

Date July 11, 2011

Communication from the Chair of the Park and Recreation Board regarding the proposed land exchange by Waveland Homes, Russell Parks, for a Waveland Homes development involving a portion of Waveland Municipal Golf Course.

MOVED by _____ to receive and file.

Approved as to Form:

Ann DiDonato
Ann DiDonato
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 29, 2011

The Honorable Mayor
and
Members of the City Council
City of Des Moines

Re: Russell Parks proposal review by Des Moines Park and Recreation Board

Dear Mayor and City Council Members:

On Monday, April 11, 2011, City Council hosted a workshop entitled Parkland Disposition Guidelines regarding parkland sales. At that meeting, City Council discussed Mr. Russell Parks land exchange proposal and requested that the City Manager refer the proposal back to the Des Moines Park and Recreation Board for consideration.

An amended proposal from Waveland Homes, Russell Parks, Principal of Parks Architecture, 1509 Pleasantview Drive, 50315, was presented to the Des Moines Park and Recreation Board on April 26, 2011, regarding exchange of an approximate 9,528 square foot parcel of land owned by Mr. Parks abutting Cummins Woods (also known as the Bird Sanctuary) for an approximate 9,240 square foot parcel of Waveland Golf Course land abutting Observatory Road. In addition, the Waveland Park Neighborhood Association (WPNA) and all neighbors within 500 feet of this proposed parcel sale were notified by mail to attend the April 26, 2011, Des Moines Park and Recreation Board meeting to participate in this discussion.

At the April 26, 2011 Park and Recreation Board meeting, an hour was spent discussing this new proposal. Christine Pardee, President of the WPNA (which had previously endorsed the original sale plan), spoke and indicated that information about the new proposal had been disseminated to the entire association membership. David Huston, past President of the WPNA, also spoke and was supportive. No one spoke in opposition to the new proposal, although Director of Park and Recreation, Donald M. Tripp was contacted by a nearby neighbor, Eric Baker indicating he had been unable to attend this meeting.

In the discussion, it was pointed out that this new proposal was no longer a sale, nor was it a loss of parkland. Rather, the total amount of parkland would actually increase due to the exchange, since more square feet would be received.

Apart from the raw number of square feet involved, the quality of the land to be received is also far superior to the existing City lot which would be given up. The City lot is behind a locked fence and not accessible to the public, contains no quality trees of note, and is too steep and rugged to use or enjoy.

The new parcel contains a giant oak tree and a giant cottonwood tree, as well as a large oak tree and several medium-sized oak trees. Any one of these trees is an improvement over the brush in the City lot. It is also possible to walk around in the new parcel and perhaps have a picnic. It adjoins the City's Cummins Woods, or Bird Sanctuary, and thus enhances the existing Sanctuary, whereas the City lot does not have nearly as much connective utility with respect to other parkland.

Board members wanted to use this enhancement of the Sanctuary as an opportunity to do a master plan for the enlarged area and turn it into a major asset for the neighborhood and the City as a whole.

For these reasons the Board unanimously approved the new proposal, compared to the 7-5 vote on the original plan.

For background and contrast, the course of events leading up to the Board action on the original plan is set forth below:

Previous Des Moines Park and Recreation Board action:

On March 17, 2010, Russell Parks submitted a letter requesting that consideration be given to negotiate the sale of a small parcel of the Waveland Golf Course. The proposed parcel measures 70 feet by 132 feet and is located adjoining another property currently owned by Mr. Parks, off Observatory Road. This proposed parcel is classified as Park Land, dedicated for Waveland golf course; however it does not serve as a part of the golf course. The parcel is separated by a service road that accesses the cellular tower leased area and a heavily wooded area. The area is separated from the adjoining neighborhood by fence.

Mr. Parks is proposing a Waveland Homes project by combining the two properties for a six townhome development, one duplex and one four-plex that would provide a different type of housing for residents in Waveland Park Neighborhood. This parcel is on the eastern side of the golf course just north of the entrance to the McCollum/Waveland Tennis Complex parking lot, see attached maps.

