

CITY OF WEST DES MOINES

COUNCIL AGENDA

date: May 18, 2015

time: 5:30 P.M.

MAYOR	STEVEN K. GAER	CITY MANAGER.....	TOM HADDEN
COUNCILMEMBER AT LARGE	RICK MESSERSCHMIDT	CITY ATTORNEY.....	RICHARD SCIESZINSKI
COUNCILMEMBER AT LARGE	JIM SANDAGER	CITY CLERK.....	RYAN JACOBSON
COUNCILMEMBER 1 ST WARD	KEVIN L. TREVILLYAN		
COUNCILMEMBER 2 ND WARD	JOHN MICKELSON		
COUNCILMEMBER 3 RD WARD.....	RUSS TRIMBLE		

1. Call to Order/Pledge of Allegiance/Roll Call/Approval of Agenda

2. Citizen Forum (Pursuant to City Council Procedural Rules citizen remarks are limited to five minutes under this agenda category - if additional time is desired the Mayor/Council may allow continuation as part of the Other Matters portion of the agenda)

3. Mayor/Council/Manager Report/Other Entities Update

4. Consent Agenda

- a. Motion - Approval of Minutes of May 4, 2015 Meeting
- b. Motion - Approval of Bill Lists
- c. Motion - Approval of Liquor Licenses:
 - 1. MVC Acquisition LLC, d/b/a Cabaret, 560 Prairie View Drive, Suite 105 - Class LC Liquor License Extension of Outdoor Service - June 5-6, 2015
 - 2. Dino Investment, Corp. d/b/a The Filling Station, 305 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 - 3. Turkey Brothers, Inc. d/b/a Fire Creek Grill, 800 South 50th Street - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 - 4. Migliero Real Estate d/b/a G. Mig's 5th Street Pub, 128 5th Street - Class LC Liquor License with Sunday Sales - Renewal
 - 5. Big Winds WDM, Inc. d/b/a Hurricane Grill and Wings, 3340 Westown Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - New
 - 6. Hy-Vee, Inc. d/b/a Hy-Vee Reception, 1701 25th Street (Wedding Reception at Events Center West) - 5-Day Class BW Permit - Effective May 30-June 3, 2015
 - 7. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - June 4, 2015

Council Agenda

May 18, 2015

8. MM, LLC d/b/a Ladder #13, 1316 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 9. Red Robin International, Inc. d/b/a Red Robin America's Gourmet Burgers & Spirits, 6255 Mills Civic Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 10. Old Market Ventures, LLC d/b/a Twin Peaks Restaurant, 4570 University Avenue - Class LC Liquor License Extension of Outdoor Service - June 5-7, 2014
 11. Turner Beverage, LLC d/b/a Vintage Wine, 6905 Mills Civic Parkway - Class BW Permit with Carryout Wine, Sunday Sales, and Outdoor Service Privileges - Renewal
 12. Des Moines Wine Festival Foundation, d/b/a Winefest Des Moines, 1310 Tulip Tree Lane - 5-Day Class BW Permit with Outdoor Service - Effective June 4-8, 2015
- d. Motion - Approval of Extended Sound Permits:
1. 503 Restaurant, 1238 8th Street
 2. 58th Street Block Party
- e. Motion - Approval of Lane Closure(s) for Special Events:
1. 58th Street Block Party
 2. Mustang Ford Show
- f. Motion - Approval of Settlement Agreements for Violations of Alcohol Laws
- g. Motion - Approval of Contract Agreement - Median Limestone Block Repair
- h. Motion - Approval of Change Order #8 - Library and Law Enforcement Center HVAC Improvements
- i. Motion - Approval of Early Release of Retainage - 139 6th Street Building Renovation
- j. Resolution - Approval of Special Assessments - Nuisance Abatements
- k. Resolution - Order Construction - Alluvion Yellow Fiber Route
- l. Resolution - Approval of Professional Services Agreements:
1. Law Enforcement Center Roof Replacement
 2. Law Enforcement Center Garage
 3. Public Services Facility Master Plan Study and Grading Plan
- m. Resolution - Approval of Extension of Entitlements:
1. Waterbury Building, 7765 Office Plaza Drive North
 2. Alameda Office Building, 6770 Vista Drive
 3. Newport Office Building, 1055 Jordan Creek Parkway
- n. Resolution - Approval of Financing Agreement - West Des Moines Water Works
- o. Resolution - Acceptance of Public Improvements - Maple Grove West Plats 4 and 5
- p. Resolution - Approval of Modification to Terms of Agreement and Waiver - Silverwood Plat 4
- q. Proclamation - National Public Works Week, May 17-23, 2015

5. Old Business

- a. Aspire, south side of Stagecoach Drive approximately 680 feet west of South 68th Street - Vacate a Portion of Public Street Right-of-Way Associated with the Driveway Turnouts Constructed along the South Side of Stagecoach Drive - Aspire Residential, LLC
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

6. Public Hearings (5:35 p.m.)

- a. Jordan West, southwest corner of EP True Parkway and Jordan Creek Parkway - Amend the Comprehensive Plan Land Use Designation from Office to Support Commercial and Medium Density Residential and Amend the Jordan West Area Development Plan - Ryan Companies US, Inc.
 - 1. Resolution - Approval of Comprehensive Plan Amendment
 - 2. Resolution - Approval of Area Development Plan Amendment
- b. Village of Ponderosa, east of South 60th Street at Village View Drive - Amend the Comprehensive Plan Land Use Designation of approx.. 41.9 acres; Amend the Area Development Plan for Village of Ponderosa; Amend the Village of Ponderosa Specific Plan Ordinance to Allow Mix of Uses Including Retail, Office, Restaurants, Hotel, Convenience Store, and Medium Density Residential - LENC, LLC
 - 1. Resolution - Approval of Comprehensive Plan Amendment
 - 2. Resolution - Approval of Area Development Plan Amendment
 - 3. Ordinance - Approval of First Reading
- c. Community Development Block Grant Program - 2015-20 Consolidated Plan and 2015-16 Annual Action Plan - City Initiated
 - 1. Resolution - Approval of 2015-20 Consolidated Plan and 2015-16 Annual Action Plan
- d. 2014-15 FY Operating and Capital Budget - Amendment #3 - City Initiated
 - 1. Resolution - Approval of Budget Amendment #3

7. New Business

- a. Mills Crossing Plat 1, 5901 Mills Civic Parkway - Subdivide Property into Seven Lots for Commercial Development - Hurd Mills, LLC
 - 1. Resolution - Approval of Preliminary Plat
- b. Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 3 (Special Stops Required) - Intersection of 63rd Street and Orchard Drive and Intersection of 65th Street and Orchard Drive - City Initiated
 - 1. Ordinance - Approval of First Reading

Council Agenda

May 18, 2015

- c. Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 5 (No Parking Zones) - West Side of 13th Street, from Locust Street to Walnut Street - City Initiated
 - 1. Ordinance - Approval of First Reading
- d. 2015-16 FY Hotel/Motel Tax Allocations - City Initiated
 - 1. Motion - Approval of Subcommittee Recommendation

8. Receive, File and/or Refer

- a. Eldorado Estates, 1450 South Jordan Creek Parkway - Establish New Planned Unit Development (PUD) Regulations for Residential Estate Property - Chayse Holdings, LLC (Refer to Plan and Zoning Commission)
- b. Whisper Rock at Quail Cove, 5100 block of Cherrywood Drive - Rezone Property from Residential Medium Density to Single Family Residential - Prairie Building and Development, LLC (Refer to Plan and Zoning Commission)
- c. Country Club Office Plaza, 72nd Street and Woodland Avenue - Amend the Planned Unit Development (PUD) to Remove Property from the PUD - City Initiated (Refer to Plan and Zoning Commission)
- d. Ashworth Road Corridor, 6975 Woodland Avenue - Amend the Planned Unit Development (PUD) to Add Property to the PUD - City Initiated (Refer to Plan and Zoning Commission)

9. Other Matters

The City of West Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages their participation in city government. Should special accommodations be required please contact the Clerk's office at least 48 hours in advance, at 222-3600 to have accommodations provided.

May 4, 2015

West Des Moines City Council Proceedings
Monday, May 4, 2015

Mayor Steven K. Gaer opened the regularly scheduled meeting of the City Council of West Des Moines, Iowa, in the Council Chambers of the West Des Moines City Hall on Monday, May 4, 2015 at 5:30 PM. Council members present were: J. Mickelson, R. Messerschmidt, J. Sandager, and K. Trevillyan.

Mayor Gaer welcomed the sixth grade students from Fairmeadows Elementary School participating in Student Government Day. The following students were introduced and the role they were playing: Zoe Swanson, Mayor; Caelen Thorn, Council member First Ward; Avery Redford, Council member Second Ward; Mary Deyev, Council member Third Ward; Jack Bork, Council member at Large; Veronica Wennerstrom, Council member at Large; Amy Scott, City Manager; Avi Kaufman, City Attorney; Alex Broughton, City Clerk; and Elijah Graham, Deputy City Clerk.

City Clerk Ryan Jacobson stated staff recommends an amendment to Item 4(o) License Agreement for Installation of Optical Fiber, as the agenda originally indicated the agreement was with "West Des Moines Water Works" but it should have read "Des Moines Water Works".

On Item 1. Agenda. It was moved by Messerschmidt, second by Sandager approve the agenda as amended.

Vote 15-153: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes
Motion carried.

On Item 2. Public Forum:

Jim Miller, Executive Director of the Historic Valley Junction Foundation, reported the Main Street Iowa Awards were held last Friday night, at which Historic Valley Junction was recognized for surpassing \$20 million in private investment. He also stated the 11th annual Cinco de Mayo Festival was held on Saturday, and this Thursday, May 7th will be the first Valley Junction Farmers Market of the year. He also reported a group of volunteers will begin collecting unsold product from vendors at the end of the night of each Valley Junction Farmers Market to be donated to WDM Human Services.

Council member Trimble arrived at 5:34 p.m. The attendance was re-taken. Council members present were: R. Messerschmidt, J. Mickelson, J. Sandager, K. Trevillyan, and R. Trimble.

On Item 3. Council/Manager/Other Entities Reports:

Police Chief Shaun LaDue introduced Police Officers Blake Mills, Tim McConnell, and Clint Ray, who were then sworn in by Mayor Gaer.

May 4, 2015

Mayor Gaer read Proclamation - Police Officers Week.

Bret Hodne, Public Works Director, reported the City of West Des Moines was awarded the Best Intelligent Transportation System Project Award by ITS of the Heartland for the City's implementation of traffic adaptive signals. He commended Jim Dickinson, Transportation Engineer, for his efforts related to these projects.

Council member Trimble reported he attended the Art on the Campus reception and commended the Parks and Recreation Advisory Board and Public Art Advisory Commission for making that event a success.

Council Member Messerschmidt reported he will be a speaker at Thursday's annual West Des Moines Community School District staff recognition event.

City Manager Tom Hadden reported the City will be conducting a Special Census this summer, and if it shows a population increase from the 2010 Census, the City will receive more road use tax revenue, which would be used to pay for road maintenance. He also reported the City was awarded the 2015 Environmental Impact Award from the Metro Waste Authority.

On Item 4. Consent Agenda.

Council members pulled Items 4(f), 4(k)1, and 4(p) for discussion. It was moved by Messerschmidt, second by Sandager to approve the consent agenda as amended.

- a. Approval of Minutes of April 20, 2015 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 1. Biaggi's Ristorante Italiano, LLC d/b/a Biaggi's Ristorante Italiano, 5990 University Avenue - Class LC Liquor License with Carryout Wine, Sunday Sales and Catering Privileges - Renewal
 2. China Jade, Inc. d/b/a China Jade, 5002 EP True Parkway - Class BB Beer Permit with Sunday Sales - Renewal
 3. Fareway Stores, Inc. d/b/a Fareway Store #153, 329 Grand Avenue - Class LE Liquor License with Carryout Wine and Carryout Beer - New
 4. Kinseth Hotel Corporation d/b/a Hampton Inn, 6160 Mills Civic Parkway - Class BW Permit with Carryout Wine, Sunday Sales, Living Quarters, and Outdoor Service - New
 5. Kinseth Hotel Corporation d/b/a Homewood Suites, 6220 Stagecoach Drive - Class BW Permit with Carryout Wine, Sunday Sales, Living Quarters, and Outdoor Service - New
 6. Hy-Vee, Inc. d/b/a Hy-Vee Ankeny #2, 1415 28th Street (Simpson College Continuing Education Event) - 5-Day Class BW Permit - Effective May 14-18, 2015

May 4, 2015

7. Hy-Vee, Inc., d/b/a Hy-Vee Clubroom, 555 South 51st Street, Clubroom Area - Class BW Permit with Sunday Sales - Renewal
 8. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - May 20-21, 2015
 9. St. Francis of Assisi Roman Catholic Church d/b/a St. Francis of Assisi Church, 7075 Ashworth Road - Class BW Permit with Sunday Sales - New
 10. T-Bowl Investments Inc. d/b/a Val Lanes Recreation Center, 100 Ashworth Road - Class LC Liquor License with Sunday Sales - Renewal
 11. Willow Creek Golf Course, Inc. d/b/a Willow Creek Golf Course, 140 Army Post Road - Class LC Liquor License with Sunday Sales, Living Quarters, and Outdoor Service Privileges - Renewal
- d. Approval of Extended Sound Permit - Dowling Catholic High School Outdoor Concert, 1400 Buffalo Road
 - e. Approval of Grant Application - BRAVO Greater Des Moines
 - g. Approval of Consulting Services Agreement - Financial Software Implementation
 - h. Approval of Equipment Sharing Agreement
 - i. Approval of 2015-16 FY Non-Union Pay Plan
 - j. Order Construction - Grand Avenue Improvements, Phase 5 - Raccoon River Park to South 35th Street
 - k. Approval of Professional Services Agreements:
 2. South Area Trunk Sewer - Western Extension
 - l. Acceptance of Public Improvements:
 1. Rogers Farm
 2. South Maple Grove Plat 13
 - m. Authorize Construction of Public Improvements - West Lakes Office Park Plat 3, Lot 16 (Sanitary Sewer)
 - n. Establish Public Hearing Regarding the Final Design, Site Selection and Consideration of Acquiring Agricultural Property - South 8th Street - County Line Road to Pine Avenue
 - o. Approval of License Agreement for Installation of Optical Fiber - Des Moines Water Works
 - q. Approval of Amendment to Alluvion RISE Agreement
 - r. Approval of Phased Landscaping Plan - Alluvion
 - s. Approval of Proclamations:
 1. Drinking Water Week, May 3-9, 2015
 2. Police Officers Week, May 10-16, 2015
 3. Bike Month, May 2015

Vote 15-154: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

May 4, 2015

On Item 4(f) Approval of Agreement - Financial Software

Council member Trimble inquired why the travel costs for this contract amount to \$48,000.

Tim Stiles, Finance Director, responded the travel costs are not to exceed the amount of \$48,000 and the City will only pay for documented travel costs incurred, and he noted the contractor expects to make approximately 24 visits, each lasting one week.

It was moved by Trimble, second by Trevillyan to approve Item 4(f) Approval of Agreement - Financial Software.

Vote 15-155: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 4(k)1 Approval of Professional Services Agreement - Alluvion Booster Station

Council member Trevillyan stated he will abstain on this item due to a potential conflict of interest.

It was moved by Trimble, second by Sandager to approve Item 4(k)1 Approval of Professional Services Agreement - Alluvion Booster Station.

Vote 15-156: Messerschmidt, Mickelson, Sandager, Trimble...4 yes
Trevillyan... 1 abstain due to potential conflict of interest
Motion carried.

On Item 4(p) Approval of 28E Agreement Regarding Funding and Operation of Aquifer Storage and Recovery Facility - West Des Moines Water Works

Council member Trevillyan stated he will abstain on this item due to a potential conflict of interest.

Council member Trimble requested clarification on this item.

City Manager Tom Hadden explained this agreement is a win-win situation, because Des Moines Waterworks will operate and maintain the facility, but West Des Moines Water Works will benefit by gaining additional capacity at a reduced rate.

Dianna Wilson, General Manager for West Des Moines Water Works, added that this agreement was vetted thoroughly, and the additional capacity will be needed as the area develops. She noted if additional capacity is needed in the future, a site has already been approved by the Iowa Department of Natural Resources for West Des Moines Water Works to construct its own Aquifer Storage and Recovery Facility.

May 4, 2015

It was moved by Trimble, second by Mickelson to approve Item 4(p) Approval of 28E Agreement Regarding Funding and Operation of Aquifer Storage and Recovery Facility - West Des Moines Water Works.

Vote 15-157: Messerschmidt, Mickelson, Sandager, Trimble...4 yes
Trevillyan... 1 abstain due to potential conflict of interest
Motion carried.

Mayor Gaer read Proclamation - Drinking Water Week.

On Item 5(a) Platinum Pointe Townhomes (f/k/a Whisper Ridge Townhomes), southwest corner of Bridgewood Boulevard and South 88th Street - Rezone approximately 13.3 acres from Residential Medium Density to a Planned Unit Development (PUD) to Allow Construction of a Townhome Development, initiated by Hale Development Company, LLC

It was moved by Trevillyan, second by Sandager to consider the second reading of the ordinance.

Vote 15-158: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by Sandager to approve the second reading of the ordinance.

Vote 15-159: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

It was moved by Trevillyan, second by Messerschmidt to waive the third reading and adopt the ordinance in final form.

Vote 15-160: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 5(b) Alluvion Urban Renewal Area TIF Ordinance, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Sandager to consider the second reading of the ordinance.

Vote 15-161: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

May 4, 2015

It was moved by Trevillyan, second by Sandager to approve the second reading of the ordinance.

Vote 15-162: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

It was moved by Sandager, second by Trevillyan to waive the third reading and adopt the ordinance in final form.

Vote 15-163: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(a) Mayor Gaer indicated this was the time and place for a public hearing to consider Aspire, south side of Stagecoach Drive approximately 680 feet west of South 68th Street - Vacate a Portion of Public Street Right-of-Way Associated with the Driveway Turnouts Constructed along the South Side of Stagecoach Drive, initiated by Aspire Residential, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 17, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 7-0, the Plan and Zoning Commission recommended City Council approval of the proposed vacation.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Sandager second by Messerschmidt to consider the first reading of the ordinance.

Vote 15-164: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trimble, second by Mickelson to approve the first reading of the ordinance.

Vote 15-165: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(b) Mayor Gaer indicated this was the time and place for a public hearing to consider Barnes Heights Sanitary Sewer Connection Fee District, generally located south of Ashworth Road and west of 60th Street, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 17, 2015 and April 24, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated one correspondence was received and is included with the Council communication.

May 4, 2015

Mayor Gaer asked if there were any public comments.

Karen Lonsdale, 6160 Ashworth Road, inquired about what property owners will be required to do with septic tanks after discontinuing their use, where the sewer connections will be, how the \$7,700 shall be paid to the City, who will be doing the project, and how did they get the contract.

Ed Bowden, 6220 Brookview Drive, inquired if the City surveyed the 18 property owners, and if so, how many were in favor of establishing a sewer district. He also inquired if the residents would have input regarding what kind of system will be installed, how it will be installed, and if there are options being considered other than a low pressure system. He also inquired how the \$7,700 cost was determined. He stated he feels the City has fallen short by planning the areas around the Barnes Heights development without taking it into consideration.

Kristopher Buldhaupt, 6008 Ashworth Road, spoke in opposition to the proposed sanitary sewer connection fee district, stating he bought his home because he wanted a septic system. He inquired what is the driving force behind the proposed sanitary sewer connection fee district and how would it benefit the property owners.

Terry Pearce, 6010 Ashworth Road, stated he believes the cost for this sewer line could have been much less had it been designed for a gravity sewer line when the surrounding developments were constructed.

Carrie Mineck, 6275 Brookview Drive, inquired if the property owners are obligated to participate and inquired what the City's financial responsibility will be. She also requested information about how the cost would increase for property owners that don't hook onto the sewer immediately and asked what the City participation would be and if any additional aid was available.

Ron Williams, 6250 Ashworth Road, stated he bought his home because he wanted a septic system rather than sewer service. He inquired what the City's motivation is for the proposed sanitary sewer connection fee district.

Harry Alley, 6140 Ashworth Road, stated his understanding is that if a property owner chooses to not hook onto the sewer at this time, they would be required to when they try to sell their house. He also stated many of the property owners in this development are not able to easily afford the cost of hooking onto the sewer.

Mayor Gaer asked if there were any additional public comments; hearing none he declared the public hearing closed.

Duane Wittstock, City Engineer, responded to the public hearing questions, stating under the proposed sanitary sewer connection fee district the City won't require anybody to hook onto the sewer unless Dallas County sends a notice of a failed septic system to the property owner. The

May 4, 2015

purpose for the district is to give property owners a place to hook onto the public sewer if their septic systems should fail and cannot be fixed. The property owner's responsibility for discontinued septic systems will be determined by the Dallas County Sanitarian, but they are generally required to have the septic tank pumped and then filled with sand. At the public meetings, the property owners in attendance have been split evenly between those in favor of the proposed sanitary sewer connection fee district and those opposed to it. A consensus was reached by the attendees at the last public meeting that if a sewer is to be constructed, a low pressure system would be the best alternative because it is the most economical option in this case, and it would involve the sewer line being constructed in the street right-of-way, to which property owners could connect by installing a sewer line from their home to the sewer line at their expense. Mr. Wittstock noted, although it is not an issue with the city or county, there have been reports of mortgage companies at the time of sale requiring homes to be connected to the public sewer system if one is available. The sewer district fee would be due and payable when a property owner requires service, and the fee would need to be paid in full, as the Council has not authorized any option of a payment plan. The fee will inflate annually with the Engineering News Record Construction Price Index. The \$7,700 fee is based on the cost estimate prepared by Veenstra & Kimm, and if the project cost exceeds the estimate, the City will bear the responsibility for the excess cost. Mr. Wittstock responded to additional questions, stating the gravity sewer option would have caused more disruption to the backyards of homes because the trench would need to be dug much deeper and wider than for a low pressure system. The driving force behind the proposed sanitary sewer connection fee district was a directive from the Council to identify areas of the city without sewer service and to provide opportunities for property owners with failing septic systems to connect to a sewer. The obligations of property owners, at the time they connect to the sewer, would be to abandon the septic system, install the pit, pump, and service line to the public sewer line, provide the electrical service and plumbing permit, and pay the fee in advance. The City's participation has been facilitating the process to create the sewer fee district, but no further participation has been approved by the Council. Mr. Wittstock recommended this item be continued and sent to the Public Works Subcommittee to be vetted again and to see if any new information comes up.

It was moved by Messerschmidt, second by Trevillyan to continue Item 6(b) Barnes Heights Sanitary Sewer Connection Fee District indefinitely and to refer the item to the Public Works Subcommittee.

Vote 15-166: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(c) Mayor Gaer indicated this was the time and place for a public hearing to consider Amendment #3 to the Westown V Urban Renewal Area, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 17, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

May 4, 2015

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Sandager, second by Trimble to adopt Resolution - Approval of Urban Renewal Plan Amendment.

Vote 15-167: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(d) Mayor Gaer indicated this was the time and place for a public hearing to consider Grand Avenue Improvements Project - Phase 6, South 35th Street to South 50th Street, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 24, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trevillyan, second by Sandager to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Corell Contractors, Inc. Subject to Concurrence from the Iowa Department of Transportation

Vote 15-168: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(e) Mayor Gaer indicated this was the time and place for a public hearing to consider Alluvion Blue Fiber Route, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 24, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trimble, second by Trevillyan to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to TD&I Cable Maintenance, Inc.

Vote 15-169: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

May 4, 2015

On Item 6(f) Mayor Gaer indicated this was the time and place for a public hearing to consider 2015 PCC Reconstruction Program, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 24, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Messerschmidt, second by Mickelson to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Alliance Construction Group, LLC.

Vote 15-170: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(g) Mayor Gaer indicated this was the time and place for a public hearing to consider 2015 Sewer Rehabilitation Program, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 24, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trevillyan, second by Messerschmidt to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Neuvirth Construction, Inc.

Vote 15-171: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(a) Village of Ponderosa Plat 6, northeast corner of South Ridgefield Way and Flagstone Way - Replat Lot 46, Village of Ponderosa Plat 1 into Seven Single-Family Detached Lots, initiated by Homes by DePhillips

It was moved by Trevillyan, second by Sandager to adopt Resolution - Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements.

Vote 15-172: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

May 4, 2015

On Item 7(b) Village of Ponderosa Plat 7, northeast corner of Stagecoach Drive and South Crescent Way - Subdivide Property into 14 Lots and One Outlot, initiated by East Towne, LLC

It was moved by Trevillyan, second by Mickelson to adopt Resolution - Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements.

Vote 15-173: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(c) Village of Ponderosa Plat 8, 419, 423, 437, 439, 441, 443, and 445 South Crescent Way - Replat Lot 21, Village of Ponderosa Plat 1 into Seven Singl-Family Detached Lots and One Private Driveway Lot, initiated by Homes by DePhillips

It was moved by Sandager, second by Messerschmidt to adopt Resolution - Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

1. Any new retaining walls constructed within any of the lots included within Village of Ponderosa Plat 8 will need to abide by the City Code which requires one foot of setback from the lot line for every one foot of above-grade wall height.

Vote 15-174: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(d) Lindsey Farm Plat 1, 1001 Timberbrook Avenue - Subdivide Property into Nine Single Family Lots, initiated by Frank Lindsey

It was moved by Trevillyan, second by Sandager to adopt Resolution - Approval of Preliminary Plat, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

1. That a note be formulated by the property owner or representative of the property with regard to potential future assessments for public infrastructure improvements and placed on the preliminary and final plats, after City review of said note.
2. The applicant providing final drawings of the preliminary plat which addresses staff comments prior to the final plat proceeding to the City Council for approval.
3. That the City Council waive the requirement for an agreement and waiver for public improvements including but not limited to the reconstruction of Timberbrook Avenue, the installation of public sidewalks, and the installation of street lights along public streets adjacent to this development.

May 4, 2015

4. That the west roadway be allowed which exceeds the City's maximum dead end length until such time that the roadway can be extended to connect to a secondary roadway as shown on the City's Ultimate Streets Plan. In the interim, access roads should be 20 feet in width, constructed and surfaced with materials that will withstand 75,000 pounds of gross vehicle weight, and maintain a vertical clearance of 14 feet.
5. That the City Council waive the requirement for the installation of dry sewers.

Vote 15-175: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(e) Tallyn's Reach, generally located at the southwest corner of Cascade Avenue and South 91st Street - Subdivide Property into 19 Lots for Construction of a Detached Townhome Development, initiated by Jerry Bussanmas

It was moved by Sandager, second by Trevillyan to adopt Resolution - Approval of Preliminary Plat/Site Plan, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

1. The applicant acknowledging that there shall be consistency in architectural style and compatibility in materials and colors between all homes. At the time of Building Permit submittal, should a home design be determined by staff to be inconsistent to the approved images provided with this site plan, staff approval of a Level 1 Minor Modification Permit Application will be necessary prior to the issuance of a building permit, including footing and foundation permit; and
2. A minimum of five feet (5') as measured from the lot line of the postage stamp lot to the closest element of the dwelling building, including roof overhangs, bump-outs, bay windows, etc. shall be provided.

Vote 15-176: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(f) Aspire, south side of Stagecoach Drive approximately 680 feet west of South 68th Street - Construction of a 222-unit Condominium Development, initiated by Aspire Residential, LLC

It was moved by Trevillyan, second by Messerschmidt to adopt Resolution - Approval of Site Plan, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

1. The applicant acknowledging that appropriate access drives, acceptable to the Fire Marshal must be in place prior to issuance of building permits.

May 4, 2015

2. The applicant acknowledging that useable roadways necessary to access a dwelling building as determined by the Fire Marshal will need to be available prior to issuance of any occupancy permits within the building, including temporary occupancy permits.
3. The applicant acknowledging that if future phases are not constructed, or not constructed in a timely fashion, the assigned building numbering may need to be adjusted. Said adjustments may affect buildings already occupied which will result in address changes for the residents.
4. The applicant agreeing that they will continue to work with staff on the design of the visible end elevation of the 3-story buildings to address the building mass of the end units.
5. The City Council approving the associated drive turnout right-of-way vacation request and completion of the disposition of the property prior to the issuance of a building permit, including footing and foundation permits for any building located within the subject vacation areas.

Council member Trimble inquired if staff has heard any comments from the Pheasant Ridge residents regarding this development.

Lynne Twedt, Director of Development Services, responded the developer did meet with the Pheasant Ridge residents regarding this development, and the biggest concerns they expressed related to the neighborhood park. Knapp Properties had agreed to allow the Pheasant Ridge residents to construct a fence along the property line at their expense, and that agreement still stands.

Vote 15-177: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 8(a) Village of Ponderosa, east of South 60th Street at Village View Drive - Amend Village of Ponderosa Specific Plan Ordinance to Modify Land Uses, Development Regulations, and Proposed Architectural Concepts - LENC, LLC and LEWF, LLC - Referred to Plan and Zoning Commission

On Item 8(b) Jordan West, southwest corner of EP True Parkway and Jordan Creek Parkway - Amend the Specific Plan Ordinance to Allow Mix of Uses Including Retail, Office, Restaurants, Hotel, Convenience Store, and Medium Density Residential - Ryan Companies - Referred to Plan and Zoning Commission

On Item 8(c) WDM Water Works Audit - 2014 - Received and Filed

On Item 9 - Other Matters: none

May 4, 2015

The meeting was adjourned at 7:11 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Steven K. Gaer, Mayor

641
4(b)

**CITY OF WEST DES MOINES
CITY COUNCIL ACTION ITEM**

The following list(s) of municipal expenditures, all of which have been reviewed and authorized by the respective departments as being justified and properly due and the listing of which have been prepared by Finance departmental staff are being submitted to the City Council for approval:

Regular Bi-Weekly Claims	05/14/2015		\$2,084,432.10
	Claim Listing Date		Total \$ Amount
EFT Claims	05/14/2015		\$135,475.67
	Claim Listing Date		Total \$ Amount
Control Pay	05/14/2015		\$269,198.30
	Claim Listing Date		Total \$ Amount
End of Month	04/30/2015		\$37,312.90
	Claim Listing Date		Total \$ Amount
Manual Check	05/14/2015		\$16,612,706.45
	Claim Listing Date		Total \$ Amount

Approved by the West Des Moines City Council this 18th day of May
2015

Tim Stiles, Finance Director

Tom Hadden, City Manager

Steven K. Gaer, Mayor

ATTEST:

Ryan Jacobson, City Clerk

Finance and Administration Committee acknowledgement of disbursement of expenditures:

Russ Trimble, Councilmember

Jim Sandager, Councilmember

John Mickelson (alternate)

BANK	VENDOR	CHECK#	DATE	AMOUNT
1NAT FIRST NATIONALBANK	ABWA	200000	05/18/15	90.00
	ADP SCREENING & SELECTIO	200001	05/18/15	537.15
	ADVANCED BUSINESS PRODUC	200002	05/18/15	1,424.55
	ADVENTURES IN ADVERTISIN	200003	05/18/15	304.99
	ADVERTISING FLAG CO., IN	200004	05/18/15	715.00
	AHLERS & COONEY	200005	05/18/15	43,722.27
	ALL AUTO GLASS	200006	05/18/15	1,060.00
	ALLEN HENDERSON & ASSOCI	200007	05/18/15	300.00
	ALLIANCE CONSTRUCTION GR	200008	05/18/15	6,019.20
	AMERICAN PLANNING ASSN	200009	05/18/15	649.00
	AMERICAN SECURITY CORP	200010	05/18/15	2,345.00
	AMERICAN SOCIETY OF CIVI	200011	05/18/15	245.00
	AMERIFACTORS	200012	05/18/15	44,051.15
	ASCHEMAN, PH.D/PHILIP L.	200013	05/18/15	180.00
	ASCHER/MIKE	200014	05/18/15	123.52
	ATE T MOBILITY	200015	05/18/15	61.47
	AUTO-JET MUFFLER CORP	200016	05/18/15	13.75
	B&B BEDDING	200017	05/18/15	1,800.00
	BAKER ELECTRIC	200018	05/18/15	7,890.51
	BELLER DISTRIBUTING, LLC	200019	05/18/15	549.72
	BIDDLE CONSULTING GROUP,	200020	05/18/15	4,015.00
	BITUMINOUS MATERIALS & S	200021	05/18/15	35.00
	BONNIE'S BARRICADES	200022	05/18/15	341.00
	BOUND TREE MEDICAL, LLC.	200023	05/18/15	3,007.27
	BOWEN/GARY	200024	05/18/15	11,400.00
	BP	200025	05/18/15	140.50
	CALHOUN-BURNS & ASSOCIATE	200026	05/18/15	924.80
	CAPPEL'S ACE HARDWARE	200027	05/18/15	45.00
	CARPENTER UNIFORM CO	200028	05/18/15	1,503.36
	CDW GOVERNMENT, INC.	200029	05/18/15	1,450.00
	CENTRAL IOWA READY-MIX	200030	05/18/15	787.00
	CENTURY LINK	200031	05/18/15	325.62
	CENTURYLINK	200032	05/18/15	5,281.39
	CERTIFIED POWER INC	200033	05/18/15	23.02
	CITY OF DES MOINES	200034	05/18/15	453,723.38
	CITY OF URBANDALE	200035	05/18/15	15,578.99
	CLIVE POWER EQUIPMENT	200036	05/18/15	1,064.57
	COMISKY GLASS & GLAZING	200037	05/18/15	1,765.00
	CONFERENCE TECHNOLOGIES	200038	05/18/15	46,462.78
	CONSOLE CLEANING SPECIAL	200039	05/18/15	3,200.00
	CONSTRUCTION & AGGREGATE	200040	05/18/15	1,100.02
	CONSTRUCTION MATERIALS,	200041	05/18/15	439.94
	CREIGHTON/BETTY	200042	05/18/15	72.00
	CZARNOWSKI DISPLAY SERVI	200043	05/18/15	800.00
	DALLAS COUNTY RECORDER	200044	05/18/15	12.00
	DE LAGE LANDEN	200045	05/18/15	4,362.60
	DELTA DENTAL OF IOWA	200046	05/18/15	2,386.12
	DEPT. OF PUBLIC DEFENSE	200047	05/18/15	75.00

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BANK	VENDOR	CHECK#	DATE	AMOUNT
1NAT FIRST NATIONALBANK	DOWLING/CONNIE	200048	05/18/15	382.50
	EARL MAY SEED AND NURSER	200049	05/18/15	199.80
	ELDER CORPORATION	200050	05/18/15	109,483.22
	ELECTRICAL ENGINEERING &	200051	05/18/15	89.78
	EMS TECHNOLOGY SOLUTIONS	200052	05/18/15	459.00
	EMSLRC	200053	05/18/15	120.00
	ESTLUND/T. J.	200054	05/18/15	132.28
	FASTENAL COMPANY	200055	05/18/15	26.25
	FERGUSON ENTERPRISES, IN	200056	05/18/15	581.82
	FERNANDEZ/BOB	200057	05/18/15	57.14
	FEXSTEVE LIMITED COMPANY	200058	05/18/15	21,250.00
	FICK/TROY	200059	05/18/15	40.00
	GORDON/CHRISTINE	200060	05/18/15	209.76
	GRAINGER INC	200061	05/18/15	27.70
	GRAYBAR ELECTRIC CO INC	200062	05/18/15	162.66
	GRIMES ASPHALT & PAVING	200063	05/18/15	354.46
	HAHN/JENNIFER	200064	05/18/15	1,157.25
	HAMILTON/CORY	200065	05/18/15	46.69
	HAMLETT/NAOMI	200066	05/18/15	1,522.95
	HAWKEYE TRUCK EQUIPMENT	200067	05/18/15	1,228.00
	HERWIG/CULLIN	200068	05/18/15	133.43
	HILL/JANICE	200069	05/18/15	250.00
	HODNE/BRET	200070	05/18/15	728.40
	HOME DEPOT CREDIT SERVIC	200071	05/18/15	246.16
	IASRO	200072	05/18/15	200.00
	IMSA - PUBLIC SAFETY	200073	05/18/15	85.00
	INTL PUBLIC MNGT ASSN FO	200074	05/18/15	882.50
	IOWA DEPT OF TRANSPORTAT	200075	05/18/15	1,184.44
	IOWA LAW ENFORCEMENT ACA	200076	05/18/15	1,500.00
	IOWA STATE BAR ASSOCIATI	200077	05/18/15	305.00
	IOWA STATE UNIVERSITY-FI	200078	05/18/15	820.00
	IOWA STREAM INNOVATION	200079	05/18/15	10,000.00
	IOWACE	200080	05/18/15	1,150.00
	JACK DELEON CONSTRUCTION	200081	05/18/15	11,728.00
	JACK DELEON CONSTRUCTION	200082	05/18/15	14,205.00
	JACK DELEON CONSTRUCTION	200083	05/18/15	4,205.00
	JACOBSEN AUTO BODY	200084	05/18/15	3,639.98
	JOHNSON/BRADY	200085	05/18/15	225.00
	JORDAN CREEK	200086	05/18/15	26.00
	KUM & GO I.C.	200087	05/18/15	300.00
	LA CROSSE FORAGE & TURF	200088	05/18/15	200.00
	LACINA/WENDY	200089	05/18/15	66.00
	LAN-TEL COMMUNICATIONS S	200090	05/18/15	186,140.85
	LEE'S STANDARD	200091	05/18/15	80.00
	LEWIS/RAY	200092	05/18/15	250.00
	LEXIS NEXIS DATA MANAGEM	200093	05/18/15	174.50
	LEXISNEXIS	200094	05/18/15	350.00
	LOWE'S COMPANIES, INC.	200095	05/18/15	1,964.63

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BANK	VENDOR	CHECK#	DATE	AMOUNT
1NAT FIRST NATIONALBANK				
28321	LT RICH PRODUCTS INC.	200096	05/18/15	31.17
28276	LUMSDEN/MARK	200097	05/18/15	102.61
26065	MACDONALD LETTER SERVICE	200098	05/18/15	450.00
29814	MADISON COUNTY	200099	05/18/15	7,560.00
22275	MANKLE/BRUCE	200100	05/18/15	7,279.45
23460	MARINE RESCUE PRODUCTS I	200101	05/18/15	726.70
.10105	MARTIN/LORI	200102	05/18/15	19.00
26066	MEDIACOM	200103	05/18/15	11.47
25386	MEMORIAL SERVICES OF IOW	200104	05/18/15	800.00
14900	MENARDS	200105	05/18/15	89.56
25401	MERCER GROUP INC./THE	200106	05/18/15	5,092.29
29208	MERCY WEST PHARMACY	200107	05/18/15	1,432.22
15205	MID-IOWA ASSN OF LOCAL G	200108	05/18/15	1,107.04
13030	MIDAMERICAN ENERGY	200109	05/18/15	94,536.52
26379	MIDWEST MERCHANT PROCESS	200110	05/18/15	50.00
15374	MILLER/JEFF	200111	05/18/15	66.00
27748	MITCHELL/RANDY	200112	05/18/15	49.30
23492	MOTOROLA	200113	05/18/15	84.49
27980	MSC INDUSTRIAL SUPPLY CO	200114	05/18/15	8,000.00
25307	MURPHY TRACTOR & EQUIPME	200115	05/18/15	1,000.00
27382	NATIONAL EMERGENCY NUMBE	200116	05/18/15	165.00
15781	NATIONAL FIRE PROTECTION	200117	05/18/15	543.00
29171	NINTH BRAIN	200118	05/18/15	712.29
27965	NORTH AMERICAN RESCUE, I	200119	05/18/15	191.95
26539	NORTHERN TOOL & EQUIPMEN	200120	05/18/15	500.00
29493	ON-SITE INFORMATION	200121	05/18/15	200.00
28520	OTTING/LEANNE	200122	05/18/15	445.62
28438	OWENS & MINOR	200123	05/18/15	2,348.90
28970	PALMER GROUP	200124	05/18/15	76.00
28548	PER MAR SECURITY	200125	05/18/15	39,659.53
23062	PG CONSTRUCTION, INC	200126	05/18/15	94.42
16370	PHILLIPS 66 CO	200127	05/18/15	192.00
03300	POLK COUNTY RECORDER	200128	05/18/15	158.24
29588	PPG ARCHITECTURAL FINISH	200129	05/18/15	153.33
27661	PROVANTAGE LLC	200130	05/18/15	59,185.49
25102	PUBLIC FINANCIAL MANAGEM	200131	05/18/15	270.00
29805	QUESTCDN.COM	200132	05/18/15	5,424.43
.10110	RACO-LIC LLC	200133	05/18/15	462.00
27642	RAINBOW	200134	05/18/15	127.09
28896	RELIANT FIRE APPARATUS	200135	05/18/15	696,225.00
28926	RHYTHM ENGINEERING, LLC	200136	05/18/15	33.85
29815	RITTER/MCKINLEE	200137	05/18/15	200.00
29802	ROSALES/OSCAR	200138	05/18/15	175.00
17625	ROYER'S TOWING AND RECOVER	200139	05/18/15	66.00
27811	ROYER/KATIE	200140	05/18/15	1,000.00
28698	RUSSELL ABSTRACT & TITLE	200141	05/18/15	56,897.02
29782	S.M. HENTGES & SON'S INC	200142	05/18/15	68.41
28913	SAM'S CLUB DIRECT	200143	05/18/15	

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BANK	VENDOR	CHECK#	DATE	AMOUNT
1NAT	FIRST NATIONALBANK			
22400	SCHILDBERG CONSTRUCTION	200144	05/18/15	3,145.01
28984	SEBESTA INC	200145	05/18/15	2,416.40
18085	SECRETARY OF STATE	200146	05/18/15	60.00
18292	SIMPLEX GRINNELL	200147	05/18/15	1,277.95
24711	SKOLD DOOR & FLOOR CO.	200148	05/18/15	2,921.70
29643	SPECIALTY GRAPHICS INC	200149	05/18/15	160.00
29766	STORAGE MART #1052	200150	05/18/15	266.98
27796	SUNGARD PUBLIC SECTOR IN	200151	05/18/15	5,000.00
28433	SWINTON/ASHLEE	200152	05/18/15	7,700.00
29541	SWISHER/MARK	200153	05/18/15	366.00
25116	TERAN/DANIEL	200154	05/18/15	131.25
70186	TITAN MACHINERY	200155	05/18/15	232.78
27751	TOMETICH ENGINEERING, IN	200156	05/18/15	4,254.00
19600	TRUE VALUE & V&S VARIETY	200157	05/18/15	1,508.92
29279	UPS STORE/THE	200158	05/18/15	38.32
19960	UTILITY EQUIPMENT CO	200159	05/18/15	1,425.00
20250	VEENSTRA & KIMM INC	200160	05/18/15	4,568.85
20250	VEENSTRA & KIMM INC	200161	05/18/15	112.00
20250	VEENSTRA & KIMM INC	200162	05/18/15	1,939.50
20250	VEENSTRA & KIMM INC	200163	05/18/15	2,100.00
19725	VERIZON WIRELESS	200164	05/18/15	4,836.34
26262	VETTER EQUIPMENT	200165	05/18/15	9,948.60
27790	VISION INTERNET	200166	05/18/15	2,075.76
29220	VISION SERVICE PLAN	200167	05/18/15	250.60
28806	WASTE CONNECTIONS, INC.	200168	05/18/15	460.00
28646	WASTE MANAGEMENT OF IOWA	200169	05/18/15	60.00
24712	WAUKEE COMMUNITY SCHOOLS	200170	05/18/15	7.15
23860	WELTER STORAGE EQUIPMENT	200171	05/18/15	4,652.00
20700	WEST DES MOINES COMM SCH	200172	05/18/15	1,333.60
20700	WEST DES MOINES COMM SCH	200173	05/18/15	1,542.04
29050	WEX BANK	200174	05/18/15	1,610.08
26781	WINDSTAR LINES	200175	05/18/15	1,027.00
10104	WINNESHIEK MEDICAL CNTR	200176	05/18/15	22.00
24521	WOODS/DOUGLAS	200177	05/18/15	45.59
26820	YEAGER/LE MAR	200178	05/18/15	2,034.50

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BANK	VENDOR	CHECK#	DATE	AMOUNT
1NAT	FIRST NATIONALBANK			
90023	ARNOLD MOTOR SUPPLY,LLP	8579	05/18/15	456.07
90068	BAUER BUILT	8580	05/18/15	120.00
90029	BROWN TRAFFIC PRODUCTS	8581	05/18/15	2,545.00
90073	BRUETT/RANDY	8582	05/18/15	150.00
90035	CITY OF CLIVE	8583	05/18/15	6,519.00
90067	DESIGN ALLIANCE, INC.	8584	05/18/15	5,090.45
90015	EMC RISK SERVICES	8585	05/18/15	21,700.50
90044	FBG SERVICE CORPORATION	8586	05/18/15	2,798.00
90158	FINESTRAID/MIKE	8587	05/18/15	7,034.50
90010	FOTH INFRASTRUCTURE & EN	8588	05/18/15	12,250.76
90010	FOTH INFRASTRUCTURE & EN	8589	05/18/15	24,455.52
90159	HENNING/CLAUDIA	8590	05/18/15	62.50
90053	IOWA COMMUNITIES	8591	05/18/15	1,040.55
90065	KECK, INC.	8592	05/18/15	20,784.35
90148	KELTEK INC	8593	05/18/15	258.00
90061	KIRKHAM, MICHAEL, & ASSO	8594	05/18/15	4,376.87
90061	KIRKHAM, MICHAEL, & ASSO	8595	05/18/15	4,376.87
90061	KIRKHAM, MICHAEL, & ASSO	8596	05/18/15	4,376.88
90061	KIRKHAM, MICHAEL, & ASSO	8597	05/18/15	4,376.88
90087	MIDWEST WHEEL	8598	05/18/15	1,167.94
90088	NORTHLAND PRODUCTS	8599	05/18/15	103.80
90014	PREFERRED PEST CONTROL	8600	05/18/15	868.00
90150	RELIABLE MAINTENANCE	8601	05/18/15	5,488.20
90008	SHIVE-HATTERY	8602	05/18/15	725.00
90117	SPINDUSTRY SYSTEMS, INC.	8603	05/18/15	975.00
90002	WEST BANK, HUMAN SVCS	8604	05/18/15	3,375.03

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BANK	VENDOR	CHECK#	DATE	AMOUNT
70018	ABC ELECTRICAL CONTRACTO	179099	05/18/15	2,159.52
70018	ABC ELECTRICAL CONTRACTO	179100	05/18/15	896.19
70195	ACTION PRINT	179101	05/18/15	1,053.39
70197	ALLIED 100, LLC	179102	05/18/15	854.50
70055	AMERICAN CONCRETE	179103	05/18/15	2,692.58
70158	ARAMARK UNIFORM SERVICES	179104	05/18/15	1,036.38
70119	ARROW STAGE LINES	179105	05/18/15	1,250.00
70115	BENTLEY SYSTEMS INC	179106	05/18/15	1,495.00
70268	BLACKBURN MANUFACTURING	179107	05/18/15	86.17
70187	CAPITAL SANITARY SUPPLY	179108	05/18/15	941.38
70187	D&K PRODUCTS	179109	05/18/15	192.00
70117	DES MOINES ASPHALT & PAV	179110	05/18/15	731.50
70009	ELECTRONIC ENGINEERING	179111	05/18/15	291.16
70067	EXCEL MECHANICAL, INC.	179112	05/18/15	5,860.83
70020	FELD FIRE	179113	05/18/15	1,054.23
70039	G&L CLOTHING	179114	05/18/15	1,167.24
70226	GALETON GLOVES	179115	05/18/15	528.43
70161	GALLS LLC	179116	05/18/15	359.14
70131	HEALTH CARE LOGISTICS IN	179117	05/18/15	213.78
70062	HOWARD R. GREEN CO.	179118	05/18/15	4,758.00
70062	HOWARD R. GREEN CO.	179119	05/18/15	14,403.00
70073	INLAND TRUCK PARTS	179120	05/18/15	2,456.98
70194	INTERFLEET INC	179121	05/18/15	2,329.61
70239	INTERSTATE ALL BATTERY C	179122	05/18/15	58.25
70034	INTERSTATE POWER SYSTEMS	179123	05/18/15	4,709.63
70077	IOWA FIRE EQUIPMENT	179124	05/18/15	782.00
70053	IOWA WATER MANAGEMENT CO	179125	05/18/15	540.00
70167	JOHN DEERE LANDSCAPES	179126	05/18/15	172.39
70006	LOGAN CONTRACTORS SUPPLY	179127	05/18/15	535.88
70078	METRO WASTE AUTHORITY	179128	05/18/15	180,309.86
70066	MOTOROLA	179129	05/18/15	727.60
70010	O'HALLORAN INTERNATIONAL	179130	05/18/15	224.85
70107	O'REILLY AUTOMOTIVE, INC	179131	05/18/15	114.27
70025	PAY-LESS OFFICE PRODUCTS	179132	05/18/15	5,735.06
70076	PRAXAIR	179133	05/18/15	1,818.58
70278	PROCTOR MECHANICAL CORP	179134	05/18/15	155.29
70215	REAMS SPRINKLER SUPPLY	179135	05/18/15	152.50
70171	SECURITY EQUIPMENT INC	179136	05/18/15	44.74
70069	SHOTTENKIRK CHEVROLET	179137	05/18/15	56.69
70026	STAR EQUIPMENT LTD	179138	05/18/15	1,051.64
70026	STIVERS FORD	179139	05/18/15	13,321.81
70001	STOREY-KENWORTHY	179140	05/18/15	43.75
70255	STRAUSS SAFE AND LOCK CO	179141	05/18/15	27.36
70016	TEAM SERVICES	179142	05/18/15	3,932.37
70080	TOMPKINS INDUSTRIES	179143	05/18/15	82.17
70013	TRANS IOWA EQUIPMENT CO	179144	05/18/15	4,560.00
70210	TRI-TECH	179145	05/18/15	
70221	VAISALA INC	179146	05/18/15	

FINANCIAL SYSTEM
05/14/2015 15:41:05

CITY OF WEST DES MOINES IOWA
GL540R-V07.27 PAGE 2

BANK	VENDOR	CHECK#	DATE	Check Register	AMOUNT
1NAT	FIRST NATIONALBANK				
70218	WALNUT CREEK PROMOTIONS	179147	05/18/15		358.50
70051	WORLDPOINT ECC, INC.	179148	05/18/15		824.75
70002	ZOLL MEDICAL	179149	05/18/15		1,767.27
	FIRST NATIONALBANK			269,198.30	***

FINANCIAL SYSTEM
04/30/2015 16:16:00

BANK VENDOR

1NAT FIRST NATIONALBANK

25595 COMMERCE BANK

FIRST NATIONALBANK

CITY OF WEST DES MOINES IOWA
GL540R-V07.27 PAGE 1

CHECK#	DATE	Check Register	AMOUNT
900047	04/30/15		37,312.90
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FINANCIAL SYSTEM
04/30/2015 16:16:24

BANK VENDOR

1NAT FIRST NATIONALBANK

24822 WELLMARK BLUE CROSS
24822 WELLMARK BLUE CROSS

FIRST NATIONALBANK

CITY OF WEST DES MOINES IOWA
GL540R-V07.27 PAGE 1

CHECK#	DATE	Check Register	AMOUNT
800607	04/23/15		110,807.15
800608	04/30/15		67,431.60
			178,238.75

FINANCIAL SYSTEM
05/06/2015 08:47:48

BANK VENDOR

1NAT FIRST NATIONALBANK

90015 EMC RISK SERVICES

FIRST NATIONALBANK

Check Register

CHECK# DATE AMOUNT

800609 05/04/15 9,251.77

9,251.77

FINANCIAL SYSTEM
05/14/2015 15:15:07

BANK VENDOR

1NAT FIRST NATIONALBANK

02150 BANKERS TRUST

FIRST NATIONALBANK

CITY OF WEST DES MOINES IOWA
GL540R-V07.27 PAGE 1

CHECK#	DATE	Check Register	AMOUNT
8605	06/01/15	16,425,215.93	16,425,215.93
			16,425,215.93 ***

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Approval of Liquor Licenses

DATE: May 18, 2015

FINANCIAL IMPACT: None

BACKGROUND: In accordance with the Iowa Code Section 123.1 and the West Des Moines City Code Title 3, Business and Licensing, Chapter 2, Beer and Liquor Control, the following licenses have been investigated and reviewed by the WDM Police Department and, when necessary, by Building Inspection and/or Fire Department staff, and are presented to the City Council for approval. Copies of license applications are available, for your review, in the Office of the City Clerk.

1. MVC Acquisition LLC, d/b/a Cabaret, 560 Prairie View Drive, Suite 105 - Class LC Liquor License Extension of Outdoor Service - June 5-6, 2015
2. Dino Investment, Corp. d/b/a The Filling Station, 305 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
3. Turkey Brothers, Inc. d/b/a Fire Creek Grill, 800 South 50th Street - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
4. Migliero Real Estate d/b/a G. Mig's 5th Street Pub, 128 5th Street - Class LC Liquor License with Sunday Sales - Renewal
5. Big Winds WDM, Inc. d/b/a Hurricane Grill and Wings, 3340 Westown Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - New
6. Hy-Vee, Inc. d/b/a Hy-Vee Reception, 1701 25th Street (Wedding Reception at Events Center West) - 5-Day Class BW Permit - Effective May 30-June 3, 2015
7. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - June 4, 2015
8. MM, LLC d/b/a Ladder #13, 1316 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
9. Red Robin International, Inc. d/b/a Red Robin America's Gourmet Burgers & Spirits, 6255 Mills Civic Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
10. Old Market Ventures, LLC d/b/a Twin Peaks Restaurant, 4570 University Avenue - Class LC Liquor License Extension of Outdoor Service - June 5-7, 2014
11. Turner Beverage, LLC d/b/a Vintage Wine, 6905 Mills Civic Parkway - Class BW Permit with Carryout Wine, Sunday Sales, and Outdoor Service Privileges - Renewal
12. Des Moines Wine Festival Foundation, d/b/a Winefest Des Moines, 1310 Tulip Tree Lane - 5-Day Class BW Permit with Outdoor Service - Effective June 4-8, 2015

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion to approve the issuance of liquor licenses in the City of West Des Moines.

Lead Staff Member: Ryan T. Jacobson, City Clerk *RTJ*

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTJ</i>

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Approval of Extended Sound Permit
503 Restaurant - Patio Music

DATE: May 18, 2015

FINANCIAL IMPACT: None

BACKGROUND:

On June 28, 2010, the City Council approved several amendments to the Noise Control Ordinance including the provision that City Council approval is required for any sound permit issued for an event going past 10:00 P.M.

503 Restaurant, located at 1238 8th Street, has submitted a sound permit application to cover their everyday background music played on the patio from 11:00 a.m. to 9:00 p.m. on Monday-Thursday and from 11:00 a.m. to 2:00 a.m. on Friday and Saturday, as well as live music on the patio once a month on weekends, which would end at 11:00 p.m.

This sound permit request was forwarded to the West Des Moines Police Department for their review and they have no objections to this request. As the Friday-Saturday background music is being proposed to end at 2:00 a.m. and the once a month live music is being proposed to end at 11:00 p.m., City staff is forwarding this to the City Council for review and approval. 503 Restaurant opened in February 2015 and this is their first sound permit request.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion - Approval of Extended Sound Permit Request made by 503 Restaurant

Lead Staff Member: Ryan T. Jacobson, City Clerk *RTJ*

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	

SOUND PERMIT FEES
 ❖ 1-48 hrs event = \$22.00
 ❖ 2-7 days event = \$44.00
 ❖ Multiple events in one calendar year = \$82.50

The City Council MUST approve any sound permit request that extends past ten o'clock (10:00) P.M.

Permit. Applications received less than two (2) weeks before the event MAY NOT be processed by the City in time for the event

**CITY OF WEST DES MOINES
 SOUND PERMIT
 For the Amplification of a Live Performance**

*Denotes required field

Today's Date 3-17-15 Fee Received: _____ Permit No. _____
 *Applicant's Name: 503 Resturant *Phone No. 515-221-2906
 *Applicant's Complete Address (include city/state/zip): 1238 8th St WDM, IA 50265
 *Applicant's E-mail Address: marisabarco27@gmail.com

Have you, the applicant, ever been cited for a violation of the West Des Moines Noise Ordinance? Y/N
 If yes, explain: _____

*Property owner name: Carlos Barco
 *Property owner address: 2624 Warford St Perry, IA 50220

I, the undersigned, hereby acknowledge and certify that I am the record fee title holder of the property for which this sound permit is requested, and I hereby consent to this application for a sound permit, for the amplification of a live performance, as described on this application.

Carlos Barco 03-17-15
 *Property Owner Signature Date

Address of proposed activity: 1238 8th St WDM, IA
 (If located in a City park, please include the name of the park)

*Describe proposed activity, including **EVENT AND MUSIC START AND ENDING TIME(S) AND DATE(S)** and number of people attending:
music from 11-9 Monday - Thursdays fridays and Saturdays music till 2am
about 60 people live music on the patio once a month till 11pm. dates while weather allows
end Dec. 31st

*How will the parking for this event be handled? security will be walking out in the parking

Please refer to Page 2, Paragraph J of this application form regarding wattage requirements for the proposed sound equipment as a sound permit may not be deemed necessary.

***Attach an 8½" x 11½" sketch plan of the proposed layout of the sound amplification equipment, including the orientation to and approximate distances from the adjoining properties.**

*Have the adjoining property owners/residents been notified of the event for which this permit is requested? Y/N
 If so, please list addresses notified (attach additional sheets if necessary): yes

*Describe what measures will be taken, if any, to minimize the effects of this performance on surrounding property owners. _____

Provide any additional information that pertains to this application for a Sound Permit.
music will be playing slow during the day and night sat and fri will be playing till 2 slow nothing loud

APPLICANT'S CERTIFICATION - I hereby certify under penalty of perjury that the statements furnished including the drawing, present all information required for this application, and that the facts, statements and information presented are true and correct, and based upon my personal knowledge. I hereby acknowledge my obligation to comply with the West Des Moines Municipal Code as it pertains to this activity and to obtain any and all necessary City, County, State and Federal permits, approvals and/or clearances, if applicable. Further, I hereby certify that I have read, understand and have received a copy of the conditions for the operation of the Sound Permit, and hereby agree to comply with such conditions. I also understand that should I fail to comply with the agreed upon conditions, my permit may be immediately revoked and that all other applicable penalties, including criminal prosecution may be pursued.

Carlos Barco

3-17-15

*Applicant's Signature

Date

FOR STAFF USE ONLY

APPROVAL OF SOUND PERMIT

Approved by: _____

Date:

City Council Approval Date:

This sound permit is approved subject to the following exhibits and conditions.

Exhibits:

Conditions:

Expiration Date:

DENIAL OF SOUND PERMIT

Denied by: _____

Date:

This sound permit is denied based upon the following findings.

Findings:

Copies of this permit have been distributed to the following departments:

- Development Services Department
- City Clerk's Office

- Police Department
- Parks and Recreation Department



S ← 8th Street → N

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Approval of Extended Sound Permit
Block Party - 58th Street

DATE: May 18, 2015

FINANCIAL IMPACT: None

BACKGROUND:

On June 28, 2010, the City Council approved several amendments to the Noise Control Ordinance including the provision that City Council approval is required for any sound permit issued for an event going past 10:00 P.M.

Greg and Lesley Peterson have submitted a sound permit application to play music over speakers during a neighborhood block party from 5:00 p.m. to 11:00 p.m. on Saturday, May 30, 2015, on 58th Street, between Woodland Avenue and Orchard Drive.

This sound permit request was forwarded to the West Des Moines Police Department for their review and they have no objections to this request. As this request is being proposed to end at 11:00 p.m., City staff is forwarding this to the City Council for review and approval.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion - Approval of Extended Sound Permit Request for a Block Party on 58th Street

Lead Staff Member: Ryan T. Jacobson, City Clerk *RTJ*

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	

SOUND PERMIT FEES

- ❖ 1-48 hrs event = \$22.00
- ❖ 2-7 days event = \$44.00
- ❖ Multiple events in one calendar year = \$82.50

Permit applications received less than two (2) weeks before the event may not be processed by the City in time for the event.

**CITY OF WEST DES MOINES
SOUND PERMIT**

For the Amplification of a Live Performance

Date 5-7-15 Fee Received: \$22.00 Permit No. _____

Applicant's Name: Graig & Lesley Peterson Phone No. _____

Applicant's Address: 1021 58th Street, West Des Moines, IA

Have you, the applicant, ever been cited for a violation of the West Des Moines Noise Ordinance? Y/N

If yes, explain: _____

Property owner's name: Lesley and Graig Peterson ~~gragp@gatewayames.com~~ gragp@gatewayames.com

Property owner's address: 1021 58th Street West Des Moines IA, 50266

I, the undersigned, hereby acknowledge and certify that I am the record fee title holder of the property for which this sound permit is requested, and I hereby consent to this application for a sound permit, for the amplification of a live performance, as described on this application.

Signature: [Signature] Date: 5-7-15

Address of proposed activity: 1021 58th Street, West Des Moines, IA

Describe proposed activity, including times, dates, and number of people attending:
75 ppl attending neighborhood block party from 5pm to 11pm
Will have two PA speakers to play digital music.
Music through computer to 2 speakers May 30th

How will the parking for this event be handled? Residents of neighborhood will park at their personal property.

Attach an 8 1/2" x 11 1/2" sketch plan of the proposed layout of the sound amplification equipment, including the orientation to and approximate distances from the adjoining properties.

Have the adjoining property owners/residents been notified of the event for which this permit is requested? Y/N
 Addresses notified (attach additional sheets if necessary): See Attached Block Party Petition

Describe what measures will be taken, if any, to minimize the effects of this performance on surrounding property owners.
We will keep noise at a reasonable and enjoyable level.
We will listen and respond appropriately to neighbor feedback

Provide any additional information that pertains to this application for a Sound Permit.
See attached map. Speakers will be pointed to notified neighbors.

APPLICANT'S CERTIFICATION - I hereby certify under penalty of perjury that the statements furnished including the drawing, present all information required for this application, and that the facts, statements and information presented are true and correct, and based upon my personal knowledge. I hereby acknowledge my obligation to comply with the West Des Moines Municipal Code as it pertains to this activity and to obtain any and all necessary City, County, State and Federal permits, approvals and/or clearances, if applicable. Further, I hereby certify that I have read, understand and have received a copy of the conditions for the operation of the Sound Permit, and hereby agree to comply with such conditions. I also understand that should I fail to comply with the agreed upon conditions, my permit may be immediately revoked and that all other applicable penalties, including criminal prosecution may be pursued.


Applicant's Signature

5-7-15

Date

FOR STAFF USE ONLY

APPROVAL OF SOUND PERMIT

Approved by: _____

Date: _____

This sound permit is approved subject to the following exhibits and conditions.

Exhibits:

Conditions:

Expiration Date: _____

DENIAL OF SOUND PERMIT

Denied by: _____

Date: _____

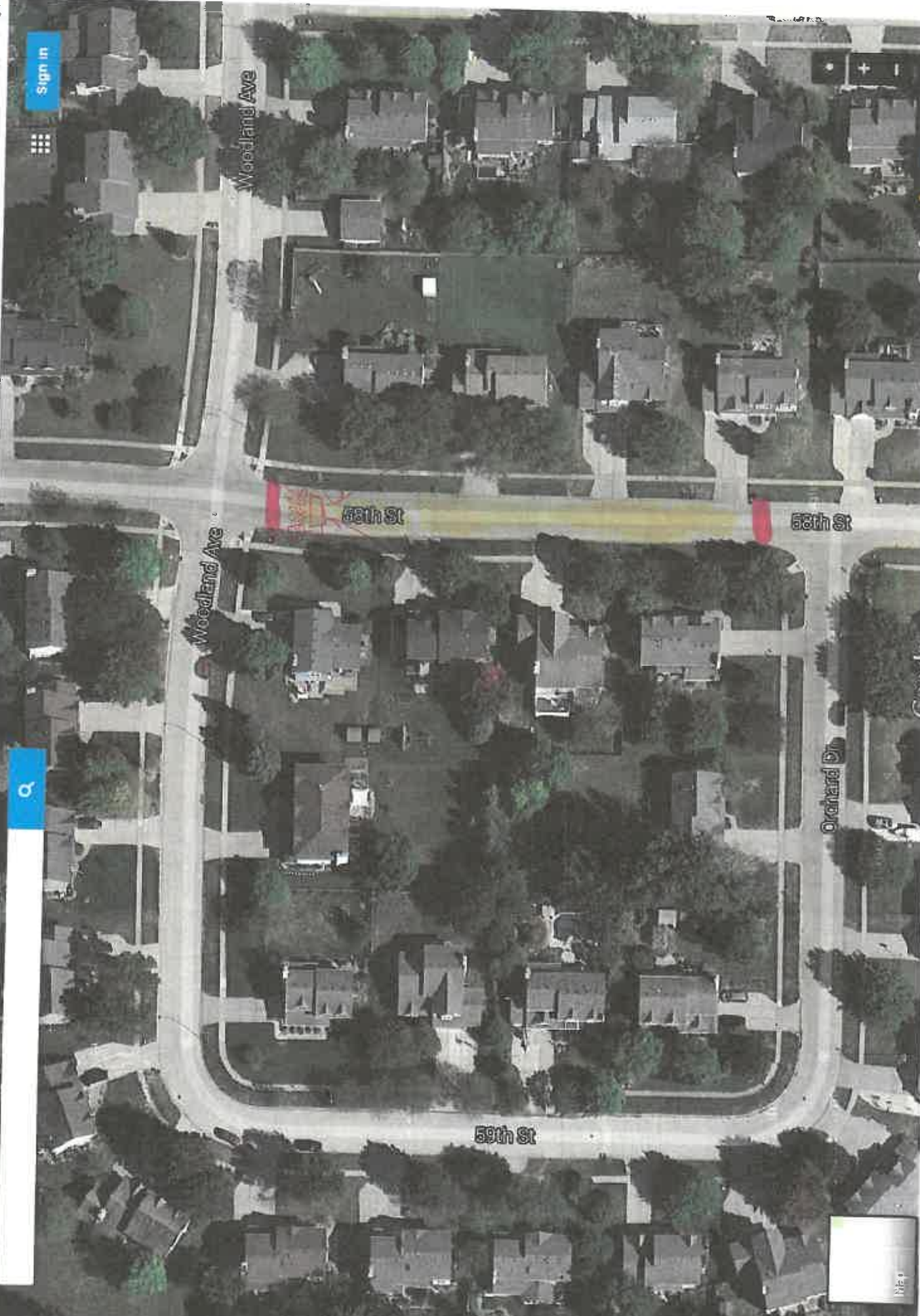
This sound permit is denied based upon the following findings.

Findings:

Copies of this permit have been distributed to the following departments:

- Development Services Department
- City Clerk's Office

- Police Department
- Parks and Recreation Department



Sign in

🔍

Map

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Approval of Block Party Lane Closure
1000 Block of 58th Street

DATE: May 18, 2015

FINANCIAL IMPACT: None

BACKGROUND:

Ordinance 2013 was adopted by the City Council on November 25, 2013, establishing that street or lane closures for special events on arterial or collector streets shall require approval of the City Council.

The residents of the 1000 block of 58th Street have submitted a block party application requesting the temporary closure of their segment of the street from 5:00 p.m. to 11:00 p.m. on Saturday, May 30, 2015. The application meets the requirement for signatures, as the petition was signed by 100 percent of the affected residents.

This requires Council approval because 58th Street is classified as a minor collector street.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion - Approval of Lane Closure as Requested for a Block Party

Lead Staff Member: Ryan T. Jacobson, City Clerk *RJG*

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RJG</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	



https://www.google.com/maps/@41.586201,-93.2876389,189m/data=!3m1!1e3

Google Maps

Search bar with magnifying glass icon

Sign in



18 18

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Approval of Special Event Lane Closure
36th Annual Mustang Ford Show

DATE: May 18, 2015

FINANCIAL IMPACT: None

BACKGROUND:

Ordinance 2013 was adopted by the City Council on November 25, 2013, establishing that street or lane closures for special events on arterial or collector streets shall require approval of the City Council.

Roger Fee is organizing the 36th Annual Mustang Ford Show, to be held on Sunday, June 7th from 9:00 a.m. to 3:30 p.m. on 5th Street in the Historic Valley Junction Business District. As they have done in the past, the applicant is requesting the closure of 5th Street from Railroad Avenue to Locust Street, as well as the closure of Railroad Place from 5th Street to 4th Street. (Note: The east-west streets of Maple Street, Elm Street, and Walnut Street will remain open to traffic throughout).

While this event is planned in coordination with the Historic Valley Junction Foundation, the special event application is submitted separately by Roger Fee, so it was not approved with the list of Historic Valley Junction Foundation events.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion - Approval of Request made for the 36th Annual Mustang Ford Show

Lead Staff Member: Ryan T. Jacobson, City Clerk *RTJ*

STAFF REVIEWS

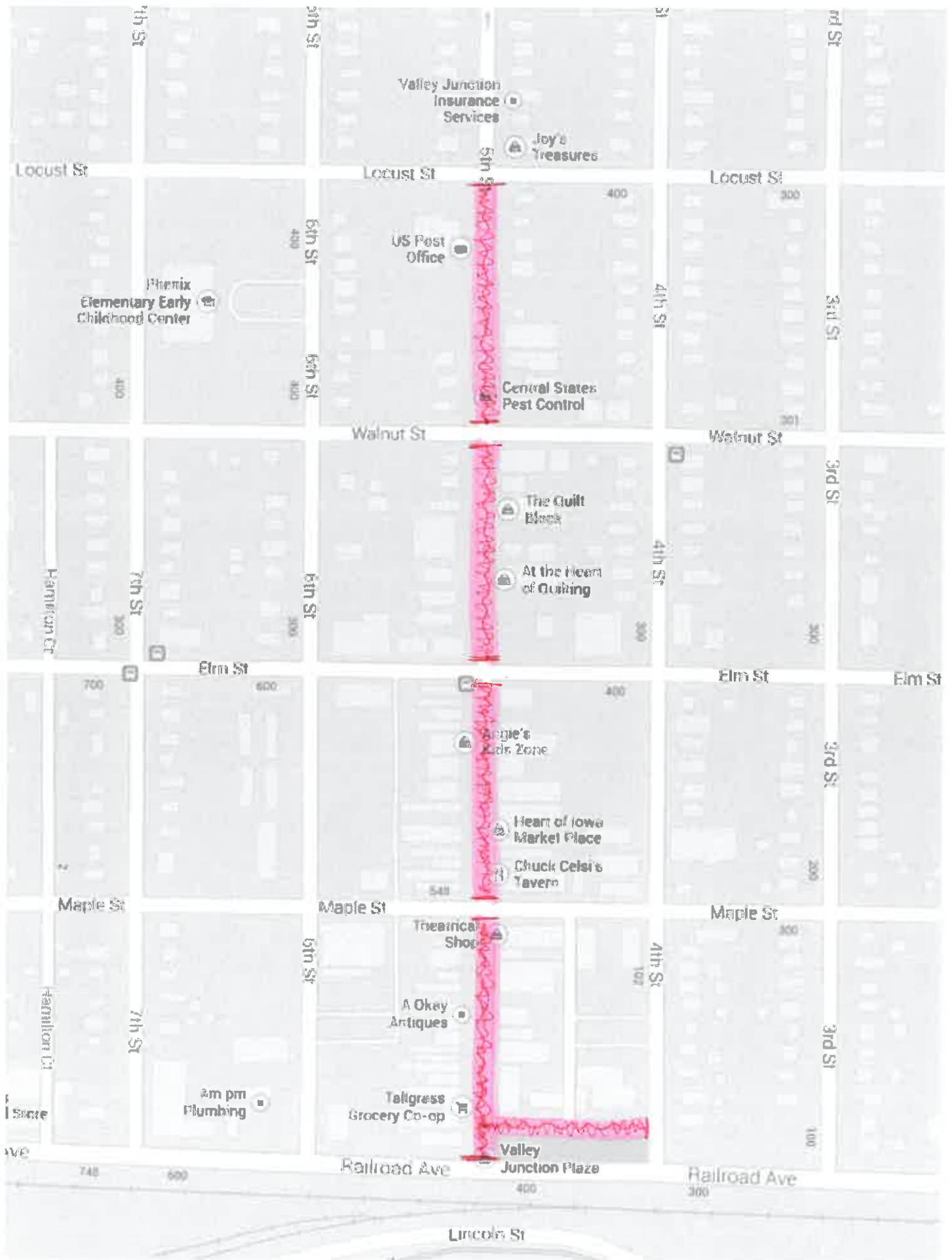
Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	



**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Motion - Approval of Orders for violations of alcohol law **DATE:** May 18, 2015

FINANCIAL IMPACT: \$1,500.00 (positive impact to City)

BACKGROUND:

Pursuant to state law, a municipality may assess a \$1,500.00 fine with a 30-day suspension for a second violation against an alcohol permittee who has been found in violation of providing alcoholic beverages to persons under 21 years of age at its respective place of business.

