CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: June 15, 2015

ITEM: Grand Lakes PUD, north and west of Grand Avenue across from the Raccoon River Park entrance – Amend the Comprehensive Plan land use designations for the undeveloped property in the Eight Ways PUD and Amend the Eight Ways PUD to reconfigure PUD parcels, zone PUD parcels consistent with the amended Comprehensive Plan, define development regulations for undeveloped parcels, detail detention basin improvements, and change the name of the PUD to Grand Lakes – Diligent Grand Ave. 67 LLC – CPA-002640-2015/ZC-002622-2015 **(Deferred from June 1, 2015)**

Resolution: Approval of Comprehensive Plan Amendment
Ordinance: Approval of First Reading

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Diligent Grand Avenue 67, LLC, requests an amendment to the Comprehensive Plan and existing Eight Ways PUD for properties located on the north/west side of Grand Avenue across from the entrance to Raccoon River Park (See Exhibit I, Attachment A – Location Map).

The following changes to the land use designations are requested (see Exhibit I, Attachment B: Current and Proposed Land Use Maps):

- Change the commercial designation from Support Commercial to Neighborhood Commercial;
- Change the High Density Residential to Medium Density Residential and Single Family Residential;
- Change part of the Single Family Residential to also include Parks and Greenways;
- Change the Low Density Residential to Single Family Residential and Parks and Greenways.

Additionally, the applicant requests to amend the Eight Ways PUD to:

- Change the configuration of PUD Parcels C, E, and F, and eliminate Parcel I;
- Reduce the amount of multi-family residential;
- Increase the size of the proposed detention basin/pond;
- Update the underlying zoning designations specified to match current zoning designations and the Comprehensive Plan Land Uses; and,
- Change the name of the PUD from Eight Ways to Grand Lakes

(See Exhibit I, Attachment C: Current PUD sketch and Proposed PUD Sketch)

Plan and Zoning Commission Action:
Vote: 6-0 approval with Commissioner Brown absent
Date: June 8, 2015
Motion: Adopt a resolution recommending the City Council approve the Comprehensive Plan Amendment and Adopt of resolution recommending the City Council approve the Rezoning Ordinance.

Several residents of the surrounding neighborhood spoke at the Plan & Zoning Commission meeting during the public hearing. Those comments are summarized below and more detailed in the Plan & Zoning Commission draft minutes for June 8, 2015 (see Exhibit II: Draft Plan and Zoning Commission Meeting Minutes June 8, 2015). Written correspondence from citizens who received notice of the public hearing, as well as written comments received at the dais are included in Exhibit I, Attachment F: Citizen Comments.

- *Flooding*:
  - Residents expressed concern with an increase in potential flooding of existing homes in the area due to development and the increase in the size of the lake.
  - Some of those commenting indicated that they already have problems with water coming from the north. Many feel they will be sandwiched between rising water on the south and the water coming from the north and that development of the area will make the situation worse.

- It was indicated that years ago a member of City staff required the removal of a berm between the Valley Ridge Place townhomes and the commercial ground so as to minimize flooding for this area.
- Residents of the townhomes and others mentioned that they were recently removed from FEMA flood designations which required the purchase of flood insurance and they wished to not be put back in.

- *Scenic Valley Drive*:
  - Against extending Scenic Valley Drive from where it currently ends through to Grand Avenue. Many stating they didn't see a need for it to connect.
  - Connection will increase traffic and decrease safety.
  - Concerned it will become a thoroughfare and become a cut-through for individuals going to and leaving Raccoon River Park.
  - Issues today with individuals "racing" through the streets (suggested as leaving the park/Grand Ave).

- *Traffic Signals at Grand Avenue and Scenic Valley Drive:* Concern that installing signals at this intersection will encourage more traffic on Valley Ridge Place through the townhomes as people try to avoid the signal.

- *Valley Ridge Place:* Concern with an increase in traffic through the bi-attached townhome development.

- *Lake*: Questions included:
  - Who and how the pond will be maintained, including algae control.
  - Whether it be a public or private pond and does the general public have access to it or only the residents.
  - Whether or not boats will be allowed.
  - Whether a pond was needed at all.
  - One resident spoke of concern for safety of children.

- *School Impact:* One question regarding if the school district has been notified of the development and if the school wanted the additional kids due to the potential for overcrowding with the implementation of 80 single family lots.

- *Parcel B, the Commercial piece:* Generally don't want at all and concerns with the types of uses that would be allowed in the commercial zone were expressed.

OUTSTANDING ISSUES: There are no outstanding issues. Staff notes the following information with regard to comments provided at the Plan & Zoning Commission meeting.

Storm Water Management: The construction of the storm water detention facility will decrease the potential for flooding in the area due to the increase storage volume that will be available. Storm water draining from the north will not change due to this development proposal and will function as it does today. The storm water management plans that were developed in the late 80's as part of the PUD will be adhered to as was the case for all the existing residential properties in the area. The Federal Emergency Management Agency (FEMA) published draft Flood Insurance Rate Maps (FIRMs) revisions in April 2015, updating current maps published in 2006. The most recent FEMA FIRM amendments for West Des Moines were reviewed by staff and the Public Works Council Committee in May of 2015. Revisions will be released for public comment in the near future. Major changes to the regulatory floodplain in this area are not expected.

Road Network within the area: Scenic Valley Drive is classified as a minor collector and has been planned since 1990 when the PUD for the area was adopted, and has subsequently been shown on the Ultimate Streets Map since at least 1993, the Eight Ways Farm Plat in 1991, the PUD sketch plans since 1990, the Zoning Map since at least 1993, and the Comprehensive Plan map since at least 1993 as connecting from S. 35th Street to Grand Avenue. The City anticipated that Scenic Valley Drive would be connected to Grand Avenue by the early 90's. The extension of

this street is a responsibility of the developers and due to the climate for development this connection did not occur in a timely fashion. The net result has left many properties with dead end lengths that exceed current City standards. Scenic Valley Drive today is connected to Valley Ridge Drive with a gated temporary road to serve emergency responders due to the dead end lengths.

