020 Community Character Land Use Plan Designation:** Low-Density Residential.
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, prior to the City Council Hearing. The recommendation of the Commission will be forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Drainage/Grading:** Drainage and grading would be evaluated during the site plan review process before the site can be graded or developed.
2. **Utilities:** Sufficient utilities exist to support future redevelopment of the site as multiple-family residential use. The future developer would be responsible for all costs associated with extending utilities to the site.
3. **Landscaping/Screening:** Future redevelopment of the site as multiple-family residential would be subject to review and approval of a site plan under Design Guidelines for Multiple-Family Residential. Such a site plan would be required to adhere to the landscape standards applicable to the “R-3” District.
4. **Traffic/Street System:** The subject site has approximately 360’ of frontage along Southeast 6th Street and approximately 240’ of frontage along East Columbus Avenue. The City’s Traffic and Transportation staff have determined that Southeast 6th Street and East Columbus Avenue can adequately handle the traffic generated by future development of the site as multiple-family residential.

5. **Access & Circulation:** The future layout of internal driveways on the site would be determined during the Site Plan review process.
6. **Zoning:** Due to the low-density residential character of the surrounding neighborhood, staff recommends rezoning the site to "R-3" District conditional upon future redevelopment of the site being limited to single-family, bi-attached, or townhome residential development with a maximum density of 12 dwelling units per net acre. This would permit up to 57 dwelling units on the 4.81-acre (209,537 square feet) site.
7. **2020 Community Character Plan:** The "R-3" Multiple-Family Residential District is in conformance with the proposed Low/Medium Density Residential future land use designation so long as future redevelopment of the site is limited to single-family, bi-attached, or townhome residential development with a maximum density of 12 dwelling units per acre.
8. **Urban Design:** Future redevelopment of the site for multiple-family residential would be subject to review and approval of a site plan under Design Guidelines for Multiple-Family Residential as follows:

In acting upon any site plan application that includes a multiple family dwelling, boardinghouse, or rooming house, the plan and zoning commission shall apply the design regulations in section 82-213 and the additional design guidelines set forth below. The decision to approve, approve subject to conditions or disapprove a proposed site plan shall be based upon the conformance of the site plan with such design regulations and the following guidelines.

- 1) **Architectural character.** New developments and alterations to existing development in or adjacent to existing developed areas shall be compatible with the existing architectural character of such areas by using a compatible design. Compatibility may be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, and/or the use of building materials that have color shades and textures similar to those existing in the immediate area of the proposed development. Brick and stone masonry shall be considered compatible with wood framing and other materials.
- 2) **Building height and mass.** Buildings shall be either similar in size and height, or if larger, shall be articulated, setback or subdivided into massing that is proportional to the mass and scale of other structures on the same block and adjoining blocks. Articulation may be achieved through variation of roof lines, setbacks, patterns of door and window placement, and the use of characteristic entry features. To the maximum extent feasible, the height, setback and width of new buildings and alterations to existing buildings should be similar to those of existing buildings on the same block. Taller buildings or portions of buildings should be located interior to the site. Buildings at the ends of blocks should be of similar height to buildings on the adjoining blocks.
- 3) **Building orientation.** To the maximum extent feasible, primary facades and entries shall face the adjacent public street. A main entrance should face a connecting walkway with a direct pedestrian connection to the public street without requiring all pedestrians to walk through parking lots or across driveways.
- 4) **Garage access/location.** If the prominent character of garage access and/or location is located to the rear of the properties in the surrounding neighborhood, then new construction should be compatible with such character.
- 5) **Rooftop/second story additions.** A rooftop or second floor addition, including but not limited to stairs and emergency egress, should not overhand the front or side walls of the existing building.
- 6) **Emergency egress.** All stairs and means of emergency egress extending more than 15 feet above grade and visible from the adjoining street should be completely enclosed with materials compatible in color and texture with the balance of the building.

- 7) Parking. Parking lots containing more than eight parking spaces should comply with the adopted landscape standards applicable to commercial development in the C-1 district.

SUMMARY OF DISCUSSION

Mike Ludwig: Presented staff report and recommendation.

Dann Flaherty: Asked why the request was not done as a PUD; suggested moving from a commercial venture into a larger tract type of house would be good.

Mike Ludwig: Noted the intent of South Des Moines Little League is to have owner-occupied units and would like to have townhome sized development.

Tim Urban: Expressed concern for 12 units per acre and suggested the density is misleading and allows the property to be put up for sale...need to establish a density that is realistic for the concept for the property. Asked what would be wrong with a 30-unit nursing home surrounded with open space. To predetermine it should be single-family development seems short-sighted.

CHAIRPERSON OPENED THE PUBLIC HEARING

The following individuals spoke in opposition of the request:

Valerie Barton, 511 Dunham: Does not want the rezoning; has always had the ballpark in the backyard. Would rather leave it R1-80 for single-family dwellings or a park with a lake.

Gary Barton, 511 Dunham: Indicated the neighborhood has changed a lot and a lot of money has been put into it. Expressed concern for anything other than single-family starter homes; definitely not apartments. A small business on the C-1 would be acceptable.

Lois Chapman, 509 E. Dunham: Do not want the apartments; school is already full with kids and E. 6th cannot take anymore traffic. Want it to be left the way it is.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Tim Urban: Moved to leave the zoning as it is and encourage it be developed as a PUD.

Motion passed 9-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:dfa

Attachment