On or about the date referenced on attached Exhibit "A", an employee of the permittee, also referenced on Exhibit "A", was cited for providing an alcoholic beverage to a person under 21 years of age. Since that time, the City of West Des Moines Legal Department sent a notice of the violation to the permittee and said permittee acknowledged the respective order and returned payment of the fine for its alcohol violation.

OUTSTANDING ISSUES (if any): None.




The 30-day suspension began on May 16, 2015.

RECOMMENDATION:

It is recommended that the City Council approve the Order and accept payment of fine regarding the alcohol violation of the permittee as referenced on the attached Exhibit "A".

Lead Staff Member: Greta Truman, Assistant City Attorney

STAFF REVIEWS

Department Director	Richard J. Scieszinski, City Attorney	
Appropriations/Finance		
Legal		
Agenda Acceptance		

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	
Recommendation	

EXHIBIT "A"

<u>Licensee</u>	<u>D/B/A</u>	<u>Date of Violation</u>	<u>#Violation</u>
Sakura Sushi, Inc.	Sakura Sushi 1960 Grand Avenue, Ste. 11	November 14, 2014	2 nd (minors)

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: May 18, 2015

ITEM: Motion – Approval of Contract Agreement – Median Limestone Block Repair

FINANCIAL IMPACT: Initial expense of \$6,210.00 to be paid with budgeted funds in the following account: Median Maintenance (0100.40.344.3.5415). Future expenses will also come from this account, but will vary depending on repair needs.

BACKGROUND: The Council is asked to approve a contract agreement with Reliable Property Services of Grimes, Iowa for the Median Limestone Block Repair project. Two bids were received with Reliable Property Services submitting the low bid. The contract is for the repair and replacement of damaged or missing decorative limestone blocks in street medians. The contractor will initially replace all blocks that are currently damaged or missing at a cost of \$6,210.00. The contractor will also be on-call to handle future block replacement as needed. The City will supply the limestone blocks with the contractor furnishing all labor, equipment, and products needed to complete the work.

Reliable Property Services is currently the contractor for the City's landscape maintenance contract and is very familiar with the street medians.




A copy of the bid tabulation is attached for your information.

OUTSTANDING ISSUES: None

RECOMMENDATION: That the Council approve the Contract Agreement.

Lead Staff Member: Sally Ortgies 

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	N/A
Dates(s) Published	April 24, 2015

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed			
Recommendation	Yes	No	Split

**CITY OF WEST DES MOINES
 MEDIAN LIMESTONE BLOCK REPAIR CONTRACT
 BID TABULATION**

4/15/2015

*unit total based on repairs needed to fix all currently damaged limestone feature pads				RELIABLE PROPERTY SERVICES (GRIMES, IA)		IOWA OUTDOOR PRODUCTS (URBANDALE, IA)	
ITEM #	ITEM	UNIT	*TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
	Misc. Items						
1	Cleanup of damaged limestone block (per piece)	EA	4	\$ 90.00	\$ 360.00	\$ 75.00	\$ 300.00
2	Reset existing limestone (per piece)	EA	26	\$ 90.00	\$ 2,340.00	\$ 162.00	\$ 4,212.00
3	Anchor end block (per piece)	EA	0	\$ 70.00	\$ -	\$ 124.00	\$ -
4	2' L x 1' W Limestone Piece (installation only)						
	a. 6" height	EA	3	\$ 90.00	\$ 270.00	\$ 320.00	\$ 960.00
	b. 8" height	EA	2	\$ 90.00	\$ 180.00	\$ 323.00	\$ 646.00
	c. 10" height	EA	2	\$ 90.00	\$ 180.00	\$ 326.00	\$ 652.00
5	3' L x 1' W Limestone Piece (installation only)						
	a. 6" height	EA	0	\$ 120.00	\$ -	\$ 329.00	\$ -
	b. 8" height	EA	0	\$ 120.00	\$ -	\$ 334.00	\$ -
	c. 10" height	EA	0	\$ 120.00	\$ -	\$ 340.00	\$ -
6	4' L x 1' W Limestone Piece (installation only)						
	a. 6" height	EA	10	\$ 120.00	\$ 1,200.00	\$ 337.00	\$ 3,370.00
	b. 8" height	EA	7	\$ 120.00	\$ 840.00	\$ 346.00	\$ 2,422.00
	c. 10" height	EA	7	\$ 120.00	\$ 840.00	\$ 404.00	\$ 2,828.00
7	5' L x 1' W Limestone Piece (installation only)						
	a. 6" height	EA	0	\$ 120.00	\$ -	\$ 349.00	\$ -
	b. 8" height	EA	0	\$ 120.00	\$ -	\$ 443.00	\$ -
	c. 10" height	EA	0	\$ 120.00	\$ -	\$ 487.00	\$ -
8	2' L x 3' W Limestone Piece (installation only)						
	a. 9" height	EA	0	\$ 120.00	\$ -	\$ 497.00	\$ -
				TOTAL	\$ 6,210.00	TOTAL	\$ 15,390.00
ITEM #	ADDITIONAL BID ITEMS	UNIT	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
9	Power Washing Feature Pads	EA	-	\$ 70.00	-	\$ 345.00	-
10	Additional Limestone Block Sealing	SF	-	\$ 1.25	-	\$ 2.85	-
11	Colored Concrete Pad Sealing	SF	-	\$ 0.75	-	\$ 3.52	-
12	Concrete Paver Pad Sealing	SF	-	\$ 0.60	-	\$ 3.86	-



CITY OF WEST DES MOINES
4200 Mills Civic Parkway
PO Box 65320
West Des Moines, Iowa 50265-0320

CONTRACT NO. -
BUDGET CODE 0100.40.344.3.5415

DATE: 5/12/15

CONTRACT AGREEMENT

Contractor Reliable Property Services 1850 Destination Drive Suite A Grimes, IA 50111	Department Department of Parks & Recreation P.O. Box 65320 West Des Moines, Iowa 50265
Contract Period – Effective: May 18, 2015 Annual Cost: Services As Needed	Terminates: December 31, 2016 Payable: 30 Days
<u>DESCRIPTION OF ITEMS CONTRACTED</u> See Attached	
Contractor Reliable Property Services	_____ Approved _____ Not Approved
Authorized Signature	
Company Name (Print) Reliable Property Services	City Manager
Address 1850 Destination Drive Suite A Grimes, IA 50111 515-986-5850	Department Director

WHITE – Department PINK – Finance YELLOW - Vendor

REQUEST FOR BID

MEDIAN LIMESTONE BLOCK REPAIR

CITY OF WEST DES MOINES

The City of West Des Moines, Iowa, solicits interested parties to submit bids for the repair and replacement of decorative limestone blocks in street medians and other associated limestone block maintenance.

Submittals marked "Median Limestone Block Repair" will be received no later than **2:00 p.m. local time on Wednesday, April 29, 2015**. Submit signed copy of this Request for Bid and attached Bid Sheet to:

Office of the City Clerk
City of West Des Moines
4200 Mills Civic Parkway, Suite 2B
P.O. Box 65320
West Des Moines, IA 50265

Bid Procedure

Mark outside of envelope with proposal subject, "Median Limestone Block Repair".

Bids received after the announced time and date of receipt, by mail or otherwise, will be returned unopened. Nothing herein is intended to exclude any responsible firm or in any way restrain or restrict competition. The City of West Des Moines reserves the right to award in part or in whole or to reject any or all bids.

Any bid submitted **MUST** be signed by an individual authorized to bind the bidder. All bids submitted without such signature will be deemed non-responsive, and will not be acceptable. **Both the Request for Bid and Bid Form must be signed.**

If you desire not to quote on this bid, please forward your acknowledgement of **NO BID SUBMITTED** to the above address.

Questions

Questions regarding the Request can be addressed by contacting the Parks and Recreation Department, Marco Alvarez, Park Planner, (515) 222-3452.

I. Description

- A. The intent and purpose of this Request for Bid is to establish a contract for the repair and replacement of damaged or missing decorative limestone blocks in street medians. The Contractor will replace blocks that are currently damaged or missing, as well as, be on-call to handle future block replacement as needed. Maps are attached that show:
1. Median limestone locations and installation details (Attachment A)
 2. Current repair locations and quantities (Attachment B)
- B. The City will supply the limestone blocks. The Contractor shall furnish all labor, equipment, and products needed for the repair and placement of the blocks supplied by the City and as outlined in this Request for Bid and on the attached bid sheet.

II. Performance Requirements

- A. Personnel. The Contractor shall provide the City with the name, address, e-mail address and telephone number(s) for at least two designated contact persons responsible for insuring response to the City's request for services.
- B. Notification. The City's contact person shall be notified by e-mail or phone a minimum of 24 hours in advance of any work being performed by the Contractor.
- C. Response Time. It is the City's intent to minimize the time that damaged limestone blocks remain on medians. The Contractor will be expected to complete the necessary repairs within 48 hours of receiving notice from the City.
- D. Records. The Contractor shall maintain all records of repairs including time/date of work and any other details. This information may be needed for documentation related to insurance claims.
- E. Authority/Direction. The Contractor and his designated personnel shall respond to requests made by the City in a positive, courteous and timely manner. The City reserves the right to reject any equipment or personnel from continued or further engagement of services due to incompetence or insubordination or inability of equipment to function properly for the requested services.
- F. Damages. The Contractor shall be responsible for any and all damage to public property (including public utilities), private property, or personal injury due to its own or its employees' negligence or intentional or reckless conduct in performing work under this contract.
- G. Traffic Control. Due to the nature of the median locations, traffic control and the safety of personnel and motorists is of the utmost importance. All access to medians shall be from street turn lanes, not from through/travel lanes. Equipment shall be entirely within the turn lane and out of the through/travel lane.

If work needs to occur within or equipment needs to be located in a through/travel lane, the Contractor shall follow City of West Des Moines Public Works Department procedures for a lane closure. All traffic control procedures shall

comply with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways. All temporary traffic control provisions shall be furnished, erected, maintained and removed by the Contractor. Parking of private vehicles on right-of-way and/or closed streets will not be allowed.

III. Length of Agreement

- A. If approved by the West Des Moines City Council, this Agreement shall commence on May 4, 2015, and end on December 31, 2016, inclusive. The City reserves the right as its sole option to renew this contract per the same terms and conditions as set forth in the resulting contract. Any renewal contract shall be signed by the City prior to the expiration of the initial term and any subsequent term. This will require mutual consent by both the City and the Contractor.
- B. This Agreement may be terminated for good cause, including failure to perform in accordance with Section II of this Agreement, by the City during the Agreement period, subject to written notice being delivered by certified mail or personal service to the Contractor at the address referenced on the bid form.

IV. Payment

Contractor will be paid on a monthly basis in arrears. Invoices must contain the contract number and detail on services provided. All work being billed shall be referenced on invoices according to the tasks listed on the attached bid sheet. Invoices shall be sent to:

City of West Des Moines
Parks and Recreation Department
P.O. Box 65320
West Des Moines, IA 50265

V. Insurance

A. General

- 1. The Contractor shall purchase and maintain insurance to protect the Contractor and Owner against all hazards enumerated herein. All policies shall be in the amounts, form and companies satisfactory to the Owner.
- 2. All certificates of insurance required herein shall state that thirty (30) days written notice will be given to the Owner before the policy is canceled or changed. All certificates of insurance shall be delivered to the Owner prior to the time that any operations under this Contract are started.
- 3. All of said Contractor's certificates of insurance shall be written by an insurance company authorized to do business in the State of Iowa.

B. The Contractor shall purchase and maintain such insurance as will protect the Contractor from claims set forth below which may arise out of or result from the Contractor's operations under the Contract, whether such operations be by the Contractor, or by anyone for whose acts any of them may be liable:

1. Claims under workers' compensation, disability benefit and other similar employee benefit acts;
2. Claims for damages because of bodily injury, occupational sickness or disease, or death of the Contractor's employees;
3. Claims for damages because of the Contractor's injury, sickness or disease, or death of any person other than the Contractor's employees;
4. Claims for damages insured by usual personal injury liability coverage which are sustained:
 - a. By any person as a result of an offense directly related to the employment of such person by the Contractor, or
 - b. By the other person;
5. Claims for damages, other than to the work itself, because of injury to or destruction of tangible property, including loss of use resulting therefrom; and,
6. Claims for damages because of bodily injury or death of any person or property damage arising out of the ownership, maintenance or use of any motor vehicle.

C. Limits of Liability

1. The insurance required by Paragraph VI shall be written on an occurrence form of policy for not less than any limits of liability specified herein, or required by law, whichever is greater:

General Liability;	\$500,000 (including contractually, single limit
Independent Contractors	per occurrence)
Broad Form Property Damage	
Personal Injury, Underground	\$500,000
Explosion and Collapse	(Aggregate hazards)
Automobile Liability	\$500,000
(including all owned, non-owned and hired autos)	Combined Single Limit
Single Limit	
Workers Compensation	Statutory Benefits
	\$100,000 Coverage B

Umbrella Liability	\$1,000,000
(applying directly excess	Combined
of above liability coverage's)	

D. Contractual Liability Insurance

1. The insurance required by Paragraph VI shall include contractual liability insurance applicable to the Contractor's obligations as follows:

- a. To the fullest extent permitted by law, the Contractor shall indemnify and hold harmless the Owner and their agents, officers and employees from and against all claims, damages, losses and expenses, including, but not limited to attorney's fees, arising out of or resulting from the performance of the work, provided that any such claim, damage, loss or expense (1) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the work itself) including the loss of use resulting therefrom, and (2) is caused in whole or in part by any negligent act or omission of the Contractor, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party of person described in this Paragraph.
- b. In any and all claims against the Owner or any of their agents, officers or employees by any employee of the Contractor, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts may be liable, the indemnification obligation under this Subparagraph D shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor under workers' compensation acts, disability benefit acts or other employee benefit acts.

E. Contractor's Insurance for other Losses for the consideration in this agreement heretofore stated, in addition to the Contractor's other obligations, the Contractor assumes full responsibility for all loss or damage from any cause whatsoever to any tools owned by the mechanics, any tool machinery, equipment, or motor vehicles owned or rented by the Contractor, the Contractor's agents, Subcontractors, materials owned or rented by the Contractor, the Contractor's agents, Subcontractors, material suppliers or their employees, tool sheds or other temporary structures, scaffolding and staging, protective fences, bridges and sidewalk hooks. The Contractor shall also assume responsibility for all loss or damage caused by, arising out of or incident to larceny, theft, or any cause whatsoever (except as hereinbefore provided) to the structure on which the work of this Contract, and any modifications, alterations, enlargement thereto, is to be done, and to the following items and labor connected or to be used as a part of the permanent materials, and supplies necessary to the work.

- F. **Notification in Event of Liability or Damage** upon the occurrence of any event , the liability for which is herein assumed, the Contractor agrees to forthwith notify the Owner, in writing, such happening, which notice shall forthwith give the details as to the happening, the cause as far as can be ascertained, the estimate of loss or damage done, the names of witnesses, if any, and stating the amount of any claim.


VI. Further Information

- A. **Mandatory Drug and Alcohol Testing Programs**. The Contractor certifies that all of their employees who may operate a commercial motor vehicle are included in a substance abuse program that meets the requirements of Federal Department of Transportation Drug and Alcohol Testing regulations (Code of Federal Regulations, 49CFR, Part 382 and Part 40).
- B. **Right-To-Know Statement**. The bidder certifies that, in accordance with the “Hazard Communication Rule”, 29 CFR 1910.120 (the “Right-To-Know” Law) and the State of Iowa “Hazardous Chemicals Risk Right-to-Know Rule”, employees exposed to materials on the worksite will be trained for the materials in use by the successful Contractor as part of the contract. Material Safety Data Sheets (MSDS) for City materials will be supplied to the successful Contractor upon request.
- C. **ADA Statement**. The City does not discriminate on the basis of disability. If you believe you have been discriminated against in any program or facility, you may file a complaint alleging the discrimination with the ADA Coordinator through the City Manager’s office. The TDD line for the City of West Des Moines is 222-3334.
- D. **FLSA Statement**.
“We hereby certify that these goods were produced in compliance with all applicable requirements of Sections 6, 7, and 12 of the Fair Labor Standards Act, as amended, and of regulations and orders of the United States Department of Labor issued under Section 14 thereof.”

VII. Additional Terms

- A. **Assignment**. Neither the Contractor nor City shall assign its rights or obligations under this Agreement without the prior written consent of the other party.
- B. **Entire Agreement**. This Agreement, including any attached schedules and exhibits, constitutes the entire agreement and understanding between the parties hereto and is the final expression of their agreement and no evidence of oral or other written promises shall be binding. This Agreement may not be supplemented, amended, modified, or otherwise altered except by written instrument executed by both of the parties hereto and no course of dealing or trade usage between the parties shall be effective to supplement, amend, modify, or alter this Agreement.

C. Waiver. The failure to enforce or to require the performance at any time of any of the provisions of this Agreement herein shall in no way be construed to be a waiver of such provisions, and shall not affect either the validity of this Agreement or any part hereof or the right of either party thereafter to enforce each and every provision in accordance with the terms of this Agreement.



Authorized Signature

4/29/15

Date

MEDIAN LIMESTONE BLOCK REPAIR BID SHEET

ITEM #	ITEM	ITEM DESCRIPTION	UNIT	UNIT DESCRIPTION	UNIT PRICE
MISC. ITEMS					
1	Cleanup of damaged limestone block	- Removal & disposal of damaged limestone block. - Damaged pieces can be taken to the WDM holding facility located at 525 S11th St for disposal.	EA	per limestone block removed	\$ 90
2	Reset existing limestone block	- Reset undamaged limestone blocks back to original position within feature pad. - May include switching cracked end block with undamaged block from middle of set.	EA	per limestone block reset	\$ 90
3	Anchoring end block	- Core drill (2) 5/8" holes on each end block and pin using 8" epoxy coated rebar. - Grout top of each hole using a water proof caulk or mortar to match limestone color; refer to detail 4/Sheet 2 for connection detail.	SF	per limestone block anchored	\$ 70
INSTALLATION OF LIMESTONE BLOCK					
block sizes listed below		- Item is for the installation of the limestone block only. Limestone block material will be provided by the City and will be located at the City's holding facility at 525 S11th St. - Contractor will be responsible for loading and transporting the limestone block from the City's holding facility to the specified median. - Incidental to item is initial sealing of limestone block using the sealant product "Chem-Crete" PavIX CCC100 or approved equal. - Seal all surfaces prior to installation. For each block piece, apply (1) coat of sealant to all surfaces at a rate of 175 sf/gallon. - It is recommended that the block pieces be sealed prior to delivery to the site to minimize time contractor is working on the median. If on-site sealing is unavoidable, protect adjacent concrete areas from overspray using cardboard or other means of protection.			
4	2' Length x 1' Wide				
	a. 6" height		EA	per limestone block	\$ 90
	b. 8" height		EA	per limestone block	\$ 90
	c. 10" height		EA	per limestone block	\$ 90
5	3' Length x 1' Wide				
	a. 6" height		EA	per limestone block	\$ 120
	b. 8" height		EA	per limestone block	\$ 120
	c. 10" height		EA	per limestone block	\$ 120
6	4' Length x 1' Wide				
	a. 6" height		EA	per limestone block	\$ 120
	b. 8" height		EA	per limestone block	\$ 120
	c. 10" height		EA	per limestone block	\$ 120
7	5' Length x 1' Wide				
	a. 6" height		EA	per limestone block	\$ 120
	b. 8" height		EA	per limestone block	\$ 120
	c. 10" height		EA	per limestone block	\$ 120
8	2' Length x 3' Wide				
	a. 9" height		EA	per limestone block	\$ 120
ADDITIONAL BID ITEMS					
9	Power Washing Feature Pads	- Includes a thorough cleaning of the limestone blocks and surrounding decorative pad consisting of either colored concrete or brick pavers. - Feature pad is to be cleaned with a mobile power washer to remove dirt, salt, and discoloration. In addition, remove any weeds found growing in adjoining cracks. - Any loose material as a result from the power washing is to be swept and picked up.	EA	per feature pad	\$ 70.00
10	Additional Limestone Block Sealing	- Sealing the exposed surfaces of existing limestone blocks located on medians. - Sealant product to be "Chem-Crete" PavIX CCC100 or approved equal. - Apply (1) coat at an application rate of 175 sf/gal per coat. - Protect adjacent concrete areas from overspray using cardboard or other means of protection on all flat surfaces.	SF	SF of exposed block face sealed	\$ 1.25
11	Colored Concrete Pad Sealing	- Sealant to be sprayed (and back-rolled when necessary) onto all exposed surfaces of colored concrete within feature pad. - Sealant product to be "TK Products" Bright Kure & Seal or approved equal. - Apply (2) coats at an application rate of 400 sf/gallon. Allow 1st coat to dry before 2nd application. - No overspray (or over-rolling) allowed onto adjacent limestone or concrete areas.	SF	SF of exposed colored concrete surface within feature pad	\$.75
12	Concrete Paver Pad Sealing	- Sealant to be sprayed (and back-rolled when necessary) onto all exposed surfaces of concrete pavers within feature pad. - Sealant product to be "Miracote" MiraGuard Enriching Sealer or approved equal. - Apply (2) coats at an application rate of 1000 sf/gallon. Allow 1st coat to dry before 2nd application. - No overspray (or over-rolling) allowed onto adjacent limestone or concrete areas.	SF	SF of exposed concrete pavers within feature pad	\$.60

NOTES

- 1) Due to the nature of the median locations, traffic control and the safety of personnel and motorists is of the utmost importance. All access to the medians shall be from street turn lanes and not from through/travel lanes. Equipment shall be entirely within the turn lane and out of the through/travel lane. If work needs to occur within or equipment needs to be located in a through/travel lane, the Contractor shall follow the City of West Des Moines Public Works Dept. procedures for a lane closure.
- 2) The Contractor will be required to stage work from inner most turning lane and use traffic cones set to direct traffic away from work area. Temporary traffic control measures shall be furnished, erected, maintained, and removed by the Contractor. All traffic control procedures shall comply with the latest edition of Manual on Uniform Traffic Devices for Streets and Highways. All Traffic Control items shall be considered incidental to the contract.
- 3) It is the intent of this contract to minimize the time that damaged limestone blocks are located on medians. The Contractor will be expected to complete the necessary limestone repairs within 48 hours of receiving notice from the City. At the time of notice from the City, the Contractor will receive a location map of the damaged area along with quantities and sizes of the replacement block (when applicable).
- 4) Incidental to the contract is preparation of the feature pad in order to complete necessary repairs including the removal of damaged anchor pins and sweeping/disposal of any remaining debris found in and around the feature pad.
- 5) The limestone block to be used for repairs will be located at the City's holding facility located at 525 S11th St in West Des Moines. Access to the holding facility will be available Monday - Friday from 7:00am to 3:30pm. Limestone block will be stacked on pallets according to their height (6", 8" or 10"). Contractor will be responsible for sorting through the stockpile to locate the correct length of limestone block needed to complete repairs. Work performed under this note incidental to contract.

Authorized Signature



Firm Name

Reliable Property Services of Iowa

Address

1850 Destination Dr Suite A Grimes, IA 50111

Phone

515-986-5850

Fax

515-986-5851

Contact Persons

Name

Mark Manning

Title

Account Manager

Phone

515-986-5850

Email

markm@rpsia.com

Name

Title

Phone

Email

References

Name

Sally Ortgies WEST DES MOINES PARK - REC.

Phone

515 - 222 - 3447

Email

Sally.Ortgies@wdm.iowa.gov

Name

Phone

Email



West Des Moines

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM:

DATE: May 18, 2015

Motion – Approving Change Order #8
Library and Law Enforcement Center HVAC Improvements
Excel Mechanical Co. Inc.

FINANCIAL IMPACT:

Contract Summary:

Description	Amount	Date Approved	Remarks
Construction Contract	\$506,300.00	February 10, 2014	
Change Order 1	\$22,596.00	June 2, 2014	Approved by Council
Change Order 2	\$1,240.00	July 28, 2014	Approved by Council
Change Order 3	\$198.00	September 10, 2014	Approved by Staff
Change Order 4	\$0.00	September 22, 2014	Approved by Council
Change Order 5	\$2,288.00	November 3, 2014	Approved by Council
Change Order 6	\$3,839.00	January 26, 2015	Approved by Council
Change Order 7	\$1,948.00	March 23, 2015	Approved by Council
Change Order 8	\$26,033.00	Pending	
Total	\$564,442.00	Construction Budget (including building maintenance fund allocation for mold remediation): \$553,649.00	

Cost for this change order items will be paid from CIP budgeted account Library Facility- Contracts # 6578.75.840.6.7910. The project budget will need to increase to accommodate this change. An increase in the project budget has been included in Budget Amendment #3, to be considered by the Council at this same meeting.

BACKGROUND:

In review of the specifications for the new chiller unit, it was discovered that the clearance requirements for the equipment required that the mechanical enclosure be enlarged. This change order incorporates the cost of additional fencing for the larger enclosure and modifying the adjacent parking lot for a total increase in the project cost of \$26,033.00. This change order will also extend the contract time 42 days to July 10, 2015 to accommodate fabrication and construction time. The parking lot modifications will include removing 7 non-compliant stalls (stalls were too shallow to meet minimum requirements) and revising the layout to provide 2 code compliant stalls. Even with the loss of 5 parking spaces, the Library will still meet code requirements for the number of parking spaces.

OUTSTANDING ISSUES: None

RECOMMENDATION:

City Council Adopt:

- Motion Approving Change Order #8 for the Library and Law Enforcement Center HVAC Improvements Project.

Lead Staff Member: Linda Schemmel, AIA *LS*

STAFF REVIEWS

Department Director	Duane Wittstock, City Engineer <i>DW</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	N/A
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	May 13, 2015		
Recommendation	Yes	No	Split



CITY OF WEST DES MOINES

Development Services Department
 4200 Mills Civic Parkway, Suite 2D
 West Des Moines, IA 50265-0320
 (515) 222-3620 Fax (515) 273-0602

CHANGE ORDER 8

Distribution:
 Owner X
 Engineer X
 Contractor X
 Other

Contractor: Excel Mechanical Co. Inc.
5636 NE 17th Street
Des Moines, IA 50313

Project Title	Library and Law Enforcement Center HVAC Improvements	
WDM Project File Number	0510-046-2012	
Purchase Order Number	3043-DS-10 & 6578-DS-10	
Orig. Contract Amount & Date	\$506,300.00	February 10, 2014
Change Order Number	8	
Date	May 14, 2015	

THE CONTRACT IS CHANGED AS INDICATED IN ATTACHED CHANGE REQUEST:

Item	Description	Unit	Unit Price	Quantity Adjustment	Value Adjustment
ITC #4 (Library)	Changes to fencing and adjacent parking area due to increase in required clearances for mechanical equipment.	LS	\$26,033.00	1.00	\$26,033.00
TOTAL					\$26,033.00

CHANGE ORDER SUMMARY

The Original Contract Sum (base bid & alternate 1) was	\$506,300.00
Net Change by previously authorized Change Orders	\$32,109.00
The Contract Sum prior to This Change Order was	\$538,409.00
The Contract Sum will increase	\$26,033.00
The new Contract Sum including this Change Order will be	\$564,442.00
Aggregate Change Order as a percent of Original Contract (if the aggregate is \$10,000, or greater than 5% of the original contract, whichever is greater, all signatures through the full Council are required)	11.48%
The Contract Time will be increased	42 days
The date of Final Completion as of the date of this Change Order therefore is	July 10, 2015

Contractor: Excel Mechanical Co. Inc.	Recommended By: Sebesta	Checked By: City of West Des Moines
Signature:	Signature:	Signature:
Name:	Name:	Name: Linda Schemmel
Title:	Title:	Title: Planner
Date:	Date:	Date: 5/14/2015

Owner: City of West Des Moines

<input checked="" type="checkbox"/> ≤	\$2,500 Department Director	X _____	Date _____
<input checked="" type="checkbox"/>	\$2,501 to 5,000 City Manager	X _____	Date _____
<input type="checkbox"/>	\$5001 to 10,000 PW Council Committee scheduled for agenda on	scheduled for agenda on	Date: 5/13/2015
<input type="checkbox"/> >	\$10,000 City Council approved or ratified at Council meeting on		Date: 5/18/2015

Excel Mechanical Co., Inc.

Date: 05/08/15

Project: WDM Library and LEC

**Itemized Breakdown for:
FOR #00 new fence and parking lot changes ITC 04**

DESCRIPTION	Unit Price or Lump Sum (LS)	COST	TOTALS
material/equipment:			
	LS		
	LS		
	LS		
	LS		
	LS		
	LS		
	LS		
	LS		
	LS		
	LS		
	LS		
	LS		
	LS		
	LS		
	LS		
total material/equipment cost		0.00	0.00
labor:			
supervision/foreman-straight time	12.00	870.00	
journeyman-straight time	0.00	0.00	
supervision/foreman-overtime	0.00	0.00	
journeyman-overtime	0.00	0.00	
total labor hours & cost	12.00	870.00	870.00
subcontractors:			
Kim Abild		23,366.00	
Mid-Iowa Environmental		0.00	
Johnson Controls		0.00	
ABC electric		0.00	
total subcontractor cost	LS	23,366.00	23,366.00
job expense:			
rental equipment	LS	0.00	
bond costs	LS	433.20	
rental insurance	LS	0.00	
total job expense	LS	433.20	433.20
RECAP			
Total Cost			24,669.20
markup-Excel Mechanical	0.15		195.48
markup-subcontractors	0.05		1,168.30
TOTAL COST (rounded)			26,033.00

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM:

DATE: May 18, 2015

Motion – Approving Early Release of Retainage
139 6th Street – Building Renovation
Breiholz Construction Company

FINANCIAL IMPACT:

Costs for this payment can be paid from budget account: 139 6th Street - Building Renovation # 7003.75.830.6.7910.

BACKGROUND:

Standard practice in public projects is to retain 5% of the construction contract until 30 days after the project is closed out and is accepted by the City Council. Several additions and changes to this project were requested just before the contract completion date, extending typical time period for project closeout prior to requesting final acceptance. The majority of the project was completed and inspected last fall, with just the changes pursued after the completion date yet to be inspected. The Contractor has requested an early release of 95% of the retainage to finalize payments to the subcontractors that completed work by the original completion date. Approval of this action will authorize staff to pay of 95% of the retainage for the project (\$71,909.23). The balance remaining will provide for retainage on the work not yet inspected and if necessary, the cost to obtain outstanding closeout documents.

OUTSTANDING ISSUES: None

RECOMMENDATION:

City Council Adopt:
- Motion Approving Early Release of Retainage for the 139 6th Street – Building Renovation project.

Lead Staff Member: Linda Schemmel, AIA

STAFF REVIEWS

Department Director	Duane Wittstock, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	RTJ

PUBLICATION(S) (if applicable)

Published In	N/A
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	May 13, 2015		
Recommendation	Yes	No	Split



CITY OF WEST DES MOINES PUBLIC WORKS
 580 S. 16th, PO Box 65320
 West Des Moines, IA 50265-0320
 (515) 222-3475 Fax (515) 222-3478

PAY REQUEST - PARTIAL RETAINAGE

Contractor: Breholz Construction Company
 1527 Malne Street
 Des Moines, Iowa 50314

Architect: OPN Architects Inc.
 100 Court Avenue, Suite 100
 Des Moines, Iowa 50309

Project Title	139 6th Street – Building Renovation		
WDM Project File Number	0510-049-2013		
Purchase Order Number	7003-02		
Orig. Contract Amount & Date	\$1,371,000.00	Base Bid	4/21/14
Estimated Completion Date	10/25/14		
Pay Period	To April 30, 2015		
Pay Request Number	Partial Retainage (95%)		
Date	5/14/15		

BID ITEMS									
Item No.	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Value Completed From Previous Applications	Quantity or Percent Completed This Period	Value Completed This Period	Value Completed To Date
1	Building Renovation (Base Bid) Material Stored credited on Pay Request 6	LS	1	\$1,371,000.00	\$1,371,000.00	\$1,371,000.00	0.00%	\$0.00	\$1,371,000.00
2	Change Order 1	LS	1	\$5,749.16	\$5,749.16	\$5,749.16	100.00%	\$0.00	\$5,749.16
3	Change Order 2	LS	1	\$15,350.69	\$15,350.69	\$15,350.69	0.00%	\$0.00	\$15,350.69
4	Change Order 3	LS	1	\$15,130.12	\$15,130.12	\$15,130.12	0.00%	\$0.00	\$15,130.12
5	Change Order 4	LS	1	\$13,825.95	\$13,825.95	\$13,825.95	0.00%	\$0.00	\$13,825.95
6	Change Order 5	LS	1	\$1,688.26	\$1,688.26	\$1,688.26	0.00%	\$0.00	\$1,688.26
7	Change Order 6	LS	1	\$4,922.15	\$4,922.15	\$4,922.15	0.00%	\$0.00	\$4,922.15
8	Change Order 7	LS	1	\$8,171.29	\$8,171.29	\$8,171.29	0.00%	\$0.00	\$8,171.29
9	Change Order 8	LS	1	\$14,124.12	\$14,124.12	\$14,124.12	0.00%	\$0.00	\$14,124.12
10	Change Order 9R	LS	1	\$10,091.22	\$10,091.22	\$10,091.22	0.00%	\$0.00	\$10,091.22
11	Change Order 10	LS	1	\$19,944.68	\$19,944.68	\$19,944.68	0.00%	\$0.00	\$19,944.68
11	Change Order 11 (Credited to determine retainage)	LS	1	\$21,154.41	\$21,154.41	\$0.00	0.00%	\$21,154.41	\$21,154.41
11	Change Order 12 (Credited to determine retainage)	LS	1	\$12,732.52	\$12,732.52	\$0.00	0.00%	\$12,732.52	\$12,732.52
TOTAL					\$1,513,884.57	\$1,479,997.64	2.24%	\$33,886.93	\$1,513,884.57

MATERIALS STORED SUMMARY						
Description	# of Units	Unit Price	Extended Price	Value From Previous Applications	Value Stored To Date	
Millwork - \$24,000 Credit to base bid on Pay Request 6	0	\$24,000.00	\$0.00	\$0.00	\$0.00	
Carpet - \$25,000 Credit to base bid on Pay Request 6	0	\$25,000.00	\$0.00	\$0.00	\$0.00	
TOTAL					\$0.00	

PAY REQUEST SUMMARY			
	Total Approved		Total Completed
Contract Price	\$1,371,000.00		\$1,513,884.57
Approved Change Order 1	\$5,749.16		
Approved Change Order 2	\$15,350.69		
Approved Change Order 3	\$15,130.12		
Approved Change Order 4	\$13,825.95		
Approved Change Order 5	\$1,688.26		
Approved Change Order 6	\$4,922.15		
Approved Change Order 7	\$8,171.29		
Approved Change Order 8	\$14,124.12		
Approved Change Order 9R	\$10,091.22		
Approved Change Order 10	\$19,944.68		
Approved Change Order 11	\$21,154.41		
Approved Change Order 12	\$12,732.52		
Revised Contract Price	\$1,513,884.57		\$1,513,884.57
Materials Stored			\$0.00
Retainage (5%)			\$75,694.23
Total Earned Less Retainage			\$1,438,190.34

Total Previously Approved (list each)	Pay Request 1	\$123,025.00	
	Pay Request 2	\$269,163.50	
	Pay Request 3	\$223,909.57	
	Pay Request 4	\$536,427.34	
	Pay Request 5	\$197,192.43	
	Pay Request 6	\$29,732.47	
	Pay Request 7	\$26,547.45	
Total Previously Approved			\$1,405,997.76
Amount Due This Request (95% retainage)			\$71,909.23
Percent Complete			100.0%
Percent of Contract Period Utilized			100.0%

The amount \$71,909.23 is recommended for approval for payment in accordance with the terms of the Contract

Contractor: Brelholz Construction Company	Architect: OPN Architects, Inc.	Amount Certified: \$71,909.23
The undersigned Contractor certifies that to the best of their knowledge, information and belief, the Work covered by this application for Payment has been completed in accordance with the Contract Documents and that all amounts have been paid by the Contractor for work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.	Based on on-site observations and the data comprising this application, the Engineer certifies to the owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated by the Contractor.	Checked By: City of West Des Moines
Signature:	Signature:	Signature:
Name:	Name:	Name: Linda Schemmel
Title:	Title:	Title: Planner
Date:	Date:	Date: 5/14/2015

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF SIX PAGES

TO OWNER:
 City of West Des Moines
 4200 Mills Civic Parkway
 West Des Moines, IA 50265

PROJECT: 139 6th Street Building
 Renovation Improvements

APPLICATION NO: 9

Distribution to:

95% retainage release

OWNER	
ARCHITECT	
CONTRACTOR	

PERIOD TO: 4/30/15

FROM CONTRACTOR:

Breiholz Construction Company
 1527 Maine Street
 Des Moines, IA 50314

PROJECT NOS: 0510-049-2013 (14-1116)

CONTRACT DATE: 4/21/14

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM	\$ 1,371,000.00
2. Net change by Change Orders	\$ 142,884.57
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$ 1,513,884.57
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$ 1,513,884.57

5. RETAINAGE:	
a. % of Completed Work (Column D + E on G703)	\$ 3,785.00
b. % of Stored Material (Column F on G703)	\$ 0.00
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$ 3,785.00

6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$ 1,510,099.57
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7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$ 1,438,190.34
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8. CURRENT PAYMENT DUE	\$ 71,909.23
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$ 3,785.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$108,997.64	
Total approved this Month	\$33,886.93	
TOTALS	\$142,884.57	\$0.00
NET CHANGES by Change Order	\$142,884.57	

CONTRACTOR: Breiholz Construction Company

By: A. Filippell Date: 4-28-2015

State of: Iowa County of: Polk

Subscribed and sworn to before me this April day of April

Notary Public: [Signature]

My Commission expires: 11-7-17



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 71,909.23

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

By: [Signature] Date: 5/5/2015

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Certification of Costs
Abatement of Public Nuisance
Multiple Locations

DATE: May 18, 2015

FINANCIAL IMPACT: \$ 4,280.00 Revenue to Offset Direct City Expenses

BACKGROUND: Legal notice was given by the City of West Des Moines Code Enforcement Officer to the property owner requiring the owner to comply with the abatement of a nuisance or the City would be authorized to abate the nuisance at the expense of the owner. The following invoices for the cost of abating a nuisance remain unpaid:

<u>Address</u>	<u>Type</u>	<u>Date(s)</u>	<u>Amount</u>
104 Locust St.	Weeds	4/7/2015	\$1,445.00
1110 Walnut St.	Removal of Snow and/or Ice	2/9/2015	\$ 90.00
1115 Locust St.	Removal of Snow and/or Ice	2/6/2015	\$ 90.00
1255 28 th Pl.	Weeds	11/13/2014	\$1,515.00
216 Prospect Ave.	Removal of Snow and/or Ice	11/18/2014	\$ 90.00
320 2 nd St.	Removal of Snow and/or Ice	11/18/2014	\$ 90.00
415 34 th St.	Removal of Snow and/or Ice	2/6/2015	\$ 90.00
500 Valhigh Rd.	Weeds	4/7/2015	\$ 510.00
613 19 th St.	Removal of Snow and/or Ice	2/9/15	\$ 90.00
635 13 th St.	Removal of Snow and/or Ice	2/6/2015	\$ 90.00
643 9 th St.	Removal of Snow and/or Ice	11/19/2014	\$ 90.00
653 62 nd St.	Removal of Snow and/or Ice	1/16/2015	\$ 90.00

RECOMMENDATION: Adoption of a Resolution directing that all costs be certified to the respective County Treasurer for collection.

Lead Staff Member: Tracy Lovetinsky, Accounting Associate

STAFF REVIEWS

Department Director	Tim Stiles, Finance Director
Appropriations/Finance	TS
Legal	
Agenda Acceptance	RTG

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

RESOLUTION

WHEREAS, West Des Moines City staff have previously determined that the premises described on the attached assessment schedule, 2015-03 Polk County and D2015-03 Dallas County nuisance abatements:

Parcel # 320/04801-000-000	W 50F LOT 1 BLK 28 2ND ADD TO VALLEY JUNCTION PLAT 3
Parcel # 320/03605-001-000	E 70F & BEG 70F W OF SE COR THN W 11F NE 131.25F TO A PT ON N LN 76.83F WLY OF NE COR S 130.65F TO POB LOT 41 NUTTALL ACRES
Parcel # 320/03581-000-000	EX W 68F- LOT 19 & -EX E 30F N 220F- LOT 20 NUTTALL ACRES
Parcel # 320/04949-100-000	LT 38 WOODLAND HEIGHTS PLAT 5
Parcel # 320/02899-000-000	LOT 68 LINNWILL
Parcel # 320/04543-000-000	LOT 4 BLK 16 1ST ADD TO VALLEY JUNCTION
Parcel # 320/00442-062-000	LOT 24 ASHAWA ESTATES PLAT 2
Parcel # 320/03308-000-000	LOT 30 MURROW HILL
Parcel # 320/04961-000-000	LOT 12 ZELDA ACRES PLAT NO 1
Parcel # 320/01061-000-000	LOT 76 CLOVER HILLS PLAT 3
Parcel # 320/02225-000-000	LOT 31 GILLETTE KNOLLS
Parcel # 690/16-12-278-006	WRENWOOD PLAT 2 LOT 33

were declared to be a public nuisance; and

WHEREAS, law requires said owners to comply with the abatement of a nuisance or the City of West Des Moines, Iowa is authorized and directed that such public nuisance be abated by said City at the expense of the owners; and

WHEREAS, the City of West Des Moines, Iowa, had to arrange for abatement of the nuisance; and

WHEREAS, the cost to the City of West Des Moines of abating the nuisance was:

104 Locust St.	\$ 1,445.00
1110 Walnut St.	\$ 90.00
1115 Locust St.	\$ 90.00
1255 28 th Pl.	\$ 1,515.00
216 Prospect Ave.	\$ 90.00
320 2 nd St.	\$ 90.00
415 34 th St.	\$ 90.00
500 Valhigh Rd.	\$ 510.00
613 19 th St.	\$ 90.00
635 13 th St.	\$ 90.00
643 9 th St.	\$ 90.00
653 62 nd St.	\$ 90.00
TOTAL	<u>\$ 4,280.00</u>

and

WHEREAS, pursuant to the provisions of City ordinance and Chapter 384 of the Code of Iowa, the cost of removal and abatement of said nuisance may be made at the expense of the owners of premises;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA that the Director of Finance is directed to certify a copy of this resolution and attached assessment schedule to the respective County Treasurer who shall enter said costs upon the tax books as cost for removing and abating the public nuisance with said costs to be collected as provided by Iowa law.

PASSED AND APPROVED 18th day of May, 2015.

Steven K. Gaer, Mayor

ATTEST:

Ryan Jacobson, City Clerk

**NOTICE OF FILING OF
ASSESSMENTS FOR NUISANCE ABATEMENT**

To the person owning land within the City of West Des Moines, Polk County, Iowa, particularly described as:

Parcel # 320/04801-000-000	W 50F LOT 1 BLK 28 2ND ADD TO VALLEY JUNCTION PLAT 3
Parcel # 320/03605-001-000	E 70F & BEG 70F W OF SE COR THN W 11F NE 131.25F TO A PT ON N LN 76.83F WLY OF NE COR S 130.65F TO POB LOT 41 NUTTALL ACRES
Parcel # 320/03581-000-000	EX W 68F- LOT 19 & -EX E 30F N 220F- LOT 20 NUTTALL ACRES
Parcel # 320/04949-100-000	LT 38 WOODLAND HEIGHTS PLAT 5
Parcel # 320/02899-000-000	LOT 68 LINNWILL
Parcel # 320/04543-000-000	LOT 4 BLK 16 1ST ADD TO VALLEY JUNCTION
Parcel # 320/00442-062-000	LOT 24 ASHAWA ESTATES PLAT 2
Parcel # 320/03308-000-000	LOT 30 MURROW HILL
Parcel # 320/04961-000-000	LOT 12 ZELDA ACRES PLAT NO 1
Parcel # 320/01061-000-000	LOT 76 CLOVER HILLS PLAT 3
Parcel # 320/02225-000-000	LOT 31 GILLETTE KNOLLS

You are hereby notified the City of West Des Moines, on May 18, 2015, levied special assessments for the abatement of a public nuisance at the above described property and that said assessment has been certified to the Polk County Treasurer for collection.

You are further notified that assessments may be paid in full or in part without interest at the office of the Polk County Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer. Unless said assessments are paid in full within said thirty day period all unpaid assessments will draw annual interest computed at nine percent (commencing on the date the assessment was levied) computed to the December 1st next following the due date.

This Notice given by direction of the Council of the City of West Des Moines, Iowa.

Ryan Jacobson, City Clerk

Publish: _____ & _____, 2015

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM:

DATE: May 18, 2015

Resolution - Ordering Construction
Alluvion Yellow Fiber Route

FINANCIAL IMPACT:

The Engineering Estimate of Construction Cost for the Alluvion Yellow Fiber Route Project is \$1,437,902.00. Payments will be made from budgeted account no. 4267.77.820.6.7910 with all costs being reimbursed by Microsoft.

BACKGROUND:

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, May 27, 2015, and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, June 1, 2015. The contract would be awarded on Monday, June 1, 2015, and work will begin shortly thereafter.

The project is scheduled to be completed by October 31, 2015. Upon completion of the work Microsoft will assume complete ownership and maintenance responsibilities.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution Ordering Construction of the Alluvion Yellow Fiber Route Project.
- Fixing 2:00 p.m. on Wednesday, May 27, 2015, as the time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, P.E., L.S., City Engineer <i>dm</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	May 13, 2015		
Recommendation	Yes	No	Split

**Resolution Ordering Construction and
Notice of Public Hearing on Plans, Specifications, Form of Contract, Estimate of Cost, and Directing
Advertisement for Bids**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA,
that the following described public improvement:

**Alluvion Yellow Fiber Route
Project No. 0510-075-2014**

is hereby ordered to be constructed according to the Plans and Specifications prepared by the Engineering Division of the City of West Des Moines and now on file in the office of the City Clerk.

BE IT FURTHER RESOLVED, that the detailed Plans and Specifications, Form of Contract, Bid Security, and Notice to Bidders are hereby approved, subject to hearing thereon, and that the same are now on file in the office of the City Clerk for public inspection.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish notice of hearing on the Plans and Specifications, Form of Contract, Bid Security and Estimate of Costs for said project to be held at 5:35 p.m. on Monday, June 1, 2015, with said notice published not less than four (4) days nor more than twenty (20) days prior to the date heretofore fixed.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish Notice to Bidders for said project with publication not less than four (4) days nor more than forty-five (45) days prior to the date for receiving bids. Said bids are to be filed prior to 2:00 p.m. on Wednesday, May 27, 2015.

BE IT FURTHER RESOLVED, that the bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk, Deputy City Clerk, or City Clerk designee at 2:00 p.m. on Wednesday, May 27, 2015, and the results of said bids shall be considered at a meeting of this Council on Monday, June 1, 2015, at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED 18th day of May, 2015.

Steven K. Gaer, Mayor

ATTEST:

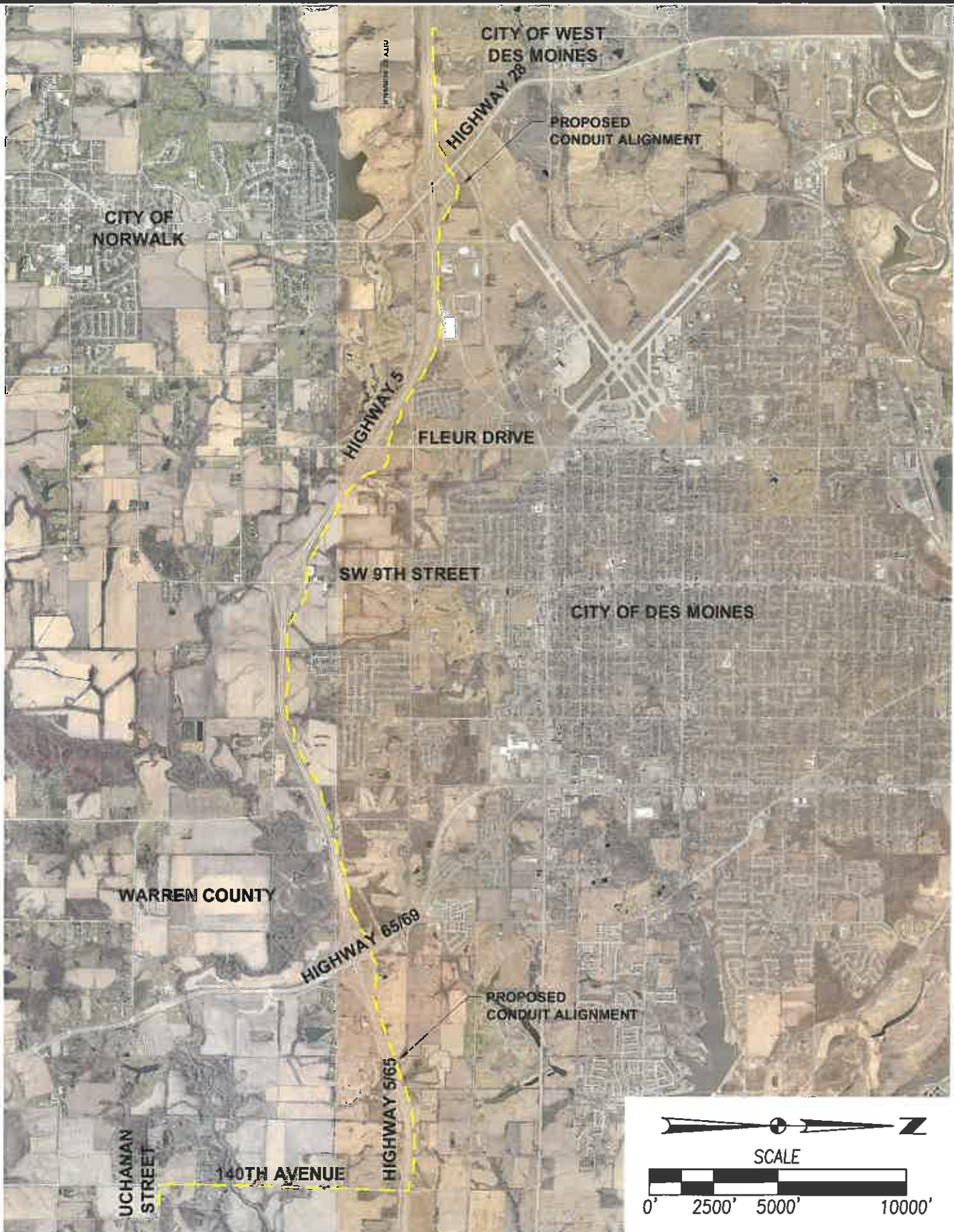
Ryan T. Jacobson, City Clerk

West Des Moines Fiber Interconnect
Engineer's Preliminary Cost Opinion - Yellow Route
West Des Moines, Iowa
May 1, 2015

ITEM NO.	ITEM DESCRIPTION	UNIT	TOTAL QUANTITY	UNIT COST	TOTAL COST
1	Clearing and Grubbing	LS	1	\$ 10,000.00	\$ 10,000.00
2	Traffic Control	LS	1	\$ 5,000.00	\$ 5,000.00
3	Pull Box (2.5 Ft. x 4 Ft. x 4 Ft.), Install Only	EA	73	\$ 1,000.00	\$ 73,000.00
4	Vault (4 Ft. x 6 Ft. x 7 Ft.), Install Only	EA	15	\$ 2,000.00	\$ 30,000.00
5	Conduit, Schedule 80 HDPE, Directional Bored, 4 In.	LF	58764	\$ 18.00	\$ 1,057,752.00
6	Conduit, River Bore, HDPE, 4 In.	LF	765	\$ 50.00	\$ 38,250.00
7	Silt Fence or Filter Sock	LF	8800	\$ 2.00	\$ 17,600.00
8	Maintenance of Silt Fence or Filter Sock	LF	8800	\$ 1.50	\$ 13,200.00
9	Removal of Silt Fence or Filter Sock	LF	8800	\$ 1.50	\$ 13,200.00
10	Hydraulic Seeding, Fertilizing and Mulching, Type 1	ACRE	1	\$ 2,500.00	\$ 2,500.00
11	Erosion Control Mulching, Conventional	ACRE	1	\$ 2,500.00	\$ 2,500.00
12	Fiber Optic Line Marker	EA	88	\$ 150.00	\$ 13,200.00
13	Permit Requirements	LS	1	\$ 20,000.00	\$ 20,000.00
14	As-Built Documentation	LS	1	\$ 35,000.00	\$ 35,000.00
15	SWPPP Management	LS	1	\$ 10,000.00	\$ 10,000.00
16	Conduit and Tracer Wire Acceptance Testing	LS	1	\$ 40,000.00	\$ 40,000.00
17	Potholing of Installed Conduit	EA	86	\$ 250.00	\$ 21,500.00
18	McGard Man Lock Bolt System	EA	176	\$ 200.00	\$ 35,200.00
				Subtotal	\$ 1,437,902.00
				Contingency (15%)	\$ 215,685.30
				Grand Total	\$ 1,653,587.30

Notes:

1. Construction staking is included in CDA's contract with the City of WDM and is not part of this construction cost estimate.
2. Construction cost estimate does not include any annual (or other) Iowa DOT occupancy fees.
3. Construction cost estimate is based on boring one 4-inch HDPE.



1
1
1407.373

**WEST DES MOINES
FIBER INTER-CONNECT
YELLOW ROUTE**
WEST DES MOINES, IOWA



3405 SE CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH: (515) 369-4400 FAX: (515) 369-4410
ENGINEER: TECH:

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(I)1

ITEM:

DATE: May 18, 2015

Resolution - Approving Professional Services Agreement
Law Enforcement Center Roof Replacement
Design Alliance, Inc.

FINANCIAL IMPACT:

The cost of the Professional Services Agreement associated with the design of this project is anticipated not to exceed \$37,900.00 for Basic Services. The resident services portion of this Agreement is anticipated not to exceed \$9,250.00.

Should the cost for the professional services be projected to exceed the amounts set forth in the contract, staff would not authorize such expenditures without further approval by the City Council. All work will be billed on an hourly basis using the established hourly fee structure as set forth in the contract.

Costs for these services can be paid from budgeted account number 3054.75.810.6.7920 with ultimate funding intended to come from the General Fund.

BACKGROUND:

The flat roof at the Law Enforcement Center is budgeted for replacement this fiscal year. The existing roof was installed as part of the original construction in 1991. Minimal maintenance and no rehabilitation of the roofing system has been performed to date. The roof has exceeded the typical lifespan for this type of roof.

On February 9, 2015 City Council approved Design Alliance, Inc. and System Works, LLC to investigate the condition of the metal roof and to provide recommendations for repairs as well as flashing to the new flat roof. The recommendation of this study is complete replacement of the low slope roof at the Law Enforcement Center and Pistol Range Facility. This work will include minor modifications to the metal roof and wall systems, maintenance and repair of metal roof joints, and flashing installation. Approval of this action authorizes Design Alliance to begin design development and preparation of construction drawings for replacement of the roof.

The Engineering Services Department retains design consultants based on their past work experience, qualifications of their staff, familiarity with the project, manpower availability, and past consultant evaluation. Once a firm has been selected based on the above criteria, the City staff then negotiates a fee with the consultant for performing the desired scope of services. The City staff attempts, whenever feasible, to distribute work on an equitable basis to qualified firms maintaining local offices who have expressed interest in working for the City of West Des Moines.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:
- Resolution Approving Professional Services Agreement.

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, P.E., L.S., City Engineer
Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	RTG

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	May 13, 2015		
Recommendation	Yes	No	Split

Resolution Approving Professional Services Agreement

WHEREAS, funding is available for the following described public improvement:

**Law Enforcement Center Roof Replacement
Project No. 0510-069-2014**

and,

WHEREAS, to complete said project Plans, Specifications, Form of Contract, and Estimate of Cost need to be prepared; and,

WHEREAS, Engineering Services Department staff have recommended Plans, Specifications, Form of Contract, and Estimate of Cost be prepared by Design Alliance, Inc., and,

WHEREAS, the Engineering Services Department has obtained a written proposal from Design Alliance, Inc. to do the work requested, which estimates the following cost to the City of West Des Moines;

Basic Professional Services	\$ 37,900.00
Resident Services	\$ 9,250.00

therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that Design Alliance, Inc. is hereby directed to investigate existing conditions and prepare recommendations for the above named public improvement project.

BE IT FURTHER RESOLVED, that the City Clerk is authorized and directed to enter into an agreement with Design Alliance, Inc. for the cost indicated above as payment by the City of West Des Moines for the services indicated.

PASSED AND APPROVED this 18th day of May, 2015.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

This Agreement is made and entered into this _____ day of _____, 2015, by and between the CITY OF WEST DES MOINES, a municipal corporation, hereinafter referred to as "City", and DESIGN ALLIANCE, INC. (Fed. I.D. # 42-1062556), a professional corporation incorporated and licensed under the laws of the State of Iowa, party of the second part, hereinafter referred to as "Consultant" as follows:

THE CITY HEREBY AGREES TO RETAIN THE CONSULTANT FOR THE PROJECT AS DESCRIBED IN THIS AGREEMENT AND CONSULTANT AGREES TO PERFORM THE PROFESSIONAL SERVICES AND FURNISH THE NECESSARY DOCUMENTATION FOR THE PROJECT AS GENERALLY DESCRIBED IN THIS AGREEMENT.

1. SCOPE OF SERVICES

Services provided under this Agreement shall be as further described in Attachment 1, Scope of Services.

2. SCHEDULE

The schedule of the professional services to be performed shall conform to the Schedule set forth in Attachment 2. Any deviations from the Schedule shall be approved by the authorized City representative. The City agrees that the Consultant is not responsible for delays arising from a change in the scope of services, a change in the scale of the Project or delays resulting from causes not directly or indirectly related to the actions of the Consultant.

3. COMPENSATION

A. In consideration of the professional services provided herein, the City agrees to pay the Consultant the following sum NOT-TO-EXCEED, including any authorized reimbursable expenses, pursuant to the Schedule of Fees set forth in Attachment 3.

I. Basic Services of the Consultant	\$ 37,900.00
II. Resident Services of the Consultant	\$ 9,250.00

B. The Consultant shall invoice the City monthly for services, any reimbursable expenses and any approved amendments to this Agreement, based upon services actually completed at the time of the invoice. Final payment shall be due and payable within 30 days of the City's acceptance of Consultant's submission of final deliverables in accordance with the Scope of Services.

C. In consideration of the compensation paid to the Consultant, the Consultant agrees to perform all professional services to the satisfaction of the City by performing the professional services in a manner consistent with that degree of care and skill ordinarily exercised by members of Consultant's profession currently practicing under similar circumstances. If the performance of this Agreement involves the services of others or the furnishing of equipment, supplies, or materials, the Consultant agrees to pay for the same in full.

4. INSURANCE

A. Consultant understands and agrees that Consultant shall have no right of coverage under any and all existing or future City comprehensive, self or personal injury policies. Consultant shall provide insurance coverage for and on behalf of Consultant that will sufficiently protect Consultant or Consultant's representative(s) in connection with the professional services which are to be provided by Consultant pursuant to this Agreement, including protection from claims for bodily injury, death, property damage, and lost income. Consultant shall provide worker's compensation insurance coverage for Consultant and all Consultant's personnel. Consultant shall file applicable

insurance certificates with the City, and shall also provide evidence of the following additional coverage.

- B. The Consultant shall provide evidence of comprehensive general liability coverage and contractual liability insurance by an insurance company licensed to do business in the State of Iowa in the limits of at least \$1,000,000 each personal injury accident and/or death; \$1,000,000 general aggregate personal injury and/or death; and \$1,000,000 for each property damage accident. The evidence shall designate the City as an additional insured, and that it cannot be canceled or materially altered without giving the City at least thirty (30) days written notice by registered mail, return receipt requested.
- C. The Consultant shall also provide evidence of automobile liability coverage in the limits of at least \$1,000,000 bodily injury and property damage combined. The evidence shall designate the City as an additional insured, and that it cannot be cancelled or materially altered without giving the City at least thirty (30) days written notice by registered mail, return receipt requested.
- D. The Consultant shall provide evidence of professional liability insurance, by an insurance company licensed to do business in the State of Iowa, in the limit of \$1,000,000 for claims arising out of the professional liability of the Consultant. Consultant shall provide City written notice within five (5) days by registered mail, return receipt requested of the cancellation or material alteration of the professional liability policy.
- E. Failure of Consultant to maintain any of the insurance coverages set forth above shall constitute a material breach of this Agreement.

1. NOTICE

Any notice to the parties required under this agreement shall be in writing, delivered to the person designated below, by United States mail or in hand delivery, at the indicated address unless otherwise designated in writing.

FOR THE CITY:

Name: City of West Des Moines
Attn: Ryan T. Jacobson, City Clerk
Address: 4200 Mills Civic Parkway
City, State: West Des Moines, IA 50265-0320

FOR THE CONSULTANT:

Name: Design Alliance, Inc.
Attn: David Harrison, AIA
Address: 14225 University Avenue #110
City, State: Waukee, IA 50263

6. GENERAL COMPLIANCE

In the conduct of the professional services contemplated hereunder, the Consultant shall comply with applicable state, federal, and local law, rules, and regulations, technical standards, or specifications issued by the City. Consultant must qualify for and obtain any required licenses prior to commencement of work, including any professional licenses necessary to perform work within the State of Iowa.

7. STANDARD OF CARE

Services provided by the Consultant under this Agreement shall be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances.

8. INDEPENDENT CONTRACTOR

Consultant understands and agrees that the Consultant and Consultant's employees and representatives are not City employees. Consultant shall be solely responsible for payment of

salaries, wages, payroll taxes, unemployment benefits, or any other form of compensation or benefit to Consultant or Consultant's employees, representatives or other personnel performing the professional services specified herein, whether it be of a direct or indirect nature. Further, it is expressly understood and agreed that for such purposes neither Consultant nor Consultant's employees, representatives or other personnel shall be entitled to any City payroll, insurance, unemployment, worker's compensation, retirement, or any other benefits whatsoever.

9. NON-DISCRIMINATION

Consultant will not discriminate against any employee of applicant for employment because of race, color, sex, national origin, religion, age, handicap, or veteran status. Consultant will, where appropriate or required, take affirmative action to ensure that applicants are employed, and that employees are treated, during employment, without regard to their race, color, sex, or national origin, religion, age, handicap, or veteran status. Consultant will cooperate with the City in using Consultant's best efforts to ensure that Disadvantaged Business Enterprises are afforded the maximum opportunity to compete for subcontracts of work under this Agreement.

10. HOLD HARMLESS

Consultant agrees to indemnify and hold harmless the City, its officers, agents, and employees from any and all claims, settlements and judgments, to include all reasonable investigative fees, attorney's fees, and court costs for any damage or loss which is due to or arises from a breach of this Agreement, or from negligent acts, errors or omissions in the performance of professional services under this Agreement and those of its sub consultants or anyone for whom Consultant is legally liable.

11. ASSIGNMENT

Consultant shall not assign or otherwise transfer this Agreement or any right or obligations therein without first receiving prior written consent of the City.

12. APPROPRIATION OF FUNDS

The funds appropriated for this Agreement are equal to or exceed the compensation to be paid to Consultant. The City's continuing obligations under this Agreement may be subject to appropriation of funding by the City Council. In the event that sufficient funding is not appropriated in whole or in part for continued performance of the City's obligations under this Agreement, or if appropriated funding is not expended due to City spending limitations, the City may terminate this Agreement without further compensation to the Consultant. To the greatest extent allowed by law, the City shall compensate Consultant as provided in Section 18(B) of this Agreement.

13. AUTHORIZED AMENDMENTS TO AGREEMENT

- A. The Consultant and the City acknowledge and agree that no amendment to this Agreement or other form, order or directive may be issued by the City which requires additional compensable work to be performed if such work causes the aggregate amount payable under the amendment, order or directive to exceed the amount appropriated for this Agreement as listed in Section 3, above, unless the Consultant has been given a written assurance by the City that lawful appropriation to cover the costs of the additional work has been made.
- B. The Consultant and the City further acknowledge and agree that no amendment to this Agreement or other form, order or directive which requires additional compensable work to be performed under this Agreement shall be issued by the City unless funds are available to pay such additional costs, and the Consultant shall not be entitled to any additional compensation for any additional compensable work performed under this Agreement. The Consultant expressly waives any right to additional compensation, whether in law or equity, unless prior to commencing

the additional work the Consultant was given a written amendment, order or directive describing the additional compensable work to be performed and setting forth the amount of compensation to be paid, such amendment, order or directive to be signed by the authorized City representative. It is the Consultant's sole responsibility to know, determine, and ascertain the authority of the City representative signing any amendment, directive or order.

14. OWNERSHIP OF CONSULTING DOCUMENTS

All sketches, tracings, plans, specifications, reports, and other data prepared under this Agreement shall become the property of the City; a reproducible set shall be delivered to the City at no additional cost to the City upon completion of the plans or termination of the services of the Consultant. All drawings and data shall be transmitted in a durable material, with electronic files provided when feasible to do so. The Consultant's liability for use of the sketches, tracings, plans, specifications, reports, and other data prepared under this Agreement shall be limited to the Project.

15. INTERPRETATION

No amendment or modification of this Agreement shall be valid unless expressed in writing and executed by the parties hereto in the same manner as the execution of the Agreement. This is a completely integrated Agreement and contains the entire agreement of the parties; any prior written or oral agreements shall be of no force or effect and shall not be binding upon either party. The laws of the State of Iowa shall govern and any judicial action under the terms of this Agreement shall be exclusively within the jurisdiction of the district court for Polk County, Iowa.

16. COMPLIANCE WITH FEDERAL LAW

To the extent any federal appropriation has or will be provided for the Project, or any federal requirement is imposed on the Project, Consultant agrees that Consultant will comply with all relevant laws, rules and regulations imposed on City and/or Consultant necessary for receipt of the federal appropriation. Consultant shall provide appropriate certification regarding Consultant's compliance.

17. SOLICITATION AND PERFORMANCE

- A. The Consultant warrants that it has not employed or retained any company or person, other than a bona fide employee working for the Consultant, to solicit or secure this Agreement, and that the Consultant has not paid or agreed to pay any company or person other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift or contingent fee.
- B. The Consultant shall not engage the services of any person or persons in the employ of the City at the time of commencing such services without the written consent of the City.

18. SUSPENSION AND TERMINATION OF AGREEMENT

- A. The right is reserved by the City to suspend this Agreement at any time. Such suspension may be effected by the City giving written notice to the Consultant, and shall be effective as of the date established in the suspension notice. Payment for Consultant's services shall be made by the City for services performed to the date established in the suspension notice. Should the City reinstate the work after notice of suspension, such reinstatement may be accomplished by thirty (30) days written notice within a period of six (6) months after such suspension, unless this period is extended by written consent of the Consultant.
- B. Upon ten (10) days written notice to the Consultant, the City may terminate the Agreement at any time if it is found that reasons beyond the control of either the City or Consultant make it impossible or against the City's interest to complete the Agreement. In such case, the Consultant shall have no claims against the City except for the value of the work performed up to the date the Agreement is terminated.

- C. The City may also terminate this Agreement at any time if it is found that the Consultant has violated any material term or condition of this Agreement or that Consultant has failed to maintain workers' compensation insurance or other insurance provided for in this Agreement. In the event of such default by the Consultant, the City may give ten (10) days written notice to the Consultant of the City's intent to terminate the Agreement. Consultant shall have ten (10) days from notification to remedy the conditions constituting the default.
- D. In the event that this Agreement is terminated in accordance with paragraph C of this section, the City may take possession of any work and may complete any work by whatever means the City may select. The cost of completing said work shall be deducted from the balance which would have been due to the Consultant had the Agreement not been terminated and work completed in accordance with contract documents.
- E. The Consultant may terminate this Agreement if it is found that the City has violated any material term or condition of this Agreement. In the event of such default by the City, the Consultant shall give ten (10) days written notice to the City of the Consultant's intent to terminate the Agreement. City shall have ten (10) days from notification to remedy the conditions constituting the default.

19. TAXES

The Consultant shall pay all sales and use taxes required to be paid to the State of Iowa on the work covered by this Agreement. The Consultant shall execute and deliver and shall cause any sub-consultant or subcontractor to execute and deliver to the City certificates as required to permit the City to make application for refunds of said sales and use taxes as applicable. The City is a municipal corporation and not subject to state and local tax, use tax, or federal excise taxes.

20. SEVERABILITY

If any portion of this Agreement is held invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Agreement shall continue in full force and effect.

21. MISCELLANEOUS HEADINGS

Title to articles, paragraphs, and subparagraphs are for information purposes only and shall not be considered a substantive part of this Agreement.

22. FURTHER ASSURANCES

Each party hereby agrees to execute and deliver such additional instruments and documents and to take all such other action as the other party may reasonably request from time to time in order to effect the provisions and purposes of this Agreement.

23. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall constitute an original document, no other counterpart needing to be produced, and all of which when taken together shall constitute the same instrument.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers or agents on the day and year first above written.