The Scenic Valley Drive connection is necessary for traffic circulation, emergency response and access to Parcels B, C, and E. It would provide a quicker route for people living in the Grand Lakes and Heatherwood developments to reach the planned neighborhood commercial area and to reach Raccoon River Park. This avoids creating the issue of "I can see where I want to go, but I have to drive all the way around to get there". The shorter distance would also help encourage walking and bicycling as an alternative to driving.

Cut-thru traffic from the park is expected to be low, as most of the traffic leaving the park and headed northwest will have a faster route by turning right onto Grand (easier and quicker than waiting to cross Grand) and using Fuller Road which is a straight east/west street (rather than a winding Scenic Valley Drive) and has a higher speed limit of 35 mph (rather than 25 mph on Scenic Valley Drive). There is also less side friction on the Fuller Road route, which makes it more appealing to thru traffic.

There will be an increase in traffic as a result of the proposed development since the existing ground is vacant. However, the amount of traffic generated by the development is estimated to be less than previous estimates due to lower-intensity land uses. For example, the change in land use for the previously planned high density residential parcel to a mix of single family and medium density residential is expected to result in traffic generation that is approximately 15% of the traffic that could have been generated on the high density parcel. Some of the new trips will traverse westerly along Scenic Valley Drive. After the Grand Lakes development is fully built-out, traffic volumes on Scenic Valley Drive through the single family residential area are forecasted to be in the range of 1,500 vehicles per day. This amount of traffic is comparable to other similar minor collector streets in residential areas.

The existing 25 mph speed limit on Scenic Valley Drive is planned to stay the same. If speeding problems arise, traffic calming measures such as a speed display sign, which is used on other residential streets, or extra police enforcement may be considered.

Parcel D: Detention Pond: The Eight Ways PUD provided for storm water detention in 1990 with the designation of Parcel D to be a lake for storm water detention. The purpose of the detention pond was to provide a location to store storm water from the upstream area without causing any property damage. The necessity of the storage was due to the sizing of the existing culverts under Grand Avenue and the railroad tracks and the inability to transmit all the potential storm water to the Raccoon River because of the culvert sizing. The proposed pond is being sized to accommodate a 1% probability storm in the local basin with no property damage. The developer of Grand Lakes is also working together with the engineer for the Grand Avenue Widening project to provide protection from water backing up from the Raccoon River. The aforementioned improvements will help to improve flood risk from the creeks and river for all of the properties north of Grand Avenue. The pond will be constructed by the developer and the City will assume ownership and maintenance.

As a City feature, the public will have access to the pond by trails that will eventually be constructed surrounding the pond. The pond will be maintained to sustain quality aquaculture. The slopes adjacent to the lake and the trail around the lake will be constructed to current City design standards. The City's design standards are in place to help protect the public from hazards and provide safe amenities for the public to enjoy.

West Des Moines Schools: The West Des Moines School District was not notified regarding the requested Comprehensive Plan Amendment and the Rezoning. The school districts covering West Des Moines are notified when residential plats are approved. The use of portions of the property for residential development has been indicated on planning documents since at least 1987 with the adoption of the Grand Woods PUD and 1990 when the PUD area was expanded with the adoption of the Eight Ways PUD. The proposed development greatly decreases the number of dwelling units from the entitlement and thus the number of potential students. The current Eight Ways PUD allows for the construction of 413 dwelling units including 300 high density units, 85 medium density units, and 28 single family units. The proposed Grand Lakes PUD proposes 89 total dwelling units including 65 designated single family detached lots and up to 24 bi-attached dwelling units, but no apartments.

Commercial Parcel PUD Parcel B: The Eight Ways PUD has provided for commercial land use on the parcel at the northwest corner of future Scenic Valley Drive and Grand Avenue since the 1990 adoption of PUD Ordinance 916: Eight Ways. The current Comprehensive Plan Land Use Map indicates the property as Support Commercial. Support Commercial zoning, if it were to be applied, includes more auto-oriented businesses such as fast-food restaurants with drive-thru, hotels, repair shops, auto parts stores, and auto dealers. Per the Eight Ways PUD, the zoning of the property is C-1-A, a commercial zoning much like our current Neighborhood Commercial zoning district. Neighborhood Commercial allows for smaller retail and office type uses such as professional offices, drugstores, and beauty and barber shops. Both the C-1-A and the Neighborhood Commercial districts allow convenience stores with gasoline sales. Staff supports the requested change to Neighborhood Commercial.

Traffic Study: A traffic study for the proposed uses was conducted in April 2015 and gave geometric and operational recommendations for the street system. One of these recommendations is a traffic signal at the intersection of Grand Avenue and Scenic Valley Drive. The primary purpose of the traffic signal is to provide a safe and protected method to enter Grand Avenue, the Raccoon River Park and Scenic Valley Drive with vehicles, bicycles and pedestrians. The traffic signal will give the major street (Grand Avenue) priority and minimize the amount of delay. Therefore, drivers won't be as likely to use other routes to avoid the signal. As Grand Avenue traffic increases over time, turning left onto Grand Avenue will become more difficult. Northbound traffic will naturally travel to the signal at Scenic Valley Drive to have an easier left-turn onto Grand compared to turning left from the stop sign at River Ridge Drive.