Mr. Parks was informed that he would need to present his proposal to the Waveland Park Neighborhood Association, and the citizen advisory golf committee for their review and input, prior to presenting to the Park and Recreation Board. The current zoning of the golf course land is R1-80, single family residential. Mr.

Parks' request is contingent on being able to rezone the parcel of the golf course land to R-3, multiple-family residential.

On April 7, 2010, the Park and Recreation Board's Citizen Golf Advisory Committee received and filed a presentation by Mr. Parks at their monthly meeting. Committee members asked specific questions and then a tour was provided of the proposed site for those interested. The golf committee requested that they not take formal action until the neighborhood association made their final recommendation. The golf committee met again on July 7, 2010, and again had a presentation by Mr. Parks. Also during this meeting, the committee was informed that the Drake Observatory had been contacted by City staff and expressed no concerns with the proposal as long as there were no plans to use commercial lighting fixtures. The golf committee moved approval to allow the proposed development with 2 yes votes and 2 passes. There were three members absent.

On May 7, 2010, Waveland Park Neighborhood Association received and filed Mr. Parks' proposal at their monthly meeting. Board members and adjoining neighbors asked specific questions on the plan and impact to the area. At their neighborhood meeting on June 2, 2010, Waveland Park Neighborhood Association voted on two actions in regards to Mr. Parks' proposal. First, the WPNA board of directors recommended unanimously that the City of Des Moines approve the sale of parkland to Mr. Parks. Second, the WPNA board of directors recommended with seven ayes and one nay, that the City of Des Moines approve the Waveland Homes project.

At its July 27, 2010, meeting, the Des Moines Park and Recreation Board approved a recommendation subject to several covenants to sell Russell Parks a small portion of Waveland Golf Course to allow for redevelopment of an adjacent property owned by Mr. Parks along Observatory Road. Staff recommended that the City Council receive and file the Des Moines Park and Recreation Board recommendation and refer to the City Manager for review, recommendation and negotiation of a purchase agreement. The purchase agreement shall only authorize the Mr. Parks to submit a rezoning application for the referenced portion of City property. No final authorization to sell the property to Mr. Parks shall be granted unless a suitable rezoning application is reviewed by the Plan and Zoning Commission and approved by the City Council.

At its June 22, 2010 and July 27, 2010 meeting, the Des Moines Park and Recreation Board took public comment and considered a recommendation from Park and Recreation Department staff regarding the sale of property at Waveland Golf Course to Mr. Parks.

A motion was made to approve Mr. Parks' proposal for purchasing a portion of land from Waveland Golf Course with the following covenants:

- Sale price to be based on third party appraisal
- The Plan and Zoning Commission grants the appropriate zoning change to allow the townhome proposal
- The sale would only be approved for the use that Mr. Parks has proposed, which is a six-unit townhome development
- Mr. Parks would provide the landscaping plan that was presented to the Park Board as well as conform to the City tree mitigation policy
- The adjacent property referred to as a "Bird Sanctuary" would be protected from the construction process with silt fencing to control runoff
- The proceeds of the proposed sale be set aside in a newly established fund for the Park and Recreation department to be used solely to purchase land for future park needs.

The Park and Recreation Board recommended that the Council receive and file the approved Park and Recreation Board recommendation and refer to the City Manager for review, recommendation, and negotiation of a purchase agreement.

Conclusion: April 26, 2011, Des Moines Park and Recreation Board action summary

The Des Moines Park and Recreation Board unanimously recommends approving the land exchange (see attached map) with the commitment to develop a master plan specific to this area and to commit the necessary resources to implement. The adjoining 15.2 acre Bird Sanctuary is a high quality woodland and the City should develop a plan to assure continued benefits from this precious open space.

Sincerely,