CONSULTANT

CITY OF WEST DES MOINES

BY:  _____

BY: _____

David Harrison, Vice President

Ryan T. Jacobson, City Clerk

ATTACHMENT 1

SCOPE OF SERVICES

Basic Services

Design services for a reroofing project of the low sloped roofs at the West Des Moines Law Enforcement Center and adjacent Pistol Range building.

The design work includes limited structural, mechanical, and electrical engineering services.

- These engineering services are anticipated to involve limited remediation of any structural issues discovered during the project. Services are anticipated to involve: removal and reinstallation of existing mechanical units and removal and reinstallation of the existing lightning suppression system.

The scope of the work includes the preparation of a detailed quantity and unit price opinion of the probable construction cost.

The work included in basic services includes the services normally associated with Design Development, Construction Document, and Bidding Phase services. These services include developing the design in collaboration with City Staff. The project will be publically bid.

Resident Services

The work included in "resident services" includes:

- Visit the project site to observe construction at intervals appropriate to the construction activity.
- Prepare proposal requests for necessary changes to the construction documents.
- Conduct construction meetings and prepare / distribute minutes.
- Prepare and distribute written architect's field reports.
- Review and process shop drawings.
- Resolve construction issues on a timely basis.
- Review and certify Contractor's Pay Applications.
- Address RFI's on a timely basis.
- Prepare Change Orders as required.
- Conduct substantial completion inspection and a final follow-up.
- Review closeout documentation and prepare Certificate of Final Acceptance

The scope does not include surveying, geotechnical explorations or reporting, construction material testing, or special inspections.

ATTACHMENT 2

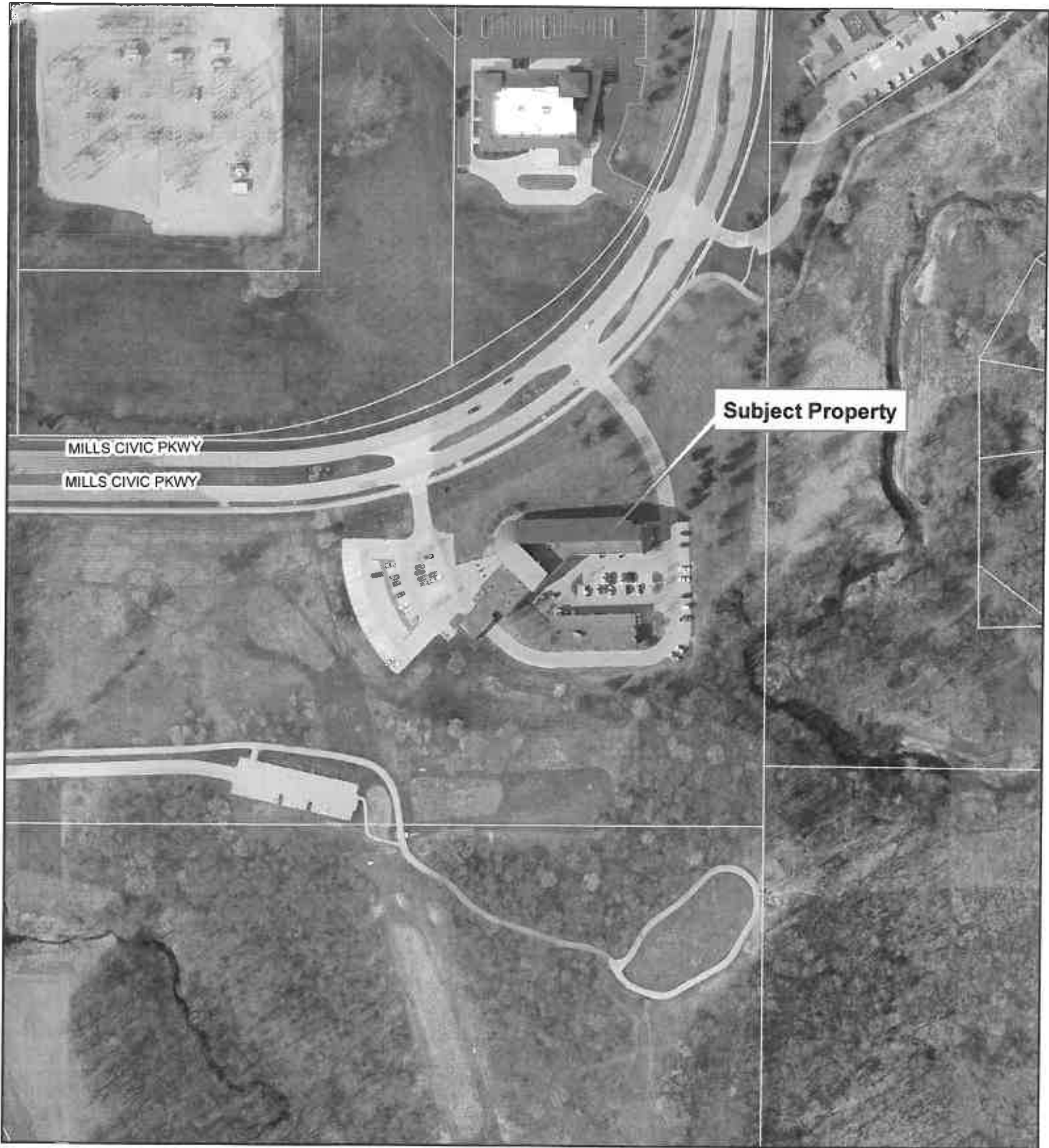
PROJECT SCHEDULE

The following design and construction schedule is anticipated:

- Services normally associated with Design Development shall be complete by June 1, 2015
- Services normally associated with Construction Documents shall be complete by July 1, 2015.
- Bidding shall be complete by August 1, 2015.
- Construction shall be complete by November 1, 2015.

EXHIBIT A
2015
HOURLY RATES

Principal/Architect	\$175.00
Senior Architect	\$158.00
Project Architect	\$150.00
Architect	\$124.00
Project Manager	\$105.00
Senior Designer	\$100.00
Senior Draftsman	\$ 85.00
Junior Draftsman	\$ 63.00
Clerical	\$ 68.00



Law Enforcement Center - 250 Mills Civic Parkway Location Map

0 75 150 300 450 600
Feet



**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(I)2

ITEM:

DATE: May 18, 2015

Resolution - Approving Professional Services Agreement
Law Enforcement Center Garage Structure
Design Alliance, Inc.

FINANCIAL IMPACT:

The cost of the Professional Services Agreement associated with the design of this project is anticipated not to exceed \$50,150.00 for Basic Services. The resident services portion of this Agreement is anticipated not to exceed \$9,400.00.

Should the cost for the professional services be projected to exceed the amounts set forth in the contract, staff would not authorize such expenditures without further approval by the City Council. All work will be billed on an hourly basis using the established hourly fee structure as set forth in the contract.

Costs for these services can be paid from budgeted account number 3043.75.810.6.7910 with the ultimate funding intended to come from the General Fund.

BACKGROUND:

A new garage structure at the Law Enforcement Center is budgeted in fiscal year 2015-16. Approval of this action authorizes Design Alliance to begin design development and preparation of construction drawings for construction of the garage structure.

The Engineering Services Department retains design consultants based on their past work experience, qualifications of their staff, familiarity with the project, manpower availability, and past consultant evaluation. Once a firm has been selected based on the above criteria, the City staff then negotiates a fee with the consultant for performing the desired scope of services. The City staff attempts, whenever feasible, to distribute work on an equitable basis to qualified firms maintaining local offices who have expressed interest in working for the City of West Des Moines.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:
- Resolution Approving Professional Services Agreement.

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, P.E., L.S., City Engineer
Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works			
Date Reviewed	May 13, 2015			
Recommendation	<table border="1"> <tr> <td>Yes</td> <td>No</td> <td>Split</td> </tr> </table>	Yes	No	Split
Yes	No	Split		

Resolution Approving Professional Services Agreement

WHEREAS, funding is available for the following described public improvement:

**Law Enforcement Center Garage Structure
Project No. 0510-006-2015**

and,

WHEREAS, to complete said project Plans, Specifications, Form of Contract, and Estimate of Cost need to be prepared; and,

WHEREAS, Engineering Services Department staff have recommended Plans, Specifications, Form of Contract, and Estimate of Cost be prepared by Design Alliance, Inc., and,

WHEREAS, the Development Services Department has obtained a written proposal from Design Alliance, Inc. to do the work requested, which estimates the following cost to the City of West Des Moines;

Basic Professional Services	\$ 50,150.00
Resident Services	<u>\$ 9,400.00</u>
	\$ 59,550.00

therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that Design Alliance, Inc. is hereby directed to investigate existing conditions and prepare recommendations for the above named public improvement project.

BE IT FURTHER RESOLVED, that the City Clerk is authorized and directed to enter into an agreement with Design Alliance, Inc. for the cost indicated above as payment by the City of West Des Moines for the services indicated.

PASSED AND APPROVED this 18th day of May, 2015.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

This Agreement is made and entered into this _____ day of _____, 2015, by and between the CITY OF WEST DES MOINES, a municipal corporation, hereinafter referred to as "City", and DESIGN ALLIANCE, INC, (Fed. I.D. # 42-1062556), a professional corporation incorporated and licensed under the laws of the State of Iowa, party of the second part, hereinafter referred to as "Consultant" as follows:

THE CITY HEREBY AGREES TO RETAIN THE CONSULTANT FOR THE PROJECT AS DESCRIBED IN THIS AGREEMENT AND CONSULTANT AGREES TO PERFORM THE PROFESSIONAL SERVICES AND FURNISH THE NECESSARY DOCUMENTATION FOR THE PROJECT AS GENERALLY DESCRIBED IN THIS AGREEMENT.

1. SCOPE OF SERVICES

Services provided under this Agreement shall be as further described in Attachment 1, Scope of Services.

2. SCHEDULE

The schedule of the professional services to be performed shall conform to the Schedule set forth in Attachment 2. Any deviations from the Schedule shall be approved by the authorized City representative. The City agrees that the Consultant is not responsible for delays arising from a change in the scope of services, a change in the scale of the Project or delays resulting from causes not directly or indirectly related to the actions of the Consultant.

3. COMPENSATION

A. In consideration of the professional services provided herein, the City agrees to pay the Consultant the following sum NOT-TO-EXCEED, including any authorized reimbursable expenses, pursuant to the Schedule of Fees set forth in Attachment 3.

I. Basic Services of the Consultant	\$ 50,150.00
II. Resident Services of the Consultant	\$ 9,400.00

B. The Consultant shall invoice the City monthly for services, any reimbursable expenses and any approved amendments to this Agreement, based upon services actually completed at the time of the invoice. Final payment shall be due and payable within 30 days of the City's acceptance of Consultant's submission of final deliverables in accordance with the Scope of Services.

C. In consideration of the compensation paid to the Consultant, the Consultant agrees to perform all professional services to the satisfaction of the City by performing the professional services in a manner consistent with that degree of care and skill ordinarily exercised by members of Consultant's profession currently practicing under similar circumstances. If the performance of this Agreement involves the services of others or the furnishing of equipment, supplies, or materials, the Consultant agrees to pay for the same in full.

4. INSURANCE

A. Consultant understands and agrees that Consultant shall have no right of coverage under any and all existing or future City comprehensive, self or personal injury policies. Consultant shall provide insurance coverage for and on behalf of Consultant that will sufficiently protect Consultant or Consultant' representative(s) in connection with the professional services which are to be provided by Consultant pursuant to this Agreement, including protection from claims for bodily injury, death, property damage, and lost income. Consultant shall provide worker's compensation insurance coverage for Consultant and all Consultant's personnel. Consultant shall file applicable

insurance certificates with the City, and shall also provide evidence of the following additional coverage.

- B. The Consultant shall provide evidence of comprehensive general liability coverage and contractual liability insurance by an insurance company licensed to do business in the State of Iowa in the limits of at least \$1,000,000 each personal injury accident and/or death; \$1,000,000 general aggregate personal injury and/or death; and \$1,000,000 for each property damage accident. The evidence shall designate the City as an additional insured, and that it cannot be canceled or materially altered without giving the City at least thirty (30) days written notice by registered mail, return receipt requested.
- C. The Consultant shall also provide evidence of automobile liability coverage in the limits of at least \$1,000,000 bodily injury and property damage combined. The evidence shall designate the City as an additional insured, and that it cannot be cancelled or materially altered without giving the City at least thirty (30) days written notice by registered mail, return receipt requested.
- D. The Consultant shall provide evidence of professional liability insurance, by an insurance company licensed to do business in the State of Iowa, in the limit of \$1,000,000 for claims arising out of the professional liability of the Consultant. Consultant shall provide City written notice within five (5) days by registered mail, return receipt requested of the cancellation or material alteration of the professional liability policy.
- E. Failure of Consultant to maintain any of the insurance coverages set forth above shall constitute a material breach of this Agreement.

1. NOTICE

Any notice to the parties required under this agreement shall be in writing, delivered to the person designated below, by United States mail or in hand delivery, at the indicated address unless otherwise designated in writing.

FOR THE CITY:

Name: City of West Des Moines
Attn: Ryan T. Jacobson, City Clerk
Address: 4200 Mills Civic Parkway
City, State: West Des Moines, IA 50265-0320

FOR THE CONSULTANT:

Name: Design Alliance, Inc.
Attn: David Harrison, AIA
Address: 14225 University Avenue #110
City, State: Waukee, IA 50263

6. GENERAL COMPLIANCE

In the conduct of the professional services contemplated hereunder, the Consultant shall comply with applicable state, federal, and local law, rules, and regulations, technical standards, or specifications issued by the City. Consultant must qualify for and obtain any required licenses prior to commencement of work, including any professional licenses necessary to perform work within the State of Iowa.

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CONSULTANT

CITY OF WEST DES MOINES

BY: _____

BY: _____

David Harrison, Vice President

Ryan T. Jacobson, City Clerk

ATTACHMENT 1

SCOPE OF SERVICES

Basic Services

Design services for a new Vehicle Garage located at the West Des Moines Law Enforcement Center.

The design work includes civil, structural, mechanical, and electrical engineering services.

The scope of the work includes the preparation of a detailed quantity and unit price opinion of the probable construction cost.

The work included in basic services includes the services normally associated with Design Development, Construction Document, and Bidding Phase services. These services include developing the design in collaboration with City Staff. The project will be publically bid.

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The work included in "resident services" includes:

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ATTACHMENT 2

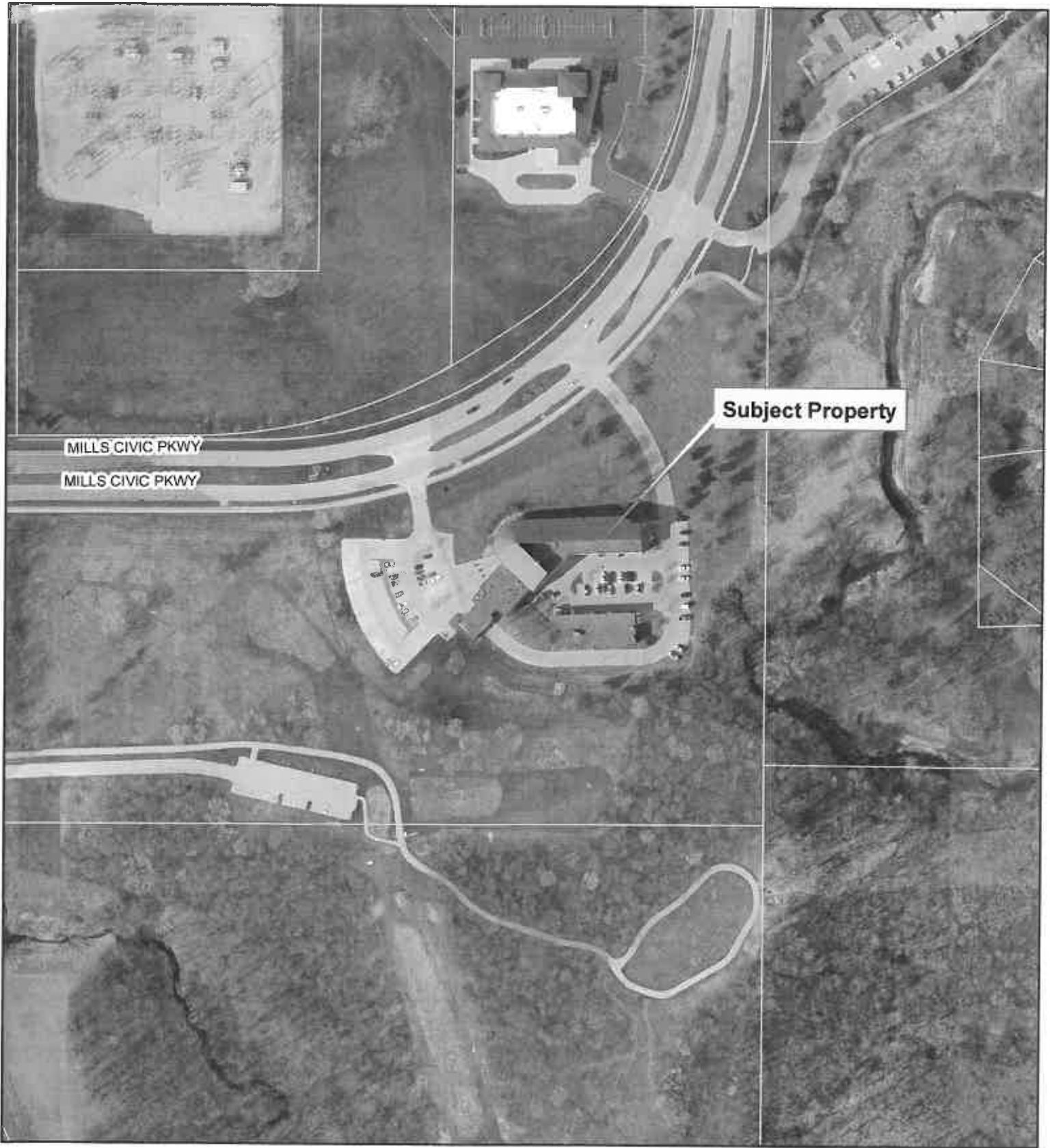
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Law Enforcement Center - 250 Mills Civic Parkway Location Map



**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(I)3

ITEM:

DATE: May 18, 2015

Resolution - Approving Professional Services Agreement
Public Services Facility Master Plan Study & Grading Plan
FEH Associates, Inc.

FINANCIAL IMPACT:

The cost of the Professional Services Agreement associated with the design of this project is anticipated not to exceed \$118,142.00. The resident services portion of this Agreement is anticipated not to exceed \$5,400.00.

Should the cost for the professional services be projected to exceed the amounts set forth in the contract, staff would not authorize such expenditures without further approval by the City Council. All work will be billed on an hourly basis using the established hourly fee structure as set forth in the contract. All costs for these services can be paid from budgeted account no. 4128.75.820.6.7920 with the ultimate funding intended to come from Road Use Tax.

BACKGROUND:

Approval of this action authorizes FEH Associates, Inc. to prepare a master plan, construction documents, and provide construction phase services for site master planning and rough grading of the future Public Services Facility (8800 block Grand Avenue).

The Engineering Services Department retains design consultants based on their past work experience, qualifications of their staff, familiarity with the project, manpower availability, and past consultant evaluation. Once a firm has been selected based on the above criteria, the City staff then negotiates a fee with the consultant for performing the desired scope of services. The City staff attempts, whenever feasible, to distribute work on an equitable basis to qualified firms maintaining local metropolitan area offices who have expressed interest in working for the City of West Des Moines.

OUTSTANDING ISSUES: None

RECOMMENDATION:

City Council Adopt:
- Resolution Approving Professional Services Agreement.

Lead Staff Member: Duane Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane Wittstock, City Engineer
Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	RTJ

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	May 13, 2015		
Recommendation	Yes	No	Split

Resolution Approving Professional Services Agreement

WHEREAS, funding is available for the following described public improvement:

**Public Services Facility Master Plan Study & Grading Plan
Project No. 0510-019-2015**

and,

WHEREAS, to complete said project Master Plan, Plans, Specifications, Form of Contract, and Estimate of Cost; and,

WHEREAS, the Engineering Services Department has recommended Master Plan, Plans, Specifications, Form of Contract, and Estimate of cost be prepared by FEH Associates, Inc. and,

WHEREAS, the Engineering Services Department has obtained a written proposal from FEH Associates, Inc. to do the work requested, which estimates the following cost to the City of West Des Moines;

Basic Engineer Services	\$ 118,142.00
Resident Engineer Services	<u>\$ 5,400.00</u>
Total	<u>\$ 123,542.00</u>

therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that FEH Associates, Inc. is hereby directed to prepare Master Plan, Plans, Specifications, Form of Contract, and Estimate of Cost for the above named public improvement project.

BE IT FURTHER RESOLVED, that the City Clerk is authorized and directed to enter into an agreement with FEH Associates, Inc. for the cost indicated above as payment by the City of West Des Moines for the services indicated.

PASSED AND APPROVED this 18th day of May, 2015.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

This Agreement is made and entered into this 18th day of May, 2015, by and between the CITY OF WEST DES MOINES, a municipal corporation, hereinafter referred to as "City", and FEH ASSOCIATES INC, (Fed. I.D. # 42-0838764), a professional corporation incorporated and licensed under the laws of the State of Iowa, party of the second part, hereinafter referred to as "Consultant" as follows:

THE CITY HEREBY AGREES TO RETAIN THE CONSULTANT FOR THE PROJECT AS DESCRIBED IN THIS AGREEMENT AND CONSULTANT AGREES TO PERFORM THE PROFESSIONAL SERVICES AND FURNISH THE NECESSARY DOCUMENTATION FOR THE PROJECT AS GENERALLY DESCRIBED IN THIS AGREEMENT.

1. SCOPE OF SERVICES

Services provided under this Agreement shall be as further described in Attachment 1, Scope of Services.

2. SCHEDULE

The schedule of the professional services to be performed shall conform to the Schedule set forth in Attachment 2. Any deviations from the Schedule shall be approved by the authorized City representative. The City agrees that the Consultant is not responsible for delays arising from a change in the scope of services, a change in the scale of the Project or delays resulting from causes not directly or indirectly related to the actions of the Consultant.

3. COMPENSATION

A. In consideration of the professional services provided herein, the City agrees to pay the Consultant the following sum NOT-TO-EXCEED, including any authorized reimbursable expenses, pursuant to the Schedule of Fees set forth in Attachment 3.

I. Basic Services of the Consultant	\$118,142.00
II. Resident Services of the Consultant	\$5,400.00

B. The Consultant shall invoice the City monthly for services, any reimbursable expenses and any approved amendments to this Agreement, based upon services actually completed at the time of the invoice. Final payment shall be due and payable within 30 days of the City's acceptance of Consultant's submission of final deliverables in accordance with the Scope of Services.

C. In consideration of the compensation paid to the Consultant, the Consultant agrees to perform all professional services to the satisfaction of the City by performing the professional services in a manner consistent with that degree of care and skill ordinarily exercised by members of Consultant's profession currently practicing under similar circumstances. If the performance of this Agreement involves the services of others or the furnishing of equipment, supplies, or materials, the Consultant agrees to pay for the same in full.

4. INSURANCE

A. Consultant understands and agrees that Consultant shall have no right of coverage under any and all existing or future City comprehensive, self or personal injury policies. Consultant shall provide insurance coverage for and on behalf of Consultant that will sufficiently protect Consultant or Consultant representative(s) in connection with the professional services which are to be provided by Consultant pursuant to this Agreement, including protection from claims for bodily injury, death, property damage, and lost income. Consultant shall provide worker's compensation insurance coverage for Consultant and all Consultant's personnel. Consultant shall file applicable

insurance certificates with the City, and shall also provide evidence of the following additional coverage.

- B. The Consultant shall provide evidence of comprehensive general liability coverage and contractual liability insurance by an insurance company licensed to do business in the State of Iowa in the limits of at least \$1,000,000 each personal injury accident and/or death; \$1,000,000 general aggregate personal injury and/or death; and \$1,000,000 for each property damage accident. The evidence shall designate the City as an additional insured, and that it cannot be canceled or materially altered without giving the City at least thirty (30) days written notice by registered mail, return receipt requested.
- C. The Consultant shall also provide evidence of automobile liability coverage in the limits of at least \$1,000,000 bodily injury and property damage combined. The evidence shall designate the City as an additional insured, and that it cannot be cancelled or materially altered without giving the City at least thirty (30) days written notice by registered mail, return receipt requested.
- D. The Consultant shall provide evidence of professional liability insurance, by an insurance company licensed to do business in the State of Iowa, in the limit of \$1,000,000 for claims arising out of the professional liability of the Consultant. Consultant shall provide City written notice within five (5) days by registered mail, return receipt requested of the cancellation or material alteration of the professional liability policy.
- E. Failure of Consultant to maintain any of the insurance coverages set forth above shall constitute a material breach of this Agreement.

5. NOTICE

Any notice to the parties required under this agreement shall be in writing, delivered to the person designated below, by United States mail or in hand delivery, at the indicated address unless otherwise designated in writing.

FOR THE CITY:

Name: City of West Des Moines
Attn: Ryan T. Jacobson, City Clerk
Address: 4200 Mills Civic Parkway
City, State: West Des Moines, IA 50265-0320

FOR THE CONSULTANT:

Name: FEH Associates Inc.
Attn: Dennis Sharp, AIA
Address: 604 East Grand Avenue
City, State: Des Moines, IA 50309

6. GENERAL COMPLIANCE

In the conduct of the professional services contemplated hereunder, the Consultant shall comply with applicable state, federal, and local law, rules, and regulations, technical standards, or specifications issued by the City. Consultant must qualify for and obtain any required licenses prior to commencement of work, including any professional licenses necessary to perform work within the State of Iowa.

7. STANDARD OF CARE

Services provided by the Consultant under this Agreement shall be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances.

8. INDEPENDENT CONTRACTOR

Consultant understands and agrees that the Consultant and Consultant's employees and representatives are not City employees. Consultant shall be solely responsible for payment of salaries, wages, payroll taxes, unemployment benefits, or any other form of compensation or benefit

to Consultant or Consultant's employees, representatives or other personnel performing the professional services specified herein, whether it be of a direct or indirect nature. Further, it is expressly understood and agreed that for such purposes neither Consultant nor Consultant's employees, representatives or other personnel shall be entitled to any City payroll, insurance, unemployment, worker's compensation, retirement, or any other benefits whatsoever.

9. NON-DISCRIMINATION

Consultant will not discriminate against any employee of applicant for employment because of race, color, sex, national origin, religion, age, handicap, or veteran status. Consultant will, where appropriate or required, take affirmative action to ensure that applicants are employed, and that employees are treated, during employment, without regard to their race, color, sex, or national origin, religion, age, handicap, or veteran status. Consultant will cooperate with the City in using Consultant's best efforts to ensure that Disadvantaged Business Enterprises are afforded the maximum opportunity to compete for subcontracts of work under this Agreement.

10. HOLD HARMLESS

Consultant agrees to indemnify and hold harmless the City, its officers, agents, and employees from any and all claims, settlements and judgments, to include all reasonable investigative fees, attorney's fees, and court costs for any damage or loss which is due to or arises from a breach of this Agreement, or from negligent acts, errors or omissions in the performance of professional services under this Agreement and those of its sub consultants or anyone for whom Consultant is legally liable.

11. ASSIGNMENT

Consultant shall not assign or otherwise transfer this Agreement or any right or obligations therein without first receiving prior written consent of the City.

12. APPROPRIATION OF FUNDS

The funds appropriated for this Agreement are equal to or exceed the compensation to be paid to Consultant. The City's continuing obligations under this Agreement may be subject to appropriation of funding by the City Council. In the event that sufficient funding is not appropriated in whole or in part for continued performance of the City's obligations under this Agreement, or if appropriated funding is not expended due to City spending limitations, the City may terminate this Agreement without further compensation to the Consultant. To the greatest extent allowed by law, the City shall compensate Consultant as provided in Section 18(B) of this Agreement.

13. AUTHORIZED AMENDMENTS TO AGREEMENT

- A. The Consultant and the City acknowledge and agree that no amendment to this Agreement or other form, order or directive may be issued by the City which requires additional compensable work to be performed if such work causes the aggregate amount payable under the amendment, order or directive to exceed the amount appropriated for this Agreement as listed in Section 3, above, unless the Consultant has been given a written assurance by the City that lawful appropriation to cover the costs of the additional work has been made.
- B. The Consultant and the City further acknowledge and agree that no amendment to this Agreement or other form, order or directive which requires additional compensable work to be performed under this Agreement shall be issued by the City unless funds are available to pay such additional costs, and the Consultant shall not be entitled to any additional compensation for any additional compensable work performed under this Agreement. The Consultant expressly waives any right to additional compensation, whether in law or equity, unless prior to commencing the additional work the Consultant was given a written amendment, order or directive describing the additional compensable work to be performed and setting forth the amount of compensation

to be paid, such amendment, order or directive to be signed by the authorized City representative. It is the Consultant's sole responsibility to know, determine, and ascertain the authority of the City representative signing any amendment, directive or order.

14. OWNERSHIP OF CONSULTING DOCUMENTS

All sketches, tracings, plans, specifications, reports, and other data prepared under this Agreement shall become the property of the City; a reproducible set shall be delivered to the City at no additional cost to the City upon completion of the plans or termination of the services of the Consultant. All drawings and data shall be transmitted in a durable material, with electronic files provided when feasible to do so. The Consultant's liability for use of the sketches, tracings, plans, specifications, reports, and other data prepared under this Agreement shall be limited to the Project.

15. INTERPRETATION

No amendment or modification of this Agreement shall be valid unless expressed in writing and executed by the parties hereto in the same manner as the execution of the Agreement. This is a completely integrated Agreement and contains the entire agreement of the parties; any prior written or oral agreements shall be of no force or effect and shall not be binding upon either party. The laws of the State of Iowa shall govern and any judicial action under the terms of this Agreement shall be exclusively within the jurisdiction of the district court for Polk County, Iowa.

16. COMPLIANCE WITH FEDERAL LAW

To the extent any federal appropriation has or will be provided for the Project, or any federal requirement is imposed on the Project, Consultant agrees that Consultant will comply with all relevant laws, rules and regulations imposed on City and/or Consultant necessary for receipt of the federal appropriation. Consultant shall provide appropriate certification regarding Consultant's compliance.

17. SOLICITATION AND PERFORMANCE

- A. The Consultant warrants that it has not employed or retained any company or person, other than a bona fide employee working for the Consultant, to solicit or secure this Agreement, and that the Consultant has not paid or agreed to pay any company or person other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift or contingent fee.
- B. The Consultant shall not engage the services of any person or persons in the employ of the City at the time of commencing such services without the written consent of the City.

18. SUSPENSION AND TERMINATION OF AGREEMENT

- A. The right is reserved by the City to suspend this Agreement at any time. Such suspension may be effected by the City giving written notice to the Consultant, and shall be effective as of the date established in the suspension notice. Payment for Consultant's services shall be made by the City for services performed to the date established in the suspension notice. Should the City reinstate the work after notice of suspension, such reinstatement may be accomplished by thirty (30) days written notice within a period of six (6) months after such suspension, unless this period is extended by written consent of the Consultant.
- B. Upon ten (10) days written notice to the Consultant, the City may terminate the Agreement at any time if it is found that reasons beyond the control of either the City or Consultant make it impossible or against the City's interest to complete the Agreement. In such case, the Consultant shall have no claims against the City except for the value of the work performed up to the date the Agreement is terminated.
- C. The City may also terminate this Agreement at any time if it is found that the Consultant has violated any material term or condition of this Agreement or that Consultant has failed to maintain

workers' compensation insurance or other insurance provided for in this Agreement. In the event of such default by the Consultant, the City may give ten (10) days written notice to the Consultant of the City's intent to terminate the Agreement. Consultant shall have ten (10) days from notification to remedy the conditions constituting the default.

- D. In the event that this Agreement is terminated in accordance with paragraph C of this section, the City may take possession of any work and may complete any work by whatever means the City may select. The cost of completing said work shall be deducted from the balance which would have been due to the Consultant had the Agreement not been terminated and work completed in accordance with contract documents.
- E. The Consultant may terminate this Agreement if it is found that the City has violated any material term or condition of this Agreement. In the event of such default by the City, the Consultant shall give ten (10) days written notice to the City of the Consultant's intent to terminate the Agreement. City shall have ten (10) days from notification to remedy the conditions constituting the default.

19. TAXES

The Consultant shall pay all sales and use taxes required to be paid to the State of Iowa on the work covered by this Agreement. The Consultant shall execute and deliver and shall cause any sub-consultant or subcontractor to execute and deliver to the City certificates as required to permit the City to make application for refunds of said sales and use taxes as applicable. The City is a municipal corporation and not subject to state and local tax, use tax, or federal excise taxes.

20. SEVERABILITY

If any portion of this Agreement is held invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Agreement shall continue in full force and effect.

21. MISCELLANEOUS HEADINGS

Title to articles, paragraphs, and subparagraphs are for information purposes only and shall not be considered a substantive part of this Agreement.

22. FURTHER ASSURANCES

Each party hereby agrees to execute and deliver such additional instruments and documents and to take all such other action as the other party may reasonably request from time to time in order to effect the provisions and purposes of this Agreement.

23. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall constitute an original document, no other counterpart needing to be produced, and all of which when taken together shall constitute the same instrument.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers or agents on the day and year first above written.

CONSULTANT

CITY OF WEST DES MOINES

BY: _____
Dennis Sharp, AIA, President

BY: _____
Ryan T. Jacobson, City Clerk

ATTACHMENT 1

SCOPE OF SERVICES

Master Planning:

- Initial meeting: Meeting with the full design team and all potential stakeholders to discuss in general the goals and objectives for the project and potential opportunities.
- Existing Facilities and Equipment Review
- Preliminary Geotechnical Exploration
- Flood Plain: Review flood plain information to identify developable area, potential building locations and required building finish floor elevations.
- Final Platting: Complete the platting process for the parcel
- Site analysis: Review existing information for the site area and conduct an onsite review of the property, access points and surrounding land uses. The design team will identify:
 - Zoning requirements and buildable area on site
 - Consider building orientation for natural light and solar exposures
 - Proximity and connectivity to the Trails and Greenway on site.
 - Prepare a site analysis identifying critical items to be considered in the development of a Master Plan for the site.
- Workshops/Review Meeting: Conduct meetings with each of the stakeholders to gather pre-planning input to assist the architect in understanding each group's priorities and requirements.
- Site Planning Design Charrette: The design team will set up a studio on site in West Des Moines for a site planning design session. Several design options will be developed and refined based on stakeholder review and input. These design options explored, refined and developed working towards stakeholder consensus on the best solution for the new site.
- Design Refinement: Conceptual drawings will be updated based on final staff and stakeholder review
- Phasing Plan: Develop a Phasing Plan for the project that addresses priorities and funding availability.
- Architectural Character: The architect will identify appropriate material palates and precedent images for the future development of the site.
- Storm Water Management: Prepare a master storm water management plan for the project site
- City Development Approval Process: Submit PUD document for review and approval.
- Present Master Plan/PUD to the City Council review in a workshop format.
- Final Report: The architect will generate a final report documenting the planning process and resulting Master Plan for the West Des Moines Public Works site.

Grading Plan

- Prepare a grading plan for the entire site for initial grading including initial floor elevations, spot elevations for paving with one foot contours.
- Prepare a Storm Water Pollution Prevention Plan and Report.
- City Development Approval Process: Submit grading plan document for review and approval.

Resident Services for Site Grading

- Conduct a site review of the site grading to verify grading work is complete.
- Provide as-built topography survey of the site grading and storm sewer system once the Contractor has completed the grading work.
- Review the as-built grading survey in comparison with the proposed grading plan. Identify areas on the site which do not meet proposed grades within the specified tolerances. Provide information to Contractor for their final site adjustments.
- Provide approval and certification that the site grading meets the grading plan design and elevations.

ATTACHMENT 2

PROJECT SCHEDULE

The following schedule is developed as a guide for coordination of events surrounding the implementation of the Project. This schedule is to be used as a baseline to organize other parties and events where input is needed and will be updated on a monthly basis

May 18, 2015	Agreement approved
Start June 1, 2015	Initial meeting, Review existing facilities, Preliminary geotechnical work, Final plat
Start June 15, 2015	Workshop Review Meetings
Week of July 6, 2015	Site Planning Charrette
Start July 13, 2015	Design Refinement and Phasing Plans, PUD Plan, Grading Plan
October 5, 2015	Grading Starts on Site



RATE SCHEDULE

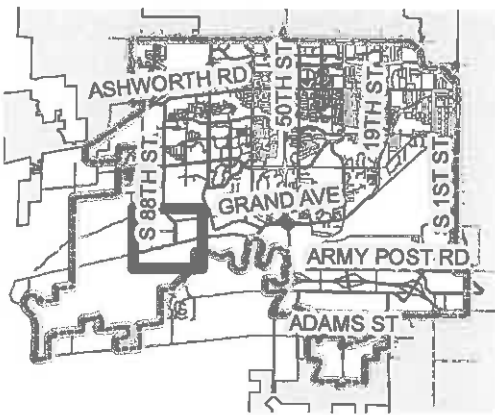
POSITION	Billing Rates
Administrative	65.00
Cadd Technician	70.00
Senior Cadd Technician	75.00
Interior Designer1	75.00
Interior Designer2	120.00
Intern Architect Designer1	75.00
Intern Architect Designer2	80.00
Intern Architect Designer3	85.00
Project Architect1	90.00
Project Architect2	100.00
Project Architect3	120.00
Structural Engineer1	110.00
Structural Engineer2	145.00
Project Manager1	120.00
Project Manager2	145.00
Senior Project Manager	145.00
Principal	155.00
Senior Principal	175.00
Reimbursable Expenses billed at Cost plus 10%	
Mileage	At IRS Rate

SNYDER & ASSOCIATES, INC.
2015-16
STANDARD FEE SCHEDULE

Billing Classification/Level	Billing Rate
Professional	
<i>Engineer, Landscape Architect, Land Surveyor, Legal, GIS, Environmental Scientist Project Manager, Planner, Right-of-Way Agent, Graphic Designer</i>	
Principal	\$183.00 /hour
Principal	\$172.00 /hour
Senior	\$156.00 /hour
VIII	\$144.00 /hour
VII	\$137.00 /hour
VI	\$132.00 /hour
V	\$123.00 /hour
IV	\$112.00 /hour
III	\$104.00 /hour
II	\$94.00 /hour
I	\$81.00 /hour
Technical	
<i>Technicians—CADD, Survey, Construction Observation</i>	
Lead	\$110.00 /hour
Senior	\$106.00 /hour
VIII	\$99.00 /hour
VII	\$91.00 /hour
VI	\$81.00 /hour
V	\$73.00 /hour
IV	\$67.00 /hour
III	\$56.00 /hour
II	\$47.00 /hour
I	\$42.00 /hour
Administrative	
II	\$56.00 /hour
I	\$46.00 /hour
Reimbursables	
Mileage	<i>current IRS standard rate</i>
Outside Services	<i>As Invoiced</i>



VICINITY MAP



LEGEND

PROJECT LOCATION



**CITY OF WEST DES MOINES
ENGINEERING SERVICES**
4200 MILLS CIVIC PARKWAY
WEST DES MOINES, IOWA 50265
PH: (515) 222-3820 FAX: (515) 273-0602

PROJECT:	PUBLIC SERVICES FACILITY MASTER PLAN	
LOCATION:	EXHIBIT "A"	
DRAWN BY:	BJM	DATE: 5/14/2015
		SHT. 1 OF 1

Project No. 0510-019-2015

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: May 18, 2015

ITEM: Waterbury Building, 7765 Office Plaza Drive North – Approval of extension of entitlement – R & R Realty Group - SP-2003-28

RESOLUTION: Approval of Extension of Entitlement for Waterbury Building

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Tom Rupprecht with R&R Realty Group, is requesting an extension of the entitlement for a site plan to construct an office building at 7765 Office Plaza Drive North. The approved Site Plan proposes the construction of a 52,800 sq. ft., single story office building. The site plan was originally approved by the City Council September 20, 1999, but entitlement expired in September, 2001. A new site plan approval was granted in June, 2004.

The following extensions have been granted:

- On May 8, 2006, Council extended entitlement to June 7, 2007.
- On May 7, 2007, Council extended entitlement to June 7, 2008.
- On May 5, 2008, Council extended entitlement to June 7, 2009.
- On May 18, 2009, Council extended entitlement to June 7, 2010.
- On May 3, 2010, Council extended entitlement to June 7, 2011.
- On May 16, 2011, Council extended entitlement to June 7, 2012.
- On May 14, 2012, Council extended entitlement to June 7, 2013.
- On May 13, 2013, Council extended entitlement to June 7, 2014.
- On June 2, 2014, Council extended entitlement to June 7, 2015.

CITY COUNCIL SUBCOMMITTEE: This item was not presented to the Development and Planning City Council Subcommittee. Past request for entitlement extension have been presented with no opposition expressed.

OUTSTANDING ISSUES: There are no outstanding issues. The applicant has stated that they are in agreement with all of staff's recommended conditions of approval.

FINDINGS: This request has been review by city staff, and based upon that review, the following findings have been made:

1. There have been no changes to the provisions of the comprehensive plan or zoning regulations applicable to the project since the approval of the entitlement or the extension of entitlement has been conditioned to comply with all regulations,
2. There have been no changes in the character of the site or its surroundings which affect how the standards of the comprehensive plan or zoning regulations apply to the project, and;
3. There have been no changes in the character of the site or its surroundings which detrimentally affect the environment.




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 a one year extension of entitlement for the Waterbury Building (SP-2003-028) to June 7, 2016, subject to the applicant meeting all City Code requirements and the following conditions of approval:

1. Prior to initiating any grading or construction activity on the site, the applicant providing written confirmation to the Building Division that if necessary a current National Pollutant Discharge Elimination System (NPDES) Permit has been obtained from the Iowa Department of Natural Resources (IDNR);

2. Prior to issuance of any occupancy permits, including temporary occupancy permits, the applicant complying with the City's Storm Water Ordinance (adopted November 1, 2007) which requires the execution of a "Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement" for post-construction storm water issues; and,
3. The applicant acknowledging that the building will have to be constructed in accordance with adopted building and fire codes which are in existence at the time when the building permit is requested.

Lead Staff Member: Lynne Twedt, Case Planner

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

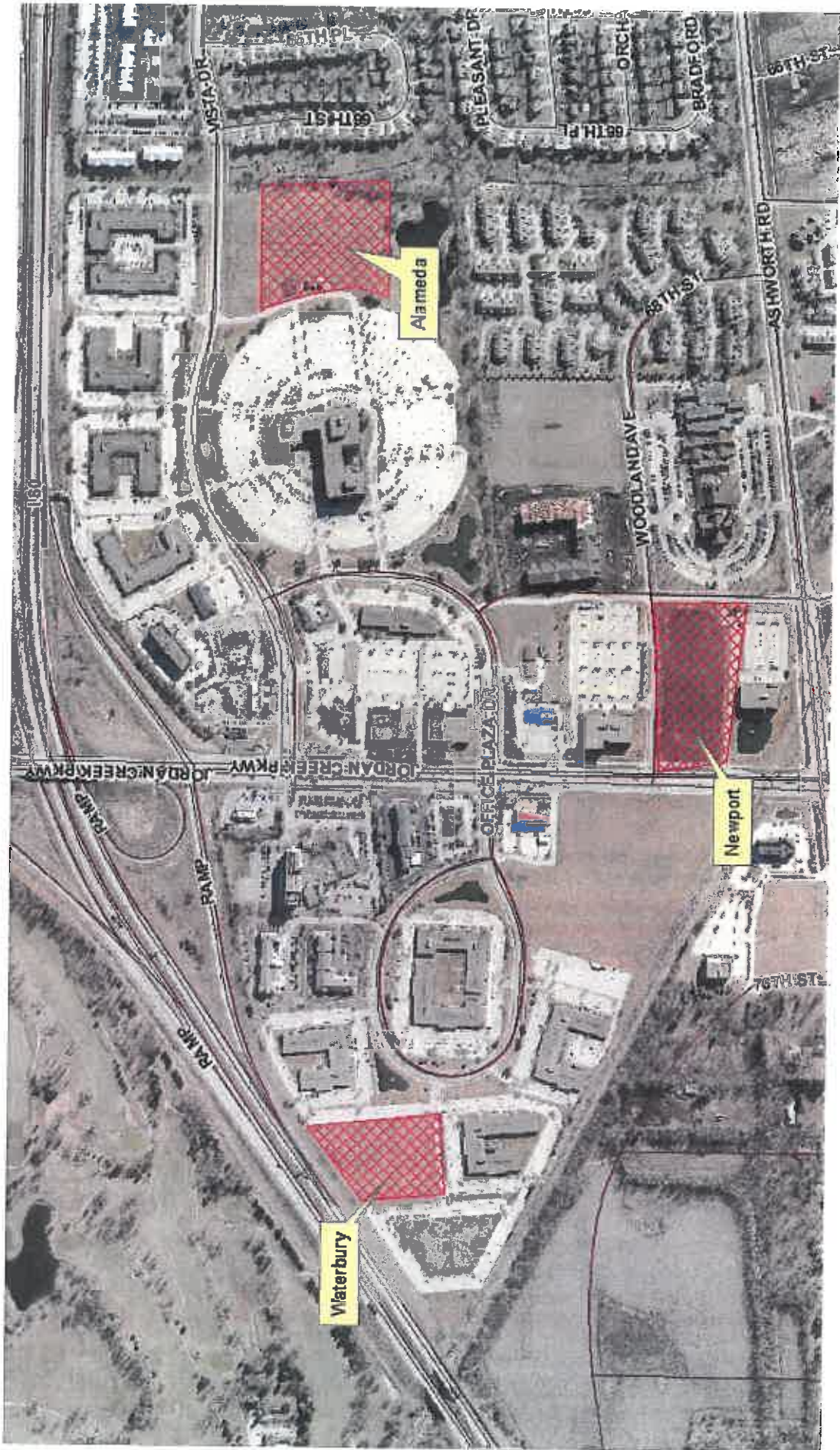
Published In	N/A
Date(s) Published	
Letter sent to surrounding property owners	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	n/a		
Recommendation	Yes	No	Split

ATTACHMENTS:

- Attachment A - Location Map
- Attachment B - Request Letter
- Attachment C - City Council Resolution





*Real estate.
Results.*

May 1, 2015

Lynne Twedt
Development Services Director
Development Services Department – Planning Division
The City of West Des Moines
4200 Mills Civic Parkway
P.O. Box 65320
West Des Moines, IA 50265-0320

RE: Preliminary Site Plans Extension Requests for:

1. Alameda Office Building at 6770 Vista Drive
2. Newport Office Building at 1055 Jordan Creek Parkway
3. Waterbury Office Building at 7765 Office Plaza Drive North

Dear Lynne:

Pursuant to this letter, R&R Realty Group is requesting extensions for the approved site plans regarding the following office buildings:

1. Alameda Office Building. The original site plan was approved by the West Des Moines City Council on September 13, 2004. On August 28, 2006, the West Des Moines City Council approved the extension of the preliminary site to August 28, 2007 and has annually granted extensions. The most recent extension was granted on June 2, 2014 extending site plan approval to June 7, 2015.
2. Newport Office Building. The original site plan was approved by the West Des Moines City Council on August 1, 2005. On July 16, 2007 the West Des Moines City Council approved extending the approved site plan to August 1, 2008 and has annually granted extensions. The most recent extension was granted on June 2, 2014 extending site plan approval to June 7, 2015.
3. Waterbury Office Building. The applicable site plan was approved by the West Des Moines City Council on June 7, 2004. On May 8, 2006 the City Council approved extending the approved site plan to June 7, 200 and has annually granted extensions. The most recent extension was granted on June 2, 2014 extending site plan approval to June 7, 2015.

Lynne Twedt
Development Services Director
Development Services Department – Planning Division
The City of West Des Moines

Page 2

Currently, substantial building and site construction will not be completed by June 7, 2015; therefore, the owner is asking for one-year extensions of the previous extension approvals.

If you need any additional information from me, please let me know. I understand that this request will be taken to the City Council. Please advise of the date for consideration by the City Council and anything that I may need to do in advance of that meeting.

Very truly yours,



Tom Rupprecht
President

TR/sb

cc: Steven K. Gaer

Prepared by: L.Twedt, Dept of Development Services P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING AN EXTENSION OF ENTITLEMENT FOR AN APPROVED SITE PLAN (SP-2003-028) TO CONSTRUCT AN OFFICE BUILDING

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, R&R Realty, has requested an extension of entitlement for an approved Site Plan Development Permit (SP-2003-028) for that certain 5.38 acre site, located at 7765 Office Plaza Drive North, for the purpose of constructing a single-story office building;

Legal Description of Property

LOT 4, COUNTRY CLUB OFFICE PLAZA PLAT 3, OFFICIAL PLAT,
CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on, May 18, 2015, this City Council held a duly-noticed meeting to consider the request for an extension of entitlement for the approved Site Plan (SP-2003-028) to a date of June 7, 2016;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated May 18, 2015, or as amended orally at the City Council meeting of May 18, 2015, are adopted.

SECTION 2. EXTENSION OF ENTITLEMENT FOR APPROVED SITE PLAN (SP-2003-028) is approved, subject to compliance with all the conditions in the staff report, dated May 18, 2015, including conditions added at the meeting, and attached hereto as Exhibit "A", if any. Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on May 18, 2015.

John Mickelson, Mayor Pro tem

ATTEST:

Ryan T. Jacobson
City Clerk

EXHIBIT A

1. Prior to initiating any grading or construction activity on the site, the applicant providing written confirmation to the Building Division that if necessary a current National Pollutant Discharge Elimination System (NPDES) Permit has been obtained from the Iowa Department of Natural Resources (IDNR);
2. Prior to issuance of any occupancy permits, including temporary occupancy permits, the applicant complying with the City's Storm Water Ordinance (adopted November 1, 2007) which requires the execution of a "Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement" for post-construction storm water issues; and,
3. The applicant acknowledging that the building will have to be constructed in accordance with adopted building and fire codes which are in existence at the time when the building permit is requested.

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: May 18, 2015

ITEM: Alameda Office Building, 6770 Vista Drive – Approval of extension of entitlement - R&R Realty Group – SP-2003-027

RESOLUTION: Approval of Extension of Entitlement for the Alameda Office Building

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Tom Rupprecht, with R&R Realty Group is requesting an extension of entitlement for a site plan to construct an office building located at 6770 Vista Drive. The approved site plan for the Alameda Office Building proposes the construction of a 3-story 96,000 sq. ft. building. The site plan was originally approved by the City Council September 13, 2004.

The following extensions have been granted:

- On August 28, 2006, Council extended entitlement to August 28, 2007.
- On July 16, 2007, Council extended entitlement to August 28, 2008.
- On July 14, 2008, Council extended entitlement to August 28, 2009.
- On July 13, 2009, Council extended entitlement to June 7, 2010.
- On May 3, 2010, Council extended entitlement to June 7, 2011.
- On May 16, 2011, Council extended entitlement to June 7, 2012.
- On May 14, 2012, Council extended entitlement to June 7, 2013.
- On May 13, 2013, Council extended entitlement to June 7, 2014.
- On June 2, 2014, Council extended entitlement to June 7, 2015.

On November 26, 2012, the City Council approved a Plat-of-Survey to create a 2-acre parcel from the larger 8.0-acre Alameda site. Ownership of this 2-acre parcel was transferred to Iowa Student Loan for implementation of additional parking should such be necessary for Iowa Student Loan. It is not known if the layout of parking within the 2-acre site will be consistent with that illustrated and approved as part of the original Alameda site plan. It was indicated in the staff report for the Plat-of-Survey that at such time that one or the other of these parcels develop, the applicant will need to submit a site modification permit to amend the site plan to reflect the property boundaries and make any necessary adjustments to site layout and building size from that shown on the currently approved site plan. Staff has added to this site plan the condition of approval that was included as part of the Plat-of-Survey approval requiring revised site plans at time of development of either parcel. Additionally, another Plat-of-Survey condition of approval required the entire 8.0 acre original parcel be subdivided through the city's Preliminary and Final Plat process at such time that development is to occur on either parcel. Staff has also added this condition to this entitlement extension request.

As part of the Plat-of-Survey, the applicant provided an easement for 5' of street right-of-way for Vista Drive. Therefore, the following condition of approval that was included in previous entitlement extensions has been removed from this extension request:

1. *Prior to the issuance of a building permit, including footing and foundation permits, the applicant dedicate in fee title an additional 5 feet of right of way along Vista Drive. This was a requirement of the September 13, 2004 approval and was also a requirement of all of the subsequent extensions of entitlement;*

CITY COUNCIL SUBCOMMITTEE: This item was not presented to the Development and Planning City Council Subcommittee. Past request for entitlement extension have been presented with no opposition expressed.

OUTSTANDING ISSUES: There are no outstanding issues. The applicant has stated that they are in agreement with all of staff's recommended conditions of approval.

FINDINGS: This request has been reviewed by City staff, and based upon that review; the following findings have been made:

1. There have been no changes to the provisions of the comprehensive plan or zoning regulations applicable to the project since the approval of the entitlement.
2. Other than the noted Plat-of-Survey to create a 2-acre parcel from the larger original 8-acre parcel, there have been no changes in the character of the site or its surroundings which affect how the standards of the comprehensive plan or zoning regulations apply to the project.
3. Other than the noted Plat-of-Survey to create a 2-acre parcel from the larger original 8-acre parcel, there have been no changes in the character of the site or its surroundings which detrimentally affect the environment.

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 a one year extension of entitlement for the Alameda Office Building (SP-2003-27) to June 7, 2016, subject to the applicant meeting all City Code requirements and the following conditions of approval:

1. Prior to initiating any grading or construction activity on the site, the applicant providing written confirmation to the Building Division that if necessary a current National Pollutant Discharge Elimination System (NPDES) Permit has been obtained from the Iowa Department of Natural Resources (IDNR);
2. Prior to issuance of any occupancy permits, including temporary occupancy permits, the applicant complying with the City's Storm Water Ordinance (adopted November 1, 2007) which requires the execution of a "Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement" for post-construction storm water issues;
3. The applicant acknowledging that the building will have to be constructed in accordance with adopted building and fire codes which are in existence at the time when the building permit is requested;
4. The applicant acknowledging and agreeing that at the time of development of either the remnant Alameda parcel or the 2-acre parcel created with the Iowa Student Loan Plat-of-Survey (POS-2012-02/POS-002207-2012), the entire 8.0 original parcel will be subdivided through the Preliminary and Final Plat process; and,
5. The applicant acknowledging and agreeing that at the time of development of either this remnant Alameda parcel or the 2-acre parcel created with the Iowa Student Loan Plat-of-Survey (POS-2012-02/POS-002207-2012), the appropriate site modification permit request will need to be submitted to the City for review and approval which illustrates the boundaries of each parcel and respective site changes.

Lead Staff Member: Lynne Twedt, Case Planner

STAFF REVIEWS

Department Director	CA
Appropriations/Finance	
Legal	
Agenda Acceptance	JD RTG

PUBLICATION(S) (if applicable)

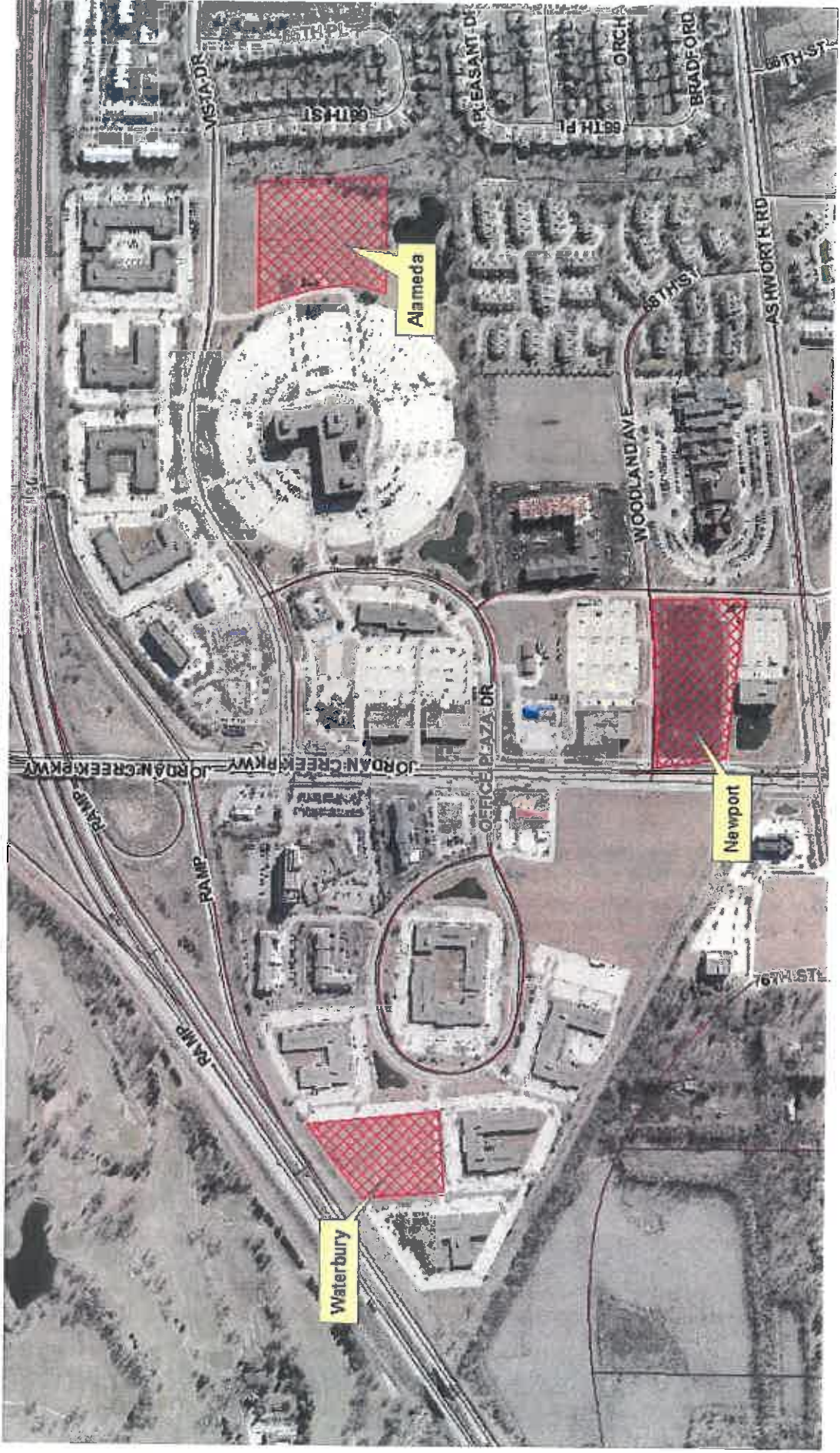
Published In	Noticing Not Required
Date(s) Published	
Letter sent to surrounding property owners	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	n/a		
Recommendation	Yes	No	Split

ATTACHMENTS:

- Attachment A - Location Map
- Attachment B - Request Letter
- Attachment C - City Council Resolution





*Real estate.
Results.*

May 1, 2015

Lynne Twedt
Development Services Director
Development Services Department – Planning Division
The City of West Des Moines
4200 Mills Civic Parkway
P.O. Box 65320
West Des Moines, IA 50265-0320

RE: Preliminary Site Plans Extension Requests for:

1. Alameda Office Building at 6770 Vista Drive
2. Newport Office Building at 1055 Jordan Creek Parkway
3. Waterbury Office Building at 7765 Office Plaza Drive North

Dear Lynne:

Pursuant to this letter, R&R Realty Group is requesting extensions for the approved site plans regarding the following office buildings:

1. Alameda Office Building. The original site plan was approved by the West Des Moines City Council on September 13, 2004. On August 28, 2006, the West Des Moines City Council approved the extension of the preliminary site to August 28, 2007 and has annually granted extensions. The most recent extension was granted on June 2, 2014 extending site plan approval to June 7, 2015.
2. Newport Office Building. The original site plan was approved by the West Des Moines City Council on August 1, 2005. On July 16, 2007 the West Des Moines City Council approved extending the approved site plan to August 1, 2008 and has annually granted extensions. The most recent extension was granted on June 2, 2014 extending site plan approval to June 7, 2015.
3. Waterbury Office Building. The applicable site plan was approved by the West Des Moines City Council on June 7, 2004. On May 8, 2006 the City Council approved extending the approved site plan to June 7, 200 and has annually granted extensions. The most recent extension was granted on June 2, 2014 extending site plan approval to June 7, 2015.

Lynne Twedt
Development Services Director
Development Services Department – Planning Division
The City of West Des Moines

Page 2

Currently, substantial building and site construction will not be completed by June 7, 2015; therefore, the owner is asking for one-year extensions of the previous extension approvals.

If you need any additional information from me, please let me know. I understand that this request will be taken to the City Council. Please advise of the date for consideration by the City Council and anything that I may need to do in advance of that meeting.

Very truly yours,



Tom Rupprecht
President

TR/sb

cc: Steven K. Gaer

Prepared by: LTwedt, Development Services, City of WDM, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING AN EXTENSION OF ENTITLEMENT FOR AN APPROVED SITE PLAN (SP-2003-27) TO CONSTRUCT AN OFFICE BUILDING

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, R&R Realty, has requested an extension of entitlement for an approved Site Plan Development Permit (SP-2003-27) for that certain 8.0-acre site, located at 6770 Vista Drive, for the purpose of constructing a three-story office building;

Legal Description of Property

LOT 6, COUNTRY CLUB OFFICE PLAZA, OFFICIAL PLAT,
CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on, May 18, 2015, this City Council held a duly-noticed meeting to consider the request for an extension of entitlement for the approved Site Plan (SP-2003-027) to a date of June 7, 2016;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated May 18, 2015, or as amended orally at the City Council meeting of May 18, 2015, are adopted.

SECTION 2. EXTENSION OF ENTITLEMENT FOR APPROVED SITE PLAN (SP-2003-027) is approved, subject to compliance with all the conditions in the staff report, dated May 18, 2015, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on May 18, 2015.

John Mickelson, Mayor Pro tem

ATTEST:

Ryan T. Jacobson
City Clerk

Exhibit 'A'
Conditions of Approval

1. Prior to initiating any grading or construction activity on the site, the applicant providing written confirmation to the Building Division that if necessary a current National Pollutant Discharge Elimination System (NPDES) Permit has been obtained from the Iowa Department of Natural Resources (IDNR);
2. Prior to issuance of any occupancy permits, including temporary occupancy permits, the applicant complying with the City's Storm Water Ordinance (adopted November 1, 2007) which requires the execution of a "Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement" for post-construction storm water issues;
3. The applicant acknowledging that the building will have to be constructed in accordance with adopted building and fire codes which are in existence at the time when the building permit is requested;
4. The applicant acknowledging and agreeing that at the time of development of either the remnant Alameda parcel or the 2-acre parcel created with the Iowa Student Loan Plat-of-Survey (POS-2012-02/POS-002207-2012), the entire 8.0 original parcel will be subdivided through the Preliminary and Final Plat process; and,
5. The applicant acknowledging and agreeing that at the time of development of either this remnant Alameda parcel or the 2-acre parcel created with the Iowa Student Loan Plat-of-Survey (POS-2012-02/POS-002207-2012), the appropriate site modification permit request will need to be submitted to the City for review and approval which illustrates the boundaries of each parcel and respective site changes.

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: May 18, 2015

ITEM: Newport Office Building, 1055 Jordan Creek Parkway – Approval of extension of entitlement - R&R Realty Group - SP-2005-009

RESOLUTION: Approval of Extension of Entitlement for the Newport Office Building

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Tom Rupprecht, with R&R Realty Group, is requesting an extension of entitlement for a site plan to allow construction of an office building to be located at 1055 Jordan Creek Parkway. The site plan was originally approved by the City Council on August 1, 2005, allowing for the construction of a 3-story, 75,000 sq. ft. office building.

The following entitlement extensions have been approved:

- On July 16, 2007, the Council extended entitlement to August 1, 2008.
- On July 14, 2008, the Council extended entitlement to August 1, 2009.
- On July 13, 2009, the Council extended entitlement to June 7, 2010.
- On May 3, 2010, the Council extended entitlement to June 7, 2011.
- On May 16, 2011, the Council extended entitlement to June 7, 2012.
- On May 14, 2012, the Council extended entitlement to June 7, 2013.
- On May 13, 2013, the Council extended entitlement to June 7, 2014.
- On June 2, 2014, the Council extended entitlement to June 7, 2015.

CITY COUNCIL SUBCOMMITTEE: This item was not presented to the Development and Planning City Council Subcommittee. Past request for entitlement extension have been presented with no opposition expressed.

OUTSTANDING ISSUES: There are no outstanding issues. The applicant has stated that they are in agreement with all of staff's recommended conditions of approval.

FINDINGS: This request has been reviewed by city staff, and based upon that review, the following findings have been made:

1. There have been no changes to the provisions of the comprehensive plan or zoning regulations applicable to the project since the approval of the entitlement;
2. There have been no changes in the character of the site or its surroundings which affect how the standards of the comprehensive plan or zoning regulations apply to the project; and,
3. There have been no changes in the character of the site or its surroundings which detrimentally affect the environment.

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 a one year extension of entitlement for the Newport Office Building (SP-2005-09) to June 7, 2016, subject to the applicant meeting all City Code requirements and the following:

1. Prior to initiating any grading or construction activity on the site, the applicant providing written confirmation to the Building Division that if necessary a current National Pollutant Discharge Elimination System (NPDES) Permit has been obtained from the Iowa Department of Natural Resources (IDNR); and
2. Prior to issuance of any occupancy permits, including temporary occupancy permits, the applicant complying with the City's Storm Water Ordinance (adopted November 1, 2007) which requires the

3. execution of a "Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement" for post-construction storm water issues; and,
4. The applicant acknowledging that the building will have to be constructed in accordance with adopted building and fire codes which are in existence at the time when the building permit is requested.

Lead Staff Member: Lynne Twedt, Case Planner

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

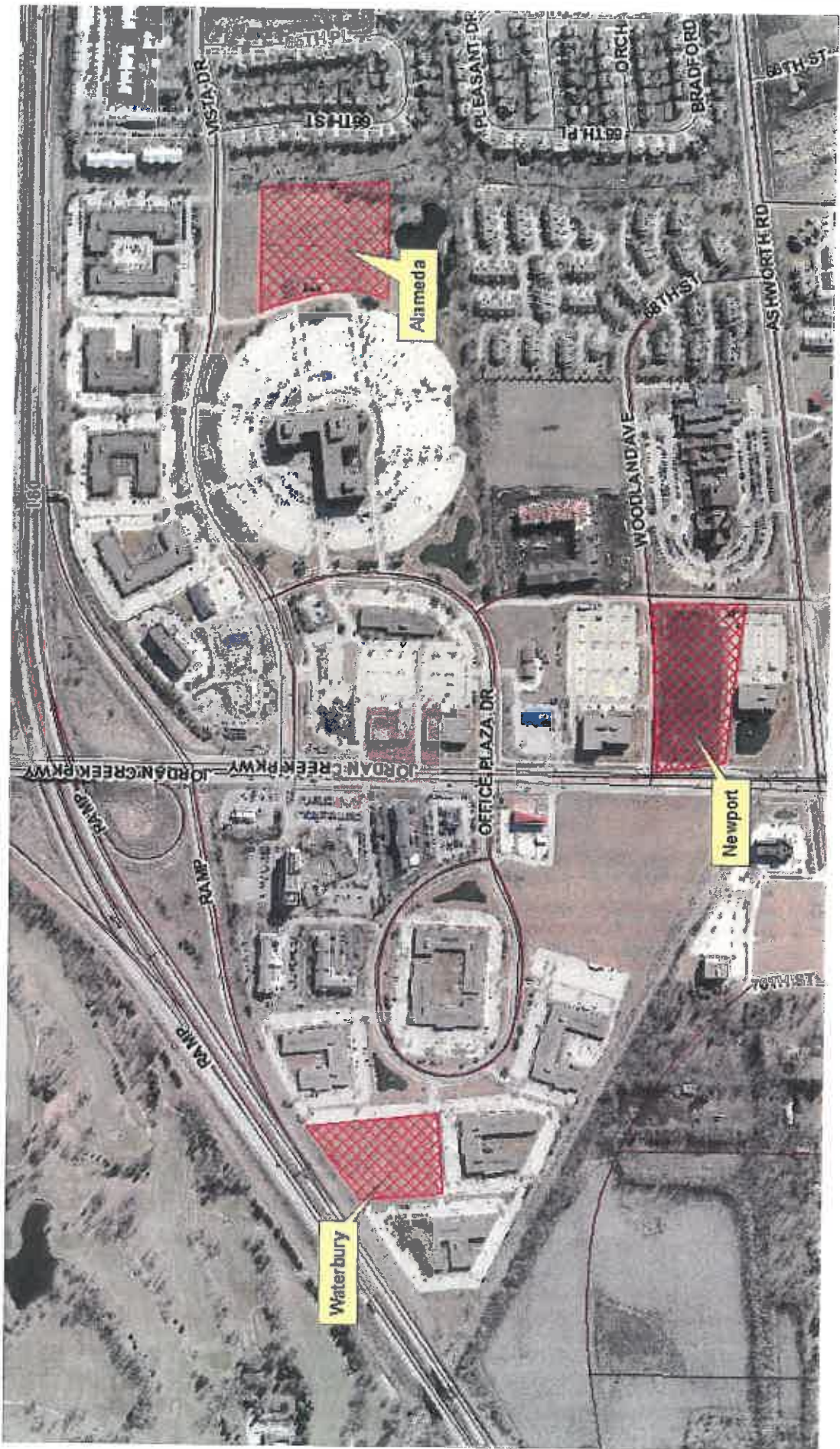
Published In	
Date(s) Published	
Letter sent to surrounding property owners	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed			
Recommendation	Yes	No	Split

ATTACHMENTS:

- Attachment A - Location Map
- Attachment B - Request Letter
- Attachment C - City Council Resolution





*Real estate.
Results.*

May 1, 2015

Lynne Twedt
 Development Services Director
 Development Services Department – Planning Division
 The City of West Des Moines
 4200 Mills Civic Parkway
 P.O. Box 65320
 West Des Moines, IA 50265-0320

RE: Preliminary Site Plans Extension Requests for:

1. Alameda Office Building at 6770 Vista Drive
2. Newport Office Building at 1055 Jordan Creek Parkway
3. Waterbury Office Building at 7765 Office Plaza Drive North

Dear Lynne:

Pursuant to this letter, R&R Realty Group is requesting extensions for the approved site plans regarding the following office buildings:

1. Alameda Office Building. The original site plan was approved by the West Des Moines City Council on September 13, 2004. On August 28, 2006, the West Des Moines City Council approved the extension of the preliminary site to August 28, 2007 and has annually granted extensions. The most recent extension was granted on June 2, 2014 extending site plan approval to June 7, 2015.
2. Newport Office Building. The original site plan was approved by the West Des Moines City Council on August 1, 2005. On July 16, 2007 the West Des Moines City Council approved extending the approved site plan to August 1, 2008 and has annually granted extensions. The most recent extension was granted on June 2, 2014 extending site plan approval to June 7, 2015.
3. Waterbury Office Building. The applicable site plan was approved by the West Des Moines City Council on June 7, 2004. On May 8, 2006 the City Council approved extending the approved site plan to June 7, 200 and has annually granted extensions. The most recent extension was granted on June 2, 2014 extending site plan approval to June 7, 2015.

