NO CHANGE FROM PREVIOUS READING

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: March 9, 2015

ITEM: Maple Grove West, Southeast corner of the Union Pacific Railroad and 98th Street – Amend the Maple Grove West PUD, Parcel B to modify requirements for setbacks, buffers, and architecture – Rock Equity Holdings, LLC
ZC-002586-2015

ORDINANCE: Approval of Second Reading, Waive Third and Adopt in Final Form

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Rock Equity Holdings, LLC, represented by James Lindgren, is requesting an amendment to the Maple Grove West Planned Unit Development, specifically PUD Parcel B, zoned Residential Medium Density (RM-12) to:

- Reduce the perimeter setback on the north and east property lines to a minimum 25 ft. due to the adjacent uses of the water tower and the railroad;
- To remove the buffer park requirement on the north and east perimeter due to the adjacent uses of the water tower and the railroad;
- To provide for a minimum setback for the garage of 25 feet from the garage door to the back of curb;
- Reduce the minimum building separation from 30 feet to 15 feet; and,
- Amend the architecture section to remove the provision that indicates that garages should not be the predominate feature of the dwelling unit.

Previous Council Action:
Vote: 5-0 approval
Date: February 23, 2015
Motion: Approval of the First Reading of the ordinance

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the City Council approve the second reading, waive the third reading and adopt the Maple Grove West PUD Ordinance amendment in final form, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Kara Tragesser, MPA, AICP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register	
Date(s) Published	February 6, 2015	
Letter sent to surrounding property owners		February 3, 2015

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	January 29, 2015		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENT:
Exhibit I - Proposed Ordinance

S:___Development Projects\Maple Grove West\Plat 6\PUD Amendment\ZC-002585-2015_SR_Maple Grove West PUD Amendment CC_2nd3rd_03-09-2015.Doc

Prepared by: KTragesser, Community Development, PO Box 65320, W.D.M., IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2014, AND ORDINANCE #1646, #1971, #1996, #2033, AND #2050 PERTAINING TO P.U.D. (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

SECTION 1. AMENDMENT. Ordinance 1646, 1971, 1996, 2033, and 2050 Maple Grove West PUD, Section 3, Paragraph, 2, Parcel B, Subparagraph a. Architecture, is hereby repealed and replaced with the following bolded text:

Architectural design for multi-family buildings shall express a creative presentation of exterior building materials, exterior details and texture, treatment of windows and doors, and use of angles and multiplicity of planes within the wall and roof design to lessen the plainness of appearance which can be characteristic of large residential buildings. The use of building articulation that breaks up the building mass into modules which reflect proportions similar to the single-family residential dwellings shall be required. Methods used to create intervals which reflect individual dwelling units are:

1. **Facade modulation - stepping back or extending forward a portion of the façade;**

2. **Entrances to the dwelling units should be easily and individually identified through the use of design and detailing. Projected or recessed entryways, higher rooflines, awnings or changes in materials are example that can create this effect.**

3. **Changing the rooflines by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval,**

4. **Changing materials with the change in building plane to vary the look of the individual dwelling units.**

5. **Using paint and materials to reinforce the modulation or articulated intervals.**

Buildings shall use materials such as brick, stone, vertical or lap siding, shakes and stucco, combining materials along with trim and details to provide visual interest within the development. Use of natural materials is encouraged, composite materials such as fiber cement and wood composites are appropriate substitutions. Vinyl siding may be used only with appropriately scaled trim. All material, trim and details for a building shall be designed appropriately for chosen architectural style. Materials should change with the change in building planes. Trim and structural elements such as posts or columns shall be sized to the scale of the building. When used, masonry materials shall have the appearance of 3-dimensional elements. Fenestration (door and window openings) shall be sized to the scale of the building, incorporated on all sides of the building and be compatible to the chosen architectural style. Asphaltic shingles shall be allowed provided the shingle materials are of a heavier grade that produces a shake or shadowing effect and is consistent with the color and materials used for the multi-family residential developments

Garage doors facing the public street should be set back to minimize the dominance of their appearance or staggered across the building façade to create opportunities for individuality of the dwelling units. The architectural details of garage should incorporate the materials and treatments of the dwelling unit, such as windows, doors, paint and materials, and style of the dwelling unit.

All facades of the building in unobstructed view of the public shall be treated with the same level of architectural style and detail.

SECTION 2. <u>AMENDMENT</u>. Ordinance 1646, 1971, 1996, 2033, and 2050 Maple Grove West PUD, Section 3, Paragraph, 2, Parcel B, Subparagraph b. Setbacks, and Subparagraph c. Buffers are hereby amended by adding the following text as illustrated in bold lettering and deleting the text illustrated by strikethrough lettering.

b. Setbacks: All residential structures and garages shall comply with all general use regulations and provisions set forth in title 9, "Zoning", of the city code for residential medium-density district (RM-~~10~~**12**) shall apply, unless noted otherwise within this section.

A building front yard and perimeter setback of thirty five feet (35') shall apply to any structure within parcel B, **except that the perimeter setback adjacent to municipal property at the time of development of any part of Parcel B shall be twenty five feet (25')**. If the property abuts a private street, any residential structure shall be allowed to be located no closer than fifteen feet (15') from the back of a curb or back of a sidewalk, whichever is more restrictive. Garages shall comply with a front yard setback of twenty five feet (25'), to be measured from the garage opening to the back of a curb ~~or sidewalk, whichever is more restrictive~~ **for garages opening onto a private street where the sidewalk is immediately adjacent to the private street. In those cases where the garage opens onto a public street, the front yard setback for garages shall be twenty five feet (25') to be measured from the garage opening to the back of sidewalk.**

A building separation of a minimum of fifteen (15') is required for all one and two story structures. Any structure greater than two stories will have a minimum building separation of thirty feet (30').

c. Buffers: A minimum thirty foot (30') buffer ~~park~~ shall be required ~~to be provided~~ along ~~the~~ **any** boundary that abuts **property zoned for single family development and along 98th Street.** ~~the Union Pacific Railroad right of way, along 98th Street and along the south and east boundary of parcel B at the time that a development plan is submitted for parcel B~~.

SECTION 3. SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase or part of the Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

SECTION 4. VIOLATIONS AND PENALTIES. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in 1-4-1 of the City Code of the City of West Des Moines, Iowa.

SECTION 5. OTHER REMEDIES. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council on the _____day of _____ 2015.

_____

Steven K. Gaer, Mayor
ATTEST:

_____

Ryan T. Jacobson
City Clerk

I certify that the foregoing was published as Ordinance No. _____on the ___day of _____ 2015.

_____

Ryan T. Jacobson
City Clerk