Additionally, the following items of interest are noted in the attached Plan and Zoning Commission report (see Exhibit I):

- Request
- History
- City Council Subcommittee *Development and Planning (April 9, 2015)*
- Citizen Comments
- Staff Review and Comments
    - *Comprehensive Plan Land Use Amendment*
    - *PUD Amendments*
    - *Detention Basin*
    - *Name Change*
- Comprehensive Plan Consistency
- Noticing Information
- Staff Recommendations and Conditions of Approval
- 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, the Plan and Zoning Commission recommends the City Council approve the Comprehensive Plan Land Use map amendment to change the land use designation from Support Commercial (SC) to Neighborhood Commercial (NC); from High Density Residential (HD) to Medium Density Residential (MD) and Single Family Residential (SF); from Low Density Residential (LD) to Single Family Residential (SF) and Parks and Greenways (PG); and part of the Single Family Residential (SF) to also include Parks and Greenways (PG), subject to the applicant meeting all City Code requirements.

Staff Recommendation And Conditions Of Approval – PUD Amendment: 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 approval of an amendment to Eight Ways PUD for this property as described in the staff report; subject to the applicant meeting all City Code requirements.

Lead Staff Member: Kara Tragesser

STAFF REVIEWS:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	*Des Moines Register*	
Date(s) Published	May 29, 2015	
Letter sent to surrounding property owners		May 27, 2015

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development and Planning		
Date Reviewed	April 9, 2015		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Plan and Zoning Communication
- Attachment A - Location Map
- Attachment B - Current and Proposed Comprehensive Plan Land Use Maps
- Attachment C - Current and Proposed PUD Sketch
- Attachment D - Plan and Zoning Commission Resolution Comprehensive Plan Amendment
  - Exhibit A - Conditions of Approval (none)
  - Exhibit B - Current and Proposed Comprehensive Plan Land Use Maps
- Attachment E - Plan and Zoning Commission Resolution PUD Amendment
  - Exhibit A - Conditions of Approval (none)
  - Exhibit B - Proposed Ordinance and Sketch Plan *(moved to Exhibit IV)*
- Attachment F - Citizen Comments

Exhibit II Draft Plan & Zoning Commission Meeting Minutes (June 8, 2015)

Exhibit III - City Council Resolution Comprehensive Plan Amendment

Exhibit IV - Proposed Rezoning Ordinance

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: June 8, 2015

Item: Grand Lakes PUD, north and west of Grand Avenue across from the Raccoon River Park entrance – Amend the Comprehensive Plan land use designations for the undeveloped property in the Eight Ways PUD and Amend the Eight Ways PUD to, reconfigure PUD parcels, zone PUD parcels consistent with the amended Comprehensive Plan, define development regulations for undeveloped parcels, detail detention basin improvements, and change the name of the PUD to Grand Lakes – Diligent Grand Ave. 67 LLC – CPA-002640-2015/ZC-002622-2015
(Deferred from May 26, 2015)

Requested Action: Approval of Comprehensive Plan Amendment and PUD Ordinance

Case Advisor: Kara Tragesser, AICP, Planner

Applicant's Request: Diligent Grand Avenue 67, LLC, requests an amendment to the Comprehensive Plan for properties located on the north/west side of Grand Avenue across from the entrance to Raccoon River Park (See Attachment A – Location Map) to amend the land use designations and to amend the Eight Ways PUD.

The following changes to the land use designations are requested (see Attachment B: Current and Proposed Land Use Maps):

- Change the commercial from Support Commercial to Neighborhood Commercial;
- Change the High Density Residential to Medium Density Residential and Single Family Residential;
- Change part of the Single Family Residential to also include Parks and Greenways;
- Change the Low Density Residential to Single Family Residential and Parks and Greenways.

Additionally, the applicant requests to amend the Eight Ways PUD to change the configuration of PUD Parcels C, E, and F, and eliminate Parcel I, reduce the amount of multi-family residential, increase the size of the proposed detention basin/pond, update the underlying zoning designations specified to match current zoning designations and the Comprehensive Plan Land Uses, and to change the name of the PUD from Eight Ways to Grand Lakes (see Attachment C: Current PUD sketch and Proposed PUD Sketch).

History: The Eight Ways PUD was originally approved in 1987 as the Grand Woods PUD. It was amended in 1990 and renamed to Eight Ways PUD. In 1993, the PUD was amended to create PUD Parcels A1-A3 out of Parcel A for single family development and medium density development. The PUD was last amended in 1997 to change the zoning of A-3 to allow for bi-attached single family dwelling units. Eight Ways PUD Parcels A1-A3, P, and G are developed: the remainder of the PUD parcels are undeveloped.

City Council Subcommittee: The request for a Comprehensive Plan Amendment and amendment to the Eight Ways PUD was reviewed by the Development and Planning City Council Subcommittee on April 9, 2015. The Subcommittee was supportive of these requests.

Citizen Comments: Comments provided to the City regarding this project area included in the staff report under Attachment D – Citizen Comments.

Staff Review and Comment: There are no outstanding issues. Staff notes the following:

Comprehensive Plan Land Use Amendment: The current land use map indicates a land use designation of Support Commercial on PUD Parcel B. Support Commercial typically is designated at arterial streets and highway intersections because of the allowance of more automobile focused uses such as auto repair. This parcel is more conducive to neighborhood commercial uses without the automobile focus therefore, the land use is proposed to be changed to Neighborhood Commercial. Additional land use changes are proposed as noted above.

PUD Amendments: The PUD parcel that is commercially zoned currently is designated C-1-A commercial. The parcel has been designated C-1-A since at least 1990. Included in the PUD amendment proposed is the reclassification of this parcel to Neighborhood Commercial which is considered in today's Zoning Ordinance equivalent to the previous C-1-A zone. The neighborhood commercial zone allows essentially the same uses which include grocery stores, convenience stores, beauty shops, and restaurants. A convenience store was allowed under the C-1-A zoning as well. Other zoning district changes are noted below:

- Change the High Density Residential parcel to Medium Density Residential and Single Family Residential;
- Change part of the Single Family Residential parcel to also include Parks and Greenways;
- Change the Low Density Residential parcel to Single Family Residential and Parks and Greenways.