Lynne Twedt
Development Services Director
Development Services Department – Planning Division
The City of West Des Moines

Page 2

Currently, substantial building and site construction will not be completed by June 7, 2015; therefore, the owner is asking for one-year extensions of the previous extension approvals.

If you need any additional information from me, please let me know. I understand that this request will be taken to the City Council. Please advise of the date for consideration by the City Council and anything that I may need to do in advance of that meeting.

Very truly yours,



Tom Rupprecht
President

TR/sb

cc: Steven K. Gaer

Prepared by: LTwedt, Development Services, City of WDM, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING AN EXTENSION OF ENTITLEMENT FOR AN APPROVED SITE PLAN (SP-2005-09) TO CONSTRUCT AN OFFICE BUILDING

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, R&R Realty Group, has requested an extension of entitlement for an approved Site Plan Development Permit (SP-2005-09) for that certain 8.64 acre site, located at 1055 Jordan Creek Parkway, for the purpose of constructing a three-story office building;

Legal Description of Property

**LOT 1, COUNTRY CLUB OFFICE PLAZA WEST PLAT 7,
CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA.**

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on, May 18, 2015, this City Council held a duly-noticed meeting to consider the request for an extension of entitlement for the approved Site Plan (SP-2005-09) to a date of June 7, 2016;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated May 18, 2015, or as amended orally at the City Council meeting of May 18, 2015, are adopted.

SECTION 2. EXTENSION OF ENTITLEMENT FOR APPROVED SITE PLAN (SP-2005-09) is approved, subject to compliance with all the conditions in the staff report, dated May 18, 2015, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on May 18, 2015.

John Mickelson, Mayor Pro tem

ATTEST:

Ryan T. Jacobson
City Clerk

Exhibit 'A'
Conditions of Approval

1. Prior to initiating any grading or construction activity on the site, the applicant providing written confirmation to the Building Division that if necessary a current National Pollutant Discharge Elimination System (NPDES) Permit has been obtained from the Iowa Department of Natural Resources (IDNR); and
2. Prior to issuance of any occupancy permits, including temporary occupancy permits, the applicant complying with the City's Storm Water Ordinance (adopted November 1, 2007) which requires the execution of a "Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement" for post-construction storm water issues; and,
3. The applicant acknowledging that the building will have to be constructed in accordance with adopted building and fire codes which are in existence at the time when the building permit is requested.

CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION

ITEM: Resolution -- Financing Agreement between the City and West Des Moines Water Works (WDMWW) for Water System Improvements

DATE: May 18, 2015

FINANCIAL IMPACT: WDMWW will make an upfront payment of \$1,000,000 and (estimated) annual repayment for ten years of \$500,000 each year to the City for certain portions of water system improvements projects associated with Project Alluvion. Total project principal cost will not exceed \$5,500,000 and interest cost is being charged at the rate equal to the City's Bond Schedule Interest Rate as identified with the sale of the Series 2015A General Obligation Bonds.

A final (revised) payment schedule will be established when actual project costs are known (approximately 2017). The City has initially funded out-of-pocket costs associated with these improvements through an advance from the General Fund.

BACKGROUND: The proposed Finance Agreement details the repayment for water infrastructure improvements required to provide service to the Microsoft Alluvion Data Center. The Microsoft/Alluvion project in the South Area of West Des Moines requires development of treated water and additional infrastructure to serve the large seasonal demands of the data center. The required infrastructure to serve the data center includes the construction of an Aquifer Storage and Recovery (ASR) well, looped large diameter water main, and a redundant booster pump station. The Finance Agreement details the financing responsibility for all of the required infrastructure projects.

The proposed agreement defines the financial responsibilities for improvements, specifically assigning WDMWW responsibility for repayment of the project costs which provide benefit to the public water system, including the entirety of water main installation and a portion (25%) of the booster pump station. Those portions of the project required by and of specific benefit to Microsoft/Alluvion (specifically the ASR) are to be paid using Tax Increment Financing (TIF) funds generated by the Alluvion Urban Renewal Area.

WDMWW will pay the Bond Schedule Interest Rate as identified in the City's Series 2015A General Obligation Urban Renewal Bonds during the repayment period. WDMWW and City staff have negotiated the terms of the agreement and consider the content reasonable with appropriate allocation of responsibility for project costs.

The WDMWW will also be considering this agreement at its May 18th meeting.

RECOMMENDATION: Approve Resolution authorizing the Mayor and City Manager to execute the Finance Agreement with WDMWW on behalf of the City.

Lead Staff Member: Tim Stiles, Finance Director 

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	KTG

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

RESOLUTION

**APPROVING FINANCE AGREEMENT BETWEEN THE CITY OF WEST DES MOINES
AND WEST DES MOINES WATER WORKS FOR WORK ASSOCIATED WITH THE
2015/2016 SOUTH AREA WATER SERVICE EXPANSION**

WHEREAS, the City Council believes that to promote economic growth and development in the South Area it is necessary to collaborate with the West Des Moines Water Works in the design, construction and financing of water infrastructure to meet the specific requirements of Microsoft/Alluvion and future development, and

WHEREAS, the City Council recognizes that the allocation of project costs within the proposed Finance Agreement has properly considered those portions of the project which provide specific benefit to the development of the Microsoft Alluvion Data Center and those which benefit the overall public water system,

**NOW, THEREFORE, BE IT RESOLVED BY THE WEST DES MOINES CITY
COUNCIL AS FOLLOWS:**

That the Finance Agreement Between the City of West Des Moines and West Des Moines Water Works for Work Associated with the 2015/2016 South Area Water Service Expansion attached to this Resolution is hereby approved, and that the Mayor and City Manager are authorized to execute the Financing Agreement on behalf of the City.

PASSED AND APPROVED this 18th day of May, 2015

Steven K. Gaer
Mayor

Attest:

Ryan Jacobson
City Clerk

FINANCE AGREEMENT BETWEEN THE CITY OF WEST DES MOINES AND WEST DES MOINES WATER WORKS FOR WORK ASSOCIATED WITH THE 2015/2016 SOUTH AREA WATER SERVICE EXPANSION

THIS AGREEMENT (hereinafter "Agreement") made and entered into by and among the CITY OF WEST DES MOINES ("City") and the BOARD OF TRUSTEES OF THE WEST DES MOINES WATER WORKS ("WDMWW") as of the dates set forth below.

PREAMBLE

WITNESSETH:

WHEREAS, City and WDMWW (collectively "Parties") desire to enter into an Agreement to cause, undertake, and define responsibilities and financial obligations for water related projects as hereinafter described in order to upgrade the capacity of the potable water system and deliver said water at acceptable pressures and flows in support of a specific project for Microsoft Corporation ("Project") which requires the redundant delivery of large volumes of potable water to allow for domestic and industrial uses and to prepare for similar future development; and

WHEREAS, to meet the objectives stated above regarding water service, certain improvements including an Aquifer Storage and Recovery (ASR) well, booster pump station, and water main infrastructure (collectively "improvements") must be designed and constructed; and

WHEREAS, the City desires to provide economic incentives in support of water delivery to Project and similar future development; and

WHEREAS, the parties desire to share in the cost of improvements and proceed with necessary design, bidding and construction as provided herein;

NOW THEREFORE, in consideration of the mutual undertakings hereby provided, the parties do hereby agree as follows:

Part I – Responsibility of Project Costs

1. **Project Funding.** City agrees to pay the entirety of costs associated with improvements and receive repayment by WDMWW for certain portions of improvements as outlined in Part I, Sections 3 and 4, and Part III of this Agreement.
2. **City Responsibility.** City shall be responsible for 100% of the costs related to design and construction of the ASR and all supporting infrastructure to Des Moines Water Works (DMWW) as detailed in the Chapter 28E Agreement By and Between West Des Moines Water Works, the City of West Des Moines, Iowa and the Board of Water Works Trustees of the City of Des Moines, Iowa ("28E"). Upon operation of the ASR and final payment by City, WDMWW will receive from DMWW the Regional Capacity Credit as defined in the 28E to support Project and future demands of similar nature.
3. **WDMWW Responsibility.** WDMWW shall be responsible for repayment as outlined in Part III, herein, of 100% of the costs associated with design and construction of all water main, casing, valves, hydrants and other related appurtenances necessary for Project, generally aligned along South 22nd Street, current and proposed future Maffitt Lake Road, South 8th Street, and 'Old' Army Post Road.
4. **Joint Responsibility.** City shall provide, at no cost to WDMWW, a suitable site for booster station permanent location. WDMWW shall be responsible to repay 25% of the total cost of

booster station design, construction, and necessary utility work. WDMWW will repay their responsible portion to the City as outlined in Part III, herein.

Part II – Responsibilities of Improvement Construction, Ownership and Operation

1. **Project Initiation.** Project work for the water main and booster station improvements shall be initiated by the City on behalf of WDMWW. Selection of consultants, review and approval of project documents, and determination of acceptable bids for award of construction contracts shall be done in consultation between City and WDMWW and agreed upon by both parties.
2. **Inspections.** Inspection and approval of water main and appurtenances shall be the responsibility of WDMWW.
3. **Operation and Maintenance.** Upon completion of the water main and booster station improvements, WDMWW shall operate and maintain the infrastructure as part of the municipal water system.
4. **Ownership of Improvements.** WDMWW will be the sole owner of the water main and booster station upon completion of the water main and booster station improvements. Upon completion of each phase of the improvements, and the City's acceptance of that phase of the project, WDMWW will accept that asset into the WDMWW system.

Part III – Terms of Repayment

1. **Initial Repayment.** Upon final acceptance of each phase of improvements, City is responsible to provide to WDMWW evidence of total cost of work, including a copy of the awarded design and construction contracts, individual pay requests and change orders. WDMWW will reimburse the City for the first one-million dollars (\$1,000,000) of progress payments for which WDMWW is responsible, within 30 days of receipt of proof of construction. The remainder of the total cost of improvements will be repaid in installments as outlined in Part III, Sections 2-4.
2. **Repayment Schedule.** WDMWW shall include in their annual budget a repayment to City for those portions of the improvements as outlined in Part 1, Sections 3 and 4. Repayment to the City shall be a maximum of 10 years, with equivalent payments of \$500,000 per year for principal and interest. Remaining principal balance at the end of the repayment schedule shall be paid in full at the time of the last scheduled payment. The total cost of principal repayment shall not exceed \$5,500,000. The Estimated Payment Schedule follows in Exhibit A. This schedule is based on total estimated construction costs. When final costs are determined in 2017, the Estimated Payment Schedule will be updated based on those final costs. At that point, the allocation of principal and interest will be updated for 2015 and 2016, and future annual principal and interest payments will be adjusted based on the final costs.
3. **WDMWW Repayment Considerations.** WDMWW shall dedicate the first \$500,000 of connection fee district revenue for repayment, with the first calendar year payment occurring in 2015.
 - a. Repayment shall be made in the month of December of each calendar year, upon verification by WDMWW that a minimum debt service ratio of 1.25 has been met.
 - b. The Water Works Board of Trustees has the discretion to pre-pay for the following year's repayment, or make additional principal payments to the City. There shall be no penalty for early pay-off of the principal balance.

4. Interest Rate. Interest rates charged shall be the Bond Schedule Interest Rate as identified in the Series 2015A General Obligation Urban Renewal Bonds.

Part IV – General Provisions

1. Notices and Invoices. All notices, project documents, payment requests, and revisions to payment schedule shall be in writing and may be personally delivered or sent US Post to the addresses hereafter provided. Mailed notices and payment requests shall be deemed received by the party to whom directed when they are postmarked. Such notices and payment requests shall be delivered or mailed to the following persons at the addresses listed:

Notices to City:

City Manager
City of West Des Moines
PO Box 65320
4200 Mills Civic Parkway
West Des Moines, IA 50265-0320

Notices to WDMWW:

General Manager
West Des Moines Water Works
4200 Mills Civic Parkway
Suite 1D
West Des Moines, IA 50265-0320

2. Payment. Annual repayment to the City shall be made after approval by the WDMWW Board of Trustees at the regularly scheduled meeting held in December. Payment shall be made by check and personally delivered to the City Manager or designated alternate within seven (7) calendar days of the approval.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed in counterparts, each of which shall be considered an original.

BOARD OF TRUSTEES OF THE WEST DES
MOINES WATER WORKS, WEST DES MOINES,
IOWA

CITY OF WEST DES MOINES, IOWA

By: _____
Karen Novak Swalwell, Chair

By: _____
Steven K. Gaer, Mayor

Attest: _____
Diana Wilson, General Manager

Attest: _____
Tom Hadden, City Manager

Exhibit A
Estimated Payment Schedule

Payment #	Date	Payment	Principal	Interest	Bond Debt Service Coupon Rate	Estimated Cost
						5,500,000.00
Initial Repayment	Per Part III-1	1,000,000.00	1,000,000.00			4,500,000.00
1*	December 2015	500,000.00	440,000.00	60,000.00	1.33%	4,060,000.00
2	December 2016	500,000.00	418,800.00	81,200.00	2.00%	3,641,200.00
3	December 2017	500,000.00	427,176.00	72,824.00	2.00%	3,214,024.00
4	December 2018	500,000.00	435,719.52	64,280.48	2.00%	2,778,304.48
5	December 2019	500,000.00	430,542.39	69,457.61	2.50%	2,347,762.09
6	December 2020	500,000.00	441,305.95	58,694.05	2.50%	1,906,456.14
7	December 2021	500,000.00	452,338.60	47,661.40	2.50%	1,454,117.55
8	December 2022	500,000.00	463,647.06	36,352.94	2.50%	990,470.49
9	December 2023	500,000.00	477,714.41	22,285.59	2.25%	512,756.07
10	December 2024	<u>528,138.75</u>	<u>512,756.07</u>	<u>15,382.68</u>	3.00%	0.00
		6,028,138.75	5,500,000.00	528,138.75		

* Bond Debt Service Coupon Rate: 2.00% * 8/12 months

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: May 18, 2015

ITEM:

Resolution - Accepting Public Improvements
Sanitary Sewer, Storm Sewer, Public Street Paving
Maple Grove West Plat 4 & 5

FINANCIAL IMPACT:

None at this time. The City will assume ownership of the public improvements, along with associated maintenance.

BACKGROUND:

Priority Excavating has substantially completed installation of sanitary and storm sewer and Alliance Construction Group, LLC has paved the public streets at Maple Grove West Plat 4 & 5, in accordance with the plans prepared by Civil Design Advantage (CDA) and the specifications of the City. These improvements have been inspected by the Engineering Division.

OUTSTANDING ISSUES:

At the time this report was written, the project was not seeded. As a condition of approval, staff recommends surety for the project not be released until all seeding is complete and acceptable to the City Engineer.

RECOMMENDATION:

City Council Adopt:

- Resolution Accepting Public Improvements for Maple Grove West Plat 4 and 5.

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, P.E., L.S., City Engineer
Appropriations/Finance	Tim Styles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	May 13, 2015		
Recommendation	Yes	No	Split

**RESOLUTION
ACCEPTING PUBLIC IMPROVEMENTS**

WHEREAS, a Preliminary Plat was reviewed and approved by the City Council of West Des Moines, Iowa, at a meeting held on May 5, 2014, said Plat being described as follows:

Maple Grove West Plat 4

WHEREAS, a Final Plat for Maple Grove West Plat 4 was submitted for review by the City Council of West Des Moines, Iowa, on November 3, 2014, and was found to be generally consistent with the Preliminary Plat for Maple Grove West Plat 4.

WHEREAS, the West Des Moines City Council adopted a Resolution which approved the Final Plat for Maple Grove West Plat 4 at their meeting on November 3, 2014, subject to any conditions of approval and contingent upon construction and acceptance of all public streets and utilities; and

WHEREAS, on November 3, 2014, the Final Plat was released for recordation.

WHEREAS, a Preliminary Plat was reviewed and approved by the City Council of West Des Moines, Iowa, at a meeting held on August 25, 2014, said Plat being described as follows:

Maple Grove West Plat 5

WHEREAS, a Final Plat for Maple Grove West Plat 5 was submitted for review by the City Council of West Des Moines, Iowa, on December 1, 2014, and was found to be generally consistent with the Preliminary Plat for Maple Grove West Plat 4.

WHEREAS, on December 1, 2014, the Final Plat was released for recordation.

WHEREAS, on July 18, 2014, Construction Drawings for Maple Grove West Plat 4 & 5 Sanitary Sewer, Storm Sewer, and Public Street Paving were reviewed and approved by the City Engineer.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

Section 1: The public improvements for Maple Grove West Plat 4 & 5, are hereby accepted and are hereby dedicated for public purposes subject to the completion of seeding on the project. Performance surety will be held until such time all seeding is complete and acceptable to the City Engineer.

PASSED AND APPROVED this 18th day of May, 2015.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

Location Map



Approving Acceptance of Public Improvements
Maple Grove West Plat 4 & 5



Legend
 Project Location

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: May 18, 2015

ITEM:

Resolution – Approving Modification to Terms of the Agreement and Waiver
Silverwood Plat 4
Drake Homes, Inc.

FINANCIAL IMPACT: None.

BACKGROUND:

The original developers of the Silverwood subdivisions owned all the property between Bridgewood Boulevard and Mills Civic Parkway on the east side of South 88th Street. The City recognized that this entire tract of land should have some future responsibility for the improvements to the intersection of South 88th Street and Mills Civic Parkway. When Silverwood Plat 4 was approved an Agreement and Waiver for the intersection improvements was included as a condition of approval and said Agreement and Waiver has been provided.

The Council instructed staff to develop a theoretical special assessment district for the improvements to South 88th Street and Mills Civic Parkway. This district extended a nominal ¼ mile in each direction from the intersection. The northern boundary of this theoretical district extended to the north line of the SW ¼ of the NW ¼ of Section 14. Silverwood Plat 4 is located just north of this line.

At the March 25, 2015 Development and Planning Council Subcommittee, Todd and Christy Drake (Drake Homes/Silverwood Plat 4 Lot Owners) asked to have this agreement and waiver lifted from the properties. Silverwood Plat 4 extends somewhat southerly of the northern line of the theoretical district. Staff supported the obligation be removed because the probability of the district extending that far north into single family properties is remote when and if a district is adopted. The original agreement and waiver and the pertinent minutes of the March 25, 2015 subcommittee meeting are attached.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Resolution modifying the terms of the Agreement and Waivers for Silverwood Plat 4.

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, P.E., L.S., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>KTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development and Planning		
Date Reviewed	March 25, 2015		
Recommendation	Yes	No	Split

**RESOLUTION
MODIFYING TERMS OF THE AGREEMENT AND WAIVERS
FOR SILVERWOOD PLAT 4**

WHEREAS, a Preliminary Plat was reviewed and approved by the City Council of West Des Moines, Iowa, at a meeting held on November 5, 2007 said Plat being described as follows:

Silverwood Plat 4

WHEREAS, a Final Plat for Silverwood Plat 4 was submitted for review by the City Council of West Des Moines, Iowa, on August 25, 2014 and was found to be generally consistent with the Preliminary Plat for Silverwood.

WHEREAS, the West Des Moines City Council adopted a Resolution which approved the Final Plat for Silverwood Plat 4 at their meeting on August 25, 2014 subject to any conditions of approval and contingent upon construction and acceptance of all public streets and utilities; and

WHEREAS, on August 25, 2014 the Final Plat was released for recordation.

WHEREAS, on August 25, 2014 an Agreement and Waiver for agreeing to participate in the assessment of S88th Street and Mills Civic Parkway intersection improvement project was approved; said assessment to be with future purchasers of Lots 1 thru 9 and Outlot Z, Silverwood Plat 4.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

Section 1: The Agreement and Waiver for Silverwood Plat 4 is modified to remove any obligations for the initial construction of the intersection of South 88th Street and Mills Civic Parkway as outlined in the agreement and waiver.

PASSED AND APPROVED this 18th day of May, 2015.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

PLAT 4

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

Book 2014 Page 11577

Document 11577 Type AGMNT Pages 4
Date 9/03/2014 Time 9:36 AM
Rec Amt \$22.00

MTG -
PCRF -
BKRF -
ODD -
D/C -

Chad Airhart, Recorder
Dallas County IOWA

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

Bill

Prepared by: R.J. Scieszinski, Legal Dept., P. O. Box 65320, West Des Moines, IA 50265-0320 (515) 222-3614
Return to: City Clerk, City of W. Des Moines, P. O. Box 65320, W. Des Moines, IA 50265-0320

AGREEMENT AND WAIVER

THIS AGREEMENT made and entered into by and between the City of West Des Moines, Iowa, hereinafter referenced as the CITY, and Jerry Bussanmas, LLC, hereinafter referred to as "PROPERTY OWNERS".

WITNESSETH:

WHEREAS, the City desires to encourage orderly community development and provide for the regulation and control of the extension of public improvements, public services and utilities consistent with the City's Comprehensive Plan, adopted in September 2010, and as amended, and in accordance with Iowa Code Chapter 354, Platting, Division and Subdivision of Land; and

WHEREAS, pursuant to Goal 5 of Part V, Growth Policies, West Des Moines Comprehensive Plan, the City endeavors to provide for the safe and efficient movement of people, goods, and services throughout the City, and more specifically:

As part of the development of vacant land or as part of an expansion of use on developed land, the property owner or developer shall contribute proportionally to the costs of improvements for transportation facilities necessary to accommodate proposed developments by dedicating, widening and/or extending and constructing its proportionate share of street and parkway improvements (including all appurtenances and necessary drainage structures) and on-site and/or off-site improvements reasonably related to the project;

and

WHEREAS, a property owner or developer may construct and dedicate, or obtain a bond for the necessary public improvements, or in accordance with Iowa Code Section 384.38, Certain Costs Assessed to Private Property, the City may assess to private property within the City the proportionate share of the cost of construction and repair of public improvements within the City; and

WHEREAS, as initiated by the City, or upon petition as provided in Iowa Code Section 384.41, Petition by Property Owners, the City may assess to private property affected by public improvements within three miles of the City's boundaries the cost of construction and repair of public improvements within that area; and

WHEREAS, the City may propose or be requested to construct certain Improvements (the "Improvements") generally described as:

Applicant agreeing to participate in the assessment of S88th Street and Mills Civic Parkway intersection improvement project.

C 1185

Book 2014 Page 11577
1 of 4

NOW, THEREFORE, BE IT AGREED AMONG THE PARTIES AS FOLLOWS:

1. As soon as practicable the City shall have the right to cause the above-described Improvements to be constructed in accordance with such plans and specifications as it shall deem appropriate. The construction of said Improvements shall be under the supervision of an engineer to be selected by the City.
2. For the purpose of this Agreement, the City may elect to enter into a contract for the construction of said Improvements as a part of any contract(s) for a public improvement project entered into prior to the receipt of this instrument as authorized by Section 384.41(2) of the Code of Iowa.
3. In consideration of the construction of said Improvements by the City, the undersigned Property Owners hereby WAIVE the following:
 - A. All legal formalities of whatsoever kind or character required by the laws of Iowa to be observed by cities in the construction of said Improvements where the expense of such Improvements is to be assessed against private property; and
 - B. Each and every question of jurisdiction, the intention of the Property Owners being to authorize and direct said City to construct the Improvements without requiring any of the formalities or legal proceedings required of cities by the statutes of Iowa; and
 - C. Any limitation of the amount of said assessment as a percentage of valuation as provided in Section 384.62 of the Code of Iowa, subject to Paragraph 6, below; and
 - D. Any right to defer or postpone the payment of any such assessment.
4. It is further agreed that:
 - A. When said Improvements have been constructed in accordance with the plans and specifications, the City may make assessments against the properties of the undersigned Property Owners, or their successors or assigns, for their pro-rata share of the entire cost of the construction of said Improvements, including acquisition of necessary easements and right-of-way, the cost of engineering, supervision, and preparation of assessment schedule.
 - B. Said assessments will be paid to the City of West Des Moines and shall be a lien upon the properties hereinafter described. Further, each of the undersigned Property Owners hereby agree to accept responsibility for the assessment which is thus assessed against the Owner's property.
 - C. Said assessments shall have the same legal force and effect as if all the legal formalities provided by law in such cases had been fully and faithfully performed and observed.
 - D. Said assessment shall be paid within the time provided by statute for the payment of special assessments for such Improvements.
 - E. All Property Owners entitled to Agricultural Deferment under Chapter 384 of the City Code of Iowa hereby WAIVE their right to such deferral.
5. The amount and proportion of the cost of the Improvements to be paid shall be ascertained and determined by the Engineers and reported to the City Council, which shall make such changes or alterations as they may require. When said assessments are finally passed by the Council and by it levied, they shall constitute the assessments against the properties.
6. Any assessment, and the methodology of calculating the assessment, shall be made in accordance with Iowa law and the City's ordinance pertaining to special assessments for streets (Ordinance No. 1389) and any amendments thereto, in effect as of the date the City Council sets the date for a public hearing on the plans and specifications for the Improvement(s). During the assessment process the Property Owners retain the right to request of the City a review of the proposed assessment. In the sole discretion of the City Council, a reduction in the assessment may be made to ensure that the amount of the assessment is proportional to the benefit provided by the Improvements. The Property Owners also retain the right to request a review of the

mathematical calculations made to ensure their accuracy and compliance with Ordinance No. 1389, and any amendments thereto. No assessment will be made by the City Council unless notice to all Property Owners has been given as provided by state statute and City ordinance.

7. Property Owners hereby authorize the City Council to pass any Resolution requisite or necessary to order and secure said Improvements, to provide for the construction of the same and to make the assessments herein provided. Any such Resolution may contain recitals that said Improvements are ordered or made by the Council without petition of Property Owners, without in any way qualifying this Agreement or releasing the Property Owners from their obligation to pay the assessments levied against their property for the cost of said Improvements, and to issue improvement bonds payable out of said assessments.
8. Each Property Owner warrants that the real estate described below is free and clear of all liens and encumbrances other than for ordinary taxes, except for such liens as are held by lienholders hereinafter listed and designated as signers of this Agreement and Waiver. Each lienholder designated below, by execution of this Agreement and Waiver, consent to the subordination of its lien to the lien of the special assessment levied pursuant hereto.
9. Each Property Owner further agrees that the terms of this Agreement and Waiver shall become a covenant which runs with the land of the above-referenced property, and shall be binding upon all successors and assigns. Furthermore, each Property Owner shall give a copy of this Agreement and Waiver to all successors and assigns.
10. The signatories and the City agree this document will be recorded in the office of the appropriate county recorder to ensure that any and all future purchasers of property are put on notice of the above conditions.

Description of Property: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and Outlot Z, Silverwood Plat 4

PROPERTY OWNER: Jerry Bussanmas, LLC an Iowa limited liability company

By Jerry Bussanmas LLC
Name Jerry Bussanmas
Title Manager
Date 8-19-14

LIENHOLDER'S NAME: American Trust

By [Signature]
Name Jerry Tracy
Title 2nd SF. V.P.
Date 8-19-14

Presented and approved by the City Council on August 25, 2014.



Ryan T. Jacobson, City Clerk

**CITY OF WEST DES MOINES
DEVELOPMENT AND PLANNING
CITY COUNCIL SUBCOMMITTEE MEETING
City Hall Training Room**

Thursday, March 26, 2015

Attending:

Council Member John Mickelson
City Manager Tom Hadden
Development Director Lynne Twedt
Finance Director Tim Stiles
Planner Naomi Hamlett
Planner Brad Munford

City Engineer Duane Wittstock
Principal Engineer Brian Hemesath
Fire Marshal Mike Whitsell
Assistant City Attorney Greta Truman
Communication Specialist Lucinda Stephenson
Planner Kara Tragesser

Guests:

Item #1 – Silverwood

Todd & Christy Drake – Drake Homes

Item #2 – Whisper Ridge

Marc Abels – Simpson, Jensen
Bill Lowry – Hidden Creek

Item #4 – Alluvion Water Booster Station

Diana Wilson – WDMWW Director
William Mabuice – WDMWW Engineering Manager

The meeting of the Development and Planning City Council Subcommittee was called to order at 7:30 a.m.

1. Silverwood Plats 3 & 4: Invalidate Agreement & Waivers S 88th Street/Mills Assessment (Drake Homes)

Director Twedt pointed out the locations of Silverwood Plats 3 & 4 stating that the Silverwood development is actually comprised of four different residential plats with an office piece at the corner. When Silverwood Plat 1, which encompasses all the ground, first came through for approval, an Agreement and Waiver was executed for the future S 88th Street and Mills Civic Parkway. Because the developer owned all of the ground, Silverwood Plat 1 was able to place all of the assessment on the office piece. The same was done with Silverwood Plat 2. Silverwood Plat 3 did not own the ground; therefore, there was no ability to relocate the assessment and as part of platting executed an Agreement and Waiver that identified a potential assessment for the residential lots. This was the same situation for Silverwood Plat 4.

Todd and Christy Drake, owners of the Silverwood Plat 4 lots attended the meeting to request that these assessments be removed from the lots. Mr. Drake stated that having an assessment attached to the property was a huge impediment to selling homes, especially without knowledge of the timing or cost of the assessment.

Council Member Mickelson asked if the Drakes were aware of the assessment when they purchased the property. Mr. Drake responded that they were unaware of the assessment at that time. Director Twedt stated that the agreement was executed, but did not show up on the title opinion.

Council Member Mickelson stated he understood their concerns. City Engineer Wittstock interjected that the only exposure would be the financing of the intersection at Coachlight Drive and S 88th Street for the

east half. There is no special assessment pending, simply a Petition and Waivers has been provided, and if there was an assessment, it would have to be authorized by City Council. Mr. Wittstock explained that there were some agreements in place with property owners at one time to pave the road in segments to make S 88th Street useable.

City Engineer Wittstock stated that if the Council chooses to release the properties from the Petition and Waiver that still does not preclude the Council from approving a special assessment. With Petition and Waiver in place, residents would know that there could be a potential assessment.

Council Member Mickelson inquired how many lots would be affected. Director Twedt stated there were nine lots in Plat 4 specifically, but a total of 25 lots would be affected.

Mr. Wittstock reiterated that there would only be responsibility for the east half of the intersection or the northeast quadrant. The southeast quadrant would be the responsibility of the property owners of the office property to the south unless a private agreement exists between the property owners that the City does not know about.

Council Member Mickelson asked if there was a way to determine the intent of the responsibility for construction. Ms. Twedt stated that four Agreement and Waivers were executed. There have been multiple transfers of ownership, as well as bankruptcies, which makes it difficult to determine responsibility or intent.

Council Member Mickelson asked if it would be possible to identify a dollar amount or an estimate of the associated assessment costs. Mr. Wittstock stated there could be an amendment to the Petition and Waivers that would include the cost for the portion of intersection with a monetary cap identified per parcel. Ms. Twedt suggested the applicant calculate the cost of the intersection and divide that by four to know the responsibility of the northeast corner and then take that amount across the 25 lots included in Silverwood Plats 3 and 4. Ms. Twedt identified that the issue would be who was financially responsible for the amount above the cap should construction costs exceed the cap amount.

Mr. Drake inquired if his lots were part of the agreement because the lots were included in the original piece of ground from the beginning. Mr. Wittstock stated that the owners of the parcel pushed their obligation to the south with an agreement with the property owners to the west of how S 88th Street would be paved adjacent to their property. He continued that there may be some willingness to remove the potential obligation for paving S 88th Street and Mills Civic Parkway from the Petition and Waivers as long as the obligation for Coachlight Drive and S 88th Street intersection is addressed.

Mr. Drake will research to determine if there were any documents or testimony that indicated that obligations transferred responsibility for paving to the south or paving this intersection. The exposure or obligation for Mr. Drake currently is a quarter of the intersection of Coachlight and S 88th Street.

Directions: Council Member Mickelson was supportive of eliminating the Agreement and Waiver for the paving of S 88th Street and Mills Civic Parkway and having the Drakes only responsible for the quarter intersection of Coachlight and S 88th Street.

2. Whisper Ridge – S 88th Street/Coachlight Intersection & Coachlight Drive Construction

Ms. Twedt pointed out the area on a location map indicating that the remaining piece of Whisper Ridge had a medium density designation. She continued that Mr. Lowry has interest in selling this piece of property and has the responsibility for paving 88th Street to the north edge of the intersection, as well as a portion of Rockwood Lane.

City Engineer Wittstock gave an update from a recent meeting with Mr. Abels and Mr. Lowry. He



Location Map



N



Legend

-  Project Location
-  1/4 Section Line

Modifying Agreement & Waiver
Silverwood Plat 4

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(q)

DATE: May 18, 2015

ITEM:

Approval of Proclamation
National Public Works Week
May 17 - 23, 2015

FINANCIAL IMPACT:

None.

SYNOPSIS:

Approval of this proclamation provides recognition of the efforts of the Public Works professionals employed by the City of West Des Moines.

BACKGROUND:

Since 1960, the American Public Works Association (APWA) has celebrated National Public Works Week. This annual observance is designated to educate the public on the importance of our nation's public infrastructure and services. It also serves to recognize the contributions of public works professionals who, working in the public interest, build, manage and operate the systems essential to the economic and social well-being of our community.

RECOMMENDATION:

City Council Approve:

- Proclamation declaring May 17 - 23, 2015, as National Public Works Week

Lead Staff Member: Bret Hodne, Public Works Director

STAFF REVIEWS

Department Director	Bret Hodne <i>BH</i>
Appropriations/Finance	Tim Stiles, Finance Director
Legal	
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Date(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	May 13, 2015		
Recommendation	Yes	No	Split

PROCLAMATION

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as sewers, streets and highways, public buildings and solid waste collection; and

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services, and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction is vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

NOW, THEREFORE, I, Steven K. Gaer, Mayor of the City of West Des Moines, do hereby proclaim the week of May 17th, 2015, as National Public Works Week in the City of West Des Moines, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

PASSED AND APPROVED this 18th day of May, 2015.

Steven K. Gaer, Mayor

ATTEST:

Ryan Jacobson
City Clerk

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: May 18, 2015

ITEM: Aspire, South side of Stagecoach Drive approximately 680 feet west of South 68th Street/Galleria Drive – Vacate a portion of public street right-of-way associated with the driveway turnouts constructed along the south side of Stagecoach Drive (VAC-002590-2015)

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

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Aspire Residential, LLC, is requesting approval of the vacation of a portion of the Stagecoach Drive right-of-way associated with the driveway turnouts constructed along the south side of the street. The right-of-way in question is excess right-of-way that was reserved for the future installation of traffic signals at the existing driveway locations to the Aspire property. The vacation will allow the applicant additional property at the driveways allowing the proposed townhomes to fit better on the property. The right-of-way in question was included with the design of the driveways on Stagecoach Drive to allow for future stop light installation at the intersections. The Engineering Services department has reviewed the applicant’s request and is in agreement that a portion can be vacated as there will still be adequate room for stop light installation in the future if such is needed.

Previous Council Action:

Vote: 5-0 approval

Date: May 4, 2015

Motion: Approval of the First Reading of the vacation 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 third reading of the ordinance and adopt the ordinance to vacate a portion of public street right-of-way associated with the driveway turnouts constructed along the south side of Stagecoach Drive.

Lead Staff Member: Brian Portz, AICP

STAFF REVIEWS

Department Director	<i>[Signature]</i>
Appropriations/Finance	<i>[Signature]</i>
Legal	<i>[Signature]</i>
Agenda Acceptance	<i>[Signature]</i> RTG

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Date(s) Published	April 17, 2015
Letter sent to surrounding property owners	April 14, 2015

SUBCOMMITTEE REVIEW (if applicable)

Committee	Dev/Planning
Date Reviewed	February 12, 2015
Recommendation	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Split <input type="checkbox"/>

ATTACHMENTS:

Exhibit I - Proposed Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WEST DES MOINES, IOWA VACATING A PORTION OF CITY RIGHT-OF-WAY AT THE DRIVEWAY TURNOUTS ON THE SOUTH SIDE OF STAGECOACH DRIVE BETWEEN SOUTH JORDAN CREEK PARKWAY AND SOUTH 68TH STREET/GALLERIA DRIVE

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

SECTION 1. Pursuant to Title 7, Chapter 1, Section 10 of the West Des Moines City Code, "VACATION AND DISPOSAL," the following portion of the City right-of-way is hereby vacated:

That portion of Stagecoach Drive, West Des Moines, Iowa, legally described as follows:

PARCEL 1: A PART OF LOT B, WELLS FARGO PLAT 1, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF OUTLOT 'Y', ROGERS FARM, AN OFFICIAL PLAT IN SAID CITY OF WEST DES MOINES; THENCE NORTH 83°45'43" EAST ALONG THE NORTHERLY LINE OF SAID OUTLOT 'Y', A DISTANCE OF 537.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 83°45'43" EAST, 48.71 FEET; THENCE SOUTH 52°09'35" EAST, 57.47 FEET; THENCE SOUTH 8°04'53" EAST, 11.95 FEET TO SAID NORTHERLY LINE; THENCE SOUTH 82°03'43" WEST ALONG SAID NORTHERLY LINE, 37.36 FEET; THENCE NORTH 51°14'11" WEST CONTINUING ALONG SAID NORTHERLY LINE, 75.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.0 ACRES (2,523 SQUARE FEET).

PARCEL 2: A PART OF LOT B, WELLS FARGO PLAT 1, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF OUTLOT 'Y', ROGERS FARM, AN OFFICIAL PLAT IN SAID CITY OF WEST DES MOINES; THENCE NORTH 83°45'43" EAST ALONG THE NORTHERLY LINE OF SAID OUTLOT 'Y', A DISTANCE OF 537.00 FEET; THENCE SOUTH 51°14'11" EAST CONTINUING ALONG SAID NORTHERLY LINE, 75.00 FEET; THENCE NORTH 82°03'43" EAST CONTINUING ALONG SAID NORTHERLY LINE, 97.36 FEET TO THE POINT OF BEGINNING; THENCE NORTH 8°04'53" WEST, 10.59 FEET; THENCE NORTH 36°21'33" EAST, 57.12 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 925.00 FEET, WHOSE ARC LENGTH IS 35.27 FEET AND WHOSE CHORD BEARS NORTH 78°28'06" EAST, 35.27 FEET TO SAID NORTHERLY LINE; THENCE SOUTH 36°21'27" WEST CONTINUING ALONG SAID

NORTHERLY LINE, 75.00 FEET; THENCE SOUTH 82°03'43" WEST CONTINUING ALONG SAID NORTHERLY LINE, 22.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.04 ACRES (1,678 SQUARE FEET).

PARCEL 3: A PART OF LOT B, WELLS FARGO PLAT 1, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF OUTLOT Y, ROGERS FARM, AN OFFICIAL PLAT IN SAID CITY OF WEST DES MOINES; THENCE SOUTH 83°45'52" WEST ALONG THE NORTHERLY LINE OF SAID OUTLOT 'Y, A DISTANCE OF 152.55 FEET; THENCE SOUTHWESTERLY CONTINUING ALONG SAID NORTHERLY LINE AND A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 925.00 FEET, WHOSE ARC LENGTH IS 22.56 FEET AND WHOSE CHORD BEARS SOUTH 21°14'59" WEST, 22.56 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 18°50'02" EAST CONTINUING ALONG SAID NORTHERLY LINE, 75.00 FEET; THENCE SOUTH 28°48'43" WEST CONTINUING ALONG SAID NORTHERLY LINE, 120.01 FEET; THENCE SOUTH 76°27'28" WEST CONTINUING ALONG SAID NORTHERLY LINE, 75.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 925.00 FEET, WHOSE ARC LENGTH IS 52.13 FEET AND WHOSE CHORD BEARS NORTH 34°03'37" EAST, 52.12 FEET; THENCE NORTH 74°56'26" EAST, 57.80 FEET; THENCE NORTH 28°06'34" EAST, 60.00 FEET; THENCE NORTH 18°09'25" WEST, 58.35 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 925.00 FEET, WHOSE ARC LENGTH IS 29.45 FEET AND WHOSE CHORD BEARS NORTH 22°51'38" EAST, 29.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.10 ACRES (4,508 SQUARE FEET).

SECTION 2. SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase or part of this 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. 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 this ____ 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

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

Date: May 18, 2015

ITEM: Jordan West, Southwest corner of EP True Parkway and Jordan Creek Parkway – Amend Comprehensive Plan Land Use from Office (OF) to Support Commercial (SC) and Medium Density Residential (MD) and amend the Area Development Plan for the site – Ryan Companies US, Inc. & Bridgewood Commercial I, LLC - CPA-002561-2014 & ADP-002562-2014

RESOLUTION: Approval of Comprehensive Plan Amendment

RESOLUTION: Approval of Area Development Plan Amendment

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicants, Ryan Companies US, Inc. and Bridgewood Commercial 1, LLC, are requesting approval of both a Comprehensive Plan Land Use Amendment and Area Development Plan Amendment for property located on the southwest corner of E.P. True Parkway and Jordan Creek Parkway, between EP True Parkway and Bridgewood Boulevard. The applicants are requesting to change the land use designations from Office (OF) to a combination of Support Commercial (SC) and Medium Density Residential (MD) to allow various retail establishments, offices, restaurants, a hotel, a convenience store, and an approximately 190 unit, medium density, apartment complex. The commercial aspect of the development will be located primarily along the eastern portion of the property; while the residential component will be located in the western corner of the site, north and east of the existing Park's greenbelt and trail.

In addition, the applicants are requesting to amend the Area Development Plan to adjust the planning parcels identified, land uses, and primary circulation routes. The Area Development Plan was established in conjunction with the Jordan West Specific Plan when the development of the area was anticipated to be primarily an office park. The Area Development Plan includes both the Jordan West property, as well as the Bridgewood Commercial property (Bridgewood Plat 1, Lot 33).

An amendment of the Jordan West Specific Plan Amendment to establish development regulations and limitations in respect to the proposed commercial-residential development of the Jordan West property is anticipated to be brought forward for consideration at the next Plan and Zoning Commission and City Council meetings. Establishment of the appropriate Specific Plan Ordinance for the Bridgewood Commercial property will occur at a later date when development details are known and development is pending. As part of the establishment of the Specific Plan for the property, an amendment to the Bridgewood PUD will be necessary to remove the property from that PUD.

Plan and Zoning Commission Action:

Vote: 4-0 for approval, with Commissioner(s) Erickson, Brown and Crowley absent.

Date: May 11, 2015

Motion: Adopt a resolution recommending the City Council approve the Comprehensive Plan Amendment and Area Development Plan Amendment.

OUTSTANDING ISSUES: There are no outstanding issues. The applicant has stated that they are in agreement with all of staff's recommendations and conditions. The following items of interest are noted in the attached Plan and Zoning Commission report (see Exhibit I):

- Applicant's Request
- History
- City Council Subcommittee - *Development & Planning – 1/15/2015 & 3/12/2015*
- Staff Review and Comment
 - *Bridgewood Drive Extension*
 - *Original Jordan West Office Park Development*
 - *Area Development Plan*

- Comprehensive Plan Consistency
- Town Center Overlay District Consistency
- Noticing Information
- Staff Recommendation and Conditions of Approval – Comprehensive Plan
- Staff Recommendation and Conditions of Approval – Area Development Plan
- Owner/Applicant/Applicant Representative Information

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, the Plan and Zoning Commission recommends the City Council approve the Comprehensive Plan Land Use map amendment for approximately 45.2 acres from Office (OF) to Support Commercial (SC) (areas A and C on Exhibit I, Attachment F) and Medium Density Residential (MD) (area B on Exhibit I, Attachment F); and approve an amendment to the associated Area Development Plan to adopt that indicated in Exhibit I, Attachment F, subject to the applicant meeting all City Code requirements and the following:

1. The applicant, Ryan Companies US, Inc., receiving City Council approval of an amended Jordan West Specific Plan detailing specific development regulations, allowances, and limitations prior to development of any portion of the Jordan West property; and
2. The applicant of Lot 33, Bridgewood Plat 1, Bridgewood Commercial 1, LLC., receiving City Council approval of an amendment to the Bridgewood PUD to remove the property from the PUD, and City Council approval of a Rezoning Request to establish a Specific Plan Ordinance over the property detailing specific development regulations, allowances, and limitations prior to development of any portion of the subject property.

Lead Staff Member: Brian S. Portz, AICP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register Community Section
Date(s) Published	5/1/2015
Letter sent to surrounding property owners	4/28/2015

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	1/15/2015 & 3/12/2015		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- Exhibit I - Plan and Zoning Commission Communication
- Attachment A - Plan and Zoning Commission Resolution - Comprehensive Plan Amendment
- Attachment B - Plan and Zoning Commission Resolution – Area Development Plan
- Exhibit A - Conditions of Approval
- Attachment C - Location Map
- Attachment D - Current Comprehensive Plan Land Use Map
- Attachment E - Current Area Development Plan
- Attachment F - Proposed Area Development Plan/Comprehensive Plan Land Use Map
- Exhibit II - City Council Resolution – Comprehensive Plan Amendment
- Exhibit III - City Council Resolution – Area Development Plan Amendment

**CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION**

Meeting Date: May 11, 2015

Item: Jordan West, Southwest corner of EP True Parkway and Jordan Creek Parkway – Amend Comprehensive Plan Land Use from Office (OF) to Support Commercial (SC) and Medium Density Residential (MD) and amend the Area Development Plan for the site – Ryan Companies US, Inc. & Bridgewood Commercial I, LLC
CPA-002561-2014 & ADP-002562-2014

Requested Action: Approval of Comprehensive Plan and Area Development Plan Amendments

Case Advisor: Brian Portz, AICP

Applicant's Request: The applicants, Ryan Companies US, Inc. and Bridgewood Commercial 1, LLC, are requesting approval of both a Comprehensive Plan Land Use Amendment and Area Development Plan Amendment for property located on the southwest corner of E.P. True Parkway and Jordan Creek Parkway, between EP True Parkway and Bridgewood Boulevard. The applicants are requesting to change the land use designations from Office (OF) to a combination of Support Commercial (SC) and Medium Density Residential (MD) to allow various retail establishments, offices, restaurants, a hotel, a convenience store, and an approximately 190 unit, medium density, apartment complex. The commercial aspect of the development will be located primarily along the eastern portion of the property; while the residential component will be located in the western corner of the site, north and east of the existing Park's greenbelt and trail.

In addition, the applicants are requesting to amend the Area Development Plan to adjust the planning parcels identified, land uses, and primary circulation routes. The Area Development Plan was established in conjunction with the Jordan West Specific Plan when the development of the area was anticipated to be primarily an office park. The Area Development Plan includes both the Jordan West property, as well as the Bridgewood Commercial property (Bridgewood Plat 1, Lot 33).

An amendment of the Jordan West Specific Plan Amendment to establish development regulations and limitations in respect to the proposed commercial-residential development of the Jordan West property is anticipated to be brought forward for consideration at the next Plan and Zoning Commission and City Council meetings. Establishment of the appropriate Specific Plan Ordinance for the Bridgewood Commercial property will occur at a later date when development details are known and development is pending. As part of the establishment of the Specific Plan for the property, an amendment to the Bridgewood PUD will be necessary to remove the property from that PUD.

History: The properties are currently undeveloped ground. The Bridgewood PUD was adopted in 1997 and has been amended ten times since. Bridgewood Plat 1 was approved in 1998. Jordan West Plat 1 was approved in June of 2007, and Jordan West Plat 2 approved in February, 2008. In 2007, an Area Development Plan and Specific Plan Ordinance for the Jordan West property was approved that provided regulations for the development of offices on the property with internal private streets.

City Council Subcommittee: The Specific Plan for the development of this property was presented to the Development and Planning City Council Subcommittee on January 15, 2015 and again on March 12, 2015. The main item of discussion was the extension of Bridgewood Drive through the development and potential traffic calming measures that could be implemented to reduce the impact of the development on the adjacent Bridgewood single family residential development. The Subcommittee acknowledged the need for Bridgewood Drive to continue through the Jordan West development and connect to either EP True Parkway or Jordan Creek Parkway. The Subcommittee was supportive of the proposal and the applicant was directed to work with the neighbors to identify measures to best address their concerns. Additionally, concern was raised with the height of the proposed hotel. The applicant has indicate a willingness to limit the maximum height to 50'.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff would summarize the following:

- ***Bridgewood Drive Extension:*** Existing Bridgewood Drive to the south is a public street. This roadway needs to be continued to connect to either EP True Parkway or Jordan Creek Parkway. The applicant is in agreement with extending the roadway; however, they wish to make it a private roadway through their development so as to limit the amount of land encompassed as right-of-way. The City has no issue with the roadway being private through the Jordan West development; however, when a public street terminates into a private roadway, there needs to be clear demarcation line and a means for which City vehicles (snow plows and maintenance trucks) to turn around. To allow for this, and in response to the neighbors request that traffic calming measures such as splitter islands, traffic control measures, and/or speed bumps be implemented, Jordan West will be requesting a vacation of that portion of the public street that lies north of the Bridgewood Drive and Beechtree Lane intersection. This will allow City vehicles to turn onto Beechtree Lane and serve as the demarcation line between the public and private portions of Bridgewood Drive. The vacation request will be presented at upcoming Plan and Zoning Commission and City Council meetings for consideration.
- ***Original Jordan West Office Park Development:*** In 2007, an Area Development Plan and Specific Plan Ordinance was approved by the City Council for the development of the then titled, Jordan West Office Park. At the time, this development was to be an office park with 2 and 3-story office buildings with allowances for one hotel, one bank, and one restaurant. Bridgewood Drive was indicated to extend and tie into Jordan Creek Parkway, approximately mid-way between EP True Pkwy and Bridgewood Boulevard. Two other primarily north-south roadways tied into the extended Bridgewood Drive that routed traffic to/from EP True Parkway (see Attachment E). The new development proposal is for a primarily commercial development along the eastern portion and apartment complex to the west. Bridgewood Boulevard is intended to extend north and tie into EP True Parkway. A connection to Jordan Creek Parkway will tie into Bridgewood Drive and a secondary north-south roadway is intended through the commercial portion of Jordan West, as well as the Bridgewood Commercial property immediately south which ultimately will tie EP True Pkwy to Bridgewood Boulevard (see Attachment F).
- ***Area Development Plan:*** The Town Center Overlay District is broken out into multiple defined geographic areas. The subject properties are located within Area 6. An Area Development Plan is required for all developments within the Town Center Overlay District. The applicant has submitted an Area Development Plan which outlines the planning units, basic street system, ingress and egress, utilities, and stormwater detention areas. The applicant is proposing three different planning units on the site. Planning Unit A, which makes up the largest portion of the site, will have a designated land use of Support Commercial, and will be comprised of offices, a large multi-tenant retail building, smaller retail establishments, bank, pharmacy, hotel, and restaurants. Planning unit B will be designated as Medium Density Residential and will consist of an approximately 190 unit apartment development. Planning unit C will also be designated as Support Commercial. Planning units A and B are currently owned by Jordan West, while Planning unit C is owned by Bridgewood Commercial 1, LLC. Currently, the developer of Planning unit C is indicating that he intends two 2-story retail/office buildings along the west with under-building parking, with possibly a bank, retail establishment, and/or restaurant along Jordan Creek Parkway. This developer has indicated he has no intentions of including either a convenience store or hotel into his development. Staff supports the approval of the Area Development Plan, as it meets the intent of the Overlay District Guidelines and therefore, provides considerations for area wide planning for future development.

Comprehensive Plan Consistency: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Town Center Overlay District Consistency: The proposed project has been reviewed for consistency with the Town Center Overlay District Guidelines. Based upon that review, a finding has been made that the proposed project is consistent with the Town Center Overlay District Guidelines in that the plan is consistent with the overall objective and intents of the Town Center Overlay District Guidelines.

Noticing Information: On May 1, 2015, notice for the May 11, 2015, Plan and Zoning Commission and May 18, 2015, City Council Public Hearings on this project was published in the Des Moines Register Community Section. Notice of these public hearings was also mailed to all surrounding property owners within 370 feet of the subject property on April 28, 2015.

Staff Recommendation And Conditions Of Approval - Comprehensive Plan: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan and the Town Center Overlay District, staff recommends the Plan and Zoning Commission adopt a resolution recommending to the City Council approval of the Comprehensive Plan Land Use map amendment for approximately 45.2 acres from Office (OF) to Support Commercial (SC) (areas A and C on Attachment F) and Medium Density Residential (MD) (area B on Attachment F), subject to the applicant meeting all City Code requirements.

Staff Recommendation And Conditions Of Approval - Area Development Plan: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan and the Town Center Overlay District, staff recommends the Plan and Zoning Commission adopt a resolution recommending to the City Council approval of an amendment to the associated Area Development Plan to adopt that indicated in Attachment F, subject to the applicant meeting all City Code requirements and the following:

1. The applicant, Ryan Companies US, Inc., receiving City Council approval of an amended Jordan West Specific Plan detailing specific development regulations, allowances, and limitations prior to development of any portion of the Jordan West property; and
2. The applicant of Lot 33, Bridgewood Plat 1, Bridgewood Commercial 1, LLC., receiving City Council approval of an amendment to the Bridgewood PUD to remove the property from the PUD, and City Council approval of a Rezoning Request to establish a Specific Plan Ordinance over the property detailing specific development regulations, allowances, and limitations prior to development of any portion of the subject property.

Property Owners/Applicants:

Ryan Companies US, Inc.
14001 University Avenue, Suite 300
Clive, IA 50325
Attn: Brad Schoenfelder
brad.schoenfelder@ryancompanies.com

Bridgewood Commercial I, LLC
c/o Signature Real Estate Services, Inc.
12035 University Avenue, Suite 101
Clive, Iowa 50325
Attn: David I. Hansen, Vice President
Dave@SignatureRES.com

Applicant's Representatives:

Civil Engineering Consultants
2400 86th Street, Suite 12
Des Moines, IA 50322
Attn: Ed Arp
arp@ceclac.com

ATTACHMENTS:

Attachment A	=	Plan and Zoning Commission Resolution – Comprehensive Plan Amendment
Attachment B	=	Plan and Zoning Commission Resolution – Area Development Plan
Attachment C	=	Location Map
Attachment D	=	Current Comprehensive Plan Land Use Map
Attachment E	=	Current Area Development Plan
Attachment F	=	Proposed Area Development Plan/Comprehensive Plan Land Use Map

RESOLUTION NO. PZC-15-027

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP FOR APPROXIMATELY 45.2 ACRES LOCATED ON THE SOUTHWEST CORNER OF E.P. TRUE PARKWAY AND JORDAN CREEK PARKWAY TO AMEND THE COMPREHENSIVE PLAN LAND USE MAP DESIGNATION FROM OFFICE (OF) TO SUPPORT COMMERCIAL (SC) AND MEDIUM DENSITY RESIDENTIAL (MD)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the property owners and applicants, Ryan Companies US, Inc. and Bridgewood Commercial 1, LLC., have requested an amendment to the Comprehensive Plan Land Use Map (CPA-002561-2014) to change the land use designation from Office (OF) to Support Commercial (SC) (planning areas A and C on Attachment F of the staff report) and from Office (OF) to Medium Density Residential (MD) (planning area B on Attachment F of the staff report) for that approximately 45.2 acres located southwest of E.P. True Parkway and Jordan Creek Parkway and within part of the area legally described as follows:

Legal Description

PARCEL 'A' OF THE SURVEY OF PARCEL 'Z' IN THE SE 1/4 OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, AS SHOWN IN BOOK 2002, PAGE 17509 IN THE OFFICE OF THE RECORDER OF DALLAS COUNTY, IOWA, EXCEPT THAT PART OF SAID PARCEL 'A' CONVEYED TO THE CITY OF WEST DES MOINES IN DEED FILED IN BOOK 2004, PAGE 3761.

SAID PROPERTY IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE E 1/4 CORNER OF SECTION 11-78-26; THENCE S00°00'07"W, 855.09 FEET ALONG THE EAST LINE OF SECTION 11 TO A POINT; THENCE N89°59'59"W, 82.67 FEET TO THE POINT OF BEGINNING ON THE WEST RIGHT-OF-WAY LINE OF JORDAN CREEK PARKWAY; THENCE S00°00'07"W, 1105.69 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE NORTH LINE OF LOT 33, BRIDGEWOOD PLAT 1, AN OFFICIAL PLAT; THENCE N89°59'53"W, 592.24 FEET ALONG SAID NORTH LINE TO A POINT; THENCE S45°05'04"W, 94.76 FEET TO A POINT; THENCE N45°01'53"W, 126.89 FEET TO A POINT; THENCE N69°32'48"W, 204.69 FEET TO A POINT; THENCE N44°10'53"W, 1027.22 FEET TO A POINT ON THE SOUTH LINE OF BRIDGEWOOD SCHOOL, AN OFFICIAL PLAT; THENCE N40°54'26"E, 186.35 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE N12°58'12"W, 276.547 FEET ALONG THE EAST LINE OF BRIDGEWOOD SCHOOL TO A POINT; THENCE N25°57'55"E, 204.18 FEET ALONG SAID EAST LINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF E.P. TRUE PARKWAY; THENCE S62°11'29"E, 371.10 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 960.00 FEET, AN ARC LENGTH OF 465.91 FEET AND A CHORD BEARING OF S76°05'41"E TO A POINT OF TANGENCY; THENCE S89°59'53"E, 696.41 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE S44°52'19"E, 49.61 FEET TO THE POINT OF BEGINNING

AND

LOT 33, BRIDGEWOOD PLAT 1, AN OFFICIAL PLAT, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, CONTAINING 45.186 ACRES MORE OR LESS.


WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on May 11, 2015, this Commission held a duly-noticed hearing to consider the application for Comprehensive Plan Amendment (CPA-002561-2014);

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The request for a change in the land use designation from Office (OF) to Support Commercial (SC) and Medium Density Residential (MD) consistent with that indicated in Attachment F of the staff report, for that approximately 45.2 acres located within property located southwest of E.P. True Parkway and Jordan Creek Parkway and legally described above is recommended to the City Council for approval.

PASSED AND ADOPTED on May 11, 2015.

Chris Costa 
~~Michele Brown~~, Vice Chair
Plan and Zoning Commission

ATTEST:


Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on May 11, 2015, by the following vote:

AYES: Andersen, Costa, Hatfield, Southworth

NAYS: -0-

ABSTENTIONS: -0-

ABSENT: Crowley, Erickson, Brown

ATTEST:


Recording Secretary

RESOLUTION NO. PZC-15-028

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES,
RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN AMENDMENT TO THE
JORDAN WEST AREA DEVELOPMENT PLAN (ADP-002562-2014)**

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the property owners and applicants, Ryan Companies US, Inc. and Bridgewood Commercial 1 LLC., have requested approval for an amended Area Development Plan for that certain 45.2 acre site located at the southwest corner of E.P. True Parkway and Jordan Creek Parkway to approve the Jordan West Area Development Plan.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

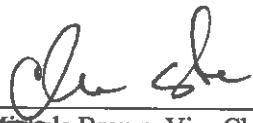
WHEREAS, on May 11, 2015 this Commission held a duly-noticed meeting to consider the application for Jordan West Area Development Plan (ADP-002562-2014)

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

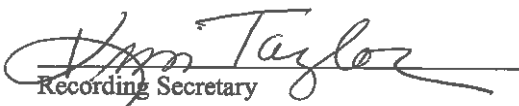
SECTION 1. The findings, for approval, in the staff report, dated May 11, 2015, or as amended orally at the Plan and Zoning Commission hearing of May 11, 2015, are adopted.

SECTION 2. THE AREA DEVELOPMENT PLAN (ADP-002562-2014) as presented in Attachment F of the staff report is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated May 11, 2015, including conditions added at the meeting, and attached hereto as Exhibit 'A'. Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on May 11, 2015.


Chris Costa _____
Michele Brown, Vice Chair
Plan and Zoning Commission

ATTEST:


Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on May 11, 2015 by the following vote:

AYES: Andersen, Costa, Hatfield, Southworth

NAYS: -0-

ABSTENTIONS: -0-

ABSENT: Crowley, Erickson, Brown

ATTEST:

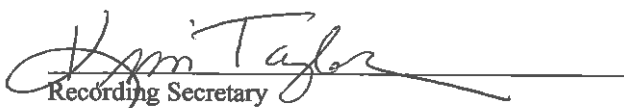

Recording Secretary

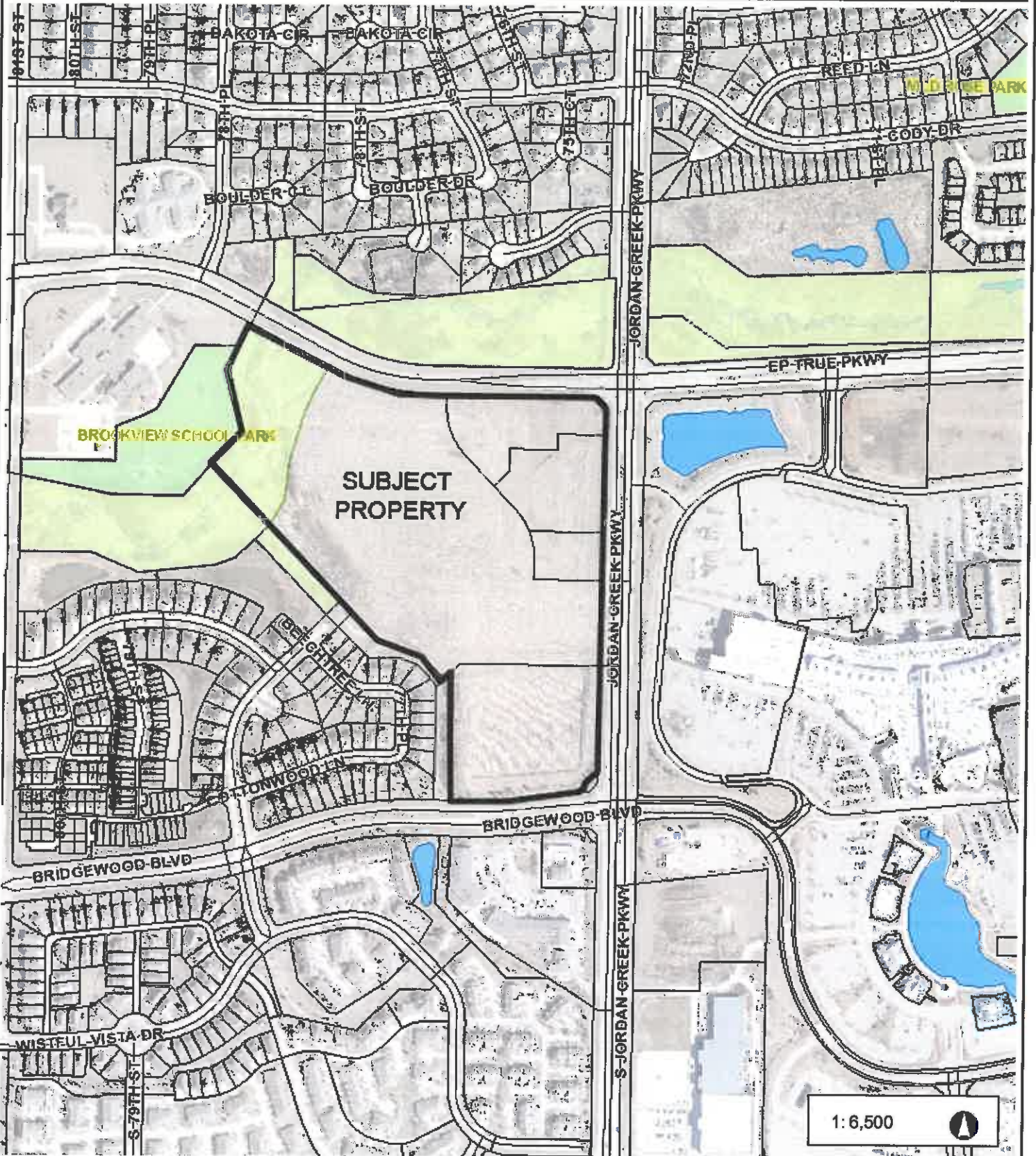
Exhibit A
Conditions of Approval


1. The applicant, Ryan Companies US, Inc., receiving City Council approval of an amended Jordan West Specific Plan detailing specific development regulations, allowances, and limitations prior to development of any portion of the Jordan West property; and
2. The applicant of Lot 33, Bridgewood Plat 1, Bridgewood Commercial 1, LLC., receiving City Council approval of an amendment to the Bridgewood PUD to remove the property from the PUD, and City Council approval of a Rezoning Request to establish a Specific Plan Ordinance over the property detailing specific development regulations, allowances, and limitations prior to development of any portion of the subject property.

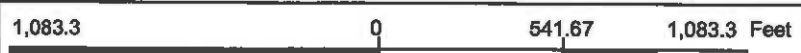


Jordan West PUD

ATTACHMENT C



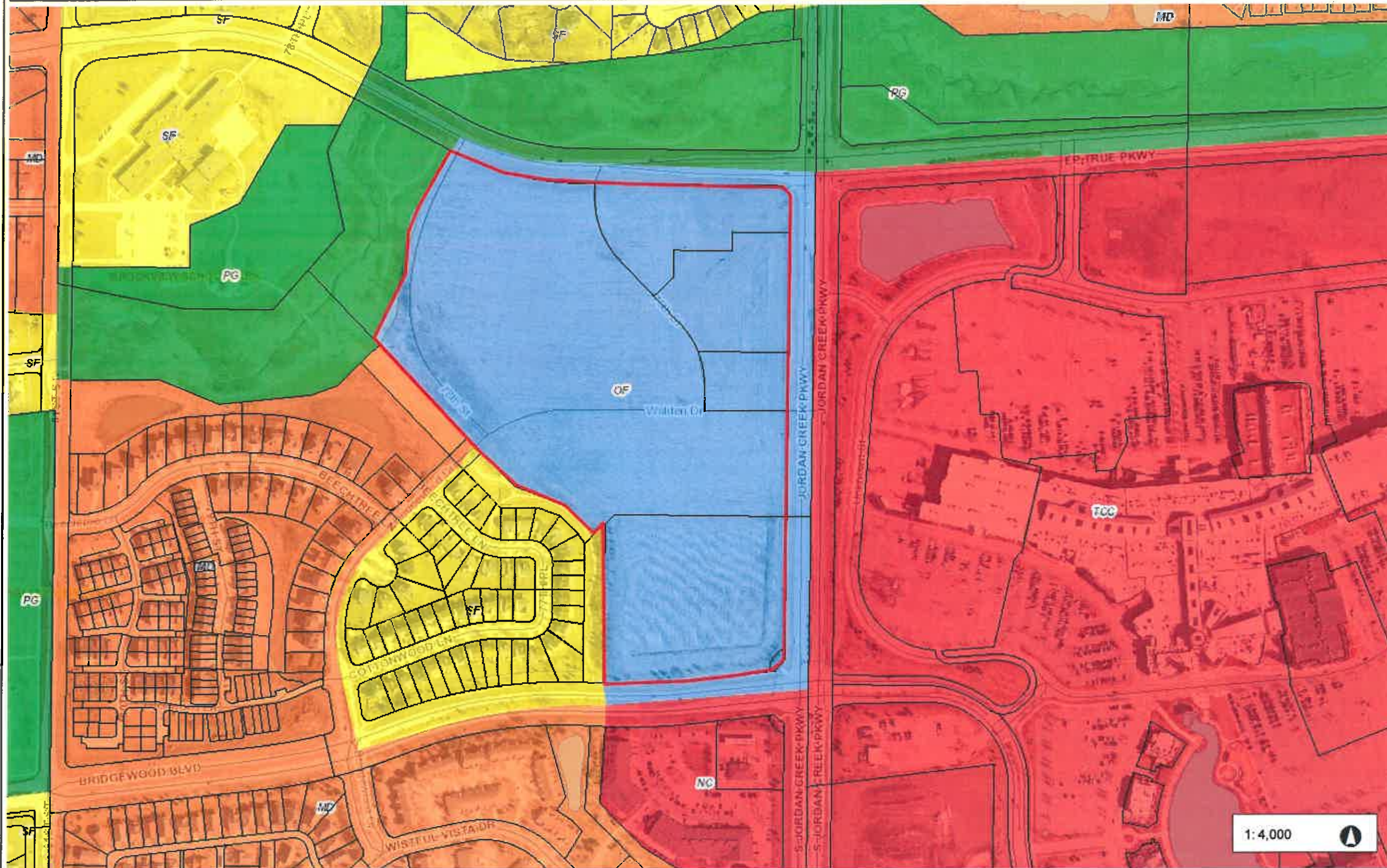
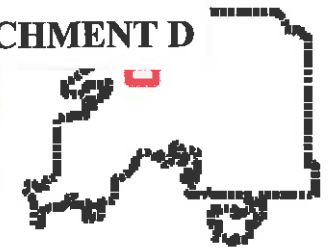
1:6,500 



NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
 © City of West Des Moines, Iowa

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



- Legend**
- Parcels
 - Comprehensive Plan Land Use**
 - OS: Open Space
 - PG: Parks & Greenways
 - LD: Low Density Residential
 - SF: Single Family Residential
 - MD: Medium Density Residential
 - HD: High Density Residential
 - MF: Manufactured Homes
 - MU: Mixed Use
 - RC: Regional Commercial
 - TCC: Town Center Commercial
 - CMC: Community Commercial
 - SO: Support Office
 - NC: Neighborhood Commercial
 - SC: Support Commercial
 - HC: Highway Commercial
 - CVC: Convenience Commercial
 - VJ SC: Valley Junction Commercial
 - HBC: Historic Business
 - OF: Office
 - GI: General Industrial
 - LI: Light Industrial
 - BP: Business Park
 - WR: Warehouse/Retail
 - Parks
 - Greenways

1:4,000

666.7 0 333.33 666.7 Feet

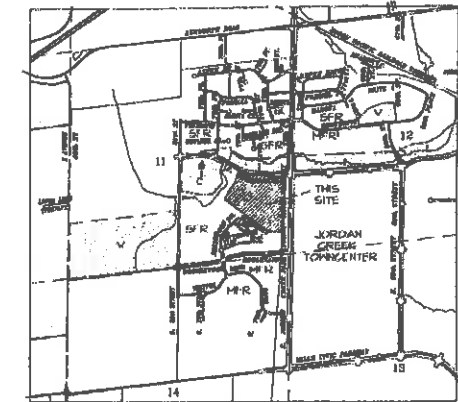
NAD_1993_StatePlane_Iowa_South_FIPS_1402_Feet
© City of West Des Moines, Iowa

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

JORDAN WEST OFFICE PARK

SHEET 1 OF 2

Attachment E



City of West Des Moines
 Planning Commission: January 1, 2007
 City Council: January 25, 2007
 File # 07-001
 F.A.P. 001-03

RECEIVED
 CITY OF WEST
 DES MOINES
 FEB 01 2007
 DEVELOPMENT
 SERVICES
 NORTH
 SCALE 1"=100'

VICINITY SKETCH

OWNER/DEVELOPER

PLANNING UNITS 'A', 'B', 'C', 'D'	PLANNING UNIT 'E'
RYAN COMPANIES US, INC. 1801 30TH STREET, SUITE 100 WEST DES MOINES, IA 50266 515-804-8526 PHONE 515-804-8516 FAX ATTN: DOUG DIECK	BOARDWALK DEVELOPMENT COMPANY NO 1 LLC 419 S. 30TH STREET, SUITE 800 WEST DES MOINES, IA 50265 PHONE: 216-6725 FAX: 216-2745 ATTN: JOHN H. GRUBB

LEGAL DESCRIPTION

A PARCEL OF LAND IN PARCEL 'Z', IN THE SE 1/4 OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE E 1/4 CORNER OF SECTION 11-18-26; THENCE 800°00'07"N, 855.04 FEET ALONG THE EAST LINE OF SECTION 11 TO A POINT; THENCE N89°54'59"W, 82.67 FEET TO THE POINT OF BEGINNING ON THE WEST RIGHT-OF-WAY LINE OF JORDAN CREEK PARKWAY; THENCE S20°00'07"W, 1028.64 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE NORTH LINE OF LOT 33, BRIDGEWOOD PLAT 1, AN OFFICIAL PLAT; THENCE N84°54'53"W, 512.24 FEET ALONG SAID NORTH LINE TO A POINT; THENCE S45°03'04"W, 94.76 FEET TO A POINT; THENCE N45°01'55"W, 126.89 FEET TO A POINT; THENCE N64°32'48"W, 204.64 FEET TO A POINT; THENCE N44°10'53"W, 1027.22 FEET TO A POINT ON THE SOUTH LINE OF BRIDGEWOOD SCHOOL, AN OFFICIAL PLAT; THENCE N40°54'26"E, 186.55 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE N23°18'12"W, 216.541 FEET ALONG THE EAST LINE OF BRIDGEWOOD SCHOOL TO A POINT; THENCE N25°57'55"E, 204.18 FEET ALONG SAID EAST LINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF E.P. TRUE PARKWAY; THENCE S62°11'24"E, 571.10 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 460.00 FEET, AN ARC LENGTH OF 465.91 FEET AND A CHORD BEARING OF S76°05'41"E TO A POINT OF TANGENCY; THENCE S84°54'55"E, 646.41 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE S44°52'19"E, 44.61 FEET TO THE POINT OF BEGINNING AND CONTAINING 31.246 ACRES MORE OR LESS.

AND
 LOT 33 OF BRIDGEWOOD PLAT 1, AN OFFICIAL PLAT OF THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, AND CONTAINING 8.192 ACRES MORE OR LESS.

ZONING
 EXISTING: BRIDGEWOOD P.U.D. - SINGLE FAMILY RESIDENTIAL
 PROPOSED: JORDAN WEST SPECIFIC PLAN (UNDERLYING ZONING - OFFICE)

COMPREHENSIVE PLAN
 EXISTING: OFFICE & SINGLE FAMILY RESIDENTIAL
 PROPOSED: OFFICE

LAND USE
 EXISTING: OFFICE
 PROPOSED: OFFICE

LEGEND

- OPEN CHANNEL
- POTENTIAL VEGICULAR ACCESS POINTS
- POTENTIAL VEGICULAR CONNECTIONS
- POTENTIAL SANITARY SEWER LAYOUT
- PROPOSED R.O.W. LINES
- POTENTIAL PRIVATE TRAIL
- WATER FEATURE
- PROPOSED CITY TRAILS
- INTERSECTIONS TO BE SIGNALIZED

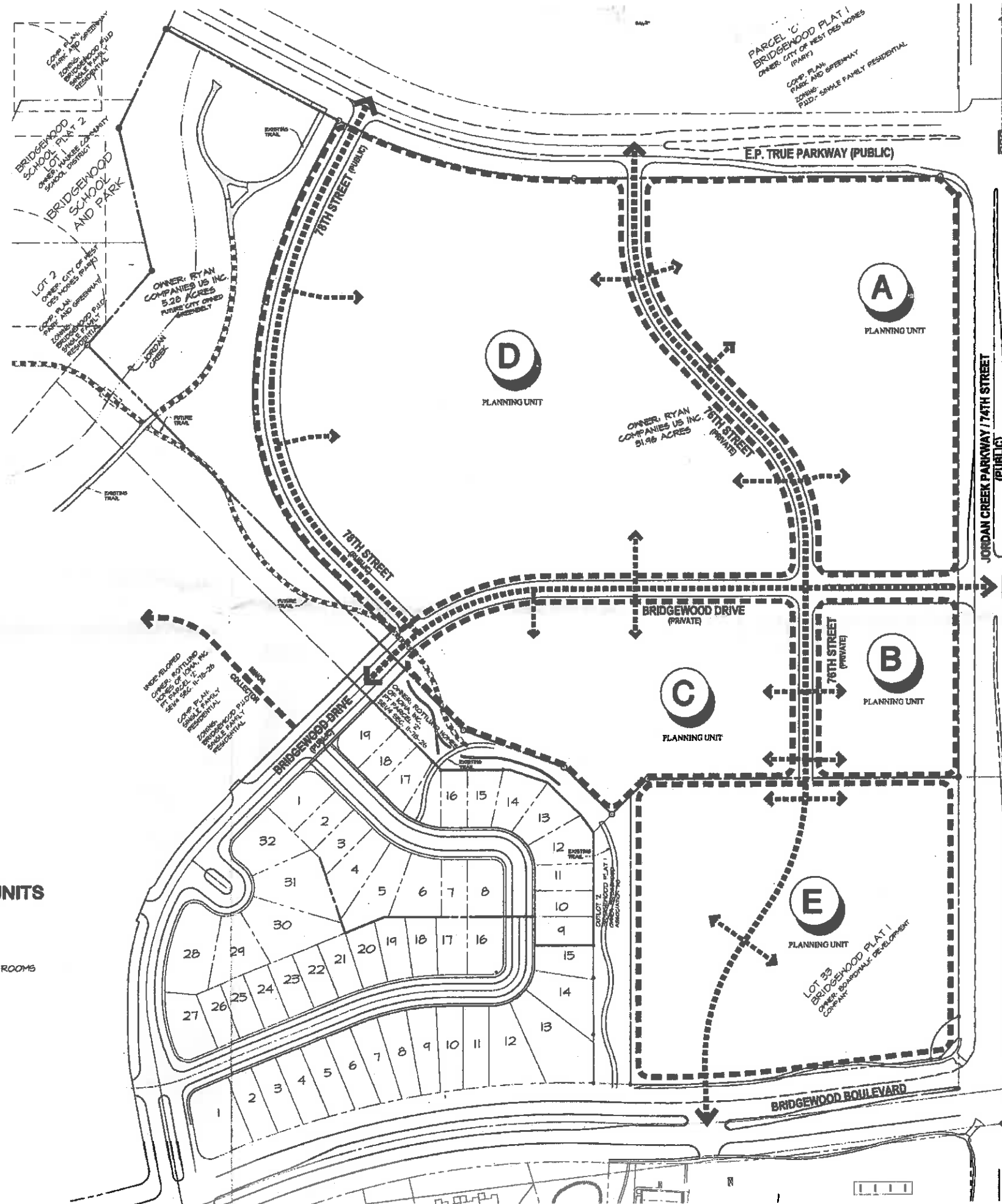
MAJOR STREET PATTERNS & PLANNING UNITS



LAC
 Landscape Architectural Consultants, Inc.

CEC
 Civil Engineering Consultants, Inc.

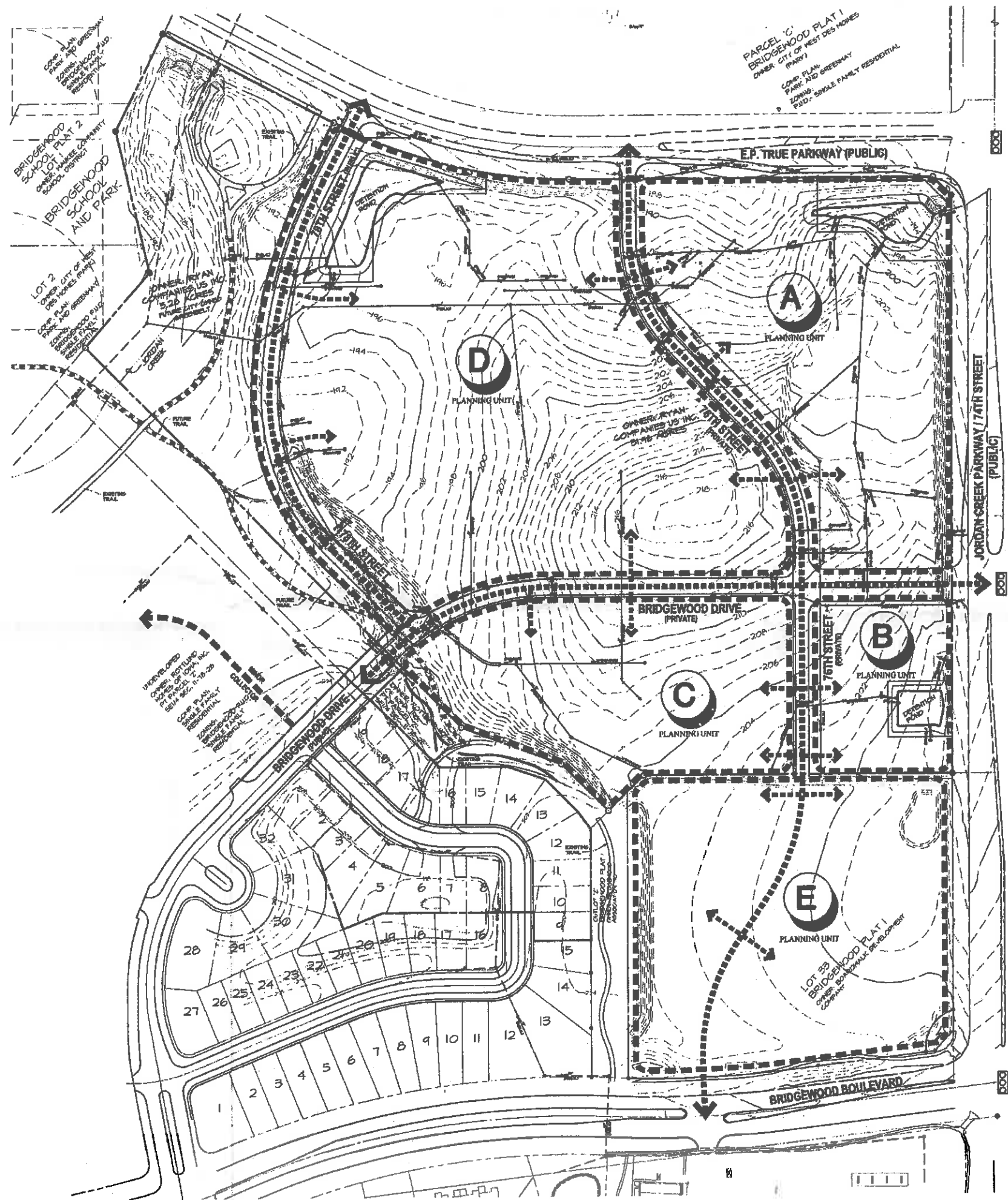
2480 86th Street, Unit 12 • Des Moines, Iowa 50322
 515.276.4384 • Fax: 515.276.7084 • mail@cecinc.com



PLANNING UNITS

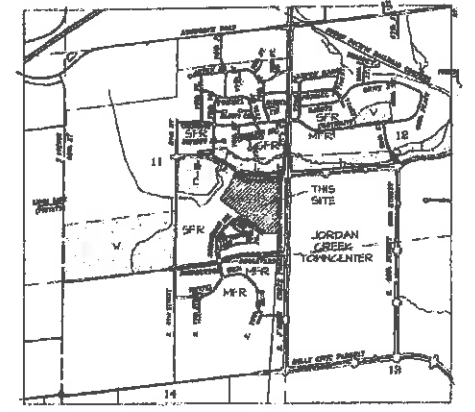
- (A) OFFICE**
 8.17 ACRES
 LAND USE: OFFICE
 BANK HOTEL - 160 ROOMS
- (B) OFFICE**
 2.40 ACRES
 LAND USE: OFFICE
 RESTAURANT
- (C) OFFICE**
 5.62 ACRES
 LAND USE: OFFICE
- (D) OFFICE**
 15.71 ACRES
 LAND USE: OFFICE
- (E) OFFICE**
 8.192 ACRES
 LAND USE: OFFICE

D=128756.30'
 R=125.00'
 L=300.42'
 T=50.51'
 CH=300.11'
 CB=501'52.36"



JORDAN WEST OFFICE PARK

SHEET 2 OF 2



VICINITY SKETCH

OWNER/DEVELOPER

PLANNING UNITS 'A', 'B', 'C', 'D'

RYAN COMPANIES US, INC.
1501 50TH STREET, SUITE 100
WEST DES MOINES, IA 50266
515-304-8536 PHONE
515-304-8516 FAX
ATTN: DOUG DIECK

PLANNING UNIT 'E'

BOARDWALK DEVELOPMENT COMPANY NO 1 LLC
475 S. 50TH STREET, SUITE 800
WEST DES MOINES, IA 50265
PHONE: 278-6155
FAX: 278-2193
ATTN: JOHN M. GRUBB

JORDAN CREEK TOWN CENTER

OWNER: 689 JORDAN CREEK LLC
CITY OF WEST DES MOINES
GENERAL GROWTH PROPERTY

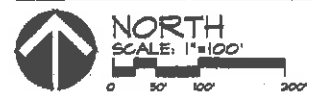
OWNER: 689 JORDAN CREEK LLC
CITY OF WEST DES MOINES
GENERAL GROWTH PROPERTY

OWNER: 689 JORDAN CREEK LLC
CITY OF WEST DES MOINES
GENERAL GROWTH PROPERTY

LEGEND

- OPEN CHANNEL
- POTENTIAL VEHICULAR ACCESS POINTS
- POTENTIAL VEHICULAR CONNECTIONS
- POTENTIAL SANITARY SEWER LAYOUT
- PROPOSED R.O.M. LINES
- POTENTIAL PRIVATE TRAIL
- WATER FEATURE
- PROPOSED CITY TRAILS
- INTERSECTIONS TO BE SIGNALIZED

INFRASTRUCTURE,
DRAINAGE &
DETENTION



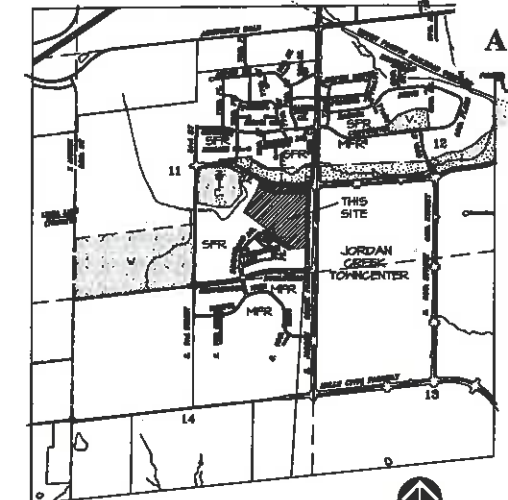
LAC
Landscape Architectural Consultants, Inc.

CEC
Civil Engineering Consultants, Inc.

2400 86th Street, Unit 12, Des Moines, Iowa 50322
515.278.4884 • Fax: 515.276.7084 • mail@cec.com

D=99°56'30"
R=825.00'
L=300.42'
T=60.51'
CH=300.11'
CB=587°52'38"W

Civil Engineering Consultant
 2400 86th Street, Unit 12 - Des Moines, IA
 515.276.4884 - Fax: 515.276.7084 - mail@cec.com



VICINITY SKETCH



OWNER/DEVELOPER

RYAN COMPANIES US, INC.
 14001 UNIVERSITY AVENUE, SUITE 300
 CLIVE, IA 50325
 515-304-8500 PHONE
 515-304-8516 FAX
 ATTN: BRAD SHOENFELDER

COMPREHENSIVE PLAN

EXISTING: OFFICE
 PROPOSED: SUPPORT COMMERCIAL & MEDIUM DENSITY RESIDENTIAL

ZONING

EXISTING: JORDAN WEST SPECIFIC PLAN (UNDERLYING ZONING DESIGNATION - OFFICE)
 PROPOSED: JORDAN WEST SPECIFIC PLAN (UNDERLYING ZONING DESIGNATION - SUPPORT COMMERCIAL & MEDIUM DENSITY RESIDENTIAL)

LEGAL DESCRIPTION

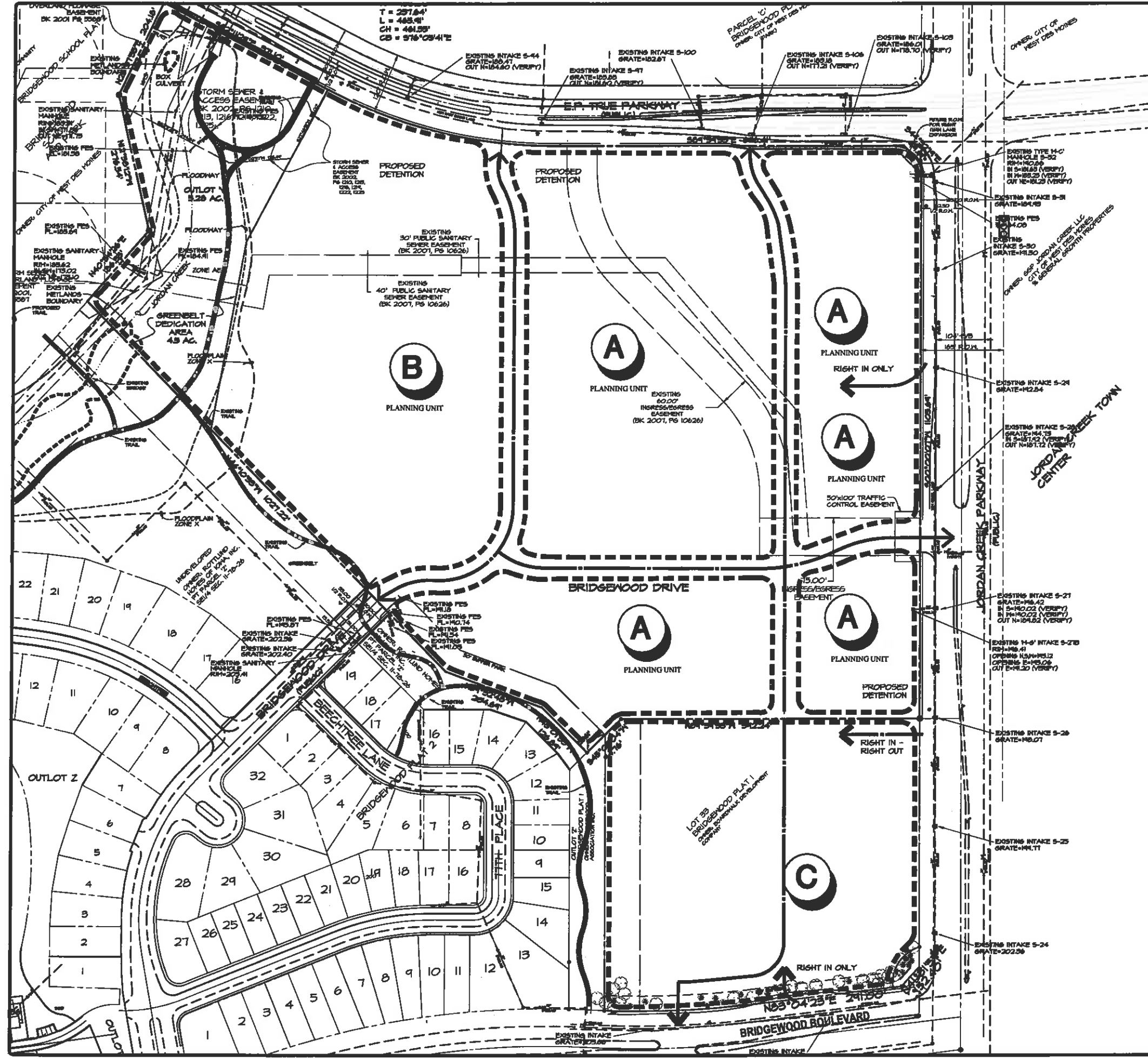
PARCEL 'A' OF THE SURVEY OF PARCEL '2' IN THE SE 1/4 OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 20 WEST OF THE 5TH PM, CITY OF WEST DES MOINES, AS SHOWN IN BOOK 2002, PAGE 1704 IN THE OFFICE OF THE RECORDER OF DALLAS COUNTY, IOWA, EXCEPT THAT PART OF SAID PARCEL 'A' CONVEYED TO THE CITY OF WEST DES MOINES IN DEED FILED IN BOOK 2004, PAGE 978.

SAID PROPERTY IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AS A POINT OF REFERENCE AT THE E 1/4 CORNER OF SECTION 11-36-26, THENCE S00°00'00" E 650.00 FEET ALONG THE EAST LINE OF SECTION 11 TO A POINT; THENCE N49°00'00" E 52.81 FEET TO THE POINT OF BEGINNING ON THE WEST RIGHT-OF-WAY LINE OF JORDAN CREEK PARKWAY; THENCE S00°00'00" E 80.84 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE NORTH LINE OF LOT 23, BRIDGEWOOD PLAT I, AN OFFICIAL PLAT; THENCE N49°00'00" E 170.24 FEET ALONG SAID NORTH LINE TO A POINT; THENCE S49°00'00" E 44.18 FEET TO A POINT; THENCE N49°00'00" E 28.81 FEET TO A POINT; THENCE N49°00'00" E 20.44 FEET TO A POINT; THENCE N49°00'00" E 102.22 FEET TO A POINT ON THE SOUTH LINE OF BRIDGEWOOD SCHOOL, AN OFFICIAL PLAT; THENCE N49°00'00" E 16.85 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE N27°00'00" E 28.84 FEET ALONG THE EAST LINE OF BRIDGEWOOD SCHOOL TO A POINT; THENCE N27°00'00" E 20.44 FEET ALONG SAID EAST LINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF E.P. TRUE PARKWAY; THENCE S49°00'00" E 170.24 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT OF CURVATURE; THENCE EASTWARDLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 480.00 FEET, AN ARC LENGTH OF 48.84 FEET AND A CHORD BEARING OF S74°00'00" E TO A POINT OF TANGENCY; THENCE S49°00'00" E 84.84 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE S49°00'00" E 44.18 FEET TO THE POINT OF BEGINNING.

AND
 LOT 23, BRIDGEWOOD PLAT I, AN OFFICIAL PLAT, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, CONTAINING 48.84 ACRES MORE OR LESS.

PLANNING UNITS

- (A) SUPPORT COMMERCIAL**
 22.0 ACRES
 LAND USE: OFFICE, BANK, HOTEL - 170 ROOMS, PHARMACY, C-STORE, RESTAURANT, RETAIL
- (B) MULTI-FAMILY**
 15.0 ACRES
 LAND USE: MEDIUM DENSITY RESIDENTIAL
- (C) SUPPORT COMMERCIAL**
 8.132 ACRES
 LAND USE: OFFICE, BANK, HOTEL, PHARMACY, RESTAURANT, RETAIL



DATE	REVISIONS	COMMENTS
MAY 04, 2015	1	
	2	
	3	
	4	
	5	
	6	

JORDAN WEST
 WEST DES MOINES, IA
 AREA DEVELOPMENT PLAN & COMP. PLAN AMENDMENT

SHEET
 9

A-1641

Q:\A-1641\A-1641_C3D Drawing\Construction Documents\A1649_ADP.dwg, 5/4/2015 9:06:36 AM, mmanagan, 1:1

Prepared by: B. Portz, Development Services Dept., PO Box 65320 West Des Moines IA 50265-0320 (515) 273-0770
When Recorded, Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES APPROVING AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP (CPA-002561-2014) FOR APPROXIMATELY 45.2 ACRES LOCATED ON THE SOUTHWEST CORNER OF E.P. TRUE PARKWAY AND JORDAN CREEK PARKWAY TO AMEND THE COMPREHENSIVE PLAN LAND USE MAP DESIGNATION FROM OFFICE (OF) TO SUPPORT COMMERCIAL (SC) AND MEDIUM DENSITY RESIDENTIAL (MD)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the property owners and applicants, Ryan Companies US, Inc. and Bridgewood Commercial 1, LLC., have requested an amendment to the Comprehensive Plan Land Use Map (CPA-002561-2014) to change the land use designation from Office (OF) to Support Commercial (SC) (planning areas A and C on Exhibit I, Attachment F of the staff report) and from Office (OF) to Medium Density Residential (MD) (planning area B on Exhibit I, Attachment F of the staff report) for that approximately 45.2 acres located southwest of E.P. True Parkway and Jordan Creek Parkway and within part of the area legally described as follows:

LEGAL DESCRIPTION

PARCEL 'A' OF THE SURVEY OF PARCEL 'Z' IN THE SE 1/4 OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, AS SHOWN IN BOOK 2002, PAGE 17509 IN THE OFFICE OF THE RECORDER OF DALLAS COUNTY, IOWA, EXCEPT THAT PART OF SAID PARCEL 'A' CONVEYED TO THE CITY OF WEST DES MOINES IN DEED FILED IN BOOK 2004, PAGE 3761.

SAID PROPERTY IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE E 1/4 CORNER OF SECTION 11-78-26; THENCE S00°00'07"W, 855.09 FEET ALONG THE EAST LINE OF SECTION 11 TO A POINT; THENCE N89°59'59"W, 82.67 FEET TO THE POINT OF BEGINNING ON THE WEST RIGHT-OF-WAY LINE OF JORDAN CREEK PARKWAY; THENCE S00°00'07"W, 1105.69 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE NORTH LINE OF LOT 33, BRIDGEWOOD PLAT 1, AN OFFICIAL PLAT; THENCE N89°59'53"W, 592.24 FEET ALONG SAID NORTH LINE TO A POINT; THENCE S45°05'04"W, 94.76 FEET TO A POINT; THENCE N45°01'53"W, 126.89 FEET TO A POINT; THENCE N69°32'48"W, 204.69 FEET TO A POINT; THENCE N44°10'53"W, 1027.22 FEET TO A POINT ON THE SOUTH LINE OF BRIDGEWOOD SCHOOL, AN OFFICIAL PLAT; THENCE N40°54'26"E, 186.35 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE N12°58'12"W, 276.547 FEET ALONG THE EAST LINE OF BRIDGEWOOD SCHOOL TO A POINT; THENCE N25°57'55"E, 204.18 FEET ALONG SAID EAST LINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF E.P. TRUE PARKWAY; THENCE S62°11'29"E, 371.10 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 960.00 FEET, AN ARC LENGTH OF 465.91 FEET AND A CHORD BEARING OF S76°05'41"E TO A POINT OF TANGENCY; THENCE S89°59'53"E, 696.41 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE S44°52'19"E, 49.61 FEET TO THE POINT OF BEGINNING

AND

LOT 33, BRIDGEWOOD PLAT 1, AN OFFICIAL PLAT, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, CONTAINING 45.186 ACRES MORE OR LESS.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on May 11, 2015, the Plan and Zoning Commission did recommend the City Council approve the Comprehensive Plan Amendment (CPA-002561-2014);

WHEREAS, on May 18, 2015, this City Council held a duly-noticed public hearing to consider the application for Comprehensive Plan Amendment (CPA-002561-2014);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

SECTION 1. The findings as stated in the staff report, dated May 18, 2015, or as amended orally at the City Council hearing of May 18, 2015, are adopted.

SECTION 2. The amendment of the Comprehensive Plan Land Use Map as described above is hereby adopted.

PASSED AND ADOPTED on May 18, 2015.

Steven K. Gaer, Mayor

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on May 18, 2015, by the following vote:

ATTEST:

Ryan T. Jacobson
City Clerk

Prepared by: B. Portz, Development Services, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING AN AMENDMENT TO THE JORDAN WEST AREA DEVELOPMENT PLAN (ADP-002562-2014) FOR PLANNING AREA 6 OF THE TOWN CENTER OVERLAY DISTRICT

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the property owners and applicants, Ryan Companies US, Inc. and Bridgewood Commercial 1 LLC., have requested approval for an amended Area Development Plan for that certain 45.2 acre site located at the southwest corner of E.P. True Parkway and Jordan Creek Parkway, and legally described below to approve the Jordan West Area Development Plan.

Legal Description

PARCEL 'A' OF THE SURVEY OF PARCEL 'Z' IN THE SE 1/4 OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, AS SHOWN IN BOOK 2002, PAGE 17509 IN THE OFFICE OF THE RECORDER OF DALLAS COUNTY, IOWA, EXCEPT THAT PART OF SAID PARCEL 'A' CONVEYED TO THE CITY OF WEST DES MOINES IN DEED FILED IN BOOK 2004, PAGE 3761.

SAID PROPERTY IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE E 1/4 CORNER OF SECTION 11-78-26; THENCE S00°00'07"W, 855.09 FEET ALONG THE EAST LINE OF SECTION 11 TO A POINT; THENCE N89°59'59"W, 82.67 FEET TO THE POINT OF BEGINNING ON THE WEST RIGHT-OF-WAY LINE OF JORDAN CREEK PARKWAY; THENCE S00°00'07"W, 1105.69 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE NORTH LINE OF LOT 33, BRIDGEWOOD PLAT 1, AN OFFICIAL PLAT; THENCE N89°59'53"W, 592.24 FEET ALONG SAID NORTH LINE TO A POINT; THENCE S45°05'04"W, 94.76 FEET TO A POINT; THENCE N45°01'53"W, 126.89 FEET TO A POINT; THENCE N69°32'48"W, 204.69 FEET TO A POINT; THENCE N44°10'53"W, 1027.22 FEET TO A POINT ON THE SOUTH LINE OF BRIDGEWOOD SCHOOL, AN OFFICIAL PLAT; THENCE N40°54'26"E, 186.35 FEET ALONG SAID SOUTH LINE TO A POINT; THENCE N12°58'12"W, 276.547 FEET ALONG THE EAST LINE OF BRIDGEWOOD SCHOOL TO A POINT; THENCE N25°57'55"E, 204.18 FEET ALONG SAID EAST LINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF E.P. TRUE PARKWAY; THENCE S62°11'29"E, 371.10 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 960.00 FEET, AN ARC LENGTH OF 465.91 FEET AND A CHORD BEARING OF S76°05'41"E TO A POINT OF TANGENCY; THENCE S89°59'53"E, 696.41 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE S44°52'19"E, 49.61 FEET TO THE POINT OF BEGINNING

AND

LOT 33, BRIDGEWOOD PLAT 1, AN OFFICIAL PLAT, CITY OF WEST DES MOINES, DALLAS COUNTY,

IOWA, CONTAINING 45.186 ACRES MORE OR LESS.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which are made a part of this record and herein incorporated by reference;

WHEREAS, on May 11, 2015, the Plan and Zoning Commission did recommend to the City Council approval of the Area Development Plan (ADP-002562-2014);

WHEREAS, on May 18, 2015, this City Council held a duly-noticed hearing to consider the application for the Area Development Plan (ADP-002562-2014);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated May 18, 2015, or as amended orally at the City Council hearing of May 18, 2015, are adopted.

SECTION 2. AREA DEVELOPMENT PLAN (ADP-002562-2014); is approved, subject to compliance with all the conditions in the staff report, dated May 18, 2015, including conditions added at the Hearing, and attached hereto as Exhibit "A", if any. Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on May 18, 2015.

Steven K Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on May 18, 2015, by the following vote:

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

Ryan T. Jacobson
City Clerk

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

Date: May 18, 2015

ITEM: Village of Ponderosa, Generally undeveloped parcels within the Village of Ponderosa – Amend the Comprehensive Plan Land Use Map, Area Development Plan, and Village of Ponderosa Specific Plan to align with new development concept – LENL, LLC and LEWF, LLC – CPA-002693-2015/ADP-002694-2015/ZCSP-002695-2015

RESOLUTION: Approval of Comprehensive Plan Amendment

RESOLUTION: Approval of Area Development Plan Amendment

ORDINANCE: Approval of Amendment to the Village of Ponderosa Specific Plan Ordinance

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, LENL, LLC and LEWF, LLC, is requesting approval of a Comprehensive Plan Land Use Amendment, an Area Development Plan Amendment and an amendment to the adopted Specific Plan Ordinance for the Village of Ponderosa development. These amendments generally apply to the undeveloped parcels within the development. The applicant is requesting to change the land use designations of the following:

- approximately 14.9 acres from Medium Density Residential (MD) to High Density Residential (HD),
- approximately 9.4 acres from Medium Density Residential (MD) to Single Family Residential (SF),
- approximately 2.1 acres from Medium Density Residential (MD) to Support Commercial (SC),
- approximately 12.4 acres from Support Commercial (SC) to High Density Residential (HD), and
- approximately 0.6 acre from Office (OF) to Support Commercial (SC).

Along with the land use changes, the amendments to the Area Development Plan and Specific Plan Ordinance will modify the development regulations and proposed architectural concepts as applicable to the various proposed land uses. Included in the new development proposal is incorporation of multi-story market-rate and active senior apartments, additional single-family detached residential lots, and a 4-story hotel adjacent to Market Street within the development.

Plan and Zoning Commission Action:

Vote: 4-0 for approval, with Commissioners Erickson, Brown and Crowley absent.

Date: May 11, 2015

Motion: Adopt a resolution recommending the City Council approve the Comprehensive Plan Amendment, Area Development Plan Amendment, and Amendment to the Village of Ponderosa Specific Plan Amendment.

Plan and Zoning Commission Discussion:

Dennis Reynolds, on behalf of the developer, Evercore Companies, gave an overview of the changes to the development from that originally approved. One resident spoke on concerns of reducing the amount of single family in the northern area and the amount of traffic that could be generated from the new plan. Mr. Reynolds responded by explaining that the traffic study that has been completed for the new development plan actually indicates a decrease in the number of trips to be generated. Staff provided an illustration of the original layout plan noting that various residential areas of the original plan including intended apartment buildings in the center core. Mr. Harty spoke in respect to a memo placed on the dais regarding completion of drainage improvements along the northern boundary of the property which abuts his property. The developer, Amit Goel, indicated that the improvements needed consisted of clearing a channel, removing a couple trees and installing sod and stated that he would get the improvements completed. The Commission had very little questions for the applicant or staff.

OUTSTANDING ISSUES: There are no outstanding issues. The applicant has stated that they are in agreement with all of staff's recommendations and conditions. The following items of interest are noted in the attached Plan and Zoning Commission report (see Exhibit I):

- Applicant's Request
- History
- City Council Subcommittee - *Development & Planning – 4/23/2015*
- Staff Review and Comment
 - *Single Family Development*
 - *Senior Housing*
 - *Market Rate Apartments*
 - *Apartment Clubhouse*
 - *Hotel*
 - *Parkland Dedication*
 - *Parking*
 - *Traffic*
 - *Architecture*
 - *Area Development Plan*
 - *Specific Plan Document*
- Comprehensive Plan Consistency
- Town Center Overlay District Consistency
- Noticing Information
- Staff Recommendation and Conditions of Approval – Comprehensive Plan
- Staff Recommendation and Conditions of Approval – Area Development Plan
- Staff Recommendation and Conditions of Approval – Specific Plan Ordinance
- Owner/Applicant/Applicant Representative Information

Staff Recommendation And Conditions Of Approval – Comprehensive Plan: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending to the City Council approval of the Comprehensive Plan Land Use map amendment to change the land use designation from Medium Density Residential (MD) to High Density Residential (HD), Single Family Residential (SF), and Support Commercial; from Office (OF) to Support Commercial (SC); and from Support Commercial (SC) to High Density Residential (HD), subject to the applicant meeting all City Code requirements.

Staff Recommendation And Conditions Of Approval – Area Development Plan: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending to the City Council approval of an amendment to the Area Development Plan for this property; subject to the applicant meeting all City Code requirements.

Staff Recommendation And Conditions Of Approval – Specific Plan Ordinance: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending to the City Council approval of an amendment to the existing Village of Ponderosa Specific Plan Ordinance, Map and Exhibits to redefine and detail the regulations, allowances, and limitations of the proposed development to include multi-story market-rate and active senior apartments, additional single-family detached residential lots, a clubhouse, and a 4-story hotel within the development, subject to the applicant meeting all City Code requirements and the following:

1. A revised Parkland Dedication Agreement acceptable to the City of West Des Moines, tailored to the 2015 Specific Plan update detailing the specifics relating to all parkland dedication requirements and/or recreation based improvements that are required of the developer(s) as a result of the original and amended proposed development shall be executed prior to issuance of the first building permit, including any footing and foundation permits associated with a residential dwelling structure.
2. Applicant will need to provide the recently completed sanitary sewer capacity analysis for the Village of Ponderosa including the proposed changes to the adjacent West Glen development. The Applicant is

responsible for coordinating with West Glen on their proposed changes and cost obligations for the identified improvements to the sewer system to resolve capacity issues due to increase in sewer use.



3. The Applicant, as well as the Village of Ponderosa Master Association are responsible for correcting the following deficiencies and will need to provide a timeline on the following:
 - a. Correction of the signage and pavement marking deficiencies identified in the recently completed traffic study.
 - b. Correction of all storm water deficiencies noted in the storm water as-builts.
4. As part of the development process, the respective property owner(s) or developer(s) will be responsible for:
 - a. The installation of sidewalks adjacent to all public streets bordering the property that conform with the requirements of the Public ROW Accessibility Guidelines (PROWAG).
 - b. Completing necessary repairs or paving of all existing private roadways.
 - c. Completing the portion of unfinished trail along S. Granite Way that was part of the parkland dedication requirements for the original Village of Ponderosa project.
 - d. Providing suitable connections from the internal trail network to the West Des Moines trail network

Included in the memo provided by Mr. Harty (see Exhibit II) was a request to add three conditions of approval. The Plan and Zoning's motion included the addition of the conditions as follows:

5. The Applicant, as well as the Village of Ponderosa Master Association shall work with the property owners north of Area 5A to correcting the following deficiencies:
 - a. Restore the overland flowage easement consistent with the Bishop Engineering stormwater management plan dated July 9, 2013.
 - b. Maintain Area 5A consistent with the City's property maintenance code and the approved Storm Water Management Plan.
 - c. Replace dead or missing open space landscape plantings required as part of the Specific Plan within Area 5A.

Lead Staff Member: Linda Schemmel, AIA 

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register Community Section
Date(s) Published	5/1/2015
Letter sent to surrounding property owners	4/29/2015

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	4/23/2015		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- | | | |
|--------------|---|--|
| Exhibit I | - | Plan and Zoning Commission Communication |
| Attachment A | - | Plan and Zoning Commission Resolution – Comprehensive Plan Amendment |
| Attachment B | - | Plan and Zoning Commission Resolution – Area Development Plan |
| Attachment C | - | Plan and Zoning Commission Resolution – Zone Change Specific Plan |
| Attachment D | - | Location Map |
| Attachment E | - | Proposed Revised Specific Plan Ordinance (<i>moved to Exhibit V</i>) |
| Attachment F | - | Project Exhibits (<i>moved to Exhibit VI</i>) |
| Exhibit II | - | Plan and Zoning Memos |
| Exhibit III | - | City Council Resolution – Comprehensive Plan Amendment |

- Exhibit IV - City Council Resolution – Area Development Plan Amendment
- Exhibit V - Amended Specific Plan Ordinance
- Exhibit VI - Specific Plan Ordinance Exhibit Packet

Note: due to document size, Exhibit VI was provided in an electronic version only

**CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION**

Meeting Date: May 11, 2015

Item: Village of Ponderosa, Generally undeveloped parcels within the Village of Ponderosa = Amend the Comprehensive Plan Land Use Map, Area Development Plan, and Village of Ponderosa Specific Plan to align with new development concept – LENL, LLC and LEWF, LLC – CPA-002693-2015/ADP-002694-2015/ZCSP-002695-2015

Requested Action: Approval of Comprehensive Plan Amendment, Area Development Plan Amendment, and Zone Change Specific Plan Amendment

Case Advisor: Linda Schemmel, AIA

Applicant's Request: The applicant, LENL, LLC and LEWF, LLC, is requesting approval of a Comprehensive Plan Land Use Amendment, an Area Development Plan Amendment and an amendment to the adopted Specific Plan Ordinance for the Village of Ponderosa development. These amendments generally apply to the undeveloped parcels within the development. The applicant is requesting to change the land use designations of the following:

- approximately 14.9 acres from Medium Density Residential (MD) to High Density Residential (HD),
- approximately 9.4 acres from Medium Density Residential (MD) to Single Family Residential (SF),
- approximately 2.1 acres from Medium Density Residential (MD) to Support Commercial (SC),
- approximately 12.4 acres from Support Commercial (SC) to High Density Residential (HD), and
- approximately 0.6 acre from Office (OF) to Support Commercial (SC).

Along with the land use changes, the amendments to the Area Development Plan and Specific Plan Ordinance will modify the development regulations and proposed architectural concepts as applicable to the various proposed land uses. Included in the new development proposal is incorporation of multi-story market-rate and active senior apartments, additional single-family detached residential lots, and a 4-story hotel adjacent to Market Street within the development.

History: A Comprehensive Plan Amendment was approved for the original Village of Ponderosa development in 2005 along with adoption of the Area Development Plan and Specific Plan Ordinance that provided regulations for the development of the entire property. In 2006, a Final Plat was approved for the property creating 102 lots for a mix of office, commercial, and residential. In 2007, an amendment to the Specific Plan Ordinance was approved that modified signage regulations, clarified design intent and materials of the water feature, clock tower and pedestrian trellis over the sidewalk in the Market District, and made provisions to allow recreational uses such as a bowling alley, fitness center, and a movie theater.

City Council Subcommittee: The revised development concept for this property was presented to the Development and Planning City Council Subcommittee on April 23, 2015. The developer's representative, Dennis Reynolds, outlined the new development plan which includes implementing additional single family detached residential lots in the southeast corner of the site, implementation of an active senior component in the central core of the development west of Bluestem Circle, changing the undeveloped office and retail buildings originally intended along Market Street for market rate apartments, many of which will be more of an urban loft concept, implementation of a clubhouse facility adjacent to the lake, and the construction of a multi-story hotel at the east end of Market Street. Discussions centered on provision of recreational amenities to provide for Parkland Dedication requirements, intended phasing of the project, the benefit of the intended plan and increase in residential to the adjacent Mills Crossing and West Glen commercial developments, and provision of parking. The Subcommittee members, in addition to Mayor Gaer who was in attendance, expressed excitement towards and support of the project.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff would summarize the following:

- Single Family Development: The applicant is proposing up to 43 additional single family units on the southeastern portion of the site, which is currently designated for Medium and High Density Residential development and was formerly proposed for duplexes 4-plexes and a possible multi-story apartment at the east end. The applicant will be re-platting the property through the City's Subdivision process to provide for up to 43 single family detached housing units.
- Senior Housing: The applicant is proposing to construct 4 buildings west of the Bluestem Circle roundabout on S. Prairie View Drive that consist of 4 floors of housing over underground parking. The applicant is indicating a total of 500 senior housing apartments. The buildings will include a courtyard area over the underground parking as an outdoor amenity. The applicant has indicated that these apartment are intended for active adults with the requirement that at least one resident per unit be 55 years old or older.
- Market Rate Apartments: The applicant is proposing 480 market rate apartments in the southwest corner of the site in lieu of the originally intended office and commercial buildings. The apartment buildings will consist of 4 floors of housing with some underground parking. The buildings are arranged in a group of three 60 unit buildings at the northwest corner of Stagecoach Drive and Market Street and a larger 300 unit building south of the intersection of Stagecoach Drive and Market Street. This larger building will also incorporate courtyard areas and a parking structure in addition to the underground parking.
- Apartment Clubhouse: An apartment clubhouse is proposed on the north side of Market Street, north of the market rate apartments to serve the residents of the apartments.
- Hotel: An approximately 110 room, 4-story hotel is planned at the southwest corner of S. Prairieview Drive and Market Street.
- Parkland Dedication: The requested change in land uses will double the number of residential units compared to the original development. Additional areas of parkland have been identified within the development to serve the increased number of residents. These areas include a dog park, additional green space around the lake and courtyard areas incorporated within and around the multifamily buildings.
- Parking: Parking calculations for the retail, office, detached and attached single family units have not changed from the original development standards. To accommodate the new uses, the follow calculations have been added:
 - Senior Housing Apartments – a minimum of 1 parking space for each bedroom. The applicant had indicated that they are able to accommodate that ratio within the under building parking.
 - Market Rate Apartments – 1 space per efficiency units, 1.5 spaces per 1 bedroom units, 2 spaces per 2 bedroom units, 2.5 spaces per 3 bedroom units. Based on the estimated unit mix provided by the applicant, 780 spaces are required and that number could be accommodated with surface, under building and structured parking. The office and multi-purpose areas (those areas in which general public may visit) in the clubhouse will be calculated at the same rate as the non-residential uses, fitness and gathering areas used only by the residents will not need to provide parking as the apartments are within easy walking distance.
 - Hotel – provide required spaces as indicated in zoning code (1 per room plus 1 space per employee at maximum shift).

The applicant is proposing to add on-street parking along Village View Drive adjacent to the senior housing. The traffic study identified parameters for this parking as it relates to nearby intersections. They have also identified an area of open space north of Wild Rose Lane (Area 6B) to provide additional parking spaces should parking become an issue. Because of that, this area was not included in parkland or open space calculations. Staff would note that the building areas as well as the dwelling unit types and numbers are preliminary at this stage. Required parking for each building will be reviewed at Site Plan and adjusted accordingly.

- **Traffic:** A new traffic study has been completed with the revised land uses. The development as proposed does generate fewer trips than the original trip allocation established for the development. The traffic study does note the following: Since the total trip generation for the area is less than previously analyzed, there is no additional loading on the planned roadway network and the recommendations in the previous studies are still adequate for the major roadways. As the site continues to be developed, additional studies will be needed to verify (and potentially modify) recommendations for the street system. Previous studies have shown that future levels of service (LOS) for intersections in the vicinity fall below the desired LOS D standard and project failing levels of service in the future at South 60th Street & Mills Civic Parkway and Stagecoach Drive & Mills Civic Parkway, for example. However, the future congestion is not expected to be worsened by this development since the site is still below the planned trip allocations.

There is some concern with traffic generation should the applicant decide to change some or all of the senior housing units to market rate units as senior housing trip generation is calculated at a lesser rate than standard apartments. To address that concern, language stating that there is no guarantee that the number of units proposed can be implemented and that development will be limited to the available number of trips assigned has been included in the ordinance.

- **Architecture:** As with the original specific plan, character images for each major building to establish design elements, materials and building massing are included in a pattern book. Updated images for the new buildings have been provided.
- **Area Development Plan:** An Area Development Plan is required for all developments within the Town Center Overlay District as designated by geographic areas. The applicant has submitted an Area Development Plan which outlines six different planning units for the site. These include High Density Residential land use, Single Family Residential land use, Office land use, and Support Commercial land use.
- **Specific Plan Document:** Provided for review is the text version of the Specific Plan (PUD) document and updated Specific Plan images. Once the document has been reviewed by the Plan and Zoning Commission and City Council, the text and images will be finalized and assembled into the guiding document. Staff would note that some references to exhibit or page numbers may change based on the formatting of the content.

Comprehensive Plan Consistency: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Town Center Overlay District Consistency: The proposed project has been reviewed for consistency with the Town Center Overlay District Guidelines. Based upon that review, a finding has been made that the proposed project is consistent with the Town Center Overlay District Guidelines in that the plan is consistent with the overall objective and intents of the Town Center Overlay District Guidelines.

Noticing Information: On May 1, 2015, notice for the May 11, 2015, Plan and Zoning Commission and May 18, 2015, City Council Public Hearings on this project was published in the Des Moines Register. Notice of these public hearings was also mailed to all surrounding property owners within 370 feet of the subject property on April 29, 2015.

Staff Recommendation And Conditions Of Approval – Comprehensive Plan: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending to the City Council approval of the Comprehensive Plan Land Use map amendment to change the land use designation from Medium Density Residential (MD) to High Density Residential (HD), Single Family Residential (SF), and Support Commercial; from Office (OF) to Support Commercial (SC); and from Support Commercial (SC) to High Density Residential (HD), subject to the applicant meeting all City Code requirements.

Staff Recommendation And Conditions Of Approval – Area Development Plan: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending to the City Council approval of an amendment to the Area Development Plan for this property; subject to the applicant meeting all City Code requirements.

Staff Recommendation And Conditions Of Approval – Specific Plan Ordinance: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending to the City Council approval of an amendment to the existing Village of Ponderosa Specific Plan Ordinance, Map and Exhibits to redefine and detail the regulations, allowances, and limitations of the proposed development to include multi-story market-rate and active senior apartments, additional single-family detached residential lots, a clubhouse, and a 4-story hotel within the development, subject to the applicant meeting all City Code requirements and the following:

1. A revised Parkland Dedication Agreement acceptable to the City of West Des Moines, tailored to the 2015 Specific Plan update detailing the specifics relating to all parkland dedication requirements and/or recreation based improvements that are required of the developer(s) as a result of the original and amended proposed development shall be executed prior to issuance of the first building permit, including any footing and foundation permits associated with a residential dwelling structure.
2. Applicant will need to provide the recently completed sanitary sewer capacity analysis for the Village of Ponderosa including the proposed changes to the adjacent West Glen development. The Applicant is responsible for coordinating with West Glen on their proposed changes and cost obligations for the identified improvements to the sewer system to resolve capacity issues due to increase in sewer use.
3. The Applicant, as well as the Village of Ponderosa Master Association are responsible for correcting the following deficiencies and will need to provide a timeline on the following:
 - a. Correction of the signage and pavement marking deficiencies identified in the recently completed traffic study.
 - b. Correction of all storm water deficiencies noted in the storm water as-builts.
4. As part of the development process, the respective property owner(s) or developer(s) will be responsible for:
 - a. The installation of sidewalks adjacent to all public streets bordering the property that conform with the requirements of the Public ROW Accessibility Guidelines (PROWAG).
 - b. Completing necessary repairs or paving of all existing private roadways.
 - c. Completing the portion of unfinished trail along S. Granite Way that was part of the parkland dedication requirements for the original Village of Ponderosa project.
 - d. Providing suitable connections from the internal trail network to the West Des Moines trail network

Property Owner/Applicant:

LENL, LLC and LEWF, LLC
2001 Kirby Drive, Suite 900
Houston, TX 77019
Attn: Amit Goel
(832) 426-4289

Applicant's Representatives:

Reynolds Urban Design
220 51st Street
Des Moines, IA 50312
Attn: Dennis Reynolds
dennis@reynoldsurbandesign.com

ATTACHMENTS:

- | | | |
|--------------|---|--|
| Attachment A | - | Plan and Zoning Commission Resolution – Comprehensive Plan Amendment |
| Attachment B | - | Plan and Zoning Commission Resolution – Area Development Plan |
| Attachment C | - | Plan and Zoning Commission Resolution – Zone Change Specific Plan |
| Attachment D | - | Location Map |
| Attachment E | - | Proposed Revised Specific Plan Ordinance |
| Attachment F | - | Project Exhibits |

ATTACHMENT A

RESOLUTION NO. PZC-15-029

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP FOR APPROXIMATELY 41.9 ACRES LOCATED WITHIN THE VILLAGE OF PONDEROSA DEVELOPMENT TO AMEND THE COMPREHENSIVE PLAN LAND USE MAP DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL (MD) TO HIGH DENSITY RESIDENTIAL (HD), SINGLE FAMILY RESIDENTIAL (SF), AND SUPPORT COMMERCIAL (SC); FROM OFFICE (OF) TO SUPPORT COMMERCIAL (SC); AND FROM SUPPORT COMMERCIAL (SC) TO HIGH DENSITY RESIDENTIAL (HD)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the property owner and applicant, LENL, LLC and LEWF, LLC, has requested an amendment to the Comprehensive Plan Land Use Map (CPA-002693-2015) to change the land use designation as follows:

- approximately 14.9 acres from Medium Density Residential (MD) to High Density Residential (HD),
- approximately 9.4 acres from Medium Density Residential (MD) to Single Family Residential (SF),
- approximately 2.1 acres from Medium Density Residential (MD) to Support Commercial (SC),
- approximately 12.4 acres from Support Commercial (SC) to High Density Residential (HD), and
- approximately 0.6 acre from Office (OF) to Support Commercial (SC).

On property within the Village of Ponderosa development and located within the area legally described as:

Legal Description

LOTS 29, 30, 31, 33, 35, 37, 44, 47, 48, 49, 51, 53, 54, 55, ALL IN THE VILLAGE OF FONDEROSA, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA

AND

LOTS 3, 4, 5, 6 & 7 IN THE VILLAGE OF PONDEROSA PLAT 3, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA

AND

LOTS 5, 6, 7, & 8 IN THE VILLAGE OF PONDEROSA PLAT 4, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on May 11, 2015, this Commission held a duly-noticed hearing to consider the application for Comprehensive Plan Amendment (CPA-002693-2015);

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The request for a change in the land use designation from Medium Density Residential (MD) to High Density Residential (HD), Single Family Residential (SF), and Support Commercial; from Office (OF) to Support Commercial (SC); and from Support Commercial (SC) to High Density Residential (HD) for that approximately 41.9 acres located within the Village of Ponderosa development and legally described above is recommended to the City Council for approval.

PASSED AND ADOPTED on May 11, 2015.



Chris Costa, Acting Chair
Plan and Zoning Commission

ATTEST:


Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on May 11, 2015, by the following vote:

AYES: Andersen, Costa, Hatfield, Southworth

NAYS: -0-

ABSTENTIONS: -0-

ABSENT: Brown, Crowley, Erickson

ATTEST:


Recording Secretary

ATTACHMENT B

RESOLUTION NO. PZC-15-030

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN AMENDMENT TO THE VILLAGE OF PONDEROSA AREA DEVELOPMENT PLAN (ADP-002694-2015)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, LENL, LLC and LEWF, LLC, has requested approval for an amendment to the Village of Ponderosa Area Development Plan to reflect changes in land use from that approved with the original Village of Ponderosa Area Development Plan.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

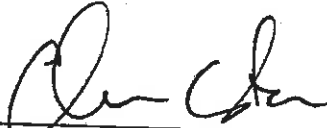
WHEREAS, on May 11, 2015 this Commission held a duly-noticed meeting to consider the application for Village of Ponderosa Area Development Plan (ADP-002694-2015)

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:


SECTION 1. The findings, for approval, in the staff report, dated May 11, 2015, or as amended orally at the Plan and Zoning Commission hearing of May 11, 2015, are adopted.

SECTION 2. The amended AREA DEVELOPMENT PLAN (ADP-002694-2015) is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated May 11, 2015, including conditions added at the meeting, and attached hereto as Exhibit 'A'. Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on May 11, 2015.


Chris Costa, Acting Chair
Plan and Zoning Commission

ATTEST:


Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on May 11, 2015, by the following vote:

AYES: Andersen, Costa, Hatfield, Southworth

NAYS: -0-

ABSTENTIONS: -0-

ABSENT: Brown, Crowley, Erickson

ATTEST:


Recording Secretary

ATTACHMENT C

RESOLUTION NO. PZC-15-031

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN AMENDMENT TO THE VILLAGE OF PONDEROSA SPECIFIC PLAN (ZCSP-002695-2015).

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, LENO, LLC and LEWF, LLC, has requested approval for an amendment to the existing Village of Ponderosa Specific Plan for that certain 93.8 acre project known as the Village of Ponderosa development to amend the existing Village of Ponderosa Specific Plan Ordinance, Map and Exhibits to redefine and detail the regulations, allowances, and limitations of the proposed development to include multi-story market-rate and active senior apartments, additional single-family detached residential lots, a clubhouse, and a 4-story hotel within the development;

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

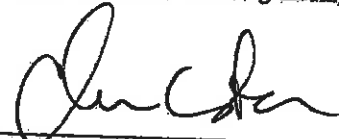
WHEREAS, on May 11, 2015, this Commission held a duly-noticed hearing to consider the application for the Zone Change Specific Plan (ZCSP-002695-2015)

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated May 11, 2015, or as amended orally at the Plan and Zoning Commission hearing of May 11, 2015, as shown in Exhibit A, if any, are adopted.

SECTION 2. THE ZONE CHANGE SPECIFIC PLAN (ZCSP-002695-2015) amendment is recommended to the City Council for approval based on the findings in the staff report, dated May 11, 2015, including findings added at the Hearing.

PASSED AND ADOPTED on May 11, 2015.



Chris Costa, Acting Chair
Plan and Zoning Commission

ATTEST:



Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on May 11, 2015, by the following vote:

AYES: Andersen, Costa, Hatfield, Southworth

NAYS: -0-

ABSTENTIONS: -0-

ABSENT: Brown, Crowley, Erickson

ATTEST:



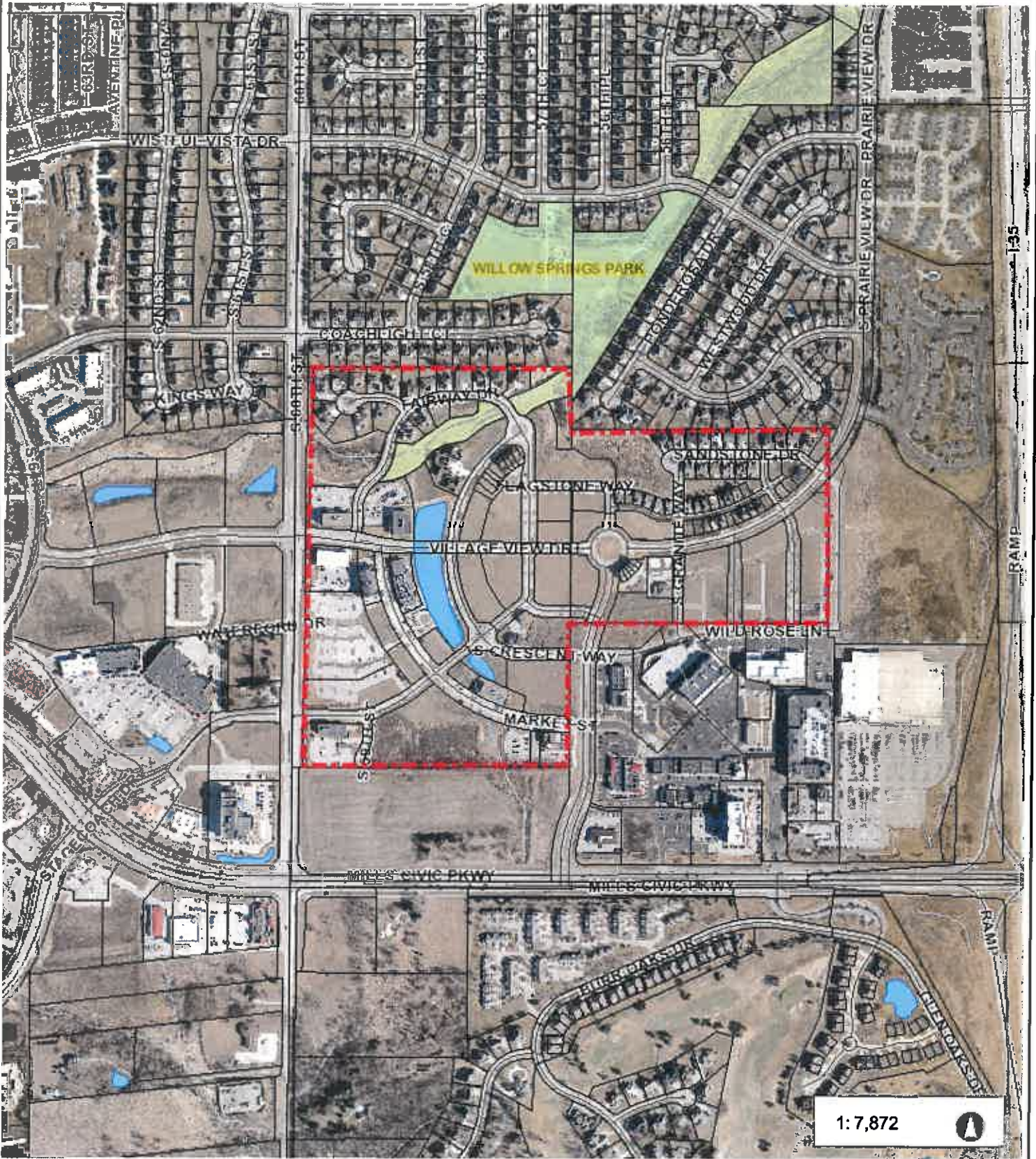
Recording Secretary

Exhibit A
Conditions of Approval

1. A revised Parkland Dedication Agreement acceptable to the City of West Des Moines, tailored to the 2015 Specific Plan update detailing the specifics relating to all parkland dedication requirements and/or recreation based improvements that are required of the developer(s) as a result of the original and amended proposed development shall be executed prior to issuance of the first building permit, including any footing and foundation permits associated with a residential dwelling structure.
2. Applicant will need to provide the recently completed sanitary sewer capacity analysis for the Village of Ponderosa including the proposed changes to the adjacent West Glen development. The Applicant is responsible for coordinating with West Glen on their proposed changes and cost obligations for the identified improvements to the sewer system to resolve capacity issues due to increase in sewer use.
3. The Applicant, as well as the Village of Ponderosa Master Association are responsible for correcting the following deficiencies and will need to provide a timeline on the following:
 - a. Correction of the signage and pavement marking deficiencies identified in the recently completed traffic study.
 - b. Correction of all storm water deficiencies noted in the storm water as-builts.
4. As part of the development process, the respective property owner(s) or developer(s) will be responsible for:
 - a. The installation of sidewalks adjacent to all public streets bordering the property that conform with the requirements of the Public ROW Accessibility Guidelines (PROWAG).
 - b. Completing necessary repairs or paving of all existing private roadways.
 - c. Completing the portion of unfinished trail along S. Granite Way that was part of the parkland dedication requirements for the original Village of Ponderosa project.
 - d. Providing suitable connections from the internal trail network to the West Des Moines trail network
5. The Applicant, as well as the Village of Ponderosa Master Association shall work with the property owners north of Area 5A to correcting the following deficiencies:
 - a. Restore the overland flowage easement consistent with the Bishop Engineering stormwater management plan dated July 9, 2013.
 - b. Maintain Area 5A consistent with the City's property maintenance code and the approved Storm Water Management Plan.
 - c. Replace dead or missing open space landscape plantings required as part of the Specific Plan within Area 5A.



Village of Ponderosa



1:7,872

1,312.1 0 656.03 1,312.1 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
© City of West Des Moines, Iowa


Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

EXHIBIT II

CITY OF WEST DES MOINES MEMORANDUM

TO: Vice Chairperson Brown and Members of the Plan and Zoning Commission

FROM: Linda Schemmel, AIA 

DATE: May 11, 2015

RE: Item 2b – Village of Ponderosa

Attached for the Commission's consideration: Resident comments received today on the proposed changes to the Comprehensive Plan, Area Development Plan and Village of Ponderosa Specific Plan.

Cc: Lynne Twedt, Development Services Director

Schemmel, Linda

From: Mindy Moore <mindysuemore@gmail.com>
Sent: Sunday, May 10, 2015 8:34 PM
To: Schemmel, Linda
Cc: Twedt, Lynne; Hamlett, Naomi; Portz, Brian
Subject: Re: Village of Ponderosa

Please consider this a written comment to forward to the Plan and Zoning Commission and City Council.

I have reviewed the materials you sent along with the Plan and Zoning Commission Communication. I do have a concern about the change from commercial to residential uses along Market Street and Stagecoach Drive.

I have been a VOP resident since the very beginning. Part of what attracted me to this development was the master plan which included various housing types along with commercial uses within walking distance. When Gateway Market was still in business on Market Street, we took many walks there for lunch. Now, we make short walking or biking trips to Bike World, but not much else. I've been hopeful that the economy would improve and we would have a few options for meals, shopping, and other services.

Changing the planned commercial area to residential destroys the original vision for the Village. I request that you deny this portion of the proposal. None of us can predict what exactly will happen in the future, but perhaps once the additional residential units are constructed and occupied in the other parts of the Village, there will be enough density to support the commercial development that was originally planned. If development of this area is held off for the last phase, there will be time to see how the market changes.

If the developer feels that residential is necessary in this area, I would also support mixed-use with street-level commercial and upper level residential. I feel it is important to keep a street-level commercial corridor along Market Street and to provide commercial uses that will benefit the existing and future residents of the Village.

Thank you for your consideration,
Mindy Moore

On Thu, Apr 30, 2015 at 5:35 PM, Schemmel, Linda <Linda.Schemmel@wdm.iowa.gov> wrote:

Hi Mindy,

I am one of the City planners working on the Village of Ponderosa project. Per your request, I have attached the exhibits from the requested revision to the Specific Plan (master plan). The request is currently under review. The tentative schedule is to have the project on the May 11th Plan and Zoning Commission meeting and the May 18th City Council meeting for review and approval.

We also checked on your sidewalk question. The sidewalk was inspected by our Public Works staff and meets the requirements of the current accessibility standards.

LINDA SCHEMMELE, AIA

City of West Des Moines Development Services

4200 Mills Civic Parkway, Suite 2D

West Des Moines, Iowa 50265

Office: 515-222-3620 | Fax: 515-273-0602

www.wdm.iowa.gov

**Comments before the
West Des Moines Planning and Zoning Commission
May 11, 2015**

The neighbors of the Village of Ponderosa are generally supportive of any effort to breathe life into this zombie development. However, we must reluctantly urge the City to impose some discipline on the recovery process. The Village of Ponderosa (“The Village”) has ignored its basic obligations to neighbors.

We understand that The Village is the product of unfortunate timing and an ambitious development idea. We have been patient with unpaved streets, unkempt lots and blatant disregard for yard waste and weed ordinances. We also understand that it is new development and the income it generates that will take The Village off of life support. However, we do know that The Village does have some money – enough to at least live up to basic obligations. When The Village of Ponderosa built a bike path on its northern boundary, it caused a violation of overland flowage easements affecting several adjoining existing lots. The Village promised to remedy the mistake. For years, nothing has been done and damage has occurred.

As a condition of the approval of the amendment, we ask that the City merely consider requiring The Village of Ponderosa to:

- a) restore the overland flowage easement consistent with the attached Bishop Engineering stormwater management plan;
- b) maintain existing open spaces consistent with acceptable minimum standards; and
- c) replace dead trees and shrubs in addition to the new plantings described in Section 15 of the proposed amending ordinance.

STORM WATER MANAGEMENT PLAN


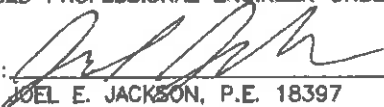
FOR

LOT 106 & 107 PONDEROSA VALLEY PLAT 2

WEST DES MOINES, IOWA

JULY 9TH, 2013

PROJECT #120216

	I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.	
	SIGNED: 	DATE: <u>7-9-2013</u>
	JOEL E. JACKSON, P.E. 18397	
	LICENSE RENEWAL DATE: DEC. 31, 2014	PAGES OR SHEETS COVERED BY THIS SEAL: <u>ALL</u>

Prepared By:
Bishop Engineering
3501 104th Street
Des Moines, Iowa 50322

**LOTS 106 & 107 PONDEROSA VALLEY PLAT 2
WEST DES MOINES, IA
STORM WATER MANAGEMENT PLAN**

Lots 106 & 107 in Ponderosa Valley Plat 2 have experienced drainage issues in recent years. The following calculations are done in order to improve the current situation and ensure that stormwater can flow through the backyards of Lots 106 and 107 without impacting the homes on Lots 106 or Lot 107. 2013 SUDAS Design Standards were used for all calculations.

Drainage Area = 4.75 acres (See Drainage Map in Appendix B)

Impervious Area = 1.10 acres

Runoff Coefficient: (SUDAS Table 2B-4.01)

$$C = (1.1 \times 0.98 + 3.65 \times 0.35) / 4.75 = 0.50$$

Time of Concentration:

Sheet Flow: 100' @ Slope = 4%

$$T_1 = (0.007 \times (0.24 \times 100)^{0.8}) / (2.91^{0.5} \times 0.04^{0.4}) = 0.189 \text{ hrs} = 11.3 \text{ min (SUDAS Eq. 2B-3.03)}$$

Shallow Concentrated Flow: 900' @ Slope = 3.7%

Average Velocity = 3.2 ft/s (SUDAS Figure 2B-3.01)

$$T_2 = 900 / (3600 \times 3.2) = 0.078 \text{ hrs} = 4.7 \text{ min}$$

$T_c = 11.3 + 4.7 = 16 \text{ min}$, use 15 min to be conservative

$I_{100} = 7.12 \text{ in/hr}$ (SUDAS Table 2B-2.06)

$$Q_{100} = CIA = 0.50 \times 7.12 \times 4.75 = 16.91 \text{ cfs}$$

A drainage swale will be constructed that has a 4' bottom width, 3:1 side slopes and a 1% running slope. As shown in the calculations attached in Appendix A, the channel will handle 16.91 cfs at a flow depth of 0.79 feet. The critical section of the channel is the overtopping point near the midpoint of the rear lot line of Lot 107. To the east of this point stormwater will flow towards an existing intake near the southwest corner of Lot 106. To the west of this point stormwater will flow west through Lot 107 to an existing intake in Lot 108. Thus, it is important to ensure that the water surface elevation at this point is less than the Lot 106 finished floor elevation of 157.07.

Overtopping elevation = 155.15

Channel Depth = 0.79 ft

$$\text{Water Surface Elevation} = 155.15 + 0.79 = 155.94$$

Finished Floor Elevation (Lot 106) = 157.07

$$\text{Freeboard above Water Surface Elevation} = 157.07 - 155.94 = 1.13 \text{ ft}$$

As shown above, the stormwater can flow through the proposed drainage swale and maintain over one foot of freeboard to the minimum finished floor elevation of the house on Lot 106. It is also important to note that this analysis assumed the existing intake near the southwest corner of Lot 106 was 100% plugged. If this intake is not plugged it will aid in draining the area and the overtopping water surface elevation will be even lower. In addition, the grate of this intake should be changed to a "table-top" style grate which has more open area than the existing beehive grate. This will significantly reduce the likelihood that the intake is plugged by upstream wood chips and debris illegally placed in the existing 20 foot overland flowage easement. In addition, the changing of the grate will reduce the head required to get the stormwater into the intake, further lowering the ponding elevation.