The undeveloped parcels have been reconfigured in response to the new development plan which includes less multi-family, more single family detached development and a larger pond.

Detention Basin: PUD Parcel D remains a detention basin/pond, but is enlarged to accommodate storm water needs. It should be noted that the Eight Ways PUD calls for the City to acquire this parcel from the property owner after improvements are made, including grading and lot setbacks from the detention basin edge in order to allow trail installation and maintenance access to be accommodated. This provision is not recommended to change.

Name Change: The current owners of the undeveloped portions of the PUD have proposed a name change from Eight Ways to Grand Lakes.

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.

Noticing Information: On May 15, 2015, notice of the May 26, 2015, Plan and Zoning Commission public hearing was published in the *Des Moines Register*. Notice of this public hearing also was mailed to all surrounding property owners within 370 feet of the subject property affected by these amendments on May 12, 2015. The project was deferred from the May 26, 2015, meeting and re-noticed on May 29, 2015, for the June 8, 2015 Plan & Zoning Commission and June 15, 2015 City Council meetings due to an incomplete information regarding the proposed changes. Notice also was mailed to surrounding property owners within 370 feet of the subject property on May 27, 2105.

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 amend the Comprehensive Plan land use designations as illustrated on the Proposed Comprehensive Plan Land Use Map, subject to the applicant meeting all City Code requirements.

Staff Recommendations and Conditions of Approval – PUD Ordinance: Based upon the preceding review and a finding of consistency with the Comprehensive Plan, staff recommends that the Plan and Zoning Commission adopt a resolution recommending the City Council approve the amendment to the Eight Ways PUD to reconfigure PUD Parcels, reduce the amount of multi-family residential allowed, increase the size of the proposed detention basin, update underlying zoning designations and regulations, and to change the name of the PUD from Eight Ways to Grand Lakes, subject to the applicant meeting all City Code requirements.

Applicant: Diligent Grand Ave. 67, LLC
12119 Stratford Drive, Suite B
Clive IA 50325
David Brown
IPE1013
515-279-1111

Owners: Same as above

Applicant's Representatives:
Caleb Smith
McClure Engineering
1360 NW 121st Street, Suite A
Clive IA 50325
515-964-1229

Attachments:

- Attachment A - Location Map
- Attachment B - Current and Proposed Comprehensive Plan Land Use Maps
- Attachment C - Current and Proposed PUD Sketch
- Attachment D - Plan and Zoning Commission Resolution Comprehensive Plan Amendment
  - Exhibit A - Conditions of Approval (none)
  - Exhibit B - Current and Proposed Comprehensive Plan Land Use Maps
- Attachment E - Plan and Zoning Commission Resolution PUD Amendment
  - Exhibit A - Conditions of Approval (none)
  - Exhibit B - Proposed Ordinance and Sketch Plan
- Attachment F - Citizen Comments

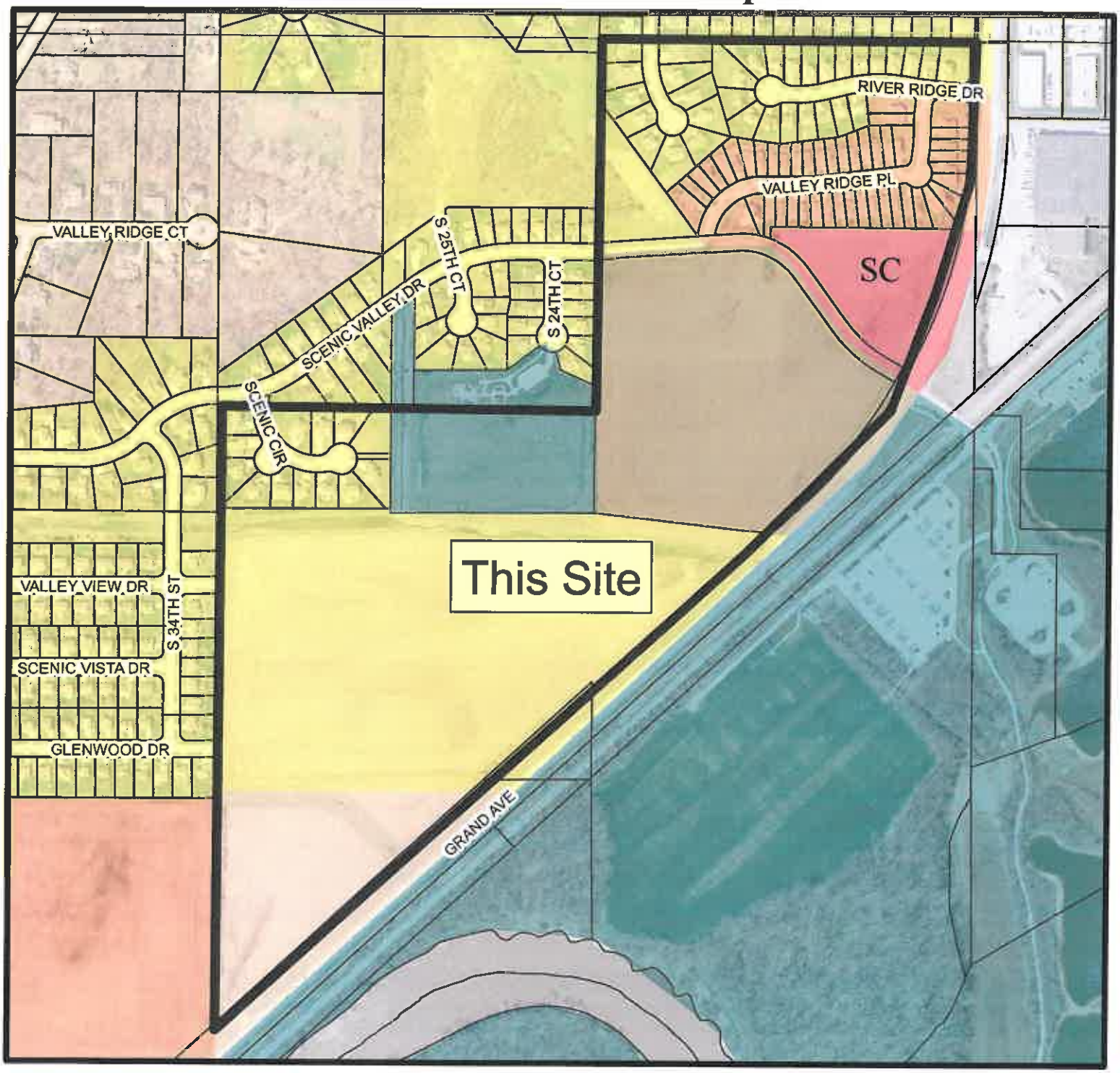
ATTACHMENT A

General Location Map
Grand Lakes Planned Unit Development
West of Grand Avenue at
Raccoon River Park Entrance

Comprehensive Plan Land Use Map

ATTACHMENT B

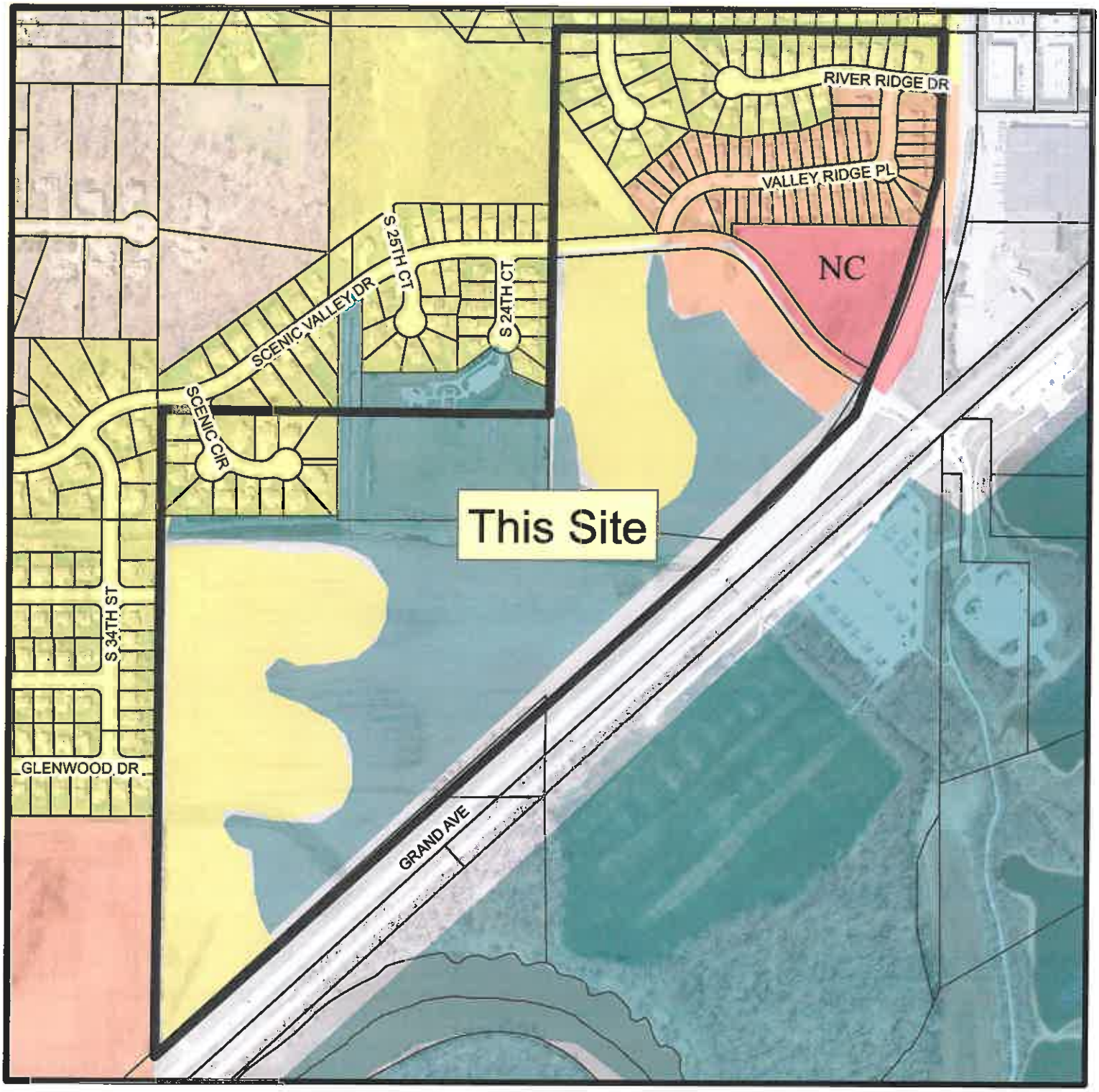
Grand Lakes
Current Land Use Map



Legend

- Open Space (OS)
- Parks & Greenways (PG)
- Low Density Resid (LD)
- Single Family Resid (SF)
- Medium Density Resid (MD)
- High Density Resid (HD)
- Manufactured Homes (MF)
- Mixed Use (MU)
- Regional Commercial (RC)
- Town Center Comm (TCC)
- Community Comm (CMC)
- Support Orffice (SO)
- Neighborhood Comm (NC)
- Convenience Comm (CC)
- Support Commercial (SC)
- Highway Commercial (HC)
- Convenience Commercial (CVC)
- Valley Junction Commercial (VJ SC)
- Historic Business (HBC)
- Office (OF)
- General Industrial (GI)
- Light Industrial (LI)
- Business Park (BP)
- Warehouse/Retail (WR)

Comprehensive Plan Land Use Map
Grand Lakes
Proposed Land Use Map



Legend

- Open Space (OS)
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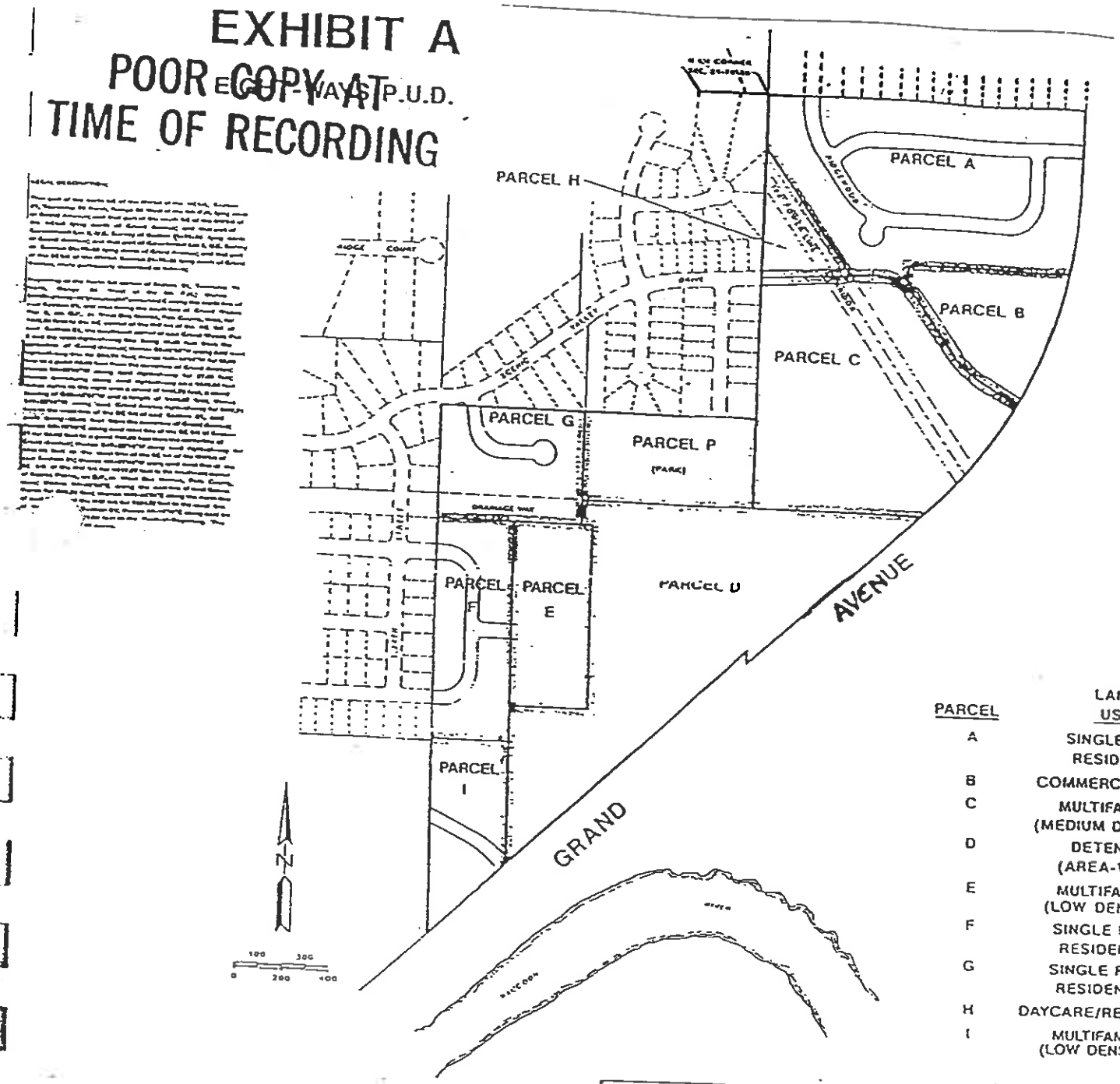
- Historic Business (HBC)
- Office (OF)
- General Industrial (GI)
- Light Industrial (LI)
- Business Park (BP)
- Warehouse/Retail (WR)

ATTACHMENT C

EXHIBIT A

POOR COPY AT TIME OF RECORDING

EGHT-WAYS P.U.D.