Open Channel Flow Calcs.txt

Channel Calculator

Given Input Data:

Shape	Trapezoidal
Solving for	Depth of Flow
Flowrate	16.9100 cfs
Slope	0.0100 ft/ft
Manning's n	0.0300 (SUDAS Table 2B-3.03)
Height	1.0000 ft
Bottom width	4.0000 ft
Left slope	0.3330 ft/ft (V/H)
Right slope	0.3330 ft/ft (V/H)

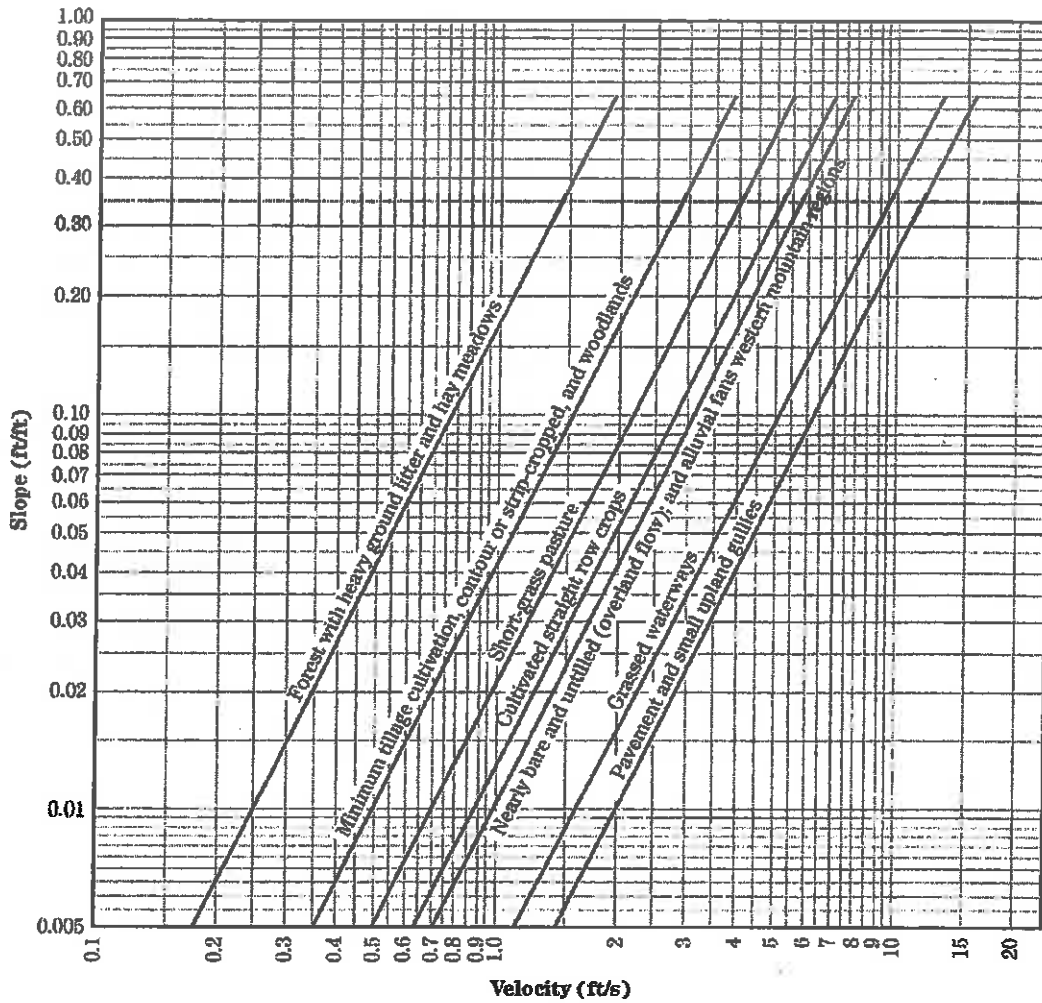
Computed Results:

Depth	0.7896 ft
Velocity	3.3615 fps
Full Flowrate	26.7689 cfs
Flow area	5.0305 ft ²
Flow perimeter	8.9982 ft
Hydraulic radius	0.5591 ft
Top width	8.7422 ft
Area	7.0030 ft ²
Perimeter	10.3303 ft
Percent full	78.9579 %

Critical Information

Critical depth	0.6869 ft
Critical slope	0.0170 ft/ft
Critical velocity	4.0607 fps
Critical area	4.1643 ft ²
Critical perimeter	8.3481 ft
Critical hydraulic radius	0.4988 ft
Critical top width	8.1254 ft
Specific energy	0.9652 ft
Minimum energy	1.0303 ft
Froude number	0.7812
Flow condition	Subcritical

Figure 2B-3.01: Velocity Versus Slope for Shallow Concentrated Flow



Source: NRCS National Engineering Handbook, Part 630, Chapter 15

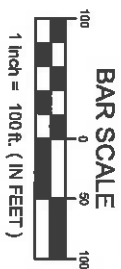
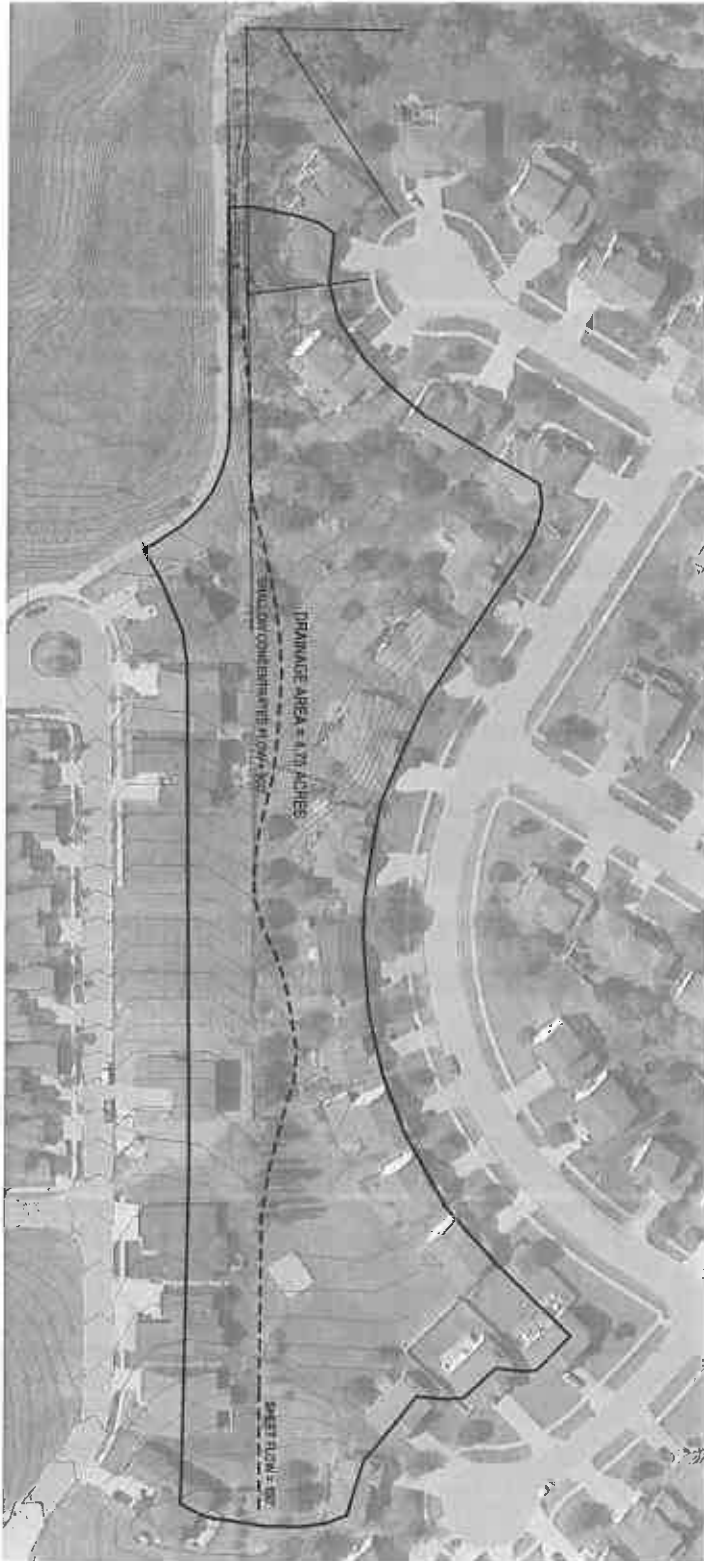
Table 2B-3.02: Equations and Assumptions Developed from Figure 2B-3.01

Flow Type	Depth (feet)	Manning's n	Velocity Equation (ft/s)
Pavement and small upland gullies	0.2	0.025	$V = 20.238(s)^{0.5}$
Grassed waterways (and unpaved urban areas)	0.4	0.050	$V = 16.135(s)^{0.5}$
Nearly bare and untilled (overland flow); and alluvial fans	0.2	0.051	$V = 9.965(s)^{0.5}$
Cultivated straight row crops	0.2	0.058	$V = 8.762(s)^{0.5}$
Short-grass prairie	0.2	0.073	$V = 6.962(s)^{0.5}$
Minimum tillage cultivation, contour or strip-cropped, and woodlands	0.2	0.101	$V = 5.032(s)^{0.5}$
Forest with heavy ground litter and hay meadows	0.2	0.202	$V = 2.516(s)^{0.5}$

Table 2B-3.03: Manning's Roughness Coefficients (n) for Open Channel Flow

Type of Channel and Description	n
A. Closed Conduits Flowing Partly Full	
1. Steel - Riveted and Spiral	0.016
2. Cast Iron - Coated	0.013
3. Cast Iron - Uncoated	0.014
4. Corrugated Metal - Subdrain	0.019
5. Corrugated Metal - Storm Drain	0.024
6. Concrete Culvert, straight and free of debris	0.011
7. Concrete Culvert, with bends, connections, and some debris	0.013
8. Concrete Sewer with manholes, inlet, etc., straight	0.015
9. Concrete, Unfinished, steel form	0.013
10. Concrete, Unfinished, smooth wood form	0.014
11. Wood - Stave	0.012
12. Clay - Vitrified sewer	0.014
13. Clay - Vitrified sewer with manholes, inlet, etc.	0.015
14. Clay - Vitrified subdrain with open joints	0.016
15. Brick - Glazed	0.013
16. Brick - Lined with cement mortar	0.015
B. Lined or Built-Up Channels	
1. Corrugated Metal	0.025
2. Wood - Planed	0.012
3. Wood - Unplaned	0.013
5. Concrete - Trowel finish	0.013
6. Concrete - Float finish	0.015
7. Concrete - Finished, with gravel on bottom	0.017
8. Concrete - Unfinished	0.017
9. Concrete Bottom Float Finished with sides of:	
a. Random stone in mortar	0.020
b. Cement rubble masonry	0.025
c. Dry rubble or rip rap	0.030
10. Gravel Bottom with sides of:	
a. Formed concrete	0.020
b. Dry rubble or rip rap	0.033
11. Brick - Glazed	0.013
12. Brick - In cement mortar	0.015
13. Masonry Cemented Rubble	0.025
14. Dry Rubble	0.032
15. Smooth Asphalt	0.013
16. Rough Asphalt	0.016
C. Excavated or Dredged Channel	
1. Earth, straight and uniform	
a. Clean, after weather	0.022
b. Gravel, uniform section, clean	0.025
c. With short grass, few weeds	0.027
2. Earth, winding and sluggish	
a. No vegetation	0.025
b. Grass, some weeds	0.030
c. Dense weeds or aquatic plants in deep channels	0.035
d. Earth bottom and rubble sides	0.030
e. Stony bottom and weedy banks	0.040
3. Channels not maintained, weeds and brush uncut	
a. Dense weeds, high as flow depth	0.080
b. Clean bottom, brush on sides	0.050
D. Natural Streams	
1. Clean, straight bank, full stage, no rifts or deep pools	0.030
2. As D.1 above, but some weeds and stones	0.035
3. Winding, some pools and shoals, clean	0.040
4. As D.3 above, but lower stages, more ineffective slope and sections	0.045
5. As D.3 above, but some weeds and stones	0.048
6. As D.4 above, but with stony sections	0.050
7. Sluggish river reaches, rather weedy or with very deep pools	0.070
8. Very weedy reaches	0.100

Source: Chow, V.T. 1959



BAR SCALE

M:\land projects 2012\120216\dwg\C3 GRADING.dwg 7/9/2013 8:02:50 AM CDT

SHEET NUMBER
1 OF 1

PROJECT NUMBER
120216

DRAWN BY
JMK

REFERENCE NUMBER

**LOT 106 PONDEROSA VALLEY PLAT 2
WEST DES MOINES, IA**

DRAINAGE MAP



Bishop Engineering
"Planning Your Successful Development"

3501 104th Street
Des Moines, Iowa 50322-3825
Phone: (515)276-0467 Fax: (515)276-0217

Civil Engineering & Land Surveying Established 1959

EXHIBIT III

Prepared by: L.Schemmel, Development Services Dept., PO Box 65320 West Des Moines IA 50265-0320 (515) 273-0770
When Recorded, Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES APPROVING AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP FOR APPROXIMATELY 41.9 ACRES LOCATED WITHIN THE VILLAGE OF PONDEROSA DEVELOPMENT TO AMEND THE COMPREHENSIVE PLAN LAND USE MAP DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL (MD) TO HIGH DENSITY RESIDENTIAL (HD), SINGLE FAMILY RESIDENTIAL (SF), AND SUPPORT COMMERCIAL (SC); FROM OFFICE (OF) TO SUPPORT COMMERCIAL (SC); AND FROM SUPPORT COMMERCIAL (SC) TO HIGH DENSITY RESIDENTIAL (HD)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the property owner and applicant, LENL, LLC and LEWF, LLC, has requested an amendment to the Comprehensive Plan Land Use Map (CPA-002693-2015) to change the land use designation as follows:

- approximately 14.9 acres from Medium Density Residential (MD) to High Density Residential (HD),
- approximately 9.4 acres from Medium Density Residential (MD) to Single Family Residential (SF),
- approximately 2.1 acres from Medium Density Residential (MD) to Support Commercial (SC),
- approximately 12.4 acres from Support Commercial (SC) to High Density Residential (HD), and
- approximately 0.6 acre from Office (OF) to Support Commercial (SC).

On property within the Village of Ponderosa development and located within the area legally described as:

Legal Description

LOTS 29, 30, 31, 32, 33, 35, 37, 44, 47, 48, 49, 51, 53, 54, 55, ALL IN THE VILLAGE OF PONDEROSA, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA

AND

LOTS 1, 3, 4, 5, 6 & 7 IN THE VILLAGE OF PONDEROSA PLAT 3, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA

AND

LOTS 5, 6, 7, 8 AND OUTLOT X IN THE VILLAGE OF PONDEROSA PLAT 4, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted

which is made a part of this record and herein incorporated by reference;

WHEREAS, on May 11, 2015, the Plan and Zoning Commission did recommend the City Council approve the Comprehensive Plan Amendment (CPA-002693-2015);

WHEREAS, on May 18, 2015, this City Council held a duly-noticed public hearing to consider the application for Comprehensive Plan Amendment (CPA-002693-2015);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

SECTION 1. The findings as stated in the staff report, dated May 18, 2015, or as amended orally at the City Council hearing of May 18, 2015, are adopted.

SECTION 2. The amendment of the Comprehensive Plan Land Use Map (CPA-002693-2015) to change land use designations from Medium Density Residential (MD) to High Density Residential (HD), Single Family Residential (SF), and Support Commercial; from Office (OF) to Support Commercial (SC); and from Support Commercial (SC) to High Density Residential (HD) for that approximately 41.9 acres located within the Village of Ponderosa development and legally described above is approved.

PASSED AND ADOPTED on May 18, 2015.

Steven K. Gaer, Mayor

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on May 18, 2015, by the following vote:

ATTEST:

Ryan T. Jacobson
City Clerk

EXHIBIT IV

Prepared by: L.Schemmel, Development Services, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING AN AMENDMENT TO THE VILLAGE OF PONDEROSA AREA DEVELOPMENT PLAN (ADP-002694-2015)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, LENL, LLC and LEWF, LLC, has requested approval for an amendment to the Village of Ponderosa Area Development Plan to reflect changes in land use from that approved with the original Village of Ponderosa Area Development Plan.

Legal Description

THE VILLAGE OF PONDEROSA PLATS 1 THROUGH 8, OFFICIAL PLATS,
CITY OF WEST DES MOINES, POLK COUNTY, IOWA.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which are made a part of this record and herein incorporated by reference;

WHEREAS, on May 11, 2015, the Plan and Zoning Commission did recommend to the City Council approval of the Area Development Plan (ADP-002694-2015);

WHEREAS, on May 18, 2015, this City Council held a duly-noticed hearing to consider the application for the Area Development Plan (ADP-002694-2015);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated May 18, 2015, or as amended orally at the City Council hearing of May 18, 2015, are adopted.

SECTION 2. AREA DEVELOPMENT PLAN (ADP-002694-2015); is approved, subject to compliance with all the conditions in the staff report, dated May 18, 2015, including conditions added at the Hearing, and attached hereto as Exhibit "A", if any. Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on May 18, 2015.

Steven K Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on May 18, 2015, by the following vote:

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

Ryan T. Jacobson
City Clerk

EXHIBIT V

Prepared by: L. Schemmel, Development Services, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265
Return To: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265

ORDINANCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2014, AND ORDINANCE #1701 BY AMENDING TITLE 9, ZONING, CHAPTER 9, PLANNED UNIT DEVELOPMENT DISTRICT, PERTAINING TO P.U.D. (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES TO AMEND THE VILLAGE OF PONDEROSA PLANNED UNIT DEVELOPMENT (PUD) TO MODIFY THE ALLOWED LAND USES AND RELATED DEVELOPEMENT STANDARDS

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

SECTION 1. AMENDMENT: Amend the Zoning Map of the City of West Des Moines, Iowa, and repeal Ordinance # 1701 'Village of Ponderosa PUD' of West Des Moines, Iowa in its entirety and replacing it with the following:

Legal Description

THE NORTH 66.70 ACRES OF LOT 1 IN PARTITION PLAT OF THE SW 1/4 OF THE NW 1/4 AND THE N 1/2 OF THE SW 1/4 AND THE N 1/2 OF THE SE 1/4 OF SECTION 18, TOWNSHIP 78 NORTH, RANGE 25, WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, IOWA.

AND

THE 30.0 ACRES DESCRIBED AS FOLLOWS; THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., EXCEPT THE NORTH 10.0 ACRES THEREOF, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA.

(Now Platted as The Village of Ponderosa Plat 1 with subsequent plats to date of Plat 2 through Plat 8.)

SECTION 2. DEVELOPMENT INTENT: The Village of Ponderosa aims to create an urban residential community that offers opportunities for residents all ages to live in a variety of housing types with nearby options to fulfill retail, business and recreational needs. The centrally located crescent lake creates a natural gathering spot and focal point of the development. Tree-lined streets unify the development, while pedestrian pathways provide recreational opportunities and link neighborhoods within the village and to the surrounding office and commercial developments.

SECTION 3. REQUIRED PLANS: The following plans shall be required as a part of the processing of any development application for any property within the Village of Ponderosa Specific Plan:

- A. **Area Development Plan:** An Area Development Plan identifies planning units, major street patterns, master storm water drainage and detention concepts, utilities, shared public spaces, land use assumptions and proposed densities. The intent of the Area Development Plan is to provide a tool that can be used to promote the communication and cooperation between adjacent property owners and developers to ensure cohesive and unified development.

The Area Development Plan shall be reviewed by the Plan and Zoning Commission and approved by the City Council prior to, or in conjunction with, the review of the Specific Plan for any property within said Specific Plan area. No change to the Area Development Plan shall be made without approval of an amended plan from the appropriate reviewing bodies.

Attached to this document (Exhibit 1) is the City Council approved Area Development Plan for this property.

- B. **Specific Plan:** The Specific Plan identifies detailed development criteria for each planning unit indicated on the Area Development Plan or more specifically delineated on the Specific Plan Map. The Specific Plan shall conform to the general development intent identified in the approved Area Development Plan, as well as the Town Center Overlay District Guidelines. The Specific Plan shall be reviewed by the Plan and Zoning Commission and adopted by the City Council by Ordinance.

This document shall constitute the Specific Plan Ordinance for The Village of Ponderosa. Attached to and made a part of this ordinance is a Specific Plan Map that illustrates the overall site layout concept for The Village of Ponderosa (Exhibit 2A & 2B). This document and the associated exhibits (included or on file with the City Clerk) are intended to specify the components, parameters, and requirements to be adhered to and implemented in order to ensure the realization of The Village of Ponderosa development concept. It is recognized that modifications and changes may be necessary due to changes in building footprints, site details, and response to market demand. At the discretion of the Director of Development Services, changes to the layout of the development that are deemed to be 'major' changes shall require an amendment to the Specific Plan map and ordinance, if applicable. Major amendments shall require the review and approval of the Plan and Zoning Commission and City Council. Changes

that are deemed to still meet the use intent for an area as indicated in the Specific Plan Map and ordinance shall not necessitate an amendment to the map or ordinance.

Where the Specific Plan Map and Specific Plan language conflict, the Specific Plan language shall prevail.

- C. Development Applications (Overlay District Site Plans): Site Plans for all lots within the Village of Ponderosa must meet the intent of the approved Specific Plan. Site plans for all lots, except lots approved for single-family detached residential dwellings unless otherwise specified, shall be submitted to the City of West Des Moines for review and approval prior to the development of any portion of the lot. Site plans for permitted uses which comply (as determined by the Director of Development Services or designee) with the design intent as set forth in this Specific Plan will be subject to administrative review and approval by the Director of Development Services. A one-week review and comment period by each and all-available members of the Plan and Zoning Commission and City Council shall precede the administrative approval. If upon review, two (2) or more City Council or Plan and/or Zoning Commission members request, or if the Director of Development Services deems the proposed site plan is not in compliance with the approved Specific Plan, the site plan will be processed through the traditional full site plan review and approval process. Site plans for permitted conditional uses (PC) as defined in the City Code, unless otherwise amended within this ordinance, shall be approved by the appropriate review body. At the discretion of the Director of Development Services, an amendment to the Village of Ponderosa Specific Plan Ordinance may be required to bring consistency between the ordinance and site plan development proposed.
- D. Preliminary and Final Platting: Prior to or in conjunction with any site plan submittal for proposed development, or prior to legal ownership change of any land within The Village of Ponderosa, such area shall be subdivided by both preliminary and final plat, in accordance with the City's Subdivision Ordinance, to delineate the parcel to be developed or sold. Lots without public street frontage, in accordance with the City Code requirements, may be allowed provided the frontage requirements of the Code have been met by an abutting or surrounding lot which is under common ownership under an owners' association, or a cross parking and access easement has been executed which provides for the unrestricted use and access of the drives and parking. Outlots are not buildable.

Unless otherwise specifically restricted by the City Council, ground work and construction of private roads and utilities may be started, at the developer's risk, upon approval of the preliminary plat by the City Council. Public street and utility construction may begin, at the sole risk of the developer, after approval of the preliminary plat by the City Council and construction improvement plans by the City of West Des Moines.

Prior to approval of the final plat, unless otherwise authorized by the City Council, the developer of The Village of Ponderosa shall provide all necessary and appropriate agreements, easements, and sureties for all public rights-of-way and other public improvements (utilities, sidewalks, street lights, etc.) within and associated with the development.

A final plat applicable to each proposed development area must be approved and recorded with the Polk County Recorder's Office prior to issuance of any building permit, including footing and foundation permits, for construction of any structure or improvement within the area proposed for development.

SECTION 4. COMPLIANCE WITH CODE:

Unless otherwise specified herein, the development of The Village of Ponderosa shall comply with the provisions of the West Des Moines Town Center Overlay District Guidelines and the West Des Moines City Code.

SECTION 5. DEVELOPER RESPONSIBILITIES:

- A. A Master Association shall be established by the developer(s) for the property encompassing The Village of Ponderosa. The Master Association shall be responsible for the ongoing upkeep and maintenance of any privately owned common grounds, structures and signs as outlined in the Association documents and any other specific development improvements noted as the Association's responsibility in this ordinance. At the option and discretion of the developer(s), an association or associations having jurisdiction over sub areas or units located within the Village of Ponderosa may be established and which shall have the same responsibilities regarding the privately owned common grounds, structures and signs outlined in the association documents and any other specific development improvements noted as the Association's responsibility in this ordinance unless specifically excluded by the association documents or this ordinance.

Unless otherwise specifically noted or delineated, "developer," "Master Association" and "association" shall have equal responsibility for the obligations specifically set forth in this Section or as generally noted in this ordinance. Unless otherwise specifically noted or delineated, the terms "developer", "Master Association" and "association" shall be interchangeable in regard to the obligations imposed by this ordinance.

- B. Unless otherwise specifically approved by the City Council, the developer(s), its successors and/or assigns, if any, shall pay all planning, engineering, and construction costs for the development of the planned unit development as required by this Ordinance, and shall pay all costs related to approved site plans, which may include but is not limited to the cost of all streets, storm sewers, sanitary sewers, water mains and service lines, drainage-way improvements, detention basins, buffers, and other improvements as required. No occupancy permits, either temporary or permanent, shall be issued until all necessary improvements applicable to the area/lot or structure requesting occupancy are installed and accepted by the City of West Des Moines. Nothing in this Ordinance shall be construed to prevent the developer(s), its successors and/or assigns, if any, from entering into private agreement(s) as it/they may desire to share the cost of improvements.
- C. At the time of final platting, the developer(s) shall enter into an agreement with Mid American Energy for the installation of public street lights along all public streets within and abutting The

Village of Ponderosa Specific Plan area. Surety to ensure installation of the public street lights shall be provided to the City prior to approval and recordation of the first final plat. Installation of public street lights shall occur in conjunction with construction of the public street. Installation of private street lights shall occur in conjunction with development of adjacent parcels within the Village of Ponderosa.

- D. A public access easement or easements in favor of the City of West Des Moines allowing unrestricted public access and use of the proposed private streets, excluding specified areas described in the easement document, trails, and sidewalks within the Village of Ponderosa Specific Plan shall be executed prior to the approval and recordation of the first final plat and in conjunction with the approval and recordation of any future plat(s). The developer(s) and the City shall execute separate easement documents in which the rights and responsibilities of the parties shall be delineated.
- E. The developer(s) shall execute an Agreement and Waiver for the developer's proportionate share of the cost of installation of all improvements associated with the 60th Street Improvement Project lying west of and adjacent to development.
- F. The cost of installation of traffic signals located within the development shall be the responsibility of the developer(s). The cost of installation of traffic signals as shown in Exhibit 5 shall be the responsibility of the developer and abutting property owners pursuant to the assessment policy of the City, of which the City shall have no financial responsibility whatsoever.
- G. The developer(s) shall be responsible for the maintenance of the area encompassing the roundabout and related public right-of-way, including the splitter islands, and the developer(s) and the City shall execute a separate easement document in which the rights and responsibilities of the parties shall be delineated.
- H. The developer(s) shall be responsible for all maintenance and replacement of public and private street signage, including the provision of street sign poles. The developer(s) shall also be responsible for maintaining an adequate inventory of signs, poles and related items.
- I. Developer's responsibilities include all obligations contained in this Section as well as those responsibilities set forth in this ordinance.

SECTION 6. VEHICLE TRIP ALLOCATION: As part of the 2015 amendments to the Area Development Plan, Comprehensive Plan, and Specific Plan approved for this site and consistent with the original traffic analysis completed by Snyder & Associates (July 10, 2006) and the updated traffic analysis completed by the City (May, 2015), the Village of Ponderosa has been allocated the following vehicle trips: 12,757 average daily trips (ADT); 1,602 p.m. peak hour trips; and 1,261 a.m. peak hour trips. As development proposals are approved the number of vehicle trips generated by the proposed development (based upon the number of square feet of a

proposed specific use or number of dwelling units, in conjunction with any parameters established in the traffic analysis) will be subtracted from the overall total trips allocated to the development. Approval of this proposed Specific Plan does not constitute a guarantee that the proposed plan can be implemented. Development of all parcels and implementation of desired land uses, including specific high traffic generating tenants, will be limited by the available number of trips. The 2015 adoption of the amended Specific Plan does not guarantee that the total number of residential dwellings indicated for inclusion within the overall development (1137) may be implemented. The 2015 amendment proposes 500 active senior dwellings, 480 non-age restricted market rate apartments in combination with 33 existing attached townhomes and a total of 124 traditional single family detached homes (81 existing plus 43 proposed). At the time of the 2015 traffic analysis, Senior Housing (ITE Code 252) generated traffic at 3.78 ADT trips, 0.20 AM Peak, and 0.25 PM Peak trips per dwelling which is approximately 57% of the rate at which Market Rate Apartments (ITE Code 220) generates trips (6.65 ADT, 0.52 AM Peak, and 0.62 PM Peak trips per dwelling). Therefore, it is recognized that a 1:1 conversion of senior housing dwellings for non-age restricted market rate apartments is not possible while remaining under the 12,757 average daily trips (ADT); 1,602 p.m. peak hour trips; and 1,261 a.m. peak hour trips as established with the original 2006 study and reaffirmed with the 2015 traffic study. Should the types of dwellings desired to be implemented vary from that specified and analyzed as part of the 2015 traffic analysis, a reduction in the total number of dwellings may be necessary.

Should anticipated traffic exceed the total trips allocated for The Village of Ponderosa development prior to full build-out, further development of parcels may be limited or prohibited. Alternate uses to the proposed planned development(s), if within the parameters of the traffic analysis and approved as part of the Comprehensive Plan Amendment, Area Development Plan and this Specific Plan Ordinance, as applicable, may be allowed, following completion of an amendment to the approved traffic study analyzing the proposed alternative and appropriate City approval if the existing uses and the proposed change(s) collectively do not exceed 12,757 average daily trips (ADT), 1,602 p.m. peak hour trips and 1,261 a.m. peak hour trips allocated to this development.

SECTION 7. STORM WATER MANAGEMENT PLAN: A Master Storm Water Management Plan for the entire development which governs the overall storm water management of the development shall be submitted to and approved by the City of West Des Moines. Specific Storm Water Management Plans demonstrating compliance with the approved Village of Ponderosa Master Storm Water Management Plan, on file with the City, will be required with the development of each site plan. The Specific Storm Water Plans shall be prepared at the developer's expense, by a Professional Engineer licensed in the State of Iowa. All Specific Storm Water Management Plans shall comply with the City's applicable design standards for storm water management existing at the time each development (site plan) is approval.

SECTION 8. UTILITIES: The developer(s), its successors or assigns, if any, shall construct at its cost, and if for general public use, dedicate to the City all sanitary sewer mains, water mains, and storm sewers associated with the Village of Ponderosa as required by the City of West Des

Moines' Subdivision Ordinance in accordance with applicable City design standards. All necessary easements to allow City access to public utilities for maintenance and repair purposes shall be executed prior to approval and recordation of the final plat for each respective area or shall be executed as a blanket access agreement prior to the approval and recordation of the first final plat. Unless otherwise specified within a specific easement document, the City shall not be responsible for reimbursement, restoration and/or replacement of any improvements located within the public easements should the City be required to excavate the public utilities for normal City operations.

The placement of public utility easements within buffer parks is discouraged due to the potential conflict between trees and the need to access the lines for repair. Overstory and understory trees should be placed off utility lines a minimum distance equal to the 1:1 excavation trench necessary for the deepest utility. Adequate access for maintenance vehicles shall be provided into and through the easement areas.

SECTION 9. FIRE ACCESS:

- A. All streets and parking lots shall permit the travel of the Fire Department's largest vehicle, including adequate accommodation of the vehicle's turning needs. Approval of unique design solutions to accommodate fire access may be granted by the City Council if, the solutions proposed are recommended by the West Des Moines Fire Department.
- B. At the discretion of the City's Fire Marshall, "No Parking Fire Lane" areas may be established as necessary to ensure efficient movement and access of the fire trucks. The developer(s) of The Village of Ponderosa shall be responsible for the procurement and erection of approved fire lane signage.
- C. All roads, alleys, and access drives shall maintain a minimum of twenty feet (20') of clear pavement.
- D. A minimum of fourteen feet (14') of vertical clearance over the travel portion shall be maintained at all times over all vehicle travel ways.
- E. The developer(s) or its designee shall be responsible for enforcement of no parking lanes and maintaining adequate clearance of structures and vegetation along and above all vehicle travel ways regardless if public or private.

SECTION 10. PARKLAND DEDICATION REQUIREMENTS:

Developers are required to dedicate land for public parks and greenways as a method of ensuring that new development provides for a portion of the park needs created by the number of new residents and their families moving into the new developments.

A revised Parkland Dedication Agreement acceptable to the City of West Des Moines, tailored to the 2015 Specific Plan update detailing the specifics relating to all parkland dedication requirements and/or recreation based improvements that are required of the developer(s) as a result of the original and amended proposed development shall be executed prior to issuance of the first building permit, including any footing and foundation permits associated with a residential dwelling structure within areas 1, 2, 3, 4, or 6 as identified on Exhibit 2B.

Implementation of the improvements shall occur as set forth in the agreement. A copy of this agreement shall be on file with the City of West Des Moines.

SECTION 11. PUBLIC STREET RIGHT-OF-WAY DEDICATION:

In order to maintain the functional class of the City's roadway system as set forth in the Comprehensive Plan while recognizing the unique design of the development, a portion of the right-of-way necessary for South Prairie View Drive may be provided to the City by easement, with the balance of the right-of-way to be dedicated to the City in fee title. All other public street rights-of-way shall be dedicated to the City in fee title. The developer shall provide the necessary easements and dedication at the time of recordation of the first final plat, in accordance with right-of-way standards for each road classification consistent with the City's Comprehensive Plan or as otherwise defined in this ordinance. The developer shall provide at no cost to the City temporary easements necessary for the construction of public streets within the development.

SECTION 12. STREET DESIGN:

Exhibit 5 identifies the public and private street network to be implemented as part of the Village of Ponderosa development. The illustrations should be understood to illustrate the vehicle use portion of the roadway, utility corridors, and associated pedestrian pathways with building locations, heights, and landscaping included for illustrative purposes only.

- A. Public Streets: South Prairieview Drive and Bluestem Circle shall be the only public roads within the development.
1. South Prairieview Drive shall be constructed as specified in the traffic analysis and as conceptually illustrated in Exhibit 6. It shall be built as a two-lane roadway, thirty-one feet (31') back-of-curb to back-of-curb extending from the northeast corner of the site running south and west to Bluestem Circle. Expansion to a thirty-seven foot (37') three-lane roadway (two through lanes with a two-way left turn lane (TWLTL)) for vehicle safety and congestion mitigation will warrant consideration if subsequently determined necessary by the City. However, no additional improvements are anticipated prior to 2010, at which time such improvements may be specially assessed pursuant to the provisions of the Code of Iowa.
 2. Bluestem Circle shall be constructed as specified in the traffic analysis and conceptually illustrated in Exhibit 7. Any deviation from this design shall be reviewed and approved by the City of West Des Moines upon recommendation of the West Des Moines Public Works Department and West Des Moines Fire Marshal to ensure adequate design to accommodate efficient maintenance and fire-truck movements. No street intersections or parking access roads shall be located within two hundred (200) feet of the roundabout entry. The placement of any landscaping or other improvements on public right-of-way within or adjacent to the roundabout shall require the approval of the West Des Moines City Council. If approval is given, the developer(s) and the City shall execute a separate easement document in which the rights and responsibilities of the parties are delineated.
 3. South Prairie View Drive between Bluestem Circle and Mills Civic Parkway Circle shall be constructed as specified in the traffic analysis and conceptually illustrated in Exhibit 8. Any deviation from this design shall be reviewed and approved by the City of West Des Moines

upon recommendation of the West Des Moines Public Works Department and West Des Moines Fire Marshal to ensure adequate design to accommodate efficient maintenance and fire-truck movements.

- B. Private Streets: The design of all other roads within the development shall be consistent with the recommendations of the traffic analysis (Snyder & Associates: July 10, 2006) and the updated traffic analysis completed by the City (May, 2015) and shall be private in ownership. It is the intent of the developers and the City that all private roads within The Village of Ponderosa shall not subsequently be conveyed to the City as public streets but shall remain private in perpetuity.
1. All private streets within the Planned Unit Development shall function as public streets. The developer and the City shall execute a public access easement in which the rights and responsibilities of the parties shall be delineated.
 2. Adequate sight distances shall be maintained at all intersections to allow vehicles and pedestrians approaching intersections to identify and anticipate potential interaction and conflicts with other vehicles and pedestrians.
 3. Streets shall be maintained and function (including timely snow removal) in a fashion similar to the public expectations of a public street.
 4. No road closures are allowed without prior permission of the Chief of Police of the City of West Des Moines.
 5. Lane configuration shall be as identified in the traffic analysis. Exhibits 9 through 16 illustrate the lane configuration for the private roads within the development (see Exhibit 4 for the location of these streets within the development). Internal roads shall be designed to reduce vehicle speeds in residential areas through the incorporation of traffic-calming measures such as narrower street widths, on-street parking, and implementation of street trees. Roundabouts will be used for traffic control purposes and to help reduce vehicle speeds at the intersections of Stagecoach Drive and South Crescent Way; and South Ridgefield Way, north end of South Crescent Way, and Fairway Drive. Said traffic-calming measures shall fully accommodate emergency vehicle access through and around The Village of Ponderosa.
- C. Signalized Intersections: Traffic signals may be required at the following intersections when traffic warrants as determined by the City (see Exhibit 5):
1. South 60th Street and Village View Drive.
 2. South 60th Street and Stagecoach Drive.
 3. South Prairieview Drive and Market Street.
 4. South Prairieview Drive and South Crescent Way.
 5. South Prairieview Drive and north access to West Glen.

The City may facilitate installation, but shall have no responsibility for the cost of installation of these signals.

Dedication of permanent right-of-way to accommodate the placement of future signals and appurtenances shall be provided to the City at no cost. Temporary construction easements shall be provided at no cost to the City by the developer(s).

D. Traffic Signs:

1. Signage for traffic control purposes associated with public streets shall be installed and maintained by the City with the exception of the sign poles.
2. Signage on private streets shall be procured and installed consistent with the Manual of Uniform Traffic Control Devices (MUTCD) and the signing/pavement marking conventions of the City. Maintenance and replacement of private street signage shall be the responsibility of the developer(s).

E. Street Name Signage:

1. Public streets and those private streets as deemed necessary by the City's Addressing Administrator shall be named in accordance with the City's Street Naming & Addressing Guidelines. Exhibit 4 identifies the named streets within the development.
2. Signs shall conform to the Manual of Uniform Traffic Control Devices and the Street Naming and Addressing Guidelines of the City for street name signing.
3. Public street signage shall be the responsibility of the City. In the event replacement of a public sign is necessary replacement poles shall be provided by and at the expense of the developer.
4. The name blades of private street signs shall match the public street signs in design and color and shall be manufactured by the City. Poles and mounting hardware for the street name signs shall be black or tones of grey in color and shall be provided by the developer(s). Private street signs shall be maintained and replaced by the developer(s).
5. Additional wayfinding signage may be required by the Addressing Administrator to assist emergency services in efficient location of addresses. If such signage is required, it shall be procured, installed, maintained, and replaced as necessary by the developer(s).

SECTION 13. PARKING:

A. On-Street Parking: As illustrated in Exhibit 17, on-street parking may be provided on certain roads within the development.

1. No on-street parking shall be allowed along any portion of South Prairie View Drive, Bluestem Circle, or any public street within and abutting the development. No on-street angled parking shall be allowed anywhere along Stagecoach Drive; however, on-street parallel parking may be allowed along Stagecoach Drive east of South 60th Street after the first drive intersection.
2. On-street parking along Village View Drive shall be located no closer that seventy-five (75) feet from the splitter island of the roundabout intersection with South Prairie View Drive.
3. On-street parking shall abide by the design parameters for the respective type (parallel, angled, head-in, etc.) consistent with the minimum off-street parking design standards as identified in Title 9, Chapter 15 of the City Zoning Ordinance.
4. At all street intersections, no on-street parking shall be located closer than twenty feet (20') from pedestrian crosswalks.

5. Notwithstanding anything contained in this ordinance, parking shall be prohibited in a manner or in areas which would create a hazard to the public or which would violate the West Des Moines Fire Code.

B. Off-Street Parking: (Excluding driveways for single family detached residential.)

1. All off-street parking areas shall be sited and landscaped to screen their visibility from street rights-of-way, residential dwellings, pedestrian pathways, and adjoining property outside of the Village of Ponderosa development.
2. Excluding parking structures, parking stall measurements and drive aisle widths shall conform to Title 9, Chapter 15 of the City's Zoning Ordinance.
3. A multi-level parking structure shall be allowed within Area 3. Structured parking can be incorporated into/under the multi-family residential buildings in areas 1, 2, 3 and 4. Architectural design and vehicle functionality, including emergency services access and maneuverability, shall be reviewed in conjunction with site plan review of those areas.
4. If a proposed parking stall is designed to allow the bumper of the vehicle to overhang an open area or center median, the length of both the parking stall and island may be reduced by a maximum of two feet (2') (i.e. a two foot (2') overhang would reduce a nineteen foot (19') stall and island length to seventeen feet (17') minimum). If the proposed overhang is over a sidewalk rather than natural green space, that sidewalk width shall be increased two feet (2') to accommodate pedestrian movements and vehicle overhang.
5. It is desired that all off-street parking areas be aesthetically improved to reduce obtrusive characteristics that are inherent to their function. Multiple landscape islands combined with vegetation shall be incorporated to effectively eliminate a "sea of asphalt/concrete" and to provide shade thus decreasing heat reflection back into the environment. Landscape islands and/or pods shall be implemented in accordance with the following:
 - a. Ground level parking areas, except within a parking structure unless otherwise noted, shall incorporate the following:
 - 1) Islands or open areas shall be located at the terminus end of all parking rows including parking within parking structures. Terminal islands shall measure at least ten feet (10') in width and shall match, at a minimum the stall length.
 - 2) Linear parking islands that run the length of the parking row shall be implemented every six (6) rows. Said linear islands shall measure a minimum of eight feet (8') in width and shall be heavily landscaped to provide a mass of 'green' within the parking lot. These areas may also serve as bioswales/detention areas.
 - 3) Linear parking rows with greater than eleven (11) parking stalls shall incorporate within the parking row landscape islands every twelve (12) stalls and landscape islands or pods spaced no greater than every six (6) stalls.
 - 4) Islands shall measure a minimum of nine feet (9') in width and shall match, at a minimum the stall length.
 - a) Each nine foot (9') by nineteen foot (19') (seventeen foot (17') if adjusted due to vehicle overhang) island shall contain at least one (1) overstory or ornamental tree, except for parking islands associated with lower levels within a parking structure.
 - 5) Pods shall measure a minimum of six (6) feet from the back-of-curb to back-of-curb.

- a) Each landscape pod shall incorporate trees, shrubs, perennials, or ornamental grasses to provide interest and color. Said plantings shall reach a minimum of three feet (3') in height in order to be visible between the parked vehicles.

C. Parking Ratios: Parking shall be provided as follows:

1. Residential:

- a. Single family detached shall provide a total of three (3) dedicated parking spaces per residential dwelling; at least two (2) spaces shall be covered parking.
- b. Single family attached located within areas 1C, 4B, 6A, and 6C, except residential dwellings incorporated as part of a mixed use building, shall provide at least one (1) dedicated covered parking space per dwelling. In addition, a minimum of one-half (.5) of a space per dwelling shall be provided within the lot boundaries of the associated dwelling. Said additional spaces shall be provided through either dedicated driveways or on-street parking. Designated (striped) on-street parking on that side of the street adjacent to the lot may be counted towards fulfilling the required additional parking.
- c. Multi-family apartment buildings located in areas 2E and 3C, shall provide a minimum of one (1) dedicated space for an efficiency unit, one and one half (1.5) dedicated spaces for a one (1) bedroom unit, two (2) dedicated spaces for a two (2) bedroom unit and two and one half (2.5) dedicated spaces for a three (3) or more bedroom unit. If the dwelling is intended to be owner occupied, a minimum of one of those dedicated parking spaces per unit shall be covered parking.
- d. Age restricted (senior) multi-family apartment buildings within area 1D and 4A shall provide a minimum of one (1) dedicated space for each bedroom within the unit and one dedicated space for each efficiency unit. If the dwelling is intended to be owner occupied, a minimum of one of those dedicated parking spaces per unit shall be covered parking.
- e. Residential dwellings incorporated as part of a mixed use building shall provide a minimum of one (1) dedicated space, covered or uncovered, per bedroom unit.
- f. Each covered spaces provided for a unit will be allowed to count as one (1) parking space towards meeting the required number of parking spaces for that unit.
- g. The clubhouse building (Building H) must provide a minimum of three and one half (3.5) spaces per one-thousand (1000) square feet of gross leasable area (g.l.a.) for the office and multi-purpose areas. Recreation space intended to serve only the multi-family building tenants are not required to provide parking.

2. Office, Retail and Mixed Use:

- a. With the exception of a hotel, a minimum of three and one half (3.5) spaces per one-thousand (1000) square feet of gross leasable area (g.l.a.) of non-residential uses shall be provided. Hotels shall provide parking at a rate of one stall per guest room plus one space for each employee on the maximum shift. Additional parking in accordance with that specified above for other retail uses shall be incorporated for any ancillary retail/service/entertainment areas incorporated into the hotel and intended for general public outside of hotel guest's use.
- b. On-street parking along both sides of Market Street may be counted towards fulfilling the parking requirements of the commercial or office buildings along the east side of the street.

Additional parking for these buildings shall be located in the shared lots behind the buildings along the west side of Market Street. On-street parking along Market Street shall not count towards provision of parking for any residential units/buildings located in areas 2E or 3C. On-street parking along Stagecoach Drive shall be counted towards fulfilling the parking requirements of a building on the same side of the street as the parking.

3. At the discretion of the Development Services Director:
 - a. A less stringent parking calculation may be used provided the applicant can demonstrate a parking rate less than the above is adequate due to the type of potential use, shared uses or off-peak uses.
 - b. A portion of the required parking for any building not specifically noted above may be provided on a separate parcel. Details of such parking shall be submitted for review and approval as part of the Site Plan for each building.
- 4 Cross access agreements shall be executed to allow for vehicle access through areas 1, 2 and 3.
- 5 A shared parking agreement shall be executed to allow shared parking between building parcels.

SECTION 14. PEDESTRIAN ELEMENTS:

The Village of Ponderosa, in alignment with the Town Center Overlay District Guidelines, aims to encourage pedestrian movement and opportunities for pedestrian interaction through a series of interconnected sidewalks and trails which lead to the office and retail establishments within the Village of Ponderosa and adjoining developments, outdoor plaza areas, the lake-feature, dog park, and community open space and gathering spots. Exhibit 18 illustrates these trails, sidewalks, plaza areas and features. Development of these areas shall comply with the following guidelines with details of the development of each area to be specified, reviewed, and approved at the time of site plan development. Unless otherwise specified, the installation of these pedestrian elements shall be by the developer(s) of the Village of Ponderosa in conjunction with or before the development of the surrounding areas.

A. Trails and Sidewalks:

1. Pedestrian street crossings should be identified through street markings, contrasting pavement colors, or textured pavement treatments.
2. A minimum of eight feet (8') of vertical clearance shall be maintained at all times over all pedestrian travel ways.
3. **Public Trails:**
 - a. Public trails shall be installed within The Village of Ponderosa in alignment with the City's Master Trail Plan or as agreed upon with the City of West Des Moines and detailed as part of the Parkland Dedication Agreement.
 - b. Trails shall be constructed in accordance with the City of West Des Moines' Standard Specifications except for those trails intended to serve as an access route for City maintenance vehicles. In these situations, the trails shall be constructed over a six inch (6") compacted rock base in order to accommodate the weight of the maintenance vehicles.
 - c. A minimum of two feet (2') of clear shoulder should be provided on each side of the trail.
 - d. Signage traditionally located along public trails shall be provided and installed by the City of West Des Moines; except trail-size stop signs at all street crossings which shall be

installed by the developer immediately following construction of trails. Non-traditional signage, if desired, to mark circuit distances, direct pedestrians to features/areas within the development, etc... shall be procured, installed, and maintained by the developer. The locations of any private signage along public trails shall be approved by the City of West Des Moines prior to installation.

- e. Emergency call boxes located along public trails may be provided and installed by the City of West Des Moines.
- f. Trail markings on the trail surface itself utilized to indicate road crossings, direct traffic, etc... shall be approved by the City of West Des Moines prior to installation. Responsibility for installation and maintenance of markings shall be as determined and agreed upon with the City of West Des Moines.
- g. Repairs to the public trails shall be the responsibility of the City following a four (4) year maintenance period. General maintenance (snow removal, sweeping, etc...) of the trails shall be as agreed upon between the City and the developer. In general, the trail along S. 60th Street shall be maintained by City, all other trails within the development shall be maintained by the developer.
- h. Installation, maintenance and replacement of trail lighting, if incorporated, shall be the responsibility of the developer. Locations of light fixtures along public trails shall be set to the appropriate distance from the trail and approved by the City of West Des Moines prior to installation.
- i. The following public trails shall be constructed within the site:
 - 1) **South 60th Trail**: As shown on Exhibit 18, a trail will be created from the northern to southern property boundary along South 60th Street. As indicated, this trail will meander in and out of the right-of-way, but shall not encroach into the right-of-way farther than typical public trail placement at one foot (1') off of the property line would allow (11' from property line to street edge of trail).
 - a) This trail shall be five inch (5") PCC, saw cut at 10'x10' panels. No longitudinal/centerline joints allowed.
 - b) In order to fulfill part of the developer's Parkland Dedication requirements, the developer shall pay all costs associated with the construction of the entire ten-foot (10') trail.
 - 2) **Ponderosa Creek Trail**: As shown on Exhibit 18, a public trail will be installed which connects the South 60th Street trail to Willow Springs Park located directly to the north. This trail shall be located along Ponderosa Creek as part of an open space 'meadow'.
 - a) This trail shall be six inch (6") asphalt, except those portions that are to serve as an access route for City maintenance trucks. These portions shall consist of six inch (6") asphalt pavement constructed over a six inch (6") compacted rock base. Approaches at all street crossing are to be concrete. Mid-block crossings shall be designed, constructed, and maintained according to MUTCD Standards (figure 9B-7 of manual).
 - b) To accommodate grade changes, retaining walls may be necessary along this trail. These retaining walls shall be set back a minimum of two feet (2') from the trail edge in order to provide a clear recovery zone and to minimize the potential for

bicycle handlebars and wall contact. Exhibit 19 illustrates the relationship between trail and retaining wall.

- c) In order to fulfill part of the developer's Parkland Dedication requirements, the developer shall be responsible for all costs associated with the construction of this ten-foot (10') trail. In addition, the developer shall be responsible for the extension of the Willow Springs Park trail south to connect with the Ponderosa Creek Trail in this development.
- 3) South Granite Way: As shown on Exhibit 18, a trail will be implemented which runs from the Ponderosa Creek Trail south and easterly through the open greenbelt to South Granite Way; south along the western side of South Granite Way to north of West Glen's retention pond; the trail shall parallel the north side of the pond to the east side of South Prairieview Drive; crossing at the intersection of South Crescent Way and South Prairieview Drive; and continuing along the west side of South Prairieview Drive to the applicant's southern property boundary.
- a) This trail shall be a combination of five inch (5") PCC and six inch (6") asphalt. In general, that portion of the trail that crosses the open space may be asphalt while that portion that parallel streets shall be PCC.
 - b) This trail shall be setback a minimum five feet (5') from the back-of-curb of South Granite Way. The trail along South Prairieview Drive shall be set one foot (1') off of the standard right-of-way line and a minimum of seven feet (7') from back-of-curb.
 - c) In order to fulfill part of the developer's Parkland Dedication requirement, the developer shall pay all costs associated with construction of this ten-foot (10') trail.
4. Private Trails:
- a. Trails shall be constructed of either be 6" asphalt or 5" PCC; choice of material shall be at the discretion of the developer unless otherwise set forth in this ordinance.
 - b. Whenever possible, trails shall be six feet (6') or greater in width, but in no situation shall they be less than four feet (4') in width.
 - c. Trails shall be setback a minimum of five feet (5') from the back-of-curb of private streets; however, no minimum setback from the property line shall be required for those trails within greenbelts that abut private property.
 - d. Signage desired along the trails shall be procured, installed, and maintained by the developer.
 - e. Repairs and maintenance of the trails shall be the responsibility of the developer.
 - f. Installation and maintenance of trail lighting, if incorporated, shall be the responsibility of the developer.
5. Public Sidewalks:
- a. Public sidewalks shall be located and installed within The Village of Ponderosa in accordance with City Code.
 - b. Sidewalks shall be installed as a part of the public improvements associated with the lot or area being developed, in conjunction with or before the time of construction of the buildings.

- c. Sidewalks shall be constructed in accordance with the City of West Des Moines Standard Specifications.
 - d. Public sidewalks within the site shall be a minimum of four feet (4') in width.
6. Private Sidewalks:
- a. Sidewalks shall be located as illustrated in Exhibit 18.
 - b. Sidewalks shall be located in relation to the adjoining private streets as indicated in the applicable street cross-sections (see Exhibits 9 through 16).
 - c. Private sidewalks within the site shall be a minimum of four feet (4') in width except in those situations in which vehicle parking overhangs the sidewalk; in these situations, the sidewalk width shall be increased two feet (2') to accommodate pedestrian movements and vehicle overhang.
- B. Plaza Areas: A key element to encouraging pedestrian activities is the incorporation of plaza areas and structured pedestrian gathering areas. Exhibit 18 identifies the locations of these areas while Exhibit 25 through 27 provides conceptual layouts and designs for these areas. Details for each of these plaza areas will be submitted, reviewed, and approved as part of the site plan for the adjoining parcels.
- 1. Plaza areas shall encourage opportunities for interaction among pedestrians through the provision of seating opportunities (benches, chairs, tables, planter walls, etc...). Within the Appendix attached to the exhibit packet are representations of the site amenities including street furniture that will be provided throughout this development. Although deviations from the illustrations are permissible, the street furniture is intended to serve as a unifying element throughout the development. Without compromising the design intent of the plazas, the developer is encouraged to maximize the number of furniture/seating opportunities throughout the development.
 - 2. Whenever possible, outdoor dining associated with restaurants and sidewalk cafes shall be implemented.
 - 3. Open space plazas areas shall incorporate a variety of hardscape landscape materials (stone pavers, stamped concrete, field boulders, etc...) for visual interest and variety and shall implement landscape vegetation to soften, enhance, and delineate the areas. A minimum of twenty percent (20%) of the plaza area shall be 'green space' consisting of shrub and perennial planting beds, tree islands, or lawn areas. Whenever possible, elements that enrich the space (i.e. gazebos, art, fountains, banners, and children's play environment, etc.) should be incorporated. See Exhibit 18 for locations, and Exhibits 25 and 26 for conceptual character images of acceptable plaza areas.
 - 4. Appropriate lighting should be incorporated into the plaza areas for safety reasons and to extend the usability of the area into the evening hours.
 - 5. Plaza areas associated with establishments which serve alcoholic beverages shall provide a definable boundary (change in material, unmovable signage, physical feature, etc...) between the private establishments in which alcohol consumption is allowed and the public area in which it is not. A physical barrier (fencing, railing, landscaping, etc.) should prohibit access into the patio area from the public area; all access into the patio area should be through the

interior of the establishment. The barrier specifications shall be reviewed and approved as part of the development application.

6. Details regarding maintenance and replacement responsibilities for the plaza spaces should be identified within the Association documents.
- C. **Crescent Lake:** The most significant open space in the Village of Ponderosa is Crescent Lake. It provides an identity and gathering places for the entire Village. Diverse environments and people spaces are located around the perimeter of the lake. The lake covers approximately 2.25 acres. It has been designed as a sustainable environment with depths and water quality that will support aquatic plants and animals. Re-circulating pumps will create a bubbling spring effect in the lower pool. The upper pool (approximately 4 feet above the main pool) will be linked with the main pool by re-circulating waterfall. Stormwater systems, including filtered bio-retention swales and surface run-off will provide additional sources of water. The perimeter of the pond has been designed with minimum depths (approximately 18 inches to 30 inches) to comply with safety standards. The lake's dam, spillway and downstream watershed shall be designed in accordance with Iowa DNR (Department of Natural Resources) and Army Corps of Engineer's requirements.
- D. **Lakeside Terrace:** The core gathering place for the Village is the Lakeside Terrace. Located adjacent to both Crescent Lake and Market Street this strategic location provides a flexible place for diverse activities. A water feature provides a bubbling water source along the pedestrian streetscape that flows down to the Lake with a waterfall and plunge pool. The water feature will provide several different sound effects, both soothing and dramatic.
- The Lakeside Terrace is designed to accommodate a wide range of activities including:
- informal gathering of individuals, couples, families and small groups as well as special event assemblies for large groups
 - seating with moveable chairs and small tables as well as informal seating opportunities such as sloping lawns and broad steps
 - paved and landscaped areas that can accommodate a range of temporary exhibits, fairs and events; and,
 - both sunny and shaded spaces that also vary according to the season and time of day including a desirable morning sun exposure and protection from westerly winds

Another feature of the Lakeside Terrace is the Clock Tower. Clad in wood with an internally illuminated clock face, the tower provides an accent on the Village skyline providing practicable purposes of orientation and time keeping. No tenant signage shall be located on the clock tower, however the development name and logo may be. The tower shall not exceed fifty feet (50') in height.

- E. **Art and Bocci Ball Park:** A public open space will be provided adjacent to the southeast terminus of Crescent Lake and its companion lake. This area will provide an area to display public art (either permanent or rotating temporary installation). In addition a lawn area with adjacent seating will be provided to accommodate Bocce ball.

- F. Dog Park: A fenced area (five foot, metal grid) with shade trees, open lawn area and patio with seating will be provided for Village of Ponderosa residents and their dogs. The area will be secure and only accessible by Village of Ponderosa resident key card. A water fountain (designed for dog parks) will be provided. Groves of shade trees will be provided for shade and a combination of shrubs and tall grasses will reduce the visual impact of the perimeter fence
- G. Meadow: A broad open space system or Meadow extends from South 60th Street to the northeastern portion of the Village. Designed to function as a broad meadow with a meandering stream along its edge, it provides a passive outdoor recreation and public pathway system that links to a broader community wide open space systems. Portions of the meadow are designed to reduce stormwater impacts through controlled release of peak run-off flows; public pathways are located outside of areas susceptible to stormwater storage. Stream edges and areas susceptible to erosion will be planted with appropriate riparian plant material (such as Red Switch Grass and Equisetum) and will incorporate stone features to stabilize soils and further manage water velocities. A combination of native and low maintenance grasses will be utilized to create sustainable environments while encouraging public use.
- H. Art: Multiple locations have been identified for the installation of permanent or temporary/rotating art pieces. The Village's main entrance off of South 60th Street is designed as an Art Lawn with broad lawns and unobstructed views to potentially two art locations (southwest corner of Village View Drive and Market Street, and the north view terminus of Market Street).

Art and development identification elements are desired for integration into Bluestem Circle to create a development entry feature and enhance the sense of community. Details of any feature shall be submitted for review and approval by the City Council prior to installation. If approved, the developer and the City shall execute an easement document in which the rights and responsibilities of the parties shall be delineated.

- I. Residential Park: Courtyard type parks will be incorporated within the larger multifamily buildings located in Areas 1D, 4A and 3C. These areas are intended to serve the immediate building residents, however may be accessed by other development residents or visitors. The park design should be well integrated within the building design, providing a sense of enclosure, yet allow views to the surrounding area and admit sunlight. Residential units bordering the park should include architectural features such as balconies, roof decks or large windows to reinforce the connection between the living units and the courtyard activities. A variety of paving and landscaping elements including planting beds or water features should be incorporated as well as benches, steps and defined seating areas such as gazebos to encourage social interaction. If size allows, features such as small sport courts, fitness trails, or level turf areas for group activities can be provided. Details of the residential park design shall be submitted for review and approval as part of the Site Plan for each building.

SECTION 15. LANDSCAPING:

The landscaping requirements specified herein are intended to create an aesthetically pleasing development which enhances the appearance and character of the City of West Des Moines, while protecting the general health, safety and welfare of the citizens. Landscaping is required to address the following primary aspects or consequences of development:

- Open space protection and enhancement
- Creation of environments conducive and inviting to pedestrian activities
- Street side enhancement ('streetscapes')
- Visual screening of undesirable views, activities and/or site elements, and
- Mitigation of paving expanses associated with off-street parking

The attached Specific Plan drawing (Exhibit 2A) illustrates the general landscaping concept: this plan should be used as the guide for site plan development in respect to the general locations of plant material to be provided. Details regarding specific varieties, exact quantities, and the minimum size at time of planting shall be provided and approved as part of the site plan submittal and shall meet the general guidelines in respect to the minimum plant size traditionally applied to development within the City. In the event that alternatives to what is shown on the attached Specific Plan are desired, the minimum vegetation requirements specified within this ordinance will need to be provided and the original intent of the required vegetation met.

- A. Open/Green Space: The intent of open space is to allow for a balance between natural areas and the built environment and to provide for the overall beautification and "greening" of the City. All of the land within a site that is not occupied by buildings, on-street and off-street parking areas, or other vehicle use areas may be classified as open space. Plaza areas, water features and structures such as gazebos, arbors, pergolas, etc... that are associated with outdoor pedestrian use areas may be counted towards fulfilling the minimum open space requirement.

Due to the nature of the intended development in respect to design intent, uses, and densities, the amount and locations of open space and green space/vegetation within the development will vary; some areas will be considerably more 'urban' in appearance (Market Street district, the the Senior Apartments along Village View drive between the lake and Bluestem Circle and Lakeside Terrace) while others will be more 'natural' (meadow, lake embankment, greenbelts, etc...). Although the current Specific Plan map provides for open space within each of the planning areas which range from 31-59%; in lieu of the traditional practice of a percentage of open space being required per parcel, the Village of Ponderosa as a whole shall provide a minimum of thirty-five percent (35%) open space. In addition, open space areas have been required within parking areas through the incorporation of landscape islands and pods. The Specific Plan map (Exhibit 2A) indicates the open/green areas within the development. This map, along with the useable open space areas and pedestrian plazas conceptually discussed in the 'Pedestrian elements' section of this ordinance shall be used as a guide for site plan development in respect to the general locations of open areas to be provided.

1. In order to ensure 'green' within the development, vegetation must be incorporated at a rate of two (2) overstory trees, one (1) understory or conifer tree, and three (3) shrubs for every three thousand (3,000) square feet of open space. Based upon a 35% rate, the Village of

Ponderosa shall provide a minimum of 984 overstory trees; 492 understory or conifer trees; and 1476 shrubs.

- a. One tree may be substituted for ten (10) shrubs.
 - b. A twenty (20) square foot mass planting of perennial flowers or ornamental grasses may be substituted for three (3) shrubs.
 - c. No substitution for required trees is allowed.
 - d. The incorporation of evergreen vegetation is encouraged to provide winter substance within the landscape.
2. Vegetation required as part of the open space may be placed into off-street parking areas or required buffers; however the open space vegetation is in addition to that which would be required of buffers or parking islands/pods and may not be counted towards fulfilling the minimum amount of vegetation required for these areas.
- B. Streetscaping: A landscaped edge or 'streetscape' shall be provided along all streets. These streetscapes are intended to provide desired green to the City, interest, comfort to pedestrians, visual softening of pavement expanses, bring human scale to adjoining buildings, minimize heat-reflection, and provide traffic calming benefits. The streetscape should have a noticeable pattern, design, or plant variety and should attempt to serve as a distinguishing or identifiable landmark for that portion of the development. Streetscapes within the Village of Ponderosa will vary in complexity depending upon the street configuration, in response to uses adjacent to each street.
1. Street Trees: Street trees are intended as a unifying element through-out the development and shall be provided along all main roads, regardless if public or private.
 - a. In general, placement of street trees along public streets shall be in accordance with the City's 'Public Right-of-Way Tree and Shrub Planting Regulations (Authority Ordinance #427 and Amended Ordinance #972) unless otherwise approved by the City Council. It is anticipated that street trees along public right-of-way and utilities within the public right-of-way shall be placed in the approximate location as shown on Exhibit 6.
 - b. The placement and spacing of street trees shall be determined by design intent in combination with anticipated mature spread of the respective variety.
 - c. To ensure safety, streetscape vegetation shall not be located within the vision triangle of intersecting vehicle pathways or vehicle and pedestrian pathways.
 - d. A minimum of fourteen feet (14') of vertical clearance over the travel portion shall be maintained at all times over all vehicle travel ways.
 - e. A street tree planting plan identifying exact tree locations shall be prepared for South Prairieview Drive and Bluestem Circle. These planting plans shall be reviewed and approved by the Plan and Zoning Commission and City Council prior to installation of any trees.
 - f. Exhibits 6 through 16 illustrate potential streetscape configurations in relationship to curbs and sidewalks. Location of trees along private streets may be adjusted as desired in respect to proximity to curbs and sidewalks as long as visibility and clearances are maintained so as to not interfere with both vehicular and pedestrian traffic.
 - g. Street trees may be counted towards fulfillment of the provision of vegetation required of open space.
 - h. Maintenance and removal of any street trees shall be the responsibility of the developer.

2. Market Street:

- a. Street trees shall be provided as part of an enhanced landscaping treatment at the corners of intersecting streets.
- b. Raised decorative planters/pots shall be incorporated at the street edge along the building fronts. Vegetation in the form of dwarf ornamental trees, flowering shrubs, annuals, perennials, and ornamental grasses may be provided for interest and color.
- c. Stone benches of smooth cut-limestone or cultured stone block on 4" limestone or cultured stone pedestal may be provided (see Exhibit 30 for concept).
- d. Banners, sandwich boards, small 'café table and chairs', etc... may also be provided to add festivity and variety to the street.

C. Buffers & Visual Screening:

Due to the design intent to create a 'village' atmosphere with the blending of areas and uses, traditional buffering as set forth in City Code shall not be required. The provision of adequate buffering and landscaping shall be more thoroughly evaluated and approved as part of the site plan approval. Additional buffer and landscaping may be required at that time in response to additional details of the use, buildings, parking, etc. to be implemented.

The implementation of vegetation is required as part of buffering/screening. This vegetation may be combined with other measures such as berming, low stone walls, decorative fencing, or any combination thereof to enhance the effectiveness of the buffering/screening. Buffers should be designed to achieve the maximum amount of screening from the maximum number of viewpoints with vegetation layered to ensure adequate blockage of views and to create depth and a sense of naturalness. Care should be taken to ensure that 'thru-views' under tree canopies are adequately blocked. Landscape vegetation required within buffers shall be in addition to the open space landscaping required for the site.

1. A thirty foot (30') wide buffer shall be required along South 60th Street. One (1) overstory tree, two (2) understory trees and three (3) shrubs shall be provided for every thirty-five (35) lineal feet of this buffer; of the required trees, two-thirds (2/3) shall be evergreen in nature.
 - a. Vegetation may be substituted at the following rate:
 - 1) One tree may be substituted for ten (10) shrubs.
 - 2) A twenty (20) square foot mass planting of perennial flowers or ornamental grasses may be substituted for three (3) shrubs.
 - 3) No substitution for required trees is allowed.
 - b. No parking lots, drive-thrus, fences, or buildings are permitted within required buffers; however, sidewalks, trails, landscape features, pedestrian furniture, and permitted signage may be located within the buffers.
2. In addition to that specified above, the elements identified within the following section shall be buffered/screened regardless of area:
 - a. Views of off-street parking areas, loading docks, and other vehicle related service areas from adjacent roadways, pedestrian paths and adjoining properties shall be buffered and visually screened to a height of at least three feet (3').

- b. Drive-thrus (restaurants, banks, pharmacy, etc...) shall be opaquely screened from views from adjacent roadways, pedestrian paths and adjoining properties. Whenever possible, drive-thrus should be integrated into the building architecture rather than appearing as an attached element to the building.
- c. Mechanical and/or utility equipment for residential dwellings shall not be located within the front yard and should be situated within the site to minimize views of from adjacent streets and adjoining properties.
- d. Mechanical, utility meters, transformers, HVAC, satellite dishes, and other similar undesirable elements/equipment which are located on, beside, or adjacent to any retail, office, or multi-family building shall be buffered and visually screened from streets, residential dwellings, pedestrian pathways, and adjoining property outside of the development. A permanent screen that utilizes building materials and designs compatible and consistent with the architecture and materials of the principal building shall be implemented whenever possible. Equipment should be screened on all sides.
- e. Roof-mounted HVAC screening shall be incorporated into the design of the building through the use of parapets, screening walls, or other acceptable solutions as identified during the review of the site plan.
- f. Sanitation/Recycle enclosures shall be visually screened from view from streets, dwellings, businesses, pedestrian pathways, and adjoining property outside of the development. The enclosure should incorporate the primary building material of the adjacent buildings on three sides (either brick or limestone). The fourth side or enclosure opening shall be designed to prevent views into the enclosure and consist of exterior grade wood slats on a black painted steel structure. Landscape vegetation should be incorporated around the screen enclosure to soften and minimize the presence of the equipment and enclosure.

SIGNAGE: All proposed exterior signage requires the review and approval of a sign permit by the City of West Des Moines. All signage within the Village of Ponderosa shall be reviewed and approved by the Village of Ponderosa's Design Review Committee prior to approval by the City of West Des Moines and documentation of their approval shall be submitted to the City with the sign permit application. The City shall review the application and make the final determination as to whether a sign meets all applicable requirements prior to issuance of a permit and installation. Any signage not specifically addressed within this ordinance shall comply with the West Des Moines Sign Code. The following sign regulations shall apply:

A. Development Identification Signs:

1. Primary (labeled as 'E1' on exhibit 18A) and secondary (labeled as 'E2' on exhibit 18A) ground monument signs as generally illustrated in Exhibit 28 shall be allowed at the locations indicated in Exhibit 18A;
2. These signs shall be setback a minimum of ten feet (10') from the public street right-of-way and fifteen feet (15') from the back-of-curb of the private streets. In addition, these signs should be located to not block visibility at intersections and so located to accommodate future potential traffic signal poles and structures.
3. These signs shall only indicate the development name; no tenant identification is allowed.
4. These signs shall be consistent with the following size limitations:

- a. Primary Development Identification Sign (E1): Landscape sign a maximum of eight feet (8') in height, seventy-five feet (75') in length, and three feet (3') in width. The text copy shall not exceed sixty (60) square feet.
 - b. Secondary Development Identification Signs (aka: Village Markers) (E2): Shall be a columnar brick or stone structure a maximum of five and one-half (5½) feet in height and two (2) feet in width. The text copy shall not exceed four (4) square feet per side of the structure.
 - c. These signs shall be either 'halo lit' or externally illuminated with ground lights directed at the face of the sign; shields shall be installed to prevent light spillover beyond the sign face.
5. A custom development identification sign may be placed in the center of the roundabout with the review and approval of a specific site plan by the City Council through the site plan process. As part of the approval, the Council shall establish the overall structure and text copy size limitations and details of the signage (labeled as 'E3' on exhibit 18A).

B. Business Identification Signs:

1. Building Mounted Signs:

a. Wall Signage:

- 1) All office, retail, and mixed-use buildings within the Market District shall be allowed exterior wall signage in accordance with the following:
 - a) All wall signage shall consist of individual 3-dimensional letters. No cabinet or panel signs shall be allowed except for contoured cabinet signs necessary to display logos.
 - b) A total of one and one-half (1½) square feet of copy per one (1) lineal foot of tenant space which contains the primary public entrance shall be allowed per tenant. The number of signs is limited only by the maximum allowable square footage. Of the total square footage of signage allowed, a maximum one-half (½) square foot per lineal foot of tenant space which contains the primary public entrance may be located on a window or wall that is not immediately adjacent to the tenant space but still within the same building.
 - c) No illuminated wall signs shall be located on a façade which faces residential dwellings, except residential uses incorporated as part of a mixed use building or in situations in which the residential dwelling structure is located more than two-hundred (200) feet from the business displaying the sign.

b. Projecting Signs: Projecting signs as defined in the City of West Des Moines' Sign code may be used as part of the allowed signage on buildings within the Market Street District in lieu of traditional wall signage. All projecting signs shall comply with the regulations within the Sign Code except as noted otherwise in this ordinance. Said signs shall not project above the primary roofline of the building to which it is attached.

c. Projecting Pedestrian Signs: Projecting signs consistent in design and intent as 'under awning signs' identified within the City of West Des Moines' Sign code may be allowed. The pedestrian projecting signs are intended to provide information to pedestrians and therefore are not intended to of a size and scale to be legible to passing vehicles and draw

vehicles from adjacent roadways. This type of signage is in addition to allowed wall signage.

- 1) All office, retail, and mixed-use buildings within the Market District may be allowed projecting pedestrian signage in accordance with the following:
 - a) A maximum of ten (10) square feet, including copy and background, shall be allowed per public door per tenant space.
 - b) Signs located under a canopy or the building arcade on the western side of Market Street shall be located wholly under the canopy or arcade. Unless integrated as part of an architectural element that is an extension of the building; projecting pedestrian signs which are attached to a building but not under a canopy or arcade shall not project from the wall face more than thirty (30) inches.
 - c) The bottom of the sign shall be a minimum of eight feet (8') of vertical clearance over pedestrian walkways and fourteen (14) above any drive or vehicle access.

C. Wayfinding Signs:

1. Ground Signs (Monument and Landscape Signs):

- a. Within the Market District there shall be a maximum of six (6) ground signs allowed which are to be utilized for the identification of multiple tenants within the district. These signs are intended to provide tenant information and serve as tenant directional signage or wayfinding signs of a scale to be visible by the motoring public. Multiple buildings and tenants may be identified on each sign. Individual monument/landscape signs for buildings or parcels as typically allowed by the Sign Code shall be prohibited. A single tenant may occupy the entire sign area of one of the six (6) signs, but approval and acknowledgement from the Village of Ponderosa's Design Review Committee confirming that one of these signs is being allocated to one tenant shall be submitted with the sign permit application to the City prior to installation of the sign.
- b. These signs shall be located a minimum of fifteen feet (15') from back-of-curb/property line whichever is more restrictive and situated so as to not obstruct visibility at street intersections and/or intersections of street and lot access drives.
- c. Sign structure shall not exceed six (6) feet in height, five (5) feet in width and two (2) feet in depth and of which, the top three feet (3') shall be dedicated to identification of the building name and tenants.

2. Pedestrian Signs: Pedestrian directional signage such as would be typically found on informational kiosks shall be allowed along pedestrian pathways in accordance with the following:

- a. Said signage is not intended to be legible to nor direct vehicular traffic.
- b. A maximum of six (6) 'kiosks' shall be allowed within the Village of Ponderosa development.
- c. Said kiosks may include a map identifying building names and businesses within various buildings. Multiple buildings and tenants may be identified on each sign.
- d. Individual business identification copy may not exceed two (2) inches in height.
- e. Signs shall be located a minimum of 15' from the property line or back-of-curb of a private street and shall not block pedestrian or vehicle visibility at intersections.
- f. Signs shall not exceed six (6) feet in height and three (3) feet in width or depth.

3. Directional Signs: Generic directional signs (without distinct tenant identification) such as “drive thru”, “entrance/exit”, etc., shall be governed by the regulations set forth in Sign Code for ‘Directional Signs’ in the Professional Commerce Park (PCP) District.
- D. Village of Ponderosa Identification: Signage, medallions, keystones, banners, pavement markings, etc... that displays the development’s logo, initials, or name may be integrated into the development to further enhance the character of the development; no individual tenant identification is allowed.
- E. Murals, Banners, Window Graphics, and Projected Images: Art elements, such as murals, large scale graphic images displayed in windows, banners, and projected media on pavement or walls shall be encouraged to provide interest, color, and festivity to the area. With the exception of the Village of Ponderosa’s logo, said elements shall not include or display logos, be recognizable as part of a corporate identity, or draw attention to or otherwise advertise or identify any one use, product, business, establishment or service. The Director of Development Services shall review and approve all proposals and determine whether the proposal is in compliance before they are installed or displayed. Images determined to be recognizable as part of a corporate identity, draw attention to or otherwise advertise or identify a use, product, business, establishment or service may be allowed; however, the image shall be counted as part of the square footage of wall signage allowed for the associated building or tenant.
- F. Active Adult/Senior Residential Signage: Signage may be provided for the active adult/senior residential development on parcels 3D and 4A identifying this area as a distinct residential neighborhood as follows:
1. A general neighborhood sign can be located along Village View Drive at both the eastern and western edges of parcels 3D and 4A. A maximum of 20 square feet of text can be provided at each of the two locations. Total sign area to be a maximum of 25 square feet.
 2. Building identification signs can be provided for each of the four buildings. These signs cannot face any adjacent single family neighborhoods. A maximum of 15 square feet of text can be provided at each of the four locations. Total sign area to be a maximum of 20 square feet.
- G. LED or fiber optic signs may be permitted at the discretion of the Director of Development Services. No moving signs are allowed.
- H. No aerial or search lights are allowed for advertising purposes but may be used to promote Village sponsored events after obtainment of the proper permits from the City.

SECTION 17. LIGHTING:

The Village of Ponderosa will have a family of light fixtures ranging from parking lot lights and roadway fixtures to pathway lights. Included within the site amenities attached to this ordinance are sketches and images of the intended lighting series (see Appendix I of the exhibits packet). The following general guidelines shall be in addition to the specific regulations stated within any Village of Ponderosa’s Lighting regulations.

- A. **Street Lights:** In order to maintain a consistent visual aesthetic throughout the Village of Ponderosa development, along all public roadways a Kim Archetype fixture (#33-2751 (150w) or comparable fixture acceptable to the City) black in color shall be used. The height, spacing, light levels and uniformity coefficients of street lights along public streets shall be in accordance with the City's street lighting standards. Street lights along private streets shall be the Spectra fixture by Architecture Area Lighting or comparable fixture acceptable to the Director of Development Services. The private lights shall be a maximum of twenty-five feet (25') in height as measured from the ground to the top of the fixture. Due to the non-standard color and type of private street lighting fixtures to be used, the developer shall be responsible for the financial cost, procurement, and installation of replacement parts and wiring for fixtures. Typical paint maintenance of all fixtures shall be the responsibility of the development with the approval of the City of West Des Moines when painting public street light poles and sign posts.
- B. **Parking Luminaries:** Fixtures used within off-street parking areas shall be consistent with those illustrated in the Appendix of the exhibits packet. Said fixtures shall be black or tones of grey in color and shall not exceed twenty-five feet (25') in height as measured from the ground to the top of the light structure.
- C. No wall packs, or floodlighting without shields to direct the light to its intended target are allowed. In addition to cut-off fixtures, particular attention shall be given to eliminate hot spots and light glare. To achieve this, additional measures may include, but are not limited to, lowering parking lot light levels after business hours, turning off lights not necessary for security purposes, and use of landscaping for light screening/blockage. As a part of the review of each site plan, a photometric plan must be submitted. During the review, the applicant must demonstrate how lighting will not adversely affect adjoining properties.
- D. Floodlighting in residential areas should be limited to emergency lighting and shall be controlled to prevent the frequent tripping of the light by typical pedestrian and animal movements so as to not disturb neighbors.

SECTION 18. ARCHITECTURE:

The Village of Ponderosa is designed as a diverse community of commercial buildings and varied residential housing types and styles. Attached to this ordinance as Exhibits 32 through 38 are illustrative examples of the architectural concepts. Additionally, on file with the City is a companion 'pattern book' which provides more detail of the architectural concepts and options for the various buildings within the development. The pattern book is intended to guide architectural design to ensure compatibility. Specific architecture for all buildings, with the exception of single family detached residential dwellings shall be evaluated as part of the site plan review and approval process. Architecture, materials, and colors for single family detached residential dwellings shall be reviewed and approved by the Village of Ponderosa Design Review Board (VOP-DRB). Approval of the VOP-DRB shall be provided to the City in conjunction with the Building Permit application. Enforcement of the approved design of single family detached dwellings shall be by the Village of Ponderosa, not the City.

- A. All buildings within this development, except for single family detached residential, shall accommodate the following in building design:

1. **Form & Scale:** Buildings shall be designed to relate specifically to the pedestrian in scale and variety as well as reinforce the “village” aesthetic/concept. The following techniques should be used to meet this objective:
 - a. Corporate architecture shall be prohibited. Building concepts should avoid the conventional commercial approach to design.
 - b. Buildings shall be organized to create a logical balance and relationship with the site, open spaces and circulation.
 - c. The buildings design should meet context and site objectives such as providing gateways, creating linkages and framing or terminating views.
 - d. Variation in building height, mass and roof forms shall be provided while still maintaining an overall building continuity.
 - e. Shifts in building planes/facades and variation in exterior materials shall be incorporated to minimize long expanses of wall.
 - f. Variation in materials, material modules, expressed joints, textures, colors and details should be used to break up the mass of the buildings.
 - g. Variation in horizontal planes through the use of materials, color and projecting forms should be implemented to signify an entry and/or protect the pedestrian.
 - h. Ground floor retail areas should provide the maximum possible glazing toward sidewalks to provide pedestrians with visual interest.
 - i. High density residential buildings adjacent to single family attached or detached (areas 1B, 1C and 4B) should step down massing as illustrated in Exhibit 37
 - j. Diversity in window systems through the use of clear and transparent glass as well as the use of applied vinyl window ‘super graphics’ that express/relate to the interiors intended use should be incorporated. Said graphics are intended to add to the festivity of the area and aid in blocking interior views of not so desirable elements, activities, or functions. Said graphics shall not be used for advertising purposes and shall not identify the tenant’s name.
 - k. A buildings roof form and related details/materials are an integral part of the architectural design aesthetic. Roofs should not be designed as attention-getting devices related to the reinforcement of signage or as an identifiable corporate image.
2. **Material Quality and Detail:** All sides to each building are to receive high quality materials and finishes (360° architectural treatment). There are no “backs” to a building. Materials should be durable, economically maintained and of a quality that will maintain their appearance over a prolonged time.
 - a. Primary building materials should include, but or not limited to iron-spot or reclaimed brick, limestone or cast-stone, concrete and architectural metals.
 - b. The following materials shall not be used for cladding unless specifically approved by the City of West Des Moines:
 - 1) Natural wood or wood paneling
 - 2) EIFS or synthetic stucco
 - 3) Concrete Masonry Units
 - 4) Tilt-up pre-cast concrete systems that are structural in appearance
 - 5) Materials that are intended for interior use

- c. Changes in materials should occur at either inside corners or where a detail is drawn to specifically accommodate a transition.
- B. Single-Family Detached Residential: Architectural design for single family units shall attempt to 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. Homes shall have materials such as brick, natural stone, wood shakes, decorative molding and cornice treatments, or similar combination of material which represents a variation of architectural styles or elements.

SECTION 19. LAND USE & BULK REGULATIONS:

The intent of this Specific Plan shall be to permit the development of a planned community featuring a more urban look, feel and density. The development shall be broken out among land uses in accordance with the following:

- a maximum of 29.48 acres may be dedicated to single-family detached residential dwellings
- a maximum of 52.17 acres may be dedicated to multi-family residential dwellings
- a maximum of 7.53 acres may be dedicated to office uses; and,
- a maximum of 4.66 acres may be dedicated to support commercial uses

Overall, in compliance with the traffic study completed for the development, the Village of Ponderosa development shall not exceed 13.92 residential dwellings per gross acre of residential land use (indicated as single family or multi-family residential on Exhibit 1) or a total of 1137 residential dwellings; 128,200 sf of retail uses; and 76,900 sf of office uses.

To allow for response to market demand, residential dwellings types may be shifted to other locations within the site than currently anticipated. The 2015 adoption of the amended Specific Plan does not guarantee that the total number of residential dwellings indicated for inclusion within the overall development (1137) may be implemented. The 2015 amendment proposes 500 active senior dwellings, 480 non-age restricted market rate apartments in combination with 33 existing attached townhomes and a total of 124 traditional single family detached homes (81 existing plus 43 proposed). Due to the different traffic generation rates of different types of residential, especially senior housing versus market rate apartments, adjustments in the number of dwelling units incorporated may need to be adjusted (reduced) to ensure that overall development remains under the traffic caps established with the original 2006 study and reaffirmed with the 2015 traffic study. A traffic analysis shall be conducted for all proposed changes in residential types. Changes that result in a decrease in density and do not increase total traffic generated from the entire development above that allocated in the ordinance may be administratively approved as part of or in conjunction with the site plan process. Changes that result in an increase in density or will result in an increase in the total traffic generated from the development above that allocated in the ordinance will require the appropriate City Council and Plan and Zoning Commission approvals and may require an amendment to specific plan ordinance. All necessary City approval of plats required to make the change shall be obtained prior to approval of the site plan, if applicable and construction of the alternate dwelling type.

In addition to the general conditions stated previously within this ordinance, the following land use and bulk regulations shall apply to the specific areas designated on the Village of Ponderosa Specific Plan Map (Exhibit 2A & 2B). The Area Development Plan (Exhibit 1) illustrates six (6) planning areas; the Specific Plan Map further divides these planning areas into parcels.

A. Single Family Detached Residential:

1. Land Use: The following development standards and general use regulations and provision set forth in Title 9, "Zoning" of the City of West Des Moines City Code shall apply to the following specified development parcels as shown on the Specific Plan Map of this Ordinance unless noted otherwise in this ordinance:
 - a. Area 1A (Lots 1-20): Residential Single Family (RS-11)
 - 1) Lots shall range between 11,000 sf to 17,300 sf
 - 2) Minimum street frontage = 35'
 - 3) Maximum 20 dwelling units
 - b. Area 1B (Village of Ponderosa Plat 6):
 - 1) Lots shall range between 9,600 sf to 14,000 sf
 - 2) Maximum 7 dwelling units
 - c. Area 1E (Village of Ponderosa Plat 8):
 - 1) Lots shall range between 7,200 sf to 13,000 sf
 - 2) Maximum 7 dwelling units
 - d. Area 5B (Lots 81-102): Residential Single Family (RS-6)
 - 1) Lots shall range between 5,900 sf to 11,100 sf
 - 2) Minimum street frontage = 45'
 - 3) Maximum 22 dwelling units
 - e. Area 5D (Lots 56-80): Residential Single Family
 - 1) Lots shall range between 2,800 sf to 4,500 sf in size
 - 2) Minimum street frontage = 35'
 - 3) Maximum 25 dwelling units
 - f. Area 6D
 - 1) Lots shall range between 2,800 sf to 7,200 sf in size
 - 2) Minimum street frontage = 35',
 - 3) Maximum 43 dwelling units
 - 4) Minimum lot width = 40'
2. Building Height: The maximum height for a single family detached residential shall be 40 feet.
3. Garage Orientation:

Garages shall be sited to minimize the visual presence to the street. Acceptable garage orientations include:

 - a. Street Oriented Garage – With the exception of area 5D and 6D and as otherwise noted, garages that open to the street must be recessed behind the front plane of the house a minimum of five feet (5'). However, within a given area (1A, 1B, or 5B), up to one-fifth (1/5) of the total number of dwellings within the given area may have street-facing garages which are located less than five feet (5') of the front plane of the dwelling. In situations

where the garage is located less than five feet (5'), the third car garage, if applicable, must be stepped-back a minimum of four feet (4') from the front of the two car garage with all garage doors to be individual one car doors.

- b. Side Loaded Garage – Garage is entered from the side by a motor court. This garage orientation can be located in front of the house equal to the building setback for the house. Side loaded garages should incorporate architectural details such as windows, doors, and other detailing on the street façade in order to present a house appearance thus disguising the garage function.
 - c. Rear Loaded Garage (Areas 5D and 6D) – Garage is at the rear of the house and accessed by an alley. Garages may be the first house element encountered and visible from the alley. Garage shall abide by the building setback requirements.
4. Dedicated Residential Driveways: Vehicle driveways dedicated and adjacent to a covered parking space shall measure ten feet (10') or less in length or nineteen feet (19') or greater in length as measured perpendicularly from the garage opening to the closest point of the sidewalk or back of curb of intersecting private street or drive, whichever is more restrictive. Drives that are intended to provide for a vehicle to be parked parallel to the covered space shall measure a minimum of nine feet (9') in length; drives intended to allow a vehicle to be parked perpendicular to the covered space shall measure a minimum of nineteen feet (19') in length.
5. Setbacks:
- a. Unless otherwise specifically stated, setbacks shall be measured from the property line of parcels that abuts a public street or back-of-curb of adjoining private street or alley. Setbacks along boundaries that do not abut a street shall be measured from the lot boundary; except for area 6D, easements have been taken into account when determining setbacks, therefore, the setback should be measured from the property line. Unless noted otherwise, in area 6D, setbacks shall be measured from the lot line.
 - b. Unless otherwise specified, building setbacks shall be measured to the foundation of the dwelling structure or covered parking, whichever is closer.
 - 1) Those single family detached residential dwelling buildings which front South Prairie View Drive are allowed to have building overhangs, steps, and foundation plantings which extend into the public street right-of-way easement a distance of a maximum of five feet (5') and as more particularly illustrated in Exhibit 6.
 - c. Setbacks for attached accessory structures (porches, sunrooms, decks, etc.) shall abide by the front, side and rear yard setbacks stated, with the exception of Areas 1A and 5B. These areas are allowed to have porches which extend into the front or side yard setback a maximum of five feet (5'), unless otherwise noted, however, the closest element of the structure (including overhangs and steps) shall be located no closer than five feet (5') to a property line.
 - d. Setbacks for detached accessory structures shall be as follows:
 - 1) No detached accessory structures shall be located in the front yard of any parcel.
 - a) Areas 1A & 5B – shall abide by City Code for the respective zoning district.
 - b) Area 1B – No detached accessory structure allowed.

- c) Area 5D and 6D – Minimum of ten feet (10') from rear lot line and in accordance with side yard setbacks as stated.
- e. Building separations shall be a minimum of ten feet (10') as measured between the foundations. Unless noted otherwise, overhangs, bay windows, fire-place bump-outs, etc... may extend into the setback a maximum of two feet (2').
- f. No fences over four feet (4') in height, except those required to meet minimum swimming pool fencing requirements are allowed. No fences are allowed along those property boundaries which abut a common open space.

** See Exhibit 3 for Lot locations.

AREA 1A				
Lot #	Front	Rear	West Side	East Side
1 & 9	20' min. no max.	20'	15'	5'
2 & 5 & 15	20' min. 30' max.	20'	5'	15'
3-4, 6-8, 10-11, & 14	20' min. 30' max.	20'	5'	5'
12	20' min. no max.	20' (north line)	15'	5' (east & south lines)
13	20' min. 30' max.	15' (west line)	15' (southwest line)	15' (north line) 5' (southeast line)
16	20' min. 30' max.	20'	5'	15' (porch may not encroach into setback)
17	20' min. 30' max.	20'	15'	5'
18	20' min. 30' max.	20'	5'	5'
19	20' min. 30' max.	20'	5'	10'
20	20' min. 30' max.	10'	10'	5'

AREA 1B			
	Front	Rear	Side **
Lot#			
Lots 1, 2, 5, 6 and 7 in Village of Ponderosa Plat 6	Minimum twenty foot (20') and maximum thirty (30') from adjoining street	Fifteen foot (15') rear yard setback	Five foot (5') setback except when adjacent to sanitary sewer easement, then setback is taken from edge of easement.
Lots 3 and 4 in Village of Ponderosa Plat 6	Minimum twenty foot (20') and maximum thirty (30') from adjoining street	Twenty foot (20') rear yard setback	Five foot (5') setback except when adjacent to sanitary sewer easement, then setback is taken from edge of easement.
** Side yard setbacks shall be to the closest element, including window wells, window or fireplace bump-outs, overhangs, stairs, etc.			

AREA 1E			
	Front	Rear	Side
Lot#			
Lots 1 - 5 in Village of Ponderosa Plat 8	Minimum fifteen foot (15') from back of curb of adjoining street	Nine foot (9') rear yard setback	Five foot (5') setback except when adjacent to sanitary sewer easement, then setback is taken from edge of easement.
Lots 6 and 7 in Village of Ponderosa Plat 8	Minimum twenty foot (20') and maximum thirty (30') from back of curb of adjoining street	Fifteen foot (15') rear yard setback	Five foot (5') setback except when adjacent to sanitary sewer easement, then setback is taken from edge of easement.

AREA 5B				
Lot #	Front	Rear	West Side	East Side
81	20' min. 30' max.	20'	5'	0' (S Prairieview Dr.) (porch may not encroach into setback: overhangs, steps, and foundation plantings may extend up to 5' into the r.o.w. easement)
82-101	20' min. 30' max.	20'	5'	5'
102	20' min. 30' max.	20'	5'	0' (S Prairieview Dr.) (porch may not encroach into setback: overhangs, steps, and foundation plantings may extend up to 5' into the r.o.w. easement)

AREA 5D				
Lot #	Front **	Rear	West Side	East Side
56	0'	20'	10'	10'
57	0'	20'	15'	5'
58	0'	20'	5'	20'
59-65	0'	20'	5'	5'
66	0'	20'	10'	5'
67	0'	20'	20'	5'
68	5'	20'	15'	5'
69-72	5'	20'	5'	5'
73	5'	20'	5'	20'
74	5'	20'	15'	5'
75-80	5'	20'	5'	5'

**Front Yard Setback for Lots 56-67 = south line; Lots 68-80 = north line
 ** Lots 56 through 67 are allowed to have building overhangs, steps, and foundation plantings which extend into the right-of-way a distance of a maximum of five feet (5')

AREA 6D			
All Lots	Front*	Rear	Side
	20'	20'	5'

* 0' setback for lots fronting South Prairieview Drive. Porch may not encroach into setback, overhangs, steps, and foundation plantings may extend up to 5' into the r.o.w. easement)

B. Single Family Attached Residential:

- Land Use:** The following development standards and general use regulations and provision set forth in Title 9, "Zoning" of the City of West Des Moines City Code for Residential Medium-Density (RM) shall apply to the following specified development parcels as shown on the Specific Plan Map of this Ordinance unless noted otherwise in this ordinance:

** See Exhibit 3 for Lot locations.

Single Family Attached		
Area	Lot #	Maximum # Dwelling Units
1C	22	4
4B	40	14
6A	50	6
6C	52	6

2. **Building Height:** The building height for attached residential structures shall allow for a maximum of three stories of living plus under-building parking or a maximum of sixty feet (60') in height.

3. **Building Setbacks:**
 - a. Unless otherwise specifically stated, setbacks shall be measured from the property line of parcels that abut a public street or back-of-curb of adjoining private street or alley. Setbacks along boundaries that do not abut a street shall be measured from the lot boundary.
 - b. Building setbacks shall be measured to the foundation of the dwelling structure or covered parking.
 - 1) Unless otherwise specified below, a minimum fifteen foot (15') setback shall be provided from an adjoining street or perimeter lot boundary, except when the abutting lot also contains an attached residential structure or abuts an open space of at least twenty feet (20') in width excluding open space comprised of public street right-of-way. In these situations there shall be no minimum setback except as required by Fire and Building Codes. Except for Village of Ponderosa Plat 7, a minimum twenty-five foot (25') building separation shall be maintained between single-family detached dwellings and single-family attached dwellings.
 - 2) Dwelling structures located within Lot 52 which front South Prairieview Drive may locate the main plane of the dwelling building at the front property line (zero setback) and is allowed to have building overhangs, porches, steps, and foundation plantings which extend into the public street right-of-way easement a distance of a maximum of nine feet (9').
 - 3) The front and sides of structures located within lot 50 which face Bluestem Circle may locate the building at the property line (zero setback); however, the setback shall be measured to the closest point of the dwelling including overhangs, steps, private garden walls, etc...
 - 4) Detached garages accessed by an alley may be setback from the alley a distance consistent with that identified in the following 'Dedicated Residential Driveways' section.
 - c. Building separations between the same residential type (single-family attached to single-family attached) shall be a minimum of ten feet (10') as measured between the foundations of the outside walls. Overhangs, bay windows, fire-place bump-outs, etc... may extend into the separation area a maximum of two feet (2'). Except for Village of Ponderosa Plat 7, a minimum twenty-five foot (25') building separation shall be maintained between single-family detached dwellings and single-family attached dwellings.
 - d. No detached accessory structures, excluding garages, shall be allowed.

4. **Garage Orientation:**
Acceptable covered parking orientations include:

- a. Rear Loaded Garage – Garages shall be located at the rear of the building and accessed either by an alley or off-street auto court. Garages may be the first building element encountered and visible from the alley.

- b. Under Building Parking

5. Dedicated Residential Driveways: Vehicle driveways dedicated and adjacent to a covered parking space shall measure ten feet (10') or less in length or nineteen feet (19') or greater in length as measured perpendicularly from the garage opening to the closest point of the sidewalk or back of curb of intersecting private street or drive, whichever is more restrictive. Drives that are intended to provide for a vehicle to be parked parallel to the covered space shall measure a minimum of nine feet (9') in length; drives intended to allow a vehicle to be parked perpendicular to the covered space shall measure a minimum of nineteen feet (19') in length.
6. Off-Street Parking: Uncovered off-street parking lots shall be setback a minimum of twenty feet (20') from the back-of-curb of an adjoining street and a minimum of fifteen feet (15') from the property line for those lot boundaries which do not abut a street.

C. Multi-Family Residential (Areas 1D, 2E, 3C, and 4A):

1. Land Use: The following development standards and general use regulations and provision set forth in Title 9, "Zoning" of the City of West Des Moines City Code for Residential High-Density (RH) Districts shall apply to the following specified development parcels as shown on the Specific Plan Map of this Ordinance unless noted otherwise in this ordinance:
 - a. Senior/Active adult multi-family shall not exceed sixty feet (60') in height.
 - b. Buildings "F", "G", and "I" shall not exceed fifty feet (50') in height.
 - c. Buildings "K" and "L" shall not exceed seventy-two feet (72') in height.
2. Building Height: The building height for multi-family residential structures shall be as follows:
 - a. Senior/Active adult multi-family shall not exceed sixty feet (60') in height.
 - b. Buildings "F", "G", and "I" shall not exceed fifty feet (50') in height.
 - c. Buildings "K" and "L" shall not exceed seventy-two feet (72') in height.
3. Building Setbacks:
 - a. Unless otherwise specifically stated, setbacks shall be measured from the property line of parcels that abut a public street or back-of-curb of adjoining private street or alley. Setbacks along boundaries that do not abut a street shall be measured from the lot boundary.
 - 1) Building setbacks in areas 1D and 4A shall be measured to the foundation of the dwelling structure or covered parking. Unless otherwise specified below, a minimum 30 foot (30') setback shall be provided from an adjoining street or perimeter lot boundary.
 - 2) Building setbacks for buildings within area 2E and 3C which front to Market Street are measured to the main plane of the building excluding canopies and pedestrian arcades. Buildings should be setback a minimum of fifteen feet (15') except for main building entries which may be as close as six feet (6') from the back-of-curb of Market Street.

- b. Setbacks for detached accessory structures, excluding garages, shall abide by Code for the Residential High-Density (RH) District.
- 4. **Building Separation:** A minimum thirty foot (30') building separation shall be maintained between buildings as measured to the closest points of buildings including canopies.
- 5. **Under Building Parking –** Vehicular entries into parking structures shall not face single family detached dwellings.
- 6. **Off-Street Parking:** Uncovered off-street parking lots shall be setback a minimum of twenty feet (20') from the back-of-curb of an adjoining street and a minimum of fifteen feet (15') from the property line for those lot boundaries which do not abut a street.
 - a. A multi-story parking structure shall be allowed within Area 3C. This structure shall be setback a minimum of fifty feet (50') from adjoining street and a minimum of ten feet (10') from the property line.

D. Office, Commercial, & Mixed Use Buildings:

1. Land Use:

- a. All general use regulations, performance standards, and provisions set forth in Title 9; “Zoning” of the City Code for Professional Commerce Park (PCP) and Support Commercial (SC) Districts, as identified in the following table for Areas 1, 2 and 3, shall apply to any development proposals for the applicable areas as delineated on the Specific Plan Map unless otherwise noted in this ordinance:

1) Permitted Uses: Permitted uses within parcels identified for Professional Commerce Park (PCP) uses shall include the following:

- a) All Permitted (P) uses and Permitted Conditional Uses (PC) allowed within the Professional Commerce Park (PCP) and Support Commercial (SC) Districts except those that have been prohibited by this ordinance.

b) In addition:

Showrooms/display rooms and associated offices (SIC 521b)
 Paint, Glass, & Wallpaper Stores (SIC 523)
 Hardware Stores (SIC 525)
 General Merchandise Stores (SIC 53 series)
 Food Stores (SIC 54 series) except Convenience Stores with or without gas
 Apparel and Accessory Stores (SIC 56 series)
 Furniture, Home Furnishings, & Equipment Stores (SIC 57 series)
 Drinking Places (SIC 5813) (limit one within the development)
 Miscellaneous Retail Uses (SIC 59 series) **except** the following which shall be prohibited: SIC 5961 Catalog and Mail Order Houses; SIC 5962 Automatic Merchandise Machine Operators; SIC 5963 Direct Selling Establishments; SIC 598 Fuel Dealers; SIC 5999 Adult Entertainment Establishment, Engine and Motor Equipment Supply Stores, Farm Equipment and Supply Stores,

**Fireworks, Insecticide, Water and Air Purification Equipment for
Agricultural Use**

- Photographic Studio, Portrait (SIC 722)
- Beauty Shop (SIC 723)
- Barbershops (SIC 724)
- Clothing Rental Services (SIC 7299-09)
- Watch, Clock, and Jewelry Repair (SIC 763)
- Videotape Rentals (SIC 784)
- Dance Studios, Schools, & Halls (SIC 791)

- 2) **Prohibited Uses:** the following permitted and permitted conditional uses otherwise allowed in the Professional Commerce Park (PCP) District shall be prohibited:
- Electric, Gas, & Sanitary Services (SIC 49 series)
 - Hospitals (SIC 806 series)
 - Automotive Dealers & Service Stations (SIC 55 series)
 - Automotive Repair, Services, and Parking (SIC 75 series)
 - Miscellaneous Repair Services (SIC 76 series) except SIC 763 Watch, Clock, & Jewelry Repair which is allowed

** See Exhibit 3 for Lot locations.

Office, Commercial, & Mixed Use Buildings							
Building	Area	Lot #	Maximum Sq. Ft. of Retail Uses (SC)	Maximum Sq. Ft. of Office Uses (PCP)	Maximum # of Residential Dwelling Units	Maximum # of Stories	Maximum Building Height
A	1G	25	0	15,596	0	2	45'
B	1H	24	8,202	8,451	0	2	50'
C	2B	26	12,567	0	0	2	45'
D	2B	27	8,294	19,142	0	3	55'
E	2C	28	16,280	0	0	1	35'
H	2C	29	18,000	0	0	3	55'
J	3B	34	3,755	11,628	0	1	35'
M	3D	39	0	5,000	0	1	35'
N	3D	38	0	17,109	0	2	40'
O	3G	36	8,900	0	0	3	55'
P	3F	37	70,000	0	(110 rooms)	4	55'
TOTAL			128,200	76,899	0		

2. **Drive-Thru Businesses:** The intent of this development is not to encourage the use of automobiles. However, it is recognized that drive-ups are a key component to the

functionality of certain types of businesses due to their convenience. If, through the design review process, including an updated traffic analysis, it can be demonstrated that such uses do not cause traffic congestion, do not interfere with pedestrian movements and can be designed to minimize their presence, a maximum of five (5) drive-ups may be permitted within Areas 1, 2, and 3. Drive-up facilities may be allowed in conjunction with and limited to the following types of businesses; drugstore/pharmacy, bank/drive-up ATM (max. 2 establishments), dry cleaner, grocery, and coffee or ice cream related businesses (max. 2 establishments). Walk-up or pedestrian ATMs with no vehicle access shall be permitted as desired. In all instances, the presence of the drive-ups shall be minimized through the incorporation of the drive-thru into the building architecture rather than as an added on canopy component and the opaque visual screening through the use of earth-berming and vegetation placement.

3. **Lot Size:** No minimum lot size shall be required for the office/retail area.
4. **Building Height:** The height of a building shall conform to the limits stated previously within the table with the exception of elements such as bell towers, clock towers, or other vertical accent architectural elements. These elements may exceed height restrictions, as determined by the Director of Development Services during the site plan review process.
5. **Building Setbacks:**
 - a. Unless otherwise specifically stated, setbacks shall be measured from the property line of parcels that abut a public street or back-of-curb of an adjoining private street. Setbacks along boundaries that don't abut a street shall be measured from the lot boundary.
 - 1) Building setbacks are to the main plane of the building excluding canopies and pedestrian arcades.
 - 2) Buildings should be setback a minimum of fifteen feet (15') except building D' which shall be setback a minimum of six feet (6') from the back-of-curb of Market Street to accommodate the pedestrian arcade and upper stories of the building.
 - b. A minimum thirty foot (30') building separation shall be maintained between buildings as measured to the closest points of buildings including canopies.
 - c. Setbacks for detached accessory structures shall abide by Code for the Professional Commerce Park (PCP) District.
6. **Off-Street Parking Lot Setbacks:** Parking lots shall be setback a minimum of fifteen feet (15') from the back-of-curb of an adjoining street unless a similar use or an open space of at least twenty feet (20') in width abuts the lot, in which case the parking lot setback shall be zero.

SECTION 20. 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 21. 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 22. 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 23. 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

CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION

ITEM: Community Development Block Grant Program
2015-20 Consolidated Plan and
2015-16 Annual Action Plan

DATE: May 18, 2015

FINANCIAL IMPACT: It is anticipated the City of West Des Moines will receive \$232,321 in Community Development Block Grant funds from the United States Department of Housing and Urban Development in July 2015. Total revenues and expenditures have been included in the 2015-16 budget.

BACKGROUND: In October 2004, the United States Department of Housing and Urban Development (HUD) identified the City of West Des Moines as a potential grantee for the Entitlement Community Development Block Grant (CDBG) Program. As an entitlement city, West Des Moines is eligible for HUD funds to address defined needs in the community. The program provides annual grants on a formula basis to entitled cities and counties (those over 50,000 people) to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low and moderate income persons.

To receive the annual CDBG entitlement grant, a grantee must develop and submit to HUD its Consolidated Plan. The Consolidated Plan is the jurisdiction's comprehensive planning document and application for funding under the Community Planning and Development formula grant programs. The Consolidated Plan consists of a 3-5 year Strategic Plan and a One-year Action Plan. The 3-5 year Strategic Plan outlines program goals, specific objectives, annual goals, and benchmarks for measuring progress. The One-year Action Plan is a concise summary of the actions, projects, and programs that will take place during the next year to address the priority needs and specific objectives identified by the strategic plan.

The statutes for the formula grant programs set forth three basic goals against which the plan and the jurisdiction's performance under the plan will be evaluated by HUD. These statutory program goals are: (1) decent housing; (2) a suitable living environment; and (3) expanded economic opportunities.

The draft 2015-16 Annual Action Plan was prepared based on the draft 2015-20 Consolidated Plan. The draft Consolidated Plan and the Annual Action Plan began a 30-day public review and comment period on April 15, 2015 and ended May 15, 2015. During this time, the draft Consolidated Plan and Annual Action Plan were available for review by the public at the following locations: City of West Des Moines website, West Des Moines Community and Economic Development Department, West Des Moines Human Services, and the West Des Moines Library.

No comments have been received.

The approved 2015-20 Consolidated Plan and 2015-16 Annual Action Plan will be submitted to HUD field office in Omaha, Nebraska. HUD will review the plan for up to 45 days. It is anticipated the CDBG programs would begin as early as July 1, 2015.

2015-2016 Annual Action Plan

The 2015-16 Annual Action Plan defines the funding allocation for the 2015-16 Fiscal Year.

Program Year 2015-16 Proposed Budget

<i>Category</i>	<i>Allocation</i>
Administration	\$46,464
Public Service – Transit Pass Program	\$24,848
Public Service – Homeless Prevention	\$8,000
Public Service – Transitional Housing Program	\$2,000
Infrastructure – Internet Access	\$121,009
Housing – Owner-Occupied Rehabilitation	\$30,000
Total Allocation	\$232,321

Administration

- *Project Description* – Staff expenses related to administering the CDBG Program
- *Eligible Expense* – Salaries, supplies, training, etc.
- *National Objective:* Not Applicable (HUD Matrix Code: 21A – General Program Administration)
- *Department* – Community & Economic Development Department
- *Allocation* - \$46,464

Public Service – Transitional Housing Program

- *Project Description* – Continue to support one unit in the program
- *Eligible Expense* – Rent and utilities
- *National Objective:* Low/Mod Limited Clientele (HUD Matrix Code: 03C – Homeless Facilities (not operating costs))
- *Department* – Human Services Department
- *Allocation* - \$2,000

Public Service – Transit Pass Program

- *Project Description* – Transportation passes for the Des Moines Area Regional Transit Authority (DART)
- *Eligible Expense* – One-year unlimited passes for DART
- *National Objective:* Low/Mod Limited Clientele (HUD Matrix Code: 05E – Transportation Services)
- *Department* – Community & Economic Development Department/Human Services Department
- *Allocation* – \$24,848

Public Service – Homeless Prevention

- *Project Description* – Homeless Prevention dollars to West Des Moines households for utility assistance and eviction prevention – available to renters and owner-occupied households

- *Eligible Expense* – up to \$500 per household per year in homeless prevention assistance
- *National Objective:* Low/Mod Limited Clientele (HUD Matrix Code: 05 – Public Services)
- *Department* – Community & Economic Development Department/Human Services Department
- *Allocation* - \$8,000

Infrastructure – Internet Access

- *Project Description* – Provide internet receivers to low-income households for affordable internet connection
- *Eligible Expense* – Installation and purchase of receiver
- *National Objective:* Low/Mod Area Limited Clientele (HUD Matrix Code: 03 – Public Facilities and Improvements - General)
- *Department* – Community & Economic Development Department and Public Works
- *Allocation* - \$121,009

Housing – Owner-Occupied Rehabilitation

- *Project Description* – rehabilitation of a minimum of nine homes on the Metro Home Improvement Program waiting list
- *Eligible Expense* – Rehabilitation of housing
- *National Objective:* Low/Mod Limited Clientele (HUD Matrix Code: 14A – Rehab; Single Unit Residential)
- *Department* –Community & Economic Development Department
- *Allocation* - \$30,000

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Staff recommends City Council approve the resolution approving the 2015-20 Consolidated Plan and the 2015-16 Annual Action Plan and authorize the Mayor and City Clerk to sign necessary Plan certifications.

ATTACHMENTS:

- | | | |
|------------|---|---|
| Exhibit I | - | Notice of Public Hearing |
| Exhibit II | - | Resolution – Approval of 2015-20 Consolidated Plan and 2015-16 Annual Action Plan |

The following plans are available from Ryan Jacobson or myself (they are too large to include as exhibits to this staff report):

- City of West Des Moines 2015-20 Consolidated Plan
- City of West Des Moines Citizen Participation Plan
- Regional Analysis of Impediments to Fair Housing Choice
- City of West Des Moines Outreach Policy for Minority and Women Owned Business/Contractors

Lead Staff Member:  Christine Gordon, Housing Planner

STAFF REVIEWS

Department Director	Clyde E. Evans
Appropriations/Finance	<i>[Handwritten Signature]</i>
Legal	<i>[Handwritten Signature]</i>
Agenda Acceptance	<i>[Handwritten Signature]</i> <i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register West Indianola Record Herald Madisonian News Dallas County News
Dates(s) Published	May 8, 2015 May 13, 2015 May 6, 2015 May 14, 2015

SUBCOMMITTEE REVIEW (if applicable)

Committee				
Date Reviewed				
Recommendation	<table border="1"> <tr> <td>Yes</td> <td>No</td> <td>Split</td> </tr> </table>	Yes	No	Split
Yes	No	Split		

**NOTICE OF
PUBLIC MEETING**

The City of West Des Moines has been identified as a grantee for the U.S. Dept. of Housing & Urban Development's Community Development Block Grant Program (CDBG). As an entitlement city, WDM would be eligible for HUD funds to address defined needs in the community. A Consolidated Plan, including a Five-Year Strategic Plan and One-Year Action Plan has been written to define the needs of the community and describe the programs which may be funded through the CDBG Program.

The City of West Des Moines will hold a public hearing at the May 18, 2015, City Council Meeting to present the Consolidated Plan for approval.

This public hearing will be held on Monday, May 18, 2015, at 5:30 P.M. in the Council Chambers of the West Des Moines City Hall located at 4200 Mills Civic Parkway, West Des Moines, Iowa.

It is the responsibility of the individual with a disability requiring accommodations to inform the Community Development Department, at least 48 hours in advance, that certain accommodations are requested. The City of West Des Moines is pleased to provide these accommodations in order to allow full participation in the Board of Adjustment meetings. Please contact the Community Development Department at 515-273-0770 to request these accommodations.

Clyde E. Evans, AICP
Community & Economic Development Director

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,
APPROVING THE CITY OF WEST DES MOINES' 2015-2020 CONSOLIDATED
PLAN AND 2015-16 ANNUAL ACTION PLAN FOR THE EXPENDITURE OF
FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

WHEREAS, the City of West Des Moines is an eligible Community Development Block Grant (CDBG) entitlement community;

WHEREAS, the City must develop a five-year Consolidated Plan and one-year Action Plan for community development programs to guide the investment of these CDBG funds;

WHEREAS, the City has prepared the 2015-20 Consolidated Plan and 2015-16 Annual Action Plan, through participation from citizens, interest groups, and City staff;

WHEREAS, the Consolidated Plan and Annual Action Plan has been available for review by the public for thirty days, April 15, 2015 to May 15, 2015;

WHEREAS, the City of West Des Moines has conducted public meetings and otherwise informed citizens, public agencies, and other interested parties of the Consolidated Plan and Annual Action Plan and of their opportunity to participate in the development of the Plan.

THEREFORE, BE IT RESOLVED that the Council of the City of West Des Moines, Iowa hereby adopts this 2015-20 Consolidated Plan and 2015-16 Annual Action Plan, dated May 18, 2015, and authorizes the Mayor to submit these plans to the United States Department of Housing and Urban Development, for their review and approval.

PASSED AND ADOPTED on May 18, 2015

Steven K. Gaer
Mayor

ATTEST:

Ryan Jacobson
City Clerk

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Public Hearing, FY 2014-15 Budget Amendment #3

DATE: May 18, 2015

FINANCIAL IMPACT:

There will be no increase to the tax rates as a result of this amendment. Details of the more significant adjustments include the following:

General Fund – net decrease of \$185,317 to the fund balance

As a result of the amendment, overall estimated General Fund operating revenues will be increased by \$202,450, while estimated General Fund operating expenditures will be increased by \$423,767.

The amendment includes various fee-based revenues increased to year-to-date results:

- Building Permits +\$70,000
- Heating Permits +\$20,000
- Plumbing Permits +\$11,000
- Housing Inspections +\$17,000
- Developer Paid Inspections +\$20,000
- Insurance Reimbursements +\$24,000

Various departmental contingency accounts are being decreased in order to offset the unexpected repairs and maintenance items listed below:

- Building Maintenance for Public Safety Station #18 increased \$10,000 for repairs to the trash dumpster enclosure.
- Vehicle Maintenance for Public Safety Station #22 (shared with Clive) increased \$25,000 for repairs to Engine #220.
- Building Maintenance for Library increased \$26,000 for replacement of the entrance doors.

Other specific items of note within the General Fund are as follows:

- \$126,000 has been allocated for brick paver repair and replacement in the Valley Junction business district.
- Public Works Building Maintenance increased \$40,000 for removal of the office trailer work space and building remodeling costs needed to accommodate staff moved out of the trailers.
- Information Technology Services costs increased \$98,000 to pay for Share Point/Records Management Services, SQL Server Support, and Enterprise Data Architecture 2.0 upgrade.

Special Revenue Fund - net decrease of \$17,992 to the fund balance

- Revenues and expenses each increased by \$80,000 due to changes within the HUD Entitlement Program, as some programs were not completed in FY 13-14 and have been carried over to FY 14-15.
- Street lighting expenses decreased \$26,000 as the charges from MidAmerican Energy decreased due to new rate plans.
- The amendment also includes several minor adjustments to the Housing Funds, Police Gift Trust, Human Services Funds, and the RRP Softball Trust Fund.

Capital Budget - net decrease of \$2,037,250 to the fund balance

As a result of the amendment, budgeted revenue for capital items increased \$437,800; \$411,800 of this revenue comes from State of Iowa contributions and grants.

Transfers Out in the Capital Fund have increased by \$1,220,000 as proceeds from the 2014A bond issue have been transferred to the Debt Service Fund to the 2007A bond.

Expenses for Capital items will increase by \$1,255,055 due to two major factors. First, several projects need to be added to the Capital Budget (primarily due to Project Alluvion) as they were not foreseen at the time the original budget was approved. Second, costs of other approved projects have increased as more detailed analysis has revealed a larger-than-expected scope of work than was originally budgeted. The increased expenditures do not reflect the realization of staff that several of the scheduled FY 2014-15 projects will not be initiated or completed as forecasted. This amendment calls for major adjustments in expenditures (defined as being over \$100,000) for the following public improvements:

Parks Maintenance Facility	+\$194,000
318 5 th Street	+\$336,000
Pine Ave. S. 8 th to End of Pavement	+\$142,000
Alluvion 1A2 Water Main Improvement	+\$210,000

Necessary funds for these projects are provided by various sources, including bond proceeds, assessments, road use tax, and grants.

Business Type / Enterprise Funds - net increase to the fund of \$73,950

Business Type/Enterprise revenues will increase by \$157,400 while estimate expenditures will increase \$83,450.

- \$94,000 of increased revenue is related to year-to-date sewer district fee charges and sewer capital charges.
- Vehicle Replacement Fund revenue increased by \$63,400 from the sale of vehicles.
- Expenses increased \$60,000 for the purchase of a Strategic Emergency Response (SERT) vehicle. This expense is offset by contributions received from other communities that participate in the SERT program.

- Expenses for Sanitary Sewer and Storm Water Capital items will increase by \$32,000 due to the Right of Way costs associated with the multiple sewer projects.
- Vehicle Replacement Charges increased by a net of \$51,450 because, in order to receive a higher sales price, the City opted to sell a vehicle instead of trading it in.

BACKGROUND:

This is a public hearing on Amendment #3 to the City's FY 14-15 operating and capital budget. The Finance Director and Budget Analyst, after reviewing all expenditure levels and receiving input from several of the departments, developed this proposed amendment. The amendment was presented and discussed with the Finance and Administration Sub-Committee on April 22, 2015. The Sub-Committee recommended approval and also recommended including the attached notes.

RECOMMENDATION:

Adopt Resolution approving Amendment #3 to the FY 2014-15 operating and capital budget.

Lead Staff Member: Chris Hamlett, Budget Analyst *CR*

STAFF REVIEWS

Department Director	Tim Stiles, Finance Director <i>TStiles</i>
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	The Des Moines Register
Dates(s) Published	May 8, 2015

SUBCOMMITTEE REVIEW (if applicable)

Committee	Finance & Administration		
Date Reviewed	April 22, 2015		
Recommendation	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> Split

77-727

CITY BUDGET AMENDMENT AND CERTIFICATION RESOLUTION

To the Auditor of POLK, DALLAS, WARREN, & MADISON County, Iowa:

The City Council of West Des Moines in said County/Countries met on 5/18/2015, at the place and hour set in the notice, a copy of which accompanies this certificate and is certified as to publication. Upon taking up the proposed amendment, it was considered and taxpayers were heard for and against the amendment.

The Council, after hearing all taxpayers wishing to be heard and considering the statements made by them, gave final consideration to the proposed amendment(s) to the budget and modifications proposed at the hearing, if any. Thereupon, the following resolution was introduced.

RESOLUTION No. _____

A RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR ENDING JUNE 30 2015
(AS AMENDED LAST ON 4/6/2015.)

Be It Resolved by the Council of the City of West Des Moines

Section 1. Following notice published 5/8/2015

and the public hearing held, 5/18/2015 the current budget (as previously amended) is amended as set out herein and in the detail by fund type and activity that supports this resolution which was considered at that hearing:

	Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
Revenues & Other Financing Sources			
Taxes Levied on Property 1	48,525,173	0	48,525,173
Less: Uncollected Property Taxes-Levy Year 2	0	0	0
Net Current Property Taxes 3	48,525,173	0	48,525,173
Delinquent Property Taxes 4	0	0	0
TIF Revenues 5	9,205,790	0	9,205,790
Other City Taxes 6	4,009,853	0	4,009,853
Licenses & Permits 7	1,876,850	113,500	1,990,350
Use of Money and Property 8	2,044,055	8,150	2,052,205
Intergovernmental 9	16,244,019	496,600	16,740,619
Charges for Services 10	20,341,575	141,000	20,482,575
Special Assessments 11	185,600	26,000	211,600
Miscellaneous 12	9,464,565	35,000	9,499,565
Other Financing Sources 13	102,039,054	1,351,400	103,390,454
Total Revenues and Other Sources 14	213,936,534	2,171,650	216,108,184
Expenditures & Other Financing Uses			
Public Safety 15	28,667,706	77,950	28,745,656
Public Works 16	9,044,647	-48,850	8,995,797
Health and Social Services 17	1,258,878	2,500	1,261,378
Culture and Recreation 18	8,581,999	7,700	8,589,699
Community and Economic Development 19	23,294,485	296,950	23,591,435
General Government 20	7,940,281	119,525	8,059,806
Debt Service 21	20,520,328	0	20,520,328
Capital Projects 22	36,355,665	1,255,050	37,610,715
Total Government Activities Expenditures 23	135,663,989	1,710,825	137,374,814
Business Type / Enterprises 24	27,522,519	83,450	27,605,969
Total Gov Activities & Business Expenditures 25	163,186,508	1,794,275	164,980,783
Transfers Out 26	57,864,054	1,288,000	59,152,054
Total Expenditures/Transfers Out 27	221,050,562	3,082,275	224,132,837
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out Fiscal Year 28	-7,114,028	-910,625	-8,024,653
Beginning Fund Balance July 1 29	206,658,634	0	206,658,634
Ending Fund Balance June 30 30	199,544,606	-910,625	198,633,981

Passed this _____ day of _____
(Day) (Month/Year)

Signature
City Clerk/Finance Officer

Signature
Mayor

**NOTICE OF PUBLIC HEARING
AMENDMENT OF CURRENT CITY BUDGET**

The City Council of West Des Moines in POLK, DALLAS, WARREN, & MADISON County, Iowa

will meet at Council Chambers of WDM City Hall

at 5:35 PM on 5/18/2015
(hour) (Date)

, for the purpose of amending the current budget of the city for the fiscal year ending June 30, 2015

by changing estimates of revenue and expenditure appropriations in the following functions for the reasons given.
Additional detail is available at the city clerk's office showing revenues and expenditures by fund type and by activity.

		Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
Revenues & Other Financing Sources				
Taxes Levied on Property	1	48,525,173		48,525,173
Less: Uncollected Property Taxes-Levy Year	2			0
Net Current Property Taxes	3	48,525,173	0	48,525,173
Delinquent Property Taxes	4	0		0
TIF Revenues	5	9,205,790		9,205,790
Other City Taxes	6	4,009,853		4,009,853
Licenses & Permits	7	1,876,850	113,500	1,990,350
Use of Money and Property	8	2,044,055	8,150	2,052,205
Intergovernmental	9	16,244,019	496,600	16,740,619
Charges for Services	10	20,341,575	141,000	20,482,575
Special Assessments	11	185,600	26,000	211,600
Miscellaneous	12	9,464,565	35,000	9,499,565
Other Financing Sources	13	102,039,054	1,351,400	103,390,454
Total Revenues and Other Sources	14	213,936,534	2,171,650	216,108,184
Expenditures & Other Financing Uses				
Public Safety	15	28,667,706	77,950	28,745,656
Public Works	16	9,044,647	-48,850	8,995,797
Health and Social Services	17	1,258,878	2,500	1,261,378
Culture and Recreation	18	8,581,999	7,700	8,589,699
Community and Economic Development	19	23,294,485	296,950	23,591,435
General Government	20	7,940,281	119,525	8,059,806
Debt Service	21	20,520,328		20,520,328
Capital Projects	22	36,355,665	1,255,050	37,610,715
Total Government Activities Expenditures	23	135,663,989	1,710,825	137,374,814
Business Type / Enterprises	24	27,522,519	83,450	27,605,969
Total Gov Activities & Business Expenditures	25	163,186,508	1,794,275	164,980,783
Transfers Out	26	57,864,054	1,288,000	59,152,054
Total Expenditures/Transfers Out	27	221,050,562	3,082,275	224,132,837
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out Fiscal Year	28	-7,114,028	-910,625	-8,024,653
Beginning Fund Balance July 1	29	206,658,634		206,658,634
Ending Fund Balance June 30	30	199,544,606	-910,625	198,633,981

Explanation of increases or decreases in revenue estimates, appropriations, or available cash:

Miscellaneous revenues and expenditures revised from the adopted budget.

There will be no increase in tax levies to be paid in the current fiscal year named above related to the proposed budget amendment. Any increase in expenditures set out above will be met from the increased non-property tax revenues and cash balances not budgeted or considered in this current budget.

Tim Stiles
City Clerk/ Finance Officer Name

Fund Summary

Fund Type	Revenues Inc (Dec)	Expenditures Inc (Dec)	Transfers In (Out)	Net Inc (Dec)
General	\$ 202,450	\$ 423,767	\$ 36,000	\$ (185,317)
Special Revenue	\$ 86,000	\$ 32,008	\$ (36,000)	\$ 17,992
Debt Service	\$ -		\$ 1,220,000	\$ 1,220,000
Capital Projects	\$ 437,800	\$ 1,255,050	\$ (1,220,000)	\$ (2,037,250)
Business Type / Enterprise	\$ 157,400	\$ 83,450	\$ -	\$ 73,950
	\$ 883,650	\$ 1,794,275	\$ -	\$ (910,625)

Revenue Detail

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
General Funds								
<u>Licenses and Permits</u>								
0100	10	20	1	2310	Building Permits	\$ 1,220,000	\$ 70,000	\$ 1,290,000
0100	10	20	1	2315	Electrical Permits	\$ 105,000	\$ 6,500	\$ 111,500
0100	10	20	1	2320	Heating Permits	\$ 48,000	\$ 20,000	\$ 68,000
0100	10	20	1	2325	Plumbing Permits	\$ 58,000	\$ 11,000	\$ 69,000
0100	20	20	1	2340	Fiber Optic License	\$ 8,000	\$ 4,000	\$ 12,000
0100	40	20	1	2030	Archery Facility Permit	\$ 7,300	\$ 2,000	\$ 9,300
Sub-total Licenses and Permits							\$ 113,500	
<u>Intergovernmental</u>								
0100	10	40	2	4099	Grants-Misc Federal	\$ 18,700	\$ 4,800	\$ 23,500
Sub-total Intergovernmental							\$ 4,800	
<u>Charges for Services</u>								
0100	10	50	1	5233	Fire Plan Review - C. D.	\$ 18,000	\$ 7,000	\$ 25,000
0100	10	50	1	5246	Housing Inspection	\$ 110,000	\$ 17,000	\$ 127,000
0100	50	50	1	5002	Developer Paid Inspection	\$ 680,000	\$ 20,000	\$ 700,000
0100	50	50	1	5016	Zoning & Platting Fees	\$ 15,000	\$ 3,000	\$ 18,000
Sub-total Charges for Services							\$ 47,000	
<u>Use of Money & Property</u>								
0100	60	30	4	3000	Interest on Investments	\$ 5,000	\$ 4,500	\$ 9,500
0100	60	30	4	3040	Interest from IPAIT	\$ 7,500	\$ (5,850)	\$ 1,650
0100	60	30	4	3045	Interest on Money Markets	\$ 32,000	\$ 5,500	\$ 37,500
0100	60	30	4	3100	Control Pay Revenue Sharing	\$ 55,000	\$ 4,000	\$ 59,000
Sub-total Use of Money & Property							\$ 8,150	
<u>Miscellaneous</u>								
0100	60	70	4	7560	Sales Tax Refunds	\$ 48,000	\$ 5,000	\$ 53,000
0100	60	70	4	7855	Insurance Reimburse-Property	\$ -	\$ 24,000	\$ 24,000
Sub-total Miscellaneous							\$ 29,000	
General Funds Total							\$ 202,450	
Special Revenue Funds								
<u>Intergovernmental</u>								
1645	50	40	2	4020	HUD Grant	\$ 220,000	\$ 80,000	\$ 300,000
Sub-total Intergovernmental							\$ 80,000	
<u>Miscellaneous</u>								
1330	10	70	1	7799	Unanticipated/Miscellaneous	\$ 5,000	\$ 6,000	\$ 11,000
Sub-total Miscellaneous							\$ 6,000	
Special Revenue Funds Total							\$ 86,000	

Revenue Detail

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
Revenue-Continued								
Capital Projects Funds								
<u>Grand Avenue/I35 to S.50th</u>								
4038	20	40	3	4355	Iowa DOT Agreement/Grant	\$ 25,000	\$ 167,300	\$ 192,300
Sub-total Grand Avenue/ I35 to S. 50th							\$ 167,300	
<u>Grand Avenue S.35 to S.50th</u>								
4045	20	40	3	4355	Iowa DOT Agreement/Grant	\$ -	\$ 52,000	\$ 52,000
Sub-total Grand Avenue S.35 to S. 50th							\$ 52,000	
<u>Southwest Connector</u>								
4070	20	40	3	4355	Iowa DOT Agreement/Grant	\$ 149,000	\$ 35,000	\$ 184,000
Sub-total Southwest Connector							\$ 35,000	
<u>Grand Technology Gateway</u>								
4233	20	40	3	4355	Iowa DOT Agreement/Grant	\$ 110,000	\$ 124,500	\$ 234,500
Sub-total Grand Technology Gateway							\$ 124,500	
<u>City/School Campus Pond Watershed Improvements</u>								
6543	40	40	3	4599	State Grants	\$ -	\$ 33,000	\$ 33,000
Sub-total City/School Campus Pond Watershed Improvements							\$ 33,000	
<u>Special Assessments</u>								
7952	20	60	1	6000	Lump Sum Budget Projections	\$ 185,600	\$ 26,000	\$ 211,600
Sub-total Special Assessments							\$ 26,000	
Capital Projects Funds Total							\$ 437,800	
Business Type Funds								
<u>Charges for Services</u>								
8100	80	50	1	5412	Sewer Capital Charges	\$ 339,000	\$ 21,000	\$ 360,000
8150	80	50	3	5416	Special Fee District Charges	\$ 51,600	\$ 32,500	\$ 84,100
8152	80	50	3	5416	Special Fee District Charges	\$ 49,700	\$ 25,500	\$ 75,200
8342	80	50	3	5416	Special Fee District Charges	\$ 42,675	\$ 15,000	\$ 57,675
Sub-total Charges for Services							\$ 94,000	
<u>Other Financing Sources</u>								
9200	80	90	4	7789	Sale Proceeds from Auction	\$ -	\$ 3,400	\$ 3,400
9200	80	90	4	9025	Sale fo Equipment/Vehicles	\$ -	\$ 60,000	
Sub-total Other Financing Sources							\$ 63,400	
Business Type Funds Total							\$ 157,400	
Revenue Total							\$ 883,650	

Transfers

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
Transfers In								
General								
0100	95	95	9	9100	Transfers In	\$ -	\$ 36,000	\$ 36,000
Total General Transfers In							\$ 36,000	
Debt Service								
2100	95	95	9	9100	Transfers In	\$ -	\$ 1,220,000	\$ 1,220,000
Total Debt Service Transfers In							\$ 1,220,000	
Business Type								
5011	95	95	9	9100	Transfers In	\$ -	\$ 10,000	\$ 10,000
5071	95	95	9	9100	Transfers In	\$ -	\$ 20,000	\$ 20,000
5085	95	95	9	9100	Transfers In	\$ -	\$ 2,000	\$ 2,000
Total Business Type Transfers In							\$ 32,000	
Total Transfers In							\$ 1,288,000	
Transfers Out								
Special Revenue								
1100	95	890	9	9100	Transfer Out	\$ -	\$ 36,000	\$ 36,000
Total Special Revenue Transfers Out							\$ 36,000	
Capital Projects								
7758	95	890	9	9100	Transfer Out	\$ -	\$ 1,220,000	\$ 1,220,000
Total Capital Projects Transfers Out							\$ 1,220,000	
Business Type								
8100	95	890	9	9100	Transfer Out	\$ -	\$ 32,000	\$ 32,000
Total Business Type Transfers Out							\$ 32,000	
Total Transfers Out							\$ 1,288,000	
Net Transfers In/Out							\$ -	

Expenditure Summary

Program	Change Inc (Dec)
Public Safety	
Operating	
Police Patrol	\$ 34,500
Animal Control	\$ 150
EMS	\$ 3,750
Public Safety Station #18	\$ 9,000
Public Safety Station #19	\$ 2,700
Westside Fire	\$ 25,000
Building Inspection	\$ 4,100
Public Safety Contingency	\$ (25,000)
WestPet	\$ -
IA EMS Alliance -Admin	\$ 6,500
Westcom	\$ 250
Operating Total	\$ 60,950
Special Revenue	
Police Gift Trust	\$ 17,000
Special Revenue Total	\$ 17,000
Public Safety Total	\$ 77,950
Public Works	
Operating	
Street Maintenance-Improved	\$ 29,000
Street Maintenance-Unimproved	\$ (25,850)
Building/Fleet	\$ 40,000
Public Works Contingency	\$ (27,000)
Operating Total	\$ 16,150
Special Revenue	
Road Use Tax	\$ (65,000)
Special Revenue Total	\$ (65,000)
Public Works Total	\$ (48,850)
Health & Social Services	
Special Revenue	
Human Services - Goodman Bequest	\$ 2,500
Special Revenue Total	\$ 2,500
Health & Social Services Total	\$ 2,500

Expenditure Summary

Program	Change Inc (Dec)
Expenditures-Continued	
Culture and Recreation	
Operating	
Park & Rec Administration	\$ 6,000
Parks	\$ (4,300)
Recreation	\$ 2,300
RRP Softball Complex	\$ 14,652
Holiday Pool	\$ 15,000
Valley View Aquatic Center	\$ (15,000)
RRP Nature Lodge	\$ 200
Culture & Recreation Contingency	\$ (22,500)
Library	\$ 26,000
Operating Total	\$ 22,352
Special Revenue	
Adult Softball Trust - RRP	\$ (14,652)
Special Revenue Total	\$ (14,652)
Culture and Recreation Total	\$ 7,700
Community and Economic Development	
Valley Junction Development	\$ 126,000
Nuisance Abatement	\$ 27,750
Development Services	\$ 62,200
Metro Home Improvement Program	\$ (9,160)
Community & Economic Development	\$ 10,000
Comm & Econ Development Contingency	\$ (12,000)
Operating Total	\$ 204,790
Special Revenue	
Dallas County Local Housing Trust Fund	\$ 2,655
HUD Entitlement Program	\$ 110,790
Valley Station	\$ (21,285)
Special Revenue Total	\$ 92,160
Community and Economic Development Total	\$ 296,950
General Government	
Operating	
City Manager's Office	\$ 86,900
Public Information	\$ 26,500
Information Technology Services	\$ 98,000
Human Resources	\$ (100,000)
Finance	\$ 24,200
City Clerk	\$ 6,425
General Government Contingency	\$ (22,500)
Operating Total	\$ 119,525
General Government Total	\$ 119,525

Expenditure Summary

Program	Change Inc (Dec)
Expenditures-Continued	
Debt Service	
Capital Projects	\$ 1,255,050
Total Government Activities Expenditures	\$ 1,710,825
Business Type / Enterprise	\$ 83,450
Total Government Activities & Business Expenditures	\$ 1,794,275

Expenditure Detail - Public Safety

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
Public Safety								
Operating								
<u>Police Patrol</u>								
0100	10	118	6	7401	Squad/Radios/Equipment	\$ 337,750	\$ 34,500	\$ 372,250
Sub-total Police Patrol							\$ 34,500	
<u>Animal Control</u>								
0100	10	120	4	7000	Vehicle Replacement	\$ 9,000	\$ 150	\$ 9,150
Sub-total Animal Control							\$ 150	
<u>EMS</u>								
0100	10	126	4	7000	Vehicle Replacement	\$ 98,500	\$ 3,750	\$ 102,250
Sub-total EMS							\$ 3,750	
<u>Public Safety Station #18</u>								
0100	10	147	3	3851	Building Maintenance		\$ 10,000	\$ 10,000
0100	10	147	4	3970	Electricity	\$ 16,000	\$ (1,000)	\$ 15,000
Sub-total Public Safety Station #18							\$ 9,000	
<u>Public Safety Station #19</u>								
0100	10	148	4	3970	Electricity	\$ 25,500	\$ 2,700	\$ 28,200
Sub-total Safety Station #19							\$ 2,700	
<u>Westside Fire</u>								
0100	10	170	3	3821	Vehicle Maintenance	\$ 35,000	\$ 25,000	\$ 60,000
Sub-total Westside Fire							\$ 25,000	
<u>Building Inspection</u>								
0100	10	550	4	3955	Credit Card Processing Fees	\$ 8,000	\$ 2,100	\$ 10,100
0100	10	550	5	4500	Contractual Services	\$ 3,000	\$ 2,000	\$ 5,000
Sub-total Building Inspection							\$ 4,100	
<u>Public Safety Contingency</u>								
0100	10	793	3	7992	City Contingency	\$ 63,000	\$ (25,000)	\$ 38,000
Sub-total Public Safety Contingency							\$ (25,000)	
<u>WestPet</u>								
0150	10	120	3	3000	Supplies	\$ 6,000	\$ (6,000)	\$ -
0150	10	120	3	4500	Contractual Services	\$ -	\$ (8,000)	\$ -
0150	10	750	3	3010	Office Supplies	\$ -	\$ 14,000	\$ 14,000
Sub-total WestPet							\$ -	
<u>EMS Admin</u>								
0250	10	128	3	4500	Software Maint Contracts	\$ 16,500	\$ 5,500	\$ 22,000
0250	10	128	4	3955	Credit Card Processing Fee	\$ 2,600	\$ 1,000	\$ 3,600
Sub-total Westcom							\$ 6,500	
<u>Westcom</u>								
0300	10	125	4	7000	Vehicle Replacement	\$ 9,200	\$ 250	\$ 9,450
Sub-total Westcom							\$ 250	
Operating Total							\$ 60,950	

Expenditure Detail - Public Safety

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
Public Safety-Continued								
Special Revenue								
<i>Police Gift Trust</i>								
1360	10	110	6	7390	Donations/Gifts/Bequests	\$ 5,000	\$ 17,000	\$ 22,000
<i>Sub-total Police Gift Trust</i>							\$ 17,000	
Special Revenue Total							\$ 17,000	
Public Safety Total							\$ 77,950	

Expenditure Detail - Public Works

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
Public Works								
Operating								
<u>Street Maintenance Improved</u>								
0100	20	430	3	3625	Equipment Rental	\$ 42,000	\$ 36,000	\$ 78,000
0100	20	430	4	7000	Vehicle Replacement	\$ 480,000	\$ (7,000)	\$ 473,000
Sub-total Street Maintenance Improved							\$ 29,000	
<u>Street Maintenance-Unimproved</u>								
0100	20	435	1	1100	Compensation	\$ 244,850	\$ (12,500)	\$ 232,350
0100	20	435	1	1300	Overtime	\$ 20,000	\$ (5,000)	\$ 15,000
0100	20	435	1	1440	On Call Pay	\$ -	\$ 1,500	\$ 1,500
0100	20	435	1	1550	Health/Medical Insurance	\$ 66,512	\$ (5,350)	\$ 61,162
0100	20	435	1	1610	City Share FICA	\$ 20,442	\$ (2,000)	\$ 18,442
0100	20	435	1	1620	City Share IPERS	\$ 24,437	\$ (2,500)	\$ 21,937
Sub-total Street Maintenance-Unimproved							\$ (25,850)	
<u>Building/Fleet</u>								
0100	20	480	3	3851	Building Maintenance	\$ 82,000	\$ 40,000	\$ 122,000
Sub-total Street Maintenance Improved							\$ 40,000	
<u>Public Works Contingency</u>								
0100	20	794	3	7992	City Contingency	\$ 27,000	\$ (27,000)	\$ -
Sub-total Public Works Contingency							\$ (27,000)	
Operating Total							\$ 16,150	
Special Revenue								
<u>Road Use Tax</u>								
1100	20	409	4	3970	Electricity	\$ 942,000	\$ (65,000)	\$ 877,000
Sub-total Road Use Tax							\$ (65,000)	
Special Revenue Total							\$ (65,000)	
Public Works Total							\$ (48,850)	

Expenditure Detail - Health Social Services

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
Health & Social Services								
Special Revenue								
<i>Goodman Bequest</i>								
1602	30	310	3	5020	General Assistance	\$ -	\$ 2,500	\$ 2,500
<i>Sub-total Goodman Bequest</i>							\$ 2,500	
Special Revenue Total							\$ 2,500	
Health & Social Services Total							\$ 2,500	

Expenditure Detail - Culture and Recreation

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
Culture and Recreation								
Operating								
<u>Park & Rec Administration</u>								
0100	40	340	3	3701	Computer Maintenance Suplies	\$ 8,790	\$ 1,700	\$ 10,490
0100	40	340	5	7305	Non Capital Assests	\$ -	\$ 4,300	\$ 4,300
Sub-total Park & Rec Administration							\$ 6,000	
<u>Parks</u>								
0100	40	344	3	2180	Training	\$ 8,300	\$ (4,000)	\$ 4,300
0100	40	344	3	3920	Cell Phone/Data Service	\$ 800	\$ 4,200	\$ 5,000
0100	40	344	3	5410	Plantings	\$ 7,000	\$ 2,700	\$ 9,700
0100	40	344	3	5420	Turf Program	\$ 19,000	\$ (5,000)	\$ 14,000
0100	40	344	3	5435	Tree Maintenance	\$ 6,000	\$ 6,500	\$ 12,500
0100	40	344	3	5470	Trail Maintenance	\$ 2,000	\$ 3,200	\$ 5,200
0100	40	344	3	5476	Archery Facility Maintenance	\$ -	\$ 2,600	\$ 2,600
0100	40	344	3	5490	General Repairs	\$ 35,000	\$ (5,000)	\$ 30,000
0100	40	344	5	4500	Contractual Services	\$ 100,000	\$ (6,400)	\$ 93,600
0100	40	344	5	7305	Non Capital Assets	\$ 18,500	\$ (4,300)	\$ 14,200
0100	40	344	6	7800	Landscaping	\$ 3,000	\$ 1,200	\$ 4,200
Sub-total Parks							\$ (4,300)	
<u>Recreation</u>								
0100	40	348	3	5000	Programs	\$ 30,982	\$ (1,700)	\$ 29,282
0100	40	348	4	3955	Credit Card Processing Fee	\$ 4,500	\$ 4,000	\$ 8,500
Sub-total Recreation							\$ 2,300	
<u>RRP Softball Complex</u>								
0100	40	350	3	5465	Softball Field Maintenance	\$ 15,570	\$ 14,652	\$ 30,222
Sub-total RRP Softball Complex							\$ 14,652	
<u>Holiday Park Baseball</u>								
0100	40	351	3	5007	Sales Tax	\$ -	\$ 9,000	\$ 9,000
0100	40	351	3	5425	Electricity	\$ 27,000	\$ (9,000)	\$ 18,000
Sub-total Holiday Park Baseball							\$ -	
<u>Holiday Pool</u>								
0100	40	352	3	3851	Building Maintenance	\$ 33,887	\$ 15,000	\$ 48,887
Sub-total Holiday Pool							\$ 15,000	
<u>Valley View Aquatic Center</u>								
0100	40	353	4	3960	Natural Gas	\$ 13,500	\$ 7,000	\$ 20,500
0100	40	353	4	3970	Electricity	\$ 35,000	\$ (7,000)	\$ 28,000
0100	40	353	3	5446	Basin Painting	\$ 28,393	\$ (15,000)	\$ 13,393
Sub-total Valley View Aquatic Center							\$ (15,000)	
<u>Community Center</u>								
0100	40	356	4	3960	Natural Gas	\$ 4,250	\$ 1,000	\$ 5,250
0100	40	356	4	3970	Electricity	\$ 12,000	\$ (1,000)	\$ 11,000
Sub-total Community Center							\$ -	