PARCEL	LAND USE
A	SINGLE FAMILY RESIDENTIAL
B	COMMERCIAL/RETAI
C	MULTIFAMILY (MEDIUM DENSITY)
D	DETENTION (AREA-WIDE)
E	MULTIFAMILY (LOW DENSITY)
F	SINGLE FAMILY RESIDENTIAL
G	SINGLE FAMILY RESIDENTIAL
H	DAYCARE/RESIDENTIA
I	MULTIFAMILY (LOW DENSITY)

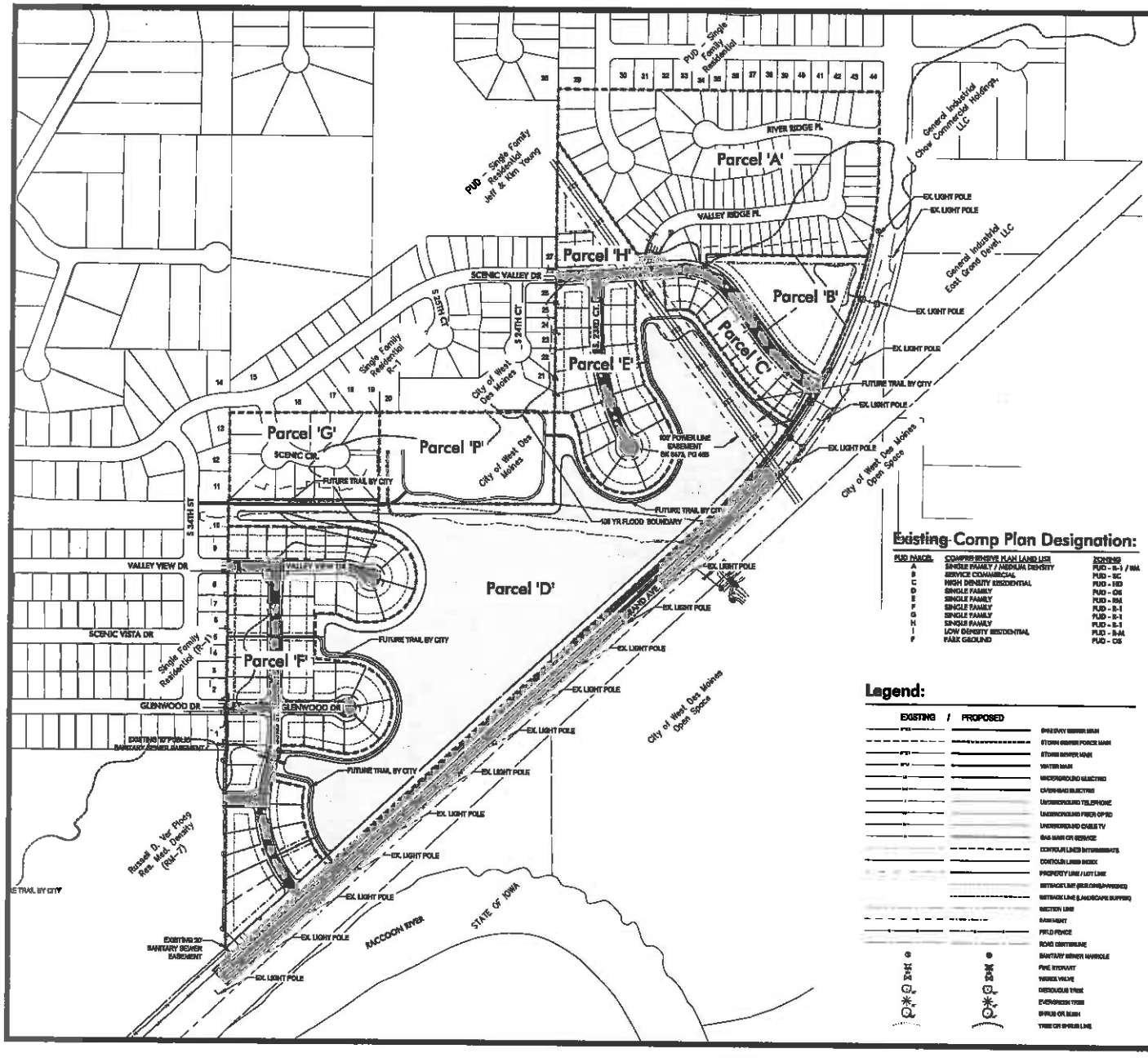
eds ENGINEERING DESIGN SERVICES

EIGHT WAYS LTD.

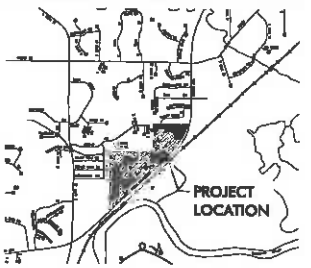
SKETCH F

BOOK 6363 PAGE 864

BOOK 6281 PAGE 464



Vicinity Map:



Legal Description:

LOTS A, B, C, G, H, P, J AND OUTLOT D OF EIGHT-WAYS FARM FINAL PLAT CONTAINING 96.49 ACRES.

Owner/Applicant:

DILIGENT GRAND AVE. 67, LLC
18119 STRATFORD DRIVE, SUITE B
CLIVE, IOWA 50325
515-222-1347

Zoning:

EXISTING
PUD - EIGHT WAYS

PROPOSED
PUD - GRAND LAKES

Street Classifications:

GRAND AVE: MAJOR ARTERIAL (110' R.O.W.)
SCENIC VALLEY DR: MINOR COLLECTOR (70' R.O.W.)

NOTE:
ROW WIDTH AT INTERSECTIONS IS TYPICALLY WIDER TO ACCOMMODATE ADDITIONAL LANES.

Existing Comp Plan Designation:

PUD PARCEL	COMPREHENSIVE PLAN LAND USE	ZONING
A	SINGLE FAMILY / MEDIUM DENSITY	PUD - R-1 / RM
B	SERVICE COMMERCIAL	PUD - SC
C	HIGH DENSITY RESIDENTIAL	PUD - RD
D	SINGLE FAMILY	PUD - OS
E	SINGLE FAMILY	PUD - RM
F	SINGLE FAMILY	PUD - R-1
G	SINGLE FAMILY	PUD - R-1
H	SINGLE FAMILY	PUD - R-1
I	LOW DENSITY RESIDENTIAL	PUD - R-M
P	PARK GROUND	PUD - OS

Proposed Comp Plan Designation:

PUD PARCEL	COMPREHENSIVE PLAN LAND USE	ZONING
A	SINGLE FAMILY / MEDIUM DENSITY	PUD - R-1 / RM
B*	NEIGHBORHOOD COMMERCIAL*	PUD - NC*
C*	MEDIUM DENSITY RESIDENTIAL*	PUD - R-1 / RM-4*
D	SINGLE FAMILY	PUD - OS
E*	SINGLE FAMILY*	PUD - R-1*
F*	SINGLE FAMILY*	PUD - R-1*
G	SINGLE FAMILY	PUD - R-1
H	SINGLE FAMILY	PUD - R-1
I	"	"
P	PARK GROUND	PUD - OS

* - CHANGED FROM ORIGINAL PUD ORDINANCE

Legend:

EXISTING / PROPOSED

- SANITARY SEWER MAIN
- STORM SEWER FORCE MAIN
- STORM SEWER MAIN
- WATER MAIN
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC
- UNDERGROUND TELEPHONE
- UNDERGROUND FIBER OPTIC
- UNDERGROUND CABLE TV
- GAS MAIN OR SERVICE
- CONTOUR LINES INTERMEDIATE
- CONTOUR LINES INDEX
- PROPERTY LINE / LOT LINE
- SETBACK LINE (SEE CIVIL/PARKING)
- SETBACK LINE (LANDSCAPE BUFFER)
- SECTION LINE
- EASEMENT
- FIELD FENCE
- ROAD CENTERLINE
- SANITARY SEWER MANHOLE
- FIRE HYDRANT
- WATER VALVE
- DECIDUOUS TREE
- EVERGREEN TREE
- SHRUB OR BUSH
- TREE OR SHRUB LINE

Proposed Building Setbacks:

PUD PARCEL	FRONT	REAR	SIDE
B*	45'	35'	30'
C (R-1)	30'	35'	7' (MIN.) / 15' TOTAL
C (RM-4)	30'	20'	7'
D	30'	35'	7' (MIN.) / 15' TOTAL
E	30'	35'	7' (MIN.) / 15' TOTAL
F	30'	35'	7' (MIN.) / 15' TOTAL
H	30'	35'	7' (MIN.) / 15' TOTAL

* A 30 FOOT BUFFER EASEMENT ON THE NORTH SIDE OF THE PARCEL AND A 15' PARKING SETBACK ALONG ALL PUBLIC ROW. BUFFER SHALL CONSIST OF A NATURAL EARTHEN BERM AND PLANTINGS PER THE CURRENT CITY BUFFER REQUIREMENTS.

Neighboring Property Owners:

PROPERTY OWNERS

1	William Stump	23	Tyler West
2	Chris & Sarah Voggesser	24	Brian Kiernan
3	Salvador S Leon	25	Curtis & Jennifer Simmons
4	KCI REO I, LLC	26	Christopher Byrne
5	Jillian J Grund	27	Lucas & Katie Baxter
6	John L & Stephanie L Rylaf	28	Sharon Wittenstein
7	Dylan Claypool	29	Wan Nara & Hae Sook Yun
8	Brian L & Marla J Melco	30	Jeffery& Lynn Johnson
9	John L & Diana L Wheeler	31	John Long & Alyssa Lorenzoni
10	City of West Des Moines	32	Robert Gottschalk
11	David A & Sandra S Drescher	33	Frederick & Jennine Nordengren
12	Anurag & Jonaina Joshi	34	Kimberly Burrell
13	Peter & Anni Bass	35	Steven & Donna Flamm
14	James & Diana Wesler	36	Mark & Christine Bauschman
15	Gregory & Mary Olander	37	Nancy & Zachary Binder
16	Nathan & Sara Davis	38	Derek Hiatt
17	Mark Walford & Sandra Williams	39	Brian & Joyce Willard
18	Michelle Short	40	Robert & Cynthia Lentington
19	Nancy Belcher	41	Carl & Debra Evans
20	City of West Des Moines	42	David & Jennifer De Carlo
21	William & Emily Hickok	43	M Dallison
22	Andrew Countryman	44	Roy Ford

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building strong communities.

1360 NW 121ST. Street
Clive, Iowa 50325
515-964-1229
fax 515-964-2070

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PUD Sketch

NORTH

0 100 200 400
GRAPHIC SCALE

Grand Lakes
PUD Sketch Plan

West Des Moines, Iowa
2210034
February 2015

Revisions
May 8, 2015

DRAWN BY C. SMITH
DESIGNED BY C. SMITH
CHECKED BY -
FIELD BOOK NO. -
DRAWING NO. PUD-01
SHEET NO. 01 / 01

ATTACHMENT D

RESOLUTION NO. PZC-15-040

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE A COMPREHENSIVE PLAN LAND USE MAP AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF THE COMMERCIAL FROM SUPPORT COMMERCIAL TO NEIGHBORHOOD COMMERCIAL; CHANGE THE HIGH DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL AND SINGLE FAMILY RESIDENTIAL; CHANGE PART OF THE SINGLE FAMILY RESIDENTIAL TO ALSO INCLUDE PARKS AND GREENWAYS; AND CHANGE THE LOW DENSITY RESIDENTIAL TO SINGLE FAMILY RESIDENTIAL AND PARKS AND GREENWAYS.

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Diligent Grand 67 LLC, has requested approval to amend the Comprehensive Plan Land Use Map for undeveloped portions of the Eight Ways Planned Unit Develop (CPA-002640-2015) for property legally described as:

Legal Description
Lots B and C, and Outlot D, Eight Ways Farm, on official plat now 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 June 8, 2015, this Commission held a duly-noticed hearing to consider the application to amend the Comprehensive Plan Land Use Map;

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 for this hearing or as amended orally at the hearing are adopted.

SECTION 2. The Comprehensive Plan Land Use Map Amendment, to