Expenditure Detail - Culture and Recreation

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
Culture & Recreation-Continued								
<u>RRP Nature Lodge</u>								
0100	40	358	4	3955	Credit Card Processing Fee	\$ 600	\$ 200	\$ 800
Sub-total RRP Nature Lodge							\$ 200	
<u>Culture & Recreation Contingency</u>								
0100	40	796	3	7992	City Contingency	\$ 22,500	\$ (22,500)	\$ -
Sub-total Culture & Recreation Contingency							\$ (22,500)	
<u>Library</u>								
0200	40	320	3	3851	Building Maintenance	\$ 92,000	\$ 26,000	\$ 118,000
Sub-total Library							\$ 26,000	
Operating Total							\$ 22,352	
Special Revenue								
<u>Adult Softball Trust-RRP</u>								
1540	40	344	6	7390	Donations/Gifts/Bequests	\$ 20,000	\$ (14,652)	\$ 5,348
Sub-total Adult Softball Trust - RRP							\$ (14,652)	
Special Revenue Total							\$ (14,652)	
Culture and Recreation Total							\$ 7,700	

Expenditure Detail - Community and Economic Development

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
Community and Economic Development								
Operating								
<u>Valley Junction Development</u>								
0100	50	395	3	5490	General Repairs	\$ 3,600	\$ 126,000	\$ 129,600
Sub-total Valley Junction Development							\$ 126,000	
<u>Nuisance Abatement</u>								
0100	50	470	1	1100	Compensation	\$ 115,350	\$ 12,500	\$ 127,850
0100	50	470	1	1300	Overtime	\$ 5,000	\$ 8,000	\$ 13,000
0100	50	470	1	1400	Longevity	\$ 1,550	\$ (350)	\$ 1,200
0100	50	470	1	1440	On Call Pay	\$ -	\$ 8,500	\$ 8,500
0100	50	470	1	1550	Health/Medical	\$ 37,662	\$ (3,500)	\$ 34,162
0100	50	470	1	1610	City Share FICA	\$ 10,995	\$ 1,500	\$ 12,495
0100	50	470	1	1620	City Share IPERS	\$ 13,237	\$ 500	\$ 13,737
0100	50	470	1	1640	Deferred Compensation	\$ 1,495	\$ (1,300)	\$ 195
0100	50	470	4	7000	Vehicle Replacement	\$ 33,800	\$ 1,900	\$ 35,700
Sub-total Nuisance Abatement							\$ 27,750	
<u>Development Services</u>								
0100	50	560	3	4880	Recording Fees	\$ -	\$ 2,200	\$ 2,200
0100	50	560	5	4500	Contractual Services	\$ -	\$ 60,000	\$ 60,000
Sub-total Development Services							\$ 62,200	
<u>Comm & Econ Development Contingency</u>								
0100	50	797	3	7992	General Repairs	\$ 12,000	\$ (12,000)	\$ -
Sub-total Com & Econ Development Contingency							\$ (12,000)	
<u>Metro Home Improvement Program</u>								
0105	50	570	1	1100	Compensation	\$ 27,630	\$ (3,850)	\$ 23,780
0105	50	570	1	1200	Part-Time/Temp	\$ 9,378	\$ (3,900)	\$ 5,478
0105	50	570	1	1550	Health/Medical	\$ 6,205	\$ (360)	\$ 5,845
0105	50	570	1	1610	City Share FICA	\$ 2,940	\$ (300)	\$ 2,640
0105	50	570	1	1620	City Share IPERS	\$ 3,317	\$ (750)	\$ 2,567
Sub-total Metro Home Improvement Program							\$ (9,160)	
<u>Community & Economic Development</u>								
0100	50	585	3	5087	Phenix Building	\$ -	\$ 10,000	\$ 10,000
Sub-total Community & Economic Development							\$ 10,000	
Operating Total							\$ 204,790	

Expenditure Detail - Community and Economic Development

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
Special Revenue								
<i>Dallas County Local Housing Trust Fund</i>								
1106	50	570	1	1100	Compensation	\$ 12,280	\$ (1,450)	\$ 10,830
1106	50	570	1	1200	Part-Time/Temp	\$ 4,168	\$ 3,600	\$ 7,768
1106	50	570	1	1610	City Share FICA	\$ 1,610	\$ 300	\$ 1,910
1106	50	570	1	1620	City Share IPERS	\$ 1,475	\$ 205	\$ 1,680
<i>Sub-total Metro Home Improvement Program</i>							\$ 2,655	
<i>HUD</i>								
1645	50	570	1	1100	Compensation	\$ 21,490	\$ 18,000	\$ 39,490
1645	50	570	1	1200	Part-Time/Temp	\$ 7,294	\$ 5,510	\$ 12,804
1645	50	570	1	1400	Longevity	\$ 98	\$ 95	\$ 193
1645	50	570	1	1550	Health/Medical	\$ 4,826	\$ 3,300	\$ 8,126
1645	50	570	1	1560	Dental Insurance	\$ 119	\$ 80	\$ 199
1645	50	570	1	16	City Share FICA	\$ 2,286	\$ 1,600	\$ 3,886
1645	50	570	1	1620	City Share IPERS	\$ 2,580	\$ 2,205	\$ 4,785
1645	50	570	3	5000	Programs	\$ 170,000	\$ 80,000	\$ 250,000
<i>Sub-total HUD</i>							\$ 110,790	
<i>Valley Station</i>								
1646	50	570	1	1100	Compensation	\$ 15,350	\$ (12,700)	\$ 2,650
1646	50	570	1	1200	Part-Time/Temp	\$ 5,210	\$ (5,210)	\$ -
1646	50	570	1	1400	Longevity	\$ 70	\$ (70)	\$ -
1646	50	570	1	1550	Health/Medical	\$ 3,477	\$ (2,940)	\$ 537
1646	50	570	1	1560	Dental Insurance	\$ 85	\$ (70)	\$ 15
1646	50	570	1	1570	Life Insurance	\$ 44	\$ (35)	\$ 9
1646	50	570	1	1610	City Share FICA	\$ 2,286	\$ (1,400)	\$ 886
1646	50	570	1	1620	City Share IPERS	\$ 2,580	\$ (1,600)	\$ 980
1646	50	570	1	1640	City Share Deferred Comp	\$ 260	\$ (260)	\$ -
1646	50	570	3	4710	Audit Services	\$ -	\$ 3,000	\$ 3,000
<i>Sub-total Metro Home Improvement Program</i>							\$ (21,285)	
Special Revenue Total							\$ 92,160	
Community & Economic Development Total							\$ 296,950	

Expenditure Detail - General Government

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
General Government								
Operating								
<u>City Manager's Office</u>								
0100	60	630	1	1550	Health/Medical Insurance	\$ 65,850	\$ (11,100)	\$ 54,750
0100	60	630	5	4500	Contractual Services	\$ 42,000	\$ 98,000	\$ 140,000
Sub-total City Manager's Office							\$ 86,900	
<u>Public Information</u>								
0100	60	635	3	4020	WDM Magazine	\$ 140,000	\$ 26,500	\$ 166,500
Sub-total Public Information							\$ 26,500	
<u>Information Technology Services</u>								
0100	60	650	3	4500	Contractual Services	\$ 240,000	\$ 80,000	\$ 320,000
0100	60	650	6	7110	Computer Hardware	\$ 290,900	\$ 18,000	\$ 308,900
Sub-total Information Technology Services							\$ 98,000	
<u>Human Resources</u>								
0100	60	670	3	2705	Fitness Reimb/Assessment	\$ 100,000	\$ (50,000)	\$ 50,000
0100	60	670	6	7190	HR/Financial Software	\$ 50,000	\$ (50,000)	\$ -
Sub-total Human Resources							\$ (100,000)	
<u>Finance</u>								
0100	60	710	5	4500	Contractual Services	\$ 24,900	\$ 24,200	\$ 49,100
Sub-total Finance							\$ 24,200	
<u>City Clerk</u>								
0100	60	714	1	1550	Health/Medical Insurance	\$ 11,280	\$ 625	\$ 11,905
0100	60	714	1	1554	H.S.A Employer Contribution	\$ 1,200	\$ 300	\$ 1,500
0100	60	714	1	1620	City Share IPERS	\$ 6,061	\$ (500)	\$ 5,561
0100	60	714	3	4200	Publishing Expense	\$ 24,000	\$ 6,000	\$ 30,000
Sub-total City Clerk							\$ 6,425	
<u>General Govt Contingency</u>								
0100	60	792	3	7992	City Contingency	\$ 22,500	\$ (22,500)	\$ -
Sub-total General Govt Contingency							\$ (22,500)	
Operating Total							\$ 119,525	
General Government Total							\$ 119,525	

Capital Projects

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
Capital Projects								
Capital Projects Funds								
Street Light Installation								
3518	75	820	6	7910	Contracts	\$ 75,000	\$ 68,000	\$ 143,000
Sub-total Street Light Installation							\$ 68,000	
105th St/Wendover to MCP								
4152	75	820	6	7930	Land/ROW	\$ 12,000	\$ 90,000	\$ 102,000
Sub-total 105th/Wendover to MCP							\$ 90,000	
Pine Ave- S. 8th to End of Pavement								
4261	77	820	6	7920	Design/Inspection	\$ 248,000	\$ 142,000	\$ 390,000
Sub-total Pine Ave. - S. 8th to End of Pavement							\$ 142,000	
Alluvion Water Main Improvement								
4266	77	820	6	7910	Contracts	\$ 960,000	\$ 1,650	\$ 961,650
Sub-total Alluvion Water Main Improvement							\$ 1,650	
Alluvion 1A2 Water Main Improvements								
4268	77	820	6	7920	Design/Inspection	\$ -	\$ 210,000	\$ 210,000
Sub-total Alluvion 1A2 Water Main Improvements							\$ 210,000	
City/School Campus Pond Watershed Improvements								
6543	75	840	6	7910	Contracts	\$ -	\$ 69,000	\$ 69,000
Sub-total City/School Campus Pond Watershed Improvements							\$ 69,000	
Parks Maintenance Facility								
6576	75	840	6	7910	Contracts	\$ 136,000	\$ 194,000	\$ 330,000
Sub-total Parks Maintenance Facility							\$ 194,000	
Library Facility								
6578	75	840	6	7910	Contracts	\$ 190,100	\$ 30,600	\$ 220,700
Sub-total Library Facility							\$ 30,600	
318 5th								
7006	75	830	6	7910	Contracts	\$ 209,000	\$ 336,000	\$ 545,000
Sub-total 318 5th							\$ 336,000	
2014 A Gen Obligation								
7758	70	880	7	4730	Bond Issuance Expense	\$ -	\$ 84,000	\$ 84,000
Sub-total 2014 A Gen Obligation							\$ 84,000	
2015 A URA Bonds								
7759	70	880	7	4730	Bond Issuance Expense	\$ -	\$ 15,000	\$ 15,000
Sub-total 2015 A URA Bonds							\$ 15,000	
2015 B Taxable Bonds								
7760	70	880	7	4730	Bond Issuance Expense	\$ -	\$ 8,600	\$ 8,600
Sub-total 2015 B Taxable Bonds							\$ 8,600	
2015 C Taxable Bonds								
7761	70	880	7	4730	Bond Issuance Expense	\$ -	\$ 6,200	\$ 6,200
Sub-total 2015 C Taxable Bonds							\$ 6,200	
Capital Projects Funds Total							\$ 1,255,050	
Capital Projects Total							\$ 1,255,050	

Business Type/Enterprise

Account Number						Current Budget	Change Inc (Dec)	Amended Budget
Fund	Function	Cost Center	Type	Line Item	Description			
Business Type								
Capital Projects Funds								
Thornwood San Sewer								
5011	80	820	6	7930	Land/ROW	\$ -	\$ 10,000	\$ 10,000
Sub-total Thornwood San Sewer							\$ 10,000	
Frink Creek San Sewer								
5071	80	820	6	7930	Land/ROW	\$ 80,000	\$ 20,000	\$ 100,000
Sub-total Frink Creek San Sewer							\$ 20,000	
Sugar Creek San Swr Ext								
5085	80	820	6	7930	Land/ROW	\$ -	\$ 2,000	\$ 2,000
Sub-total Sugar Creek San Swr Ext							\$ 2,000	
Capital Projects Funds Total							\$ 32,000	
Business Type/Enterprise Funds								
Vehicle Replacement								
9200	80	112	6	7421	Van Replacement	\$ 21,500	\$ 4,100	\$ 25,600
9200	80	344	6	7431	Pick-Up Replacement	\$ 19,000	\$ 1,500	\$ 20,500
9200	80	416	6	7431	Pick-Up Replacement	\$ -	\$ 101,100	\$ 101,100
9200	80	430	6	7431	Pick-Up Replacement	\$ 85,000	\$ (85,000)	\$ -
9200	80	430	6	7441	Dump Truck/Box Replacement	\$ 190,000	\$ 41,600	\$ 231,600
9200	80	440	6	7431	Pick-Up Replacement	\$ 21,000	\$ 9,150	\$ 30,150
9200	80	460	6	7451	Sweeper Replacement	\$ 410,000	\$ (21,000)	\$ 389,000
Sub-total Vehicle Replacement							\$ 51,450	
Business Type/Enterprise Funds Total							\$ 83,450	
Business Type Total							\$ 83,450	

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: May 18, 2015

ITEM: Mills Crossing Plat 1, 5901 Mills Civic Parkway – Preliminary Plat to subdivide the property into seven (7) lots for commercial development – Hurd Mill LLC – PP-002644-2015

RESOLUTION: Approval of a Preliminary Plat

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Hurd Mills LLC represented by Ed Arp, Civil Engineering Consultants, is requesting approval of a Preliminary Plat for approximately 15.2 acres located at the northeast corner of South 60th Street and Mills Civic Parkway. The applicant proposes to subdivide the property into seven (7) lots for commercial development (see Exhibit I - Attachment B – Location Map and Attachment C – Preliminary Plat)

Plan and Zoning Commission Action:

Vote: 4-0 approval, Commissioners Brown, Erickson, Crowley absent

Date: May 11, 2015

Motion: Adopt a resolution recommending the City Council approve the Preliminary Plat

OUTSTANDING ISSUES: There are no outstanding issues. The applicant is in agreement with the recommended conditions of approval.

The following items of interest are noted in the attached Plan and Zoning Commission report (see Exhibit I):

- Applicant's Request
- History
- City Council Subcommittee – *Development and Planning (April 9, 2015)*
- Staff Review and Comments
- Comprehensive Plan Consistency
- Findings
- Staff Recommendation and Conditions of Approval
- Owner/Applicant/Applicant Representative Information

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, the Plan and Zoning Commission recommends the City Council adopt a resolution to approve the Preliminary Plat to subdivide the property into seven (7) lots for commercial development, subject to the applicant meeting all City Code requirements and the following:

1. The applicant providing final drawings of the preliminary plat which addresses staff comments prior to the final plat proceeding to the City Council for approval.

Lead Staff Member: Kara Tragesser, AICP

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	N/A
Date(s) Published	
Letter sent to surrounding property owners	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning Subcommittee		
Date Reviewed	April 9, 2015		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- Exhibit I - Plan and Zoning Commission Communication
 - Attachment A - Plan and Zoning Commission Resolution
 - Attachment B - Location Map
 - Attachment C - Preliminary Plat
- Exhibit II - City Council Resolution

**CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION**

Meeting Date: May 11, 2015

Item: Mills Crossing Plat 1, 5901 Mills Civic Parkway – Preliminary Plat to subdivide the property into seven (7) lots for commercial development – Hurd Mill LLC – PP-002644-2015

Requested Action: Approval of Preliminary Plat

Case Advisor: Kara Tragesser, AICP

Applicant's Request: Hurd Mills LLC., represented by Ed Arp, Civil Engineering Consultants, is requesting approval of a Preliminary Plat for approximately 16.84 acres located at the northeast corner of South 60th Street and Mills Civic Parkway. The applicant proposes to subdivide the property into seven (7) lots for commercial development (see Attachment B – Location Map and Attachment C – Preliminary Plat).

History: The Mills Crossing Specific Plan for this property was approved by the City Council on November 3, 2014. A grading plan for the Mills Crossing development was approved by the Plan & Zoning Commission at their September 17, 2014, meeting to begin to prepare the site for development. A Plat of Survey was approved December 15, 2014, to transfer property for right-of-way purposes. An Overlay District Site Plan for a three tenant retail building was administratively approved on March 23, 2015 and is under construction. Two Overlay District Site Plans, one for a coffee shop and the other for a convenience store, have been submitted and are under review.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on April 9, 2015; the Subcommittee was supportive of the development.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment.

Comprehensive Plan Consistency: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Findings: This proposed project was distributed to various city departments for review and comment. Based upon that review, the following findings have been made on the proposed project:

1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that the project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan.
2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance.
3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare and safety of the community.
4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.

5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and the project has complied with or has been conditioned to comply with all City Code requirements.
6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the zoning designation and Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

Staff Recommendation And Conditions Of Approval: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Preliminary Plat to create seven (7) lots for commercial development, subject to the applicant meeting all City Code requirements and the following:

1. The applicant providing final drawings of the preliminary plat which addresses staff comments prior to the final plat proceeding to the City Council for approval.

Owner/Applicant: Hurd Mills LLC
2000 Fuller Road
West Des Moines IA 50265
515-778-1000
Richard Hurd

Applicant Rep: Civil Engineering Consultants
2400 86th Street #12
Des Moines IA 50322
515-276-4884
Ed Arp

ATTACHMENTS:

Attachment A	-	Plan and Zoning Commission Resolution
Attachment B	-	Location Map
Attachment C	-	Preliminary Plat

RESOLUTION NO. PZC-15-031

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN AMENDMENT TO THE VILLAGE OF PONDEROSA SPECIFIC PLAN (ZCSP-002695-2015).

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, LENL, LLC and LEWF, LLC, has requested approval for an amendment to the existing Village of Ponderosa Specific Plan for that certain 93.8 acre project known as the Village of Ponderosa development to amend the existing Village of Ponderosa Specific Plan Ordinance, Map and Exhibits to redefine and detail the regulations, allowances, and limitations of the proposed development to include multi-story market-rate and active senior apartments, additional single-family detached residential lots, a clubhouse, and a 4-story hotel within the development;

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on May 11, 2015, this Commission held a duly-noticed hearing to consider the application for the Zone Change Specific Plan (ZCSP-002695-2015)


NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated May 11, 2015, or as amended orally at the Plan and Zoning Commission hearing of May 11, 2015, as shown in Exhibit A, if any, are adopted.

SECTION 2. THE ZONE CHANGE SPECIFIC PLAN (ZCSP-002695-2015) amendment is recommended to the City Council for approval based on the findings in the staff report, dated May 11, 2015, including findings added at the Hearing.

PASSED AND ADOPTED on May 11, 2015.

Chris Costa


Michele Brown, Vice Chair
Plan and Zoning Commission

ATTEST:


Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on May 11, 2015, by the following vote:

AYES: Andersen, Costa, Hatfield, Southworth

NAYS: -0-

ABSTENTIONS: -0-

ABSENT: Crowley, Erickson, Brown

ATTEST:


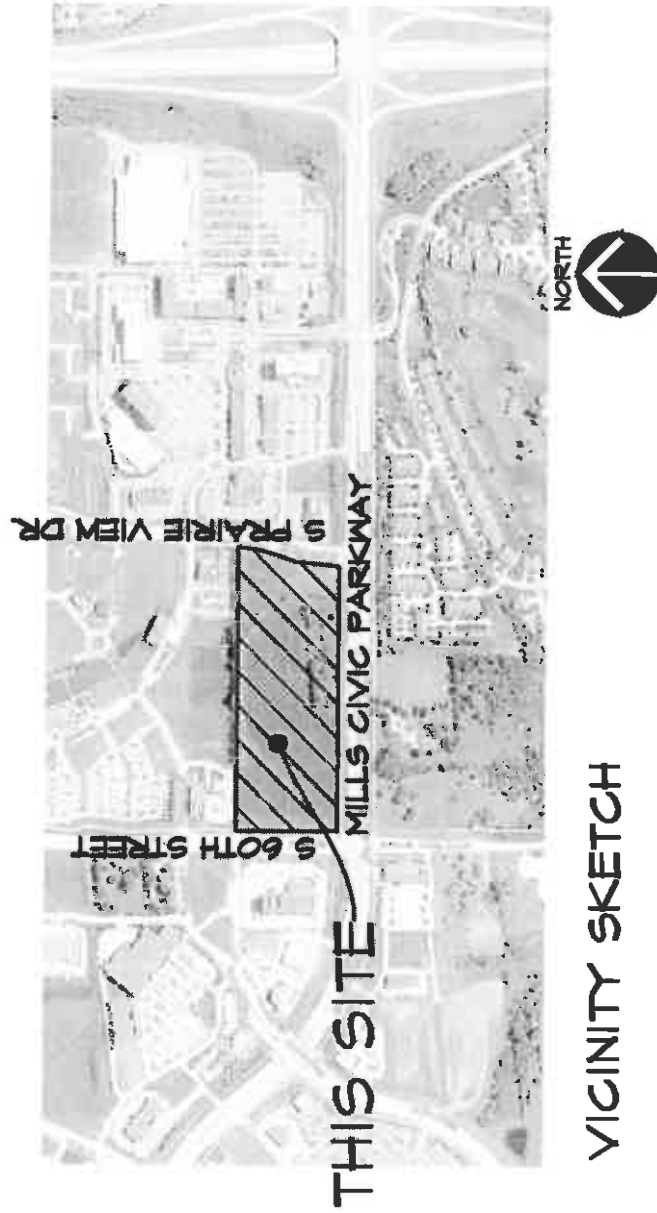
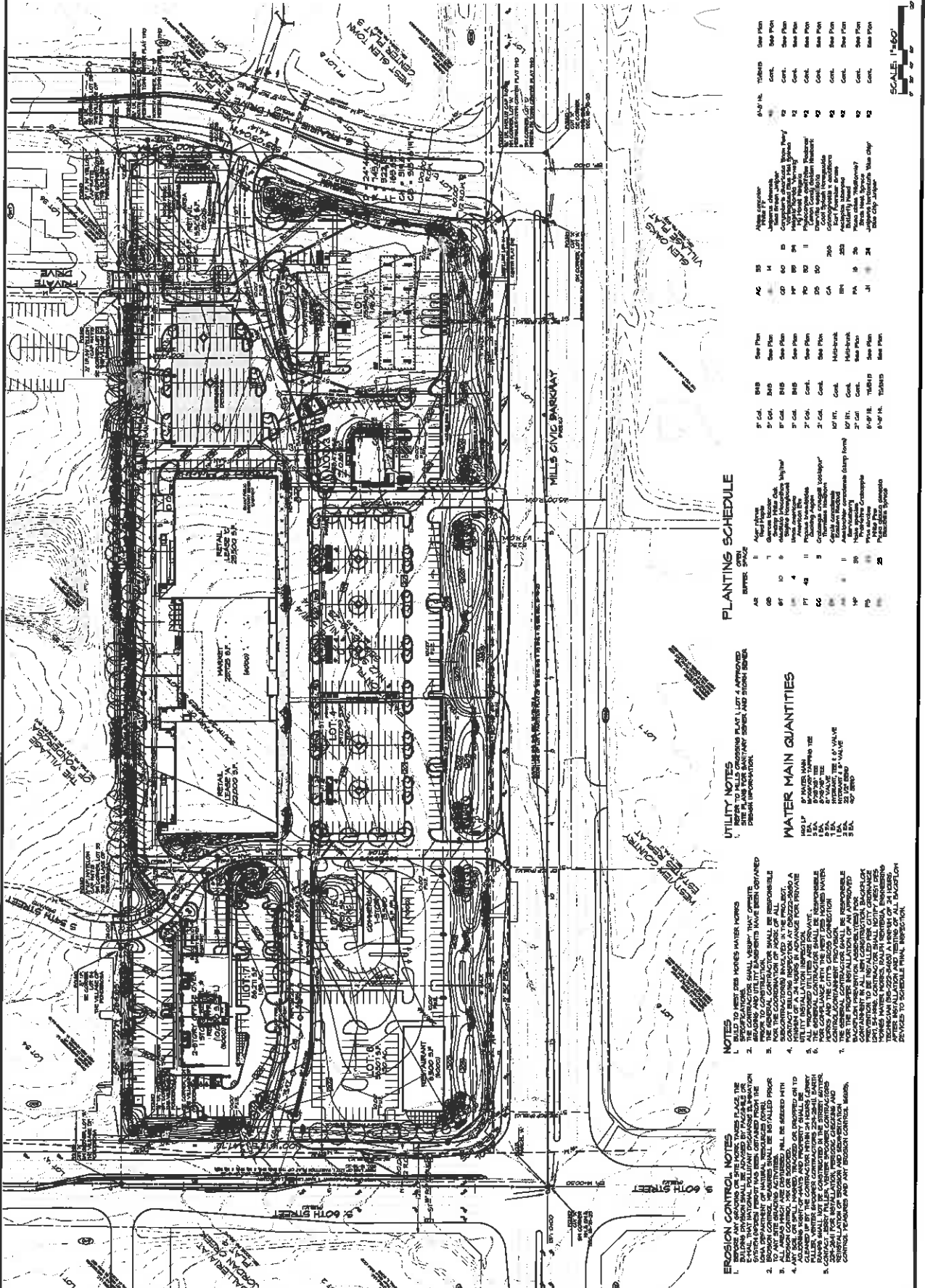

Recording Secretary

Exhibit A
Conditions of Approval

- 1. A revised Parkland Dedication Agreement acceptable to the City of West Des Moines, tailored to the 2015 Specific Plan update detailing the specifics relating to all parkland dedication requirements and/or recreation based improvements that are required of the developer(s) as a result of the original and amended proposed development shall be executed prior to issuance of the first building permit, including any footing and foundation permits associated with a residential dwelling structure.**
- 2. Applicant will need to provide the recently completed sanitary sewer capacity analysis for the Village of Ponderosa including the proposed changes to the adjacent West Glen development. The Applicant is responsible for coordinating with West Glen on their proposed changes and cost obligations for the identified improvements to the sewer system to resolve capacity issues due to increase in sewer use.**
- 3. The Applicant, as well as the Village of Ponderosa Master Association are responsible for correcting the following deficiencies and will need to provide a timeline on the following:**
 - a. Correction of the signage and pavement marking deficiencies identified in the recently completed traffic study.**
 - b. Correction of all storm water deficiencies noted in the storm water as-builts.**
- 4. As part of the development process, the respective property owner(s) or developer(s) will be responsible for:**
 - a. The installation of sidewalks adjacent to all public streets bordering the property that conform with the requirements of the Public ROW Accessibility Guidelines (PROWAG).**
 - b. Completing necessary repairs or paving of all existing private roadways.**
 - c. Completing the portion of unfinished trail along S. Granite Way that was part of the parkland dedication requirements for the original Village of Ponderosa project.**
 - d. Providing suitable connections from the internal trail network to the West Des Moines trail network**





PLANTING SCHEDULE

NUMBER	QUANTITY	PLANT SPECIES	NOTES
AC	14	See Plan	
AD	14	See Plan	
AE	14	See Plan	
AF	14	See Plan	
AG	14	See Plan	
AH	14	See Plan	
AI	14	See Plan	
AJ	14	See Plan	
AK	14	See Plan	
AL	14	See Plan	
AM	14	See Plan	
AN	14	See Plan	
AO	14	See Plan	
AP	14	See Plan	
AQ	14	See Plan	
AR	14	See Plan	
AS	14	See Plan	
AT	14	See Plan	
AU	14	See Plan	
AV	14	See Plan	
AW	14	See Plan	
AX	14	See Plan	
AY	14	See Plan	
AZ	14	See Plan	
BA	14	See Plan	
BB	14	See Plan	
BC	14	See Plan	
BD	14	See Plan	
BE	14	See Plan	
BF	14	See Plan	
BG	14	See Plan	
BH	14	See Plan	
BI	14	See Plan	
BJ	14	See Plan	
BK	14	See Plan	
BL	14	See Plan	
BM	14	See Plan	
BN	14	See Plan	
BO	14	See Plan	
BP	14	See Plan	
BQ	14	See Plan	
BR	14	See Plan	
BS	14	See Plan	
BT	14	See Plan	
BU	14	See Plan	
BV	14	See Plan	
BW	14	See Plan	
BX	14	See Plan	
BY	14	See Plan	
BZ	14	See Plan	
CA	14	See Plan	
CB	14	See Plan	
CC	14	See Plan	
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CG	14	See Plan	
CH	14	See Plan	
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GQ	14	See Plan	
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GS	14	See Plan	
GT	14	See Plan	
GU	14	See Plan	
GV	14	See Plan	
GW	14	See Plan	
GX	14	See Plan	
GY	14	See Plan	
GA	14	See Plan	

UTILITY NOTES

1. ALL UTILITIES SHALL BE AS SHOWN ON THIS PLAN AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES.
2. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE IOWA DEPARTMENT OF TRANSPORTATION (DOT) SPECIFICATIONS FOR UTILITIES.
3. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE IOWA DEPARTMENT OF TRANSPORTATION (DOT) SPECIFICATIONS FOR UTILITIES.
4. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE IOWA DEPARTMENT OF TRANSPORTATION (DOT) SPECIFICATIONS FOR UTILITIES.
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9. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE IOWA DEPARTMENT OF TRANSPORTATION (DOT) SPECIFICATIONS FOR UTILITIES.
10. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE IOWA DEPARTMENT OF TRANSPORTATION (DOT) SPECIFICATIONS FOR UTILITIES.

MATER MAIN QUANTITIES

- 1. 12" DIA. WATER MAIN: 1000 LF
- 2. 12" DIA. SANITARY MAIN: 1000 LF
- 3. 12" DIA. SEWER MAIN: 1000 LF
- 4. 12" DIA. GAS MAIN: 1000 LF
- 5. 12" DIA. TELEPHONE MAIN: 1000 LF
- 6. 12" DIA. CABLE MAIN: 1000 LF
- 7. 12" DIA. FIBER OPTIC MAIN: 1000 LF
- 8. 12" DIA. POWER MAIN: 1000 LF
- 9. 12" DIA. RAINWATER MAIN: 1000 LF
- 10. 12" DIA. IRRIGATION MAIN: 1000 LF

EROSION CONTROL NOTES

1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.
2. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.
3. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.
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10. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.

Prepared by: KTragesser City of West Des Moines Development Services, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING THE PRELIMINARY PLAT (PP-002644-2015) TO SUBDIVIDE PROPERTY INTO SEVEN (7) LOTS FOR COMMERCIAL DEVELOPMENT

WHEREAS, pursuant to the provisions of Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, Hurd Mills LLC requests approval for a preliminary plat to subdivide property into the seven (7) lots for commercial development at property legally described as:

Legal Description of Property

Parcel 'B' of lot 1 and official parcel recorded in Book 15500, Page 98, at the Polk County Recorder's Office, said Lot 1 being in the partition plat of SW1/4 of the NW1/4 and the N1/2 of the SW1/4 and the N1/2 of the SE ¼ Section 18, Township 78, Range 25 West of the 5th P.M., an official plat recorded in Book 'E', Page 37 at the Polk County Recorder's office, City of West Des Moines, Polk County, Iowa. Said parcel contains 15.19 acres more or less.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on May 11, 2015, the Plan and Zoning Commission recommend to the City Council approval of the Preliminary Plat; and

WHEREAS, on May 18, 2015, this City Council held a duly-noticed meeting to consider the application for a preliminary plat

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report for the preliminary plat, or as amended orally at the City Council meeting on this date, are adopted.

SECTION 2. The Preliminary Plat to subdivide property into seven (7) lots for commercial development is approved, subject to compliance with all the conditions in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on May 18, 2015.

Steven Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

EXHIBIT "A"
CONDITIONS OF APPROVAL

1. The applicant providing final drawings of the preliminary plat which addresses staff comments prior to the final plat proceeding to the City Council for approval.

CITY OF WEST DES MOINES
CITY COUNCIL COMMUNICATION

7(b)

DATE: May 18, 2015

ITEM:

Motion – Approval of Traffic Code Amendment
Special Stops Required
Orchard Drive with 63rd Street and 65th Street
First Reading

FINANCIAL IMPACT:

None.

BACKGROUND:

Staff has investigated two uncontrolled intersections for stop sign installation. The intersections have some sight distance restrictions that limit visibility. These intersections are also on the walking route to Peony Park from the south side of Ashworth Road. Staff recommends placing stop signs at the intersections of:

- 63rd Street and Orchard Drive
- 65th Street and Orchard Drive

RECOMMENDATION:

City Council Approve:

Motion approving First Reading

Lead Staff Member: Jim Dickinson, P.E. *JD*

STAFF REVIEWS

Department Director	Bret Hodne <i>BH</i>
Appropriations/Finance	Tim Stiles
Legal	
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	May 13, 2015		
Recommendation	Yes	No	Split

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING PROVISION PERTAINING TO THE TRAFFIC CODE RELATING TO OFFICIAL TRAFFIC CONTROLS.

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

SECTION 1. TITLE 6: (MOTOR VEHICLE AND TRAFFIC) CHAPTER 9: SECTION 6-9-3-1: SPECIAL STOPS REQUIRED: is hereby amended by modifying the following:

Add:

<u>Street</u>	<u>Vehicles Traveling</u>	<u>Shall Stop At</u>
Orchard Drive		63 rd Street
Orchard Drive		65 th Street

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY. If any section, provisions, sentence, clause, phrase or part of this 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. VIOLATION. Any person who violates the provisions of this Ordinance, upon conviction, shall be punished not in excess of a \$100 plus applicable surcharge and court costs.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in full force and effect from and after its passage, adoption, and publications as required by law.

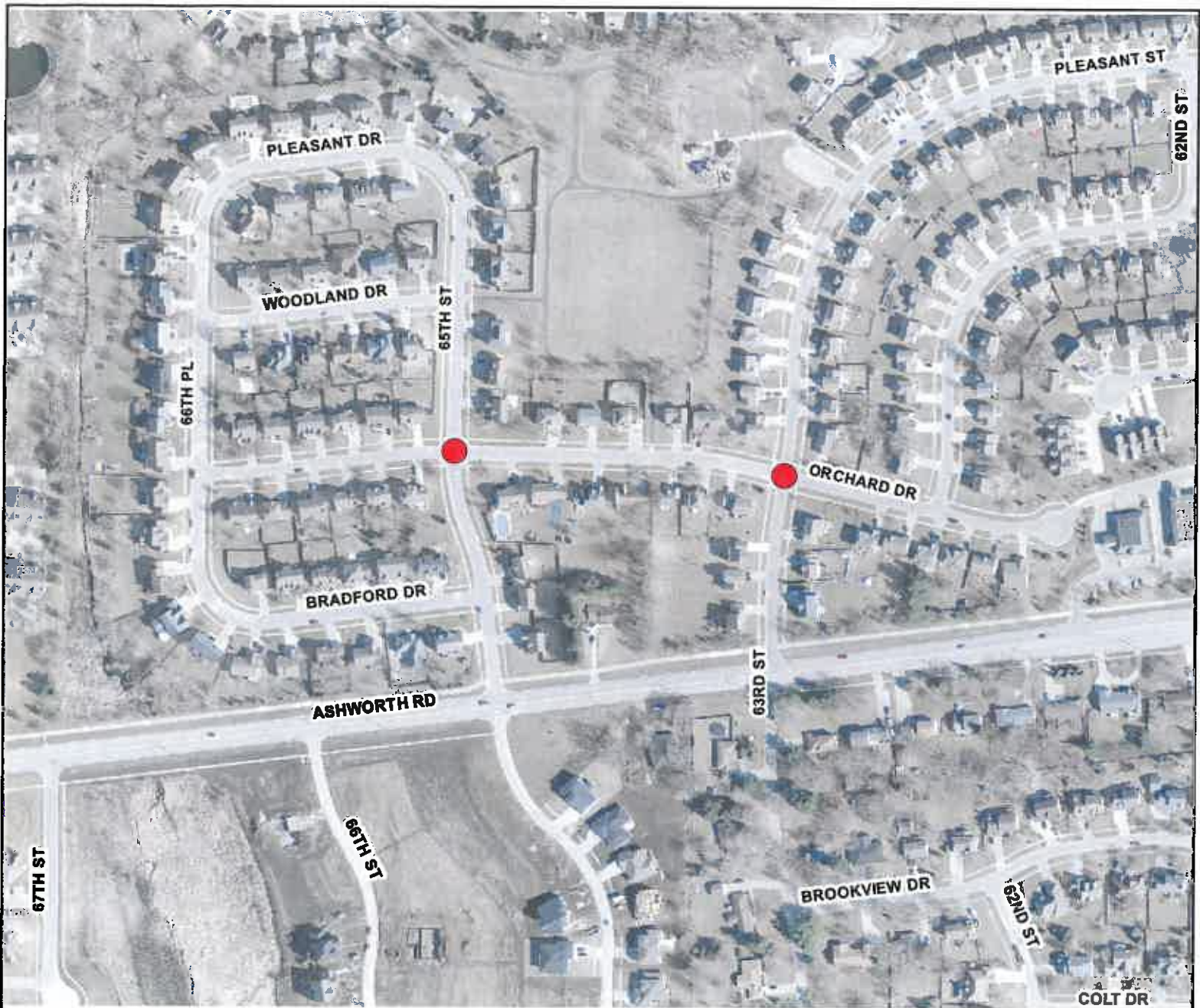
PASSED AND APPROVED this 18th day of May, 2015.

Steven K. Gaer, Mayor

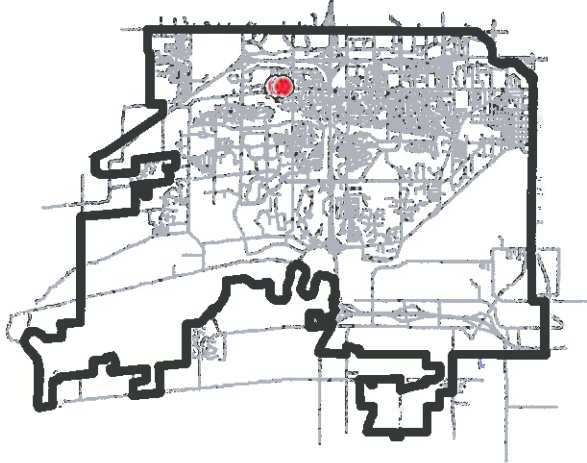
ATTEST:

Ryan T. Jacobson
City Clerk

Published in the Des Moines Register this _____ day of _____, 2015.



VICINITY MAP



LEGEND

PROJECT LOCATION ●



**DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION**
560 S. 18TH STREET (515)222-3475
WEST DES MOINES, IOWA 50265
FAX NO. (515)222-3478

PROJECT: **Approval of Traffic Code Amendment
Special Stops Required**

LOCATION: **Orchard Drive with 63rd Street and 65th Street**

DRAWN BY: MJA

DATE: 5/11/2015

SHT. 1 OF 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: May 18, 2015

ITEM:

Motion - Approval of Traffic Code Amendment
No Parking Zones
13th Street – Locust Street to Walnut Street – West side
First Reading

FINANCIAL IMPACT: None.

BACKGROUND:

This code amendment will remove parking from the west side of 13th Street between Locust Street and Walnut Street. The street is 16 feet wide in this section and not wide enough to allow parking on either side of 13th Street. Staff recommends that parking be removed from the west side of 13th Street between Locust Street and Walnut Street.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:
- Motion approving First Reading of Ordinance

Lead Staff Member: Jim Dickinson, P.E. *JD*

STAFF REVIEWS

Department Director	Bret Hodne <i>BH</i>
Appropriations/Finance	Tim Stiles
Legal	
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	May 13, 2015		
Recommendation	Yes	No	Split

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING PROVISION PERTAINING TO THE TRAFFIC CODE RELATING TO OFFICIAL TRAFFIC CONTROLS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA.

SECTION 1: TITLE 6 (MOTOR VEHICLES AND TRAFFIC), CHAPTER 9, SECTION 6-9-5-1: NO PARKING ZONES: is hereby amended by the following changes:

Add:

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Side</u>
13 th Street	Locust Street	Walnut Street	West

SECTION 2. REPEALER. All Ordinances or parts of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY. If any section, provisions, sentence, clause, phrase or part of this 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. VIOLATION. Any person who violates the provisions of this Ordinance, upon conviction, shall be punished with a fine not to exceed \$100.00 plus applicable surcharge and court costs.

SECTION 5. WHEN EFFECTIVE. This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

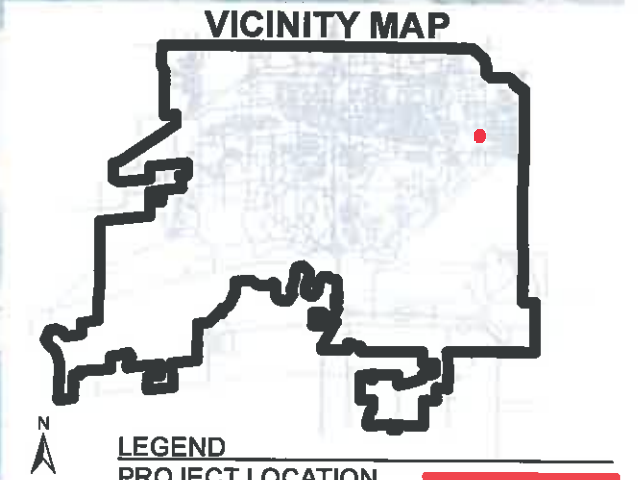
PASSED AND APPROVED this 18th day of May, 2015.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

Published in the Des Moines Register this _____ day of _____, 2015



**DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION**
560 S. 16TH STREET (515)222-3475
WEST DES MOINES, IOWA 50265
FAX NO. (515)222-3478

PROJECT:	Traffic Code Amendment No Parking Zones		
LOCATION:	13th Street - Locust Street to Walnut Street - West Side		
DRAWN BY:	MJA	DATE:	5/11/15
			SHT. 1 OF 1

CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION

ITEM: FY 2015-16 FY Hotel/Motel Tax Allocations

DATE: May 18, 2015

FINANCIAL IMPACT: The projected FY 2015-16 revenues are \$3,650,000 and allocated expenditures are \$3,568,714, so fund balance is expected to rise from \$326,265 to \$407,551 by June 30, 2016.

BACKGROUND: Although a significant portion of the City's annual Hotel/Motel Tax revenue has been previously committed through established policy or previous Council action, the Council is also able to use discretion when allocating the remainder. For the upcoming fiscal year, staff received applications from 11 non-profit organizations requesting discretionary funding.

Organization made presentations and answered questions regarding the funding requests to members of the Finance and Administration Sub-Committee at meetings on March 11, 2015, March 25, 2015 and April 22, 2015. Members of the Finance and Administration Sub-Committee reviewed the applications and notes from the presentations at a meeting on May 14, 2015 and are recommending allocations in accordance with the attached schedule. Highlights include the following:

- The West Des Moines Public Arts program will receive funding of \$160,000, of which \$120,000 is the "maximum" calculated contribution deriving from action taken by the Council in January 2011 and the remaining \$40,000 is a discretionary one-time contribution. To encourage private donations to the Public Arts program, additional funds have been allocated to match dollar for dollar donations, with a maximum match of \$60,000
- Central Iowa Shelters & Services will receive \$12,000 for the third annual contribution toward a five year \$60,000 commitment made by Council in 2013.
- \$50,000 will be allocated for continued improvements to the Holiday Park Baseball Complex.
- The WDM high school robotics team (STEAM Innovation Zone) will receive \$10,000 along with an understanding that the group must demonstrate matching funds prior to receiving funds.
- The WDM Business Incubator will receive \$10,000 along with an understanding that the group must demonstrate matching funds prior to receiving funds.
- The WDM Historical Society will receive \$40,000 for infrastructure improvements which represents an increase of \$20,000 from the previous year. \$15,000 of this total was committed by previous Council action in December 2013.
- The Iowa Senior Games will receive \$10,000 which represents an increase of \$2,150 from the previous year.
- Iowa Homeless Youth Centers will receive \$1,000 which represents an increase of \$275 from the previous year.
- All other discretionary programs will be funded at the same level as FY14-15.

OUTSTANDING ISSUES: None

RECOMMENDATION: Motion approving the Finance and Administration Committee recommendations regarding FY15-16 allocation of Hotel/Motel tax revenues.

Lead Staff Member: Chris Hamlett, Budget Analyst *CH*

STAFF REVIEWS

Department Director	Tim Stiles, Finance Director <i>TS</i>
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	n/a
Dates(s) Published	n/a

SUBCOMMITTEE REVIEW (if applicable)

Committee	Finance & Administration		
Date Reviewed	May 14, 2014		
Recommendation	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> Split

**City of West Des Moines
F&A Recommendation
Hotel Motel Tax Fund FY 15-16**

Hotel Motel Tax Revenue Budgeted **3,650,000**

Contractual Agreements

Convention Visitors Bureau (2/7th)	1,042,857	
Iowa Events Center (ends FY 18/19)	65,000	
Bravo (2/7th less IA Events Center)	977,857	
Civic Center of Greater Des Moines (ends FY 17/18)	16,500	
Total Committed by Agreement	2,102,214	2,102,214

Approved by Council

WDM Community Enrichment Foundation (approved 9/7/10)	10,000	
Public Arts (3/7 of excess of \$2,550,000 : \$50,000 min \$120,000 max)	160,000	
Public Arts (\$ for \$ donation match up to \$60,000)	60,000	
Central Iowa Shelter (\$12,000 annually for 5 yrs, thru FY 17-18)	12,000	
WDM Historical Society (\$15,000 annually for 4 yrs, thru FY 17-18)	15,000	
Solheim Cup	30,000	
Vyvacity (BBE Partners)	15,000	
Total Committed by Previous Council Resolution	302,000	302,000

City Budget Commitments

City Programs	637,000	
Economic Development Emphasis (Fund 1706)	50,000	
Total Committed by City Approved Budget	687,000	687,000

Incremental FY 16 Amount Available for Distribution **558,786**

City Uses

City Newsletter -WDM Magazine	100,000	
City Entrance Sign	15,000	
July 4th Celebration	17,000	
Publicity/Advertising	10,000	
Valley Junction Operations	25,000	
Youth In Parks Programming	25,000	
Holiday Park Baseball Improvements	50,000	
Total Planned City Uses	242,000	242,000

FY 15-16 Outside Requests

	Requested by Organization	F&A Recommendation	
Eddie Davis Community Center	15,000	15,000	
Historic Valley Junction Foundation	75,000	75,000	
Iowa Homeless Youth Centers	2,000	1,000	
Iowa Senior Games	10,000	10,000	
Iowa STEAM Innovation Zone	15,000	10,000	<< requires match
Junior Achievement	10,000	10,000	
Link Associates	10,000	-	
Tiger Softball Club	2,000	2,000	
WDM Business Incubator	20,000	10,000	<< requires match
WDM Chamber of Commerce & Dev. Connection	77,500	77,500	
WDM Historical Society	65,000	25,000	
WDM Girls Softball (advanced FY 14-15, 15-16, 16-17)	NA	NA	
WDM Soccer Club (resumes \$20,000 in FY 16-17)	NA	NA	
Total Outside Funding Awarded	301,500	235,500	

Increase (Decrease) Fund Balance **81,286**

Beginning Fund Balance **326,265**

Ending Fund Balance **407,551**

FY 2014-15 Hotel Motel Tax

Policy	Activity/Organization	2010-11 Actual	2011-12 Actual	2012-13 Actual	2013-14 Actual	2014-15 Budget	2015-16 Suggested
3.2	Hotel/Motel Tax Revenue	\$ 2,903,788	\$ 3,071,320	\$ 3,287,208	\$ 3,457,345	\$ 3,150,000	\$ 3,650,000
4.0	Contractual Agreements						
	Convention/Visitors Bureau	\$ 804,397	\$ 849,837	\$ 911,149	\$ 997,887	\$ 900,000	\$ 1,042,857
	BRAVO (Cultural Alliance)	707,779	784,837	846,149	932,887	835,000	977,857
	Iowa Events Center (ends 18/19 FY)	65,000	65,000	65,000	65,000	65,000	65,000
	Principal Park (Sec Taylor Stadium) (ends 10/11 FY)	31,617	-	-	-	-	-
	Contractual Agreements Sub-Total	\$ 1,608,793	\$ 1,699,673	\$ 1,822,297	\$ 1,995,774	\$ 1,800,000	\$ 2,085,714
5.0	City Budget Commitments						
5.1	City Programs	829,356	874,837	939,202	987,813	637,000	637,000
5.2	Economic Development Emphasis	50,000	50,000	50,000	50,000	75,000	50,000
5.3	Public Art	-	-	147,435	120,000	160,000	220,000
	City Budget Commitments Sub-Total	\$ 879,356	\$ 924,837	\$ 1,136,638	\$ 1,157,813	\$ 872,000	\$ 907,000
6.0	Other Activities						
6.1	Amount Available for Further Allocation	\$ 415,639	\$ 446,811	\$ 328,273	\$ 303,758	\$ 478,000	\$ 657,286
6.2.1	West Des Moines Based Activities						
	City Newsletter - WDM Magazine	66,296	86,100	86,100	86,100	88,000	\$ 100,000
	City Signs	-	-	-	10,907	25,000	15,000
	Council Directive	-	-	-	-	-	-
	Eddie Davis Community Center	15,000	15,000	15,000	15,000	15,000	15,000
	Historic Valley Junction Foundation	45,212	59,779	60,000	75,000	75,000	75,000
	Holiday Park Baseball Club, Inc.	20,000	20,000	136,950	-	-	-
	Holid Park Baseball Improvements	-	-	-	-	-	50,000
	July 4th Celebration	14,500	15,000	15,500	16,000	16,500	17,000
	Mainstream Living	-	-	-	-	6,190	-
	Publicity/Advertising	9,464	10,534	15,458	6,835	10,000	10,000
	Solheim Cup	-	-	-	-	-	30,000
	Tiger Softball Club	2,000	2,000	2,000	2,000	2,000	2,000
	Valley Junction Operations	3,737	12,718	4,626	43,763	25,000	25,000
	Vyvacity	-	-	-	-	-	15,000
	WDM Business Incubator	-	-	10,000	-	10,000	* 10,000
	WDM Chamber of Commerce	15,000	15,000	15,000	15,000	27,500	27,500
	WDM Community Celebration	15,000	15,000	15,000	-	-	-
	WDM Community Enrichment Foundation (ongoing)	-	-	-	10,000	10,000	* 10,000
	WDM Development Connection	-	40,000.00	40,000	50,000	50,000	50,000
	WDM Girls Softball	20,000	20,000	80,000	20,000	0	-
	WDM Historical Society	11,700	11,700.00	11,700.00	15,000	5,000	25,000
	WDM Historical Society (\$15,000 per year through FY 17-18)	-	-	-	-	15,000	15,000
	WDM Soccer Club (resumes in FY 16-17)	120,000	-	-	-	-	-
	WDM STEAM Innovation Zone	-	-	-	-	10,000	* 10,000
	West Side Track Club	2,000	-	-	-	-	-
	Youth In Park Programs	36,589	26,483	30,060	14,245	25,000	25,000
	West Des Moines Sub-Total	\$ 396,498	\$ 349,314	\$ 537,394	\$ 379,849	\$ 415,190	\$ 526,500
6.2.2	Metropolitan Based Activities						
	Choose Des Moines Communities	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ -
	Dallas County Development Alliance	10,250	-	-	-	-	-
	Warren County Economic Development	5,000	-	-	-	-	-
	Central Iowa Shelters & Services (ends 17-18 FY)	-	-	-	12,000	12,000	12,000
	Civic Center of Greater Des Moines (ends 18-19 FY)	16,500	16,500	16,500	16,500	16,500	16,500
	Iowa Homeless Youth Center	725	725	725	-	725	1,000
	Iowa Senior Olympics	7,850	7,850	7,850	-	7,850	10,000
	Raccoon River Valley Trail (ends 12-13 FY)	20,000.00	20,000	20,000	-	-	-
	Junior Achievement	10,000.00	-	-	-	10,000	10,000
	Polk County Conservation	-	-	-	-	15,000	-
	Principal Charity Classic (ends 12-13 FY)	25,000	40,000	40,000	-	-	-
	Metropolitan Organizations Sub-Total	\$ 120,325	\$ 85,075	\$ 85,075	\$ 28,500	\$ 62,075	\$ 49,500
	Total Expenditures	\$ 3,004,972	\$ 3,058,899	\$ 3,581,404	\$ 3,561,937	\$ 3,149,265	\$ 3,568,714
	Increase (Decrease) in Fund Balance	(101,184)	12,422	(294,196)	(104,591)	735	81,286
	Beginning Fund Balance	1,382,344	1,281,160	1,293,582	999,386	325,530	326,265
	Ending Fund Balance	\$ 1,281,160	\$ 1,293,582	\$ 999,386	\$ 894,794	\$ 326,265	\$ 407,551
	Accounts Payable (Sept Payments for 6/30 Receipts)				569,264		
	Adjusted Ending Fund Balance				325,530		

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: May 18, 2015

ITEM: Eldorado Estates, 1450 S. Jordan Creek Parkway – Establish a new Planned Unit Development (PUD) – Chayse Holdings, LLC - ZC-002700-2015

MOTION: Refer to Plan and Zoning Commission

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Chayse Holdings, LLC, is requesting to establish a new Planned Unit Development (PUD) on property located at 1450 S. Jordan Creek Parkway to reduce the minimum required front yard setback for Residential Estate zoned property to preserve trees and grades.

At this time the petitioner is requesting that the City Council initiate the rezoning request and refer it to the Plan and Zoning Commission for their review and recommendation. The initiation of the rezoning request by the City Council does not indicate support or opposition to the rezoning request or the project pending on this site. The initiation of the request merely responds to the due process rights of the petitioner.

RECOMMENDATION: Staff recommends initiation of the rezoning request and forwarding it to the Plan and Zoning Commission for their review and recommendation.

Lead Staff Member: Brian Portz, Case Planner *BP*

STAFF REVIEWS:

Department Director	
Appropriations/Finance	
Legal	<i>RTJ</i>
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	n/a
Date(s) Published	n/a
Letter sent to surrounding property owners	n/a

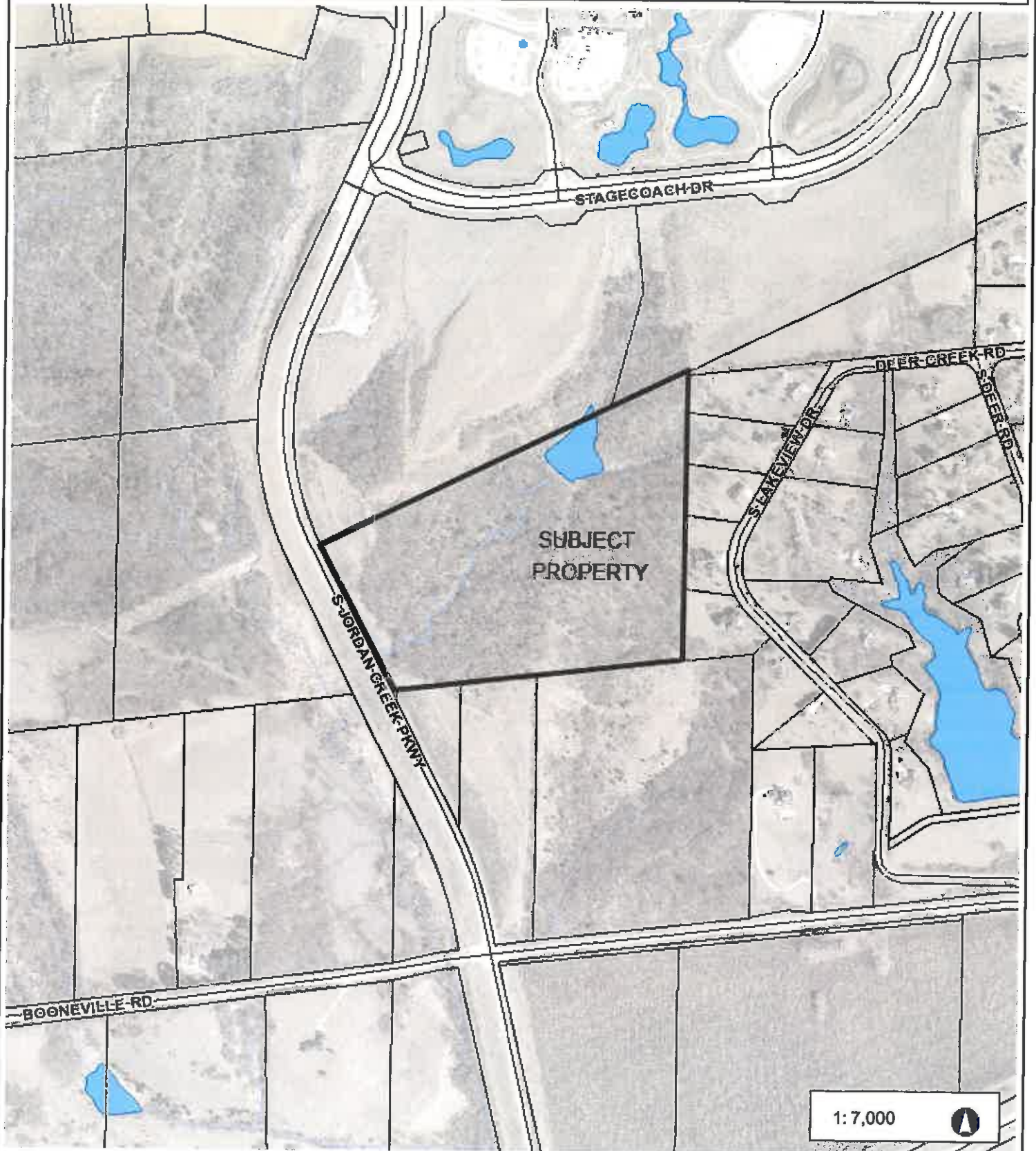
SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	
Recommendation	Yes <input type="checkbox"/> No <input type="checkbox"/> Split <input type="checkbox"/>

ATTACHMENTS:

Exhibit I - Location Map

Location Map



1,166.7 0 583.33 1,166.7 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
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**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: May 18, 2015

ITEM: Whisper Rock at Quail Cove, 5100 Block of Cherrywood Drive – Rezone property from Residential Medium Density (RM-8) to Single Family Residential (R-1) – Prairie Building and Development, LLC – ZC-002701-2015

MOTION: Refer to Plan and Zoning Commission

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Prairie Building and Development, LLC is requesting to rezone the property from Residential Medium Density (RM-8) to Single Family Residential (R-1) to accommodate single family detached dwelling units.

At this time the petitioner is requesting that the City Council initiate the rezoning request and refer it to the Plan and Zoning Commission for their review and recommendation. The initiation of the rezoning request by the City Council does not indicate support or opposition to the rezoning request or the project pending on this site. The initiation of the request merely responds to the due process rights of the petitioner.

RECOMMENDATION: Staff recommends initiation of the rezoning request and forwarding it to the Plan and Zoning Commission for their review and recommendation.

Lead Staff Member: Kara Tragesser, AICP *KAT*

STAFF REVIEWS:

Department Director	<i>LA</i>
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	n/a
Date(s) Published	n/a
Letter sent to surrounding property owners	n/a

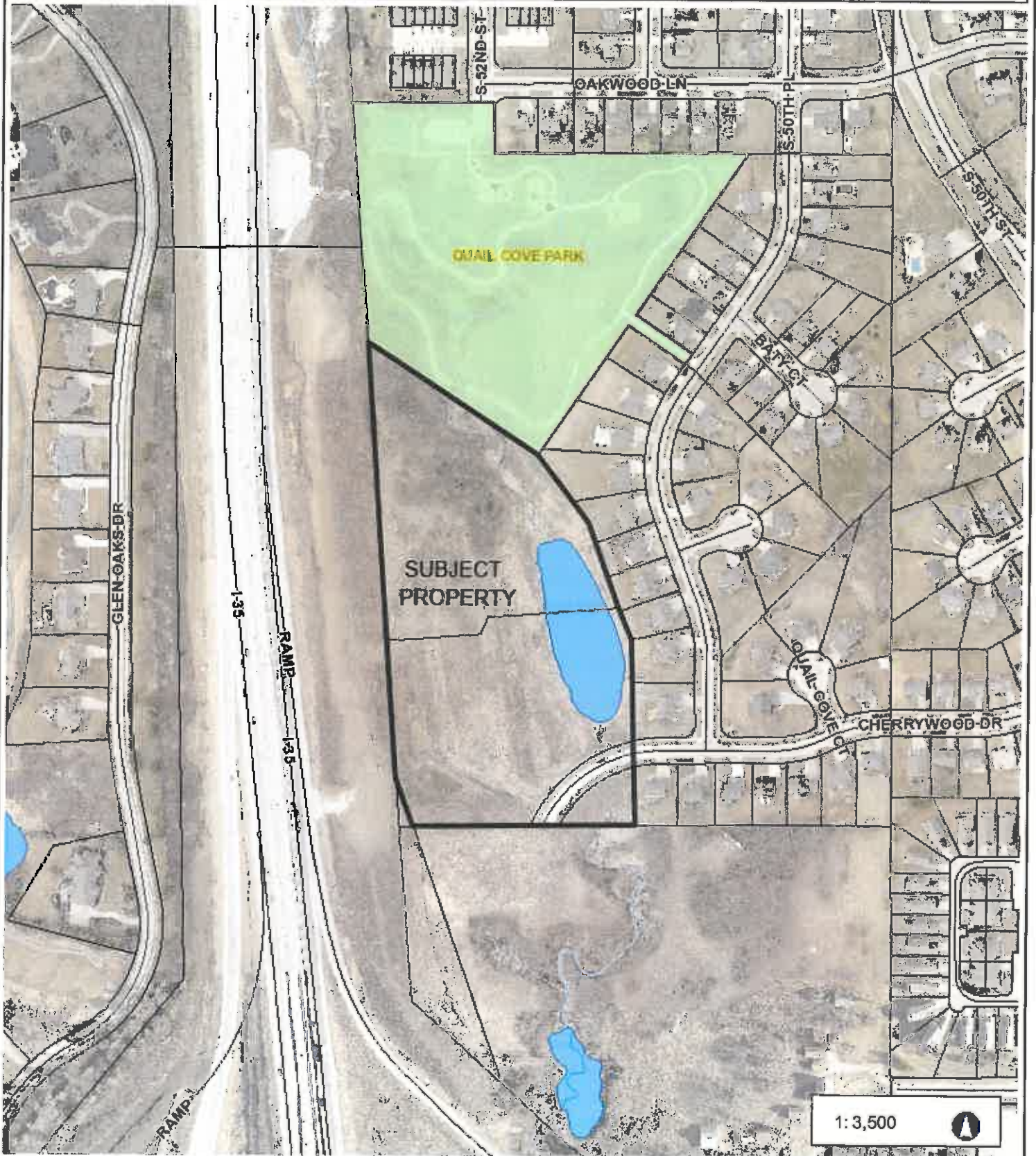
SUBCOMMITTEE REVIEW (if applicable)

Committee	n/a		
Date Reviewed			
Recommendation	Yes	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

Exhibit I - Location Map

Location Map



583.3 0 291.67 583.3 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
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**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: May 18, 2015

ITEM: Country Club Office Plaza PUD, 72nd Street and Woodland Avenue – Amend the Country Club Office Plaza PUD (Planned Unit Development) to remove property from the PUD - ZC-00711-2015

MOTION: Refer to Plan and Zoning Commission

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, City of West Des Moines, requests an amendment to the Country Club Office Plaza PUD (Planned Unit Development) to remove property from the Country Club Office Plaza PUD because the property is included in the Ashworth Corridor PUD which is the proper PUD for the property.

At this time the petitioner is requesting that the City Council initiate the rezoning request and refer it to the Plan and Zoning Commission for their review and recommendation. The initiation of the rezoning request by the City Council does not indicate support or opposition to the rezoning request or the project pending on this site.

RECOMMENDATION: Staff recommends initiation of the rezoning request and forwarding it to the Plan and Zoning Commission for their review and recommendation.

Lead Staff Member: Kara Tragesser, AICP *KRT*

STAFF REVIEWS:

Department Director	
Appropriations/Finance	<i>JS</i>
Legal	
Agenda Acceptance	<i>KRT</i>

PUBLICATION(S) (if applicable)

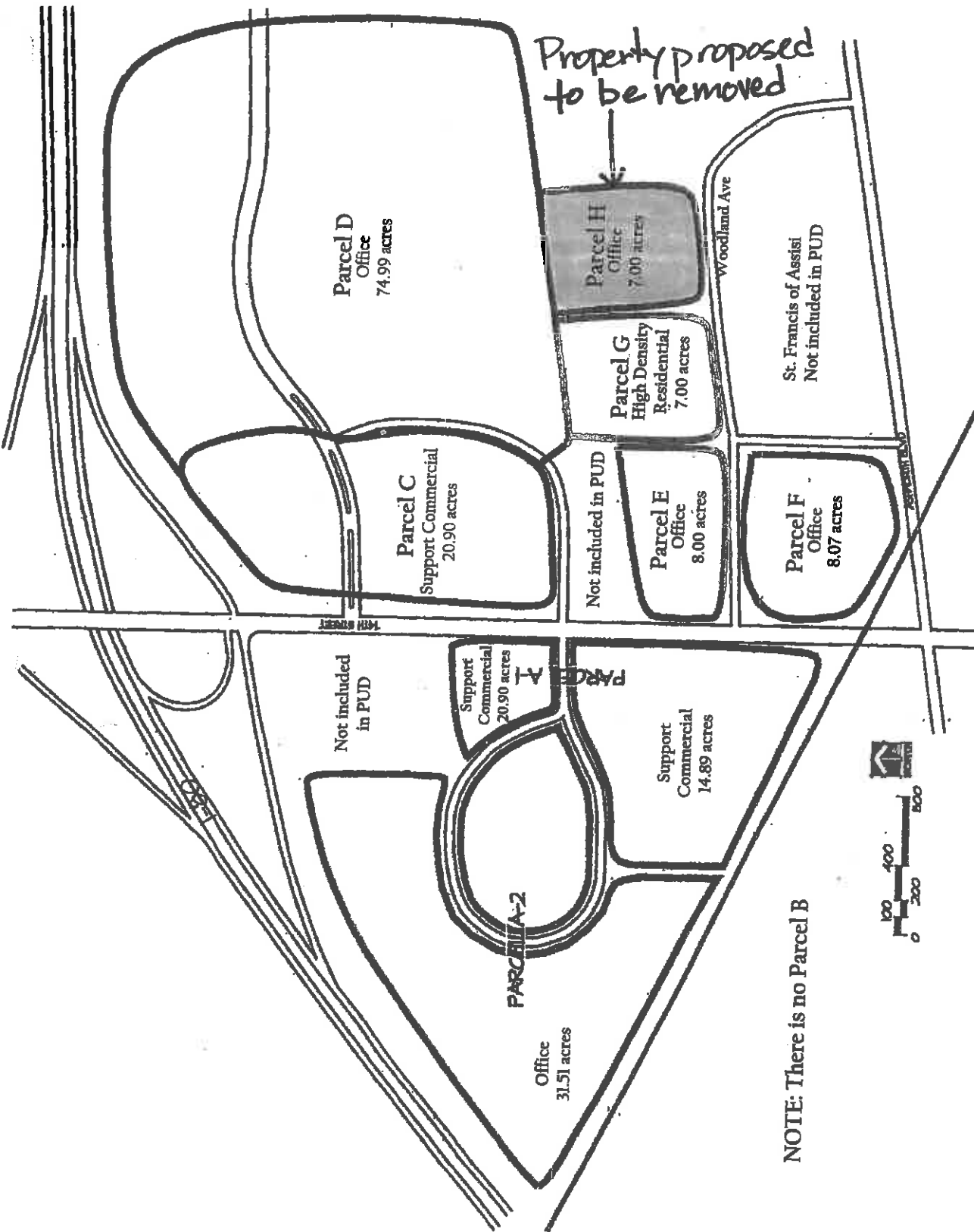
Published In	n/a
Date(s) Published	n/a
Letter sent to surrounding property owners	n/a

SUBCOMMITTEE REVIEW (if applicable)

Committee	n/a		
Date Reviewed			
Recommendation	Yes	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

Exhibit I Location Map



NOTE: There is no Parcel B

COUNTRY CLUB OFFICE PLAZA (CCOP) PUD
 fka: Fountain West PUD

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: May 18, 2015

ITEM: Ashworth Road Corridor PUD, 7200 Woodland Avenue – Amend the Ashworth Road Corridor PUD (Planned Unit Development) to remove property from the PUD and to amend the zoning of the east half of Parcel 1 from Office to High Density Residential - ZC-00712-2015

MOTION: Refer to Plan and Zoning Commission

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, City of West Des Moines, requests an amendment to the Ashworth Road Corridor PUD (Planned Unit Development) to remove property from the Ashworth Road PUD because the property is included in the Country Club Office Plaza PUD which is the proper PUD for the property. Also, the east one half of PUD Parcel 1 will be rezoned from Office to High Density Residential.

At this time the City is requesting that the City Council initiate the rezoning request and refer it to the Plan and Zoning Commission for their review and recommendation. The initiation of the rezoning request by the City Council does not indicate support or opposition to the rezoning request or the project pending on this site.

RECOMMENDATION: Staff recommends initiation of the rezoning request and forwarding it to the Plan and Zoning Commission for their review and recommendation.

Lead Staff Member: Kara Tragesser, AICP *Karen*

STAFF REVIEWS:

Department Director	
Appropriations/Finance	
Legal	<i>JD</i>
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	n/a
Date(s) Published	n/a
Letter sent to surrounding property owners	n/a

SUBCOMMITTEE REVIEW (if applicable)

Committee	n/a		
Date Reviewed			
Recommendation	Yes	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

Exhibit I - Location Map



Location Map



1:4,500



750.0 0 375.00 750.0 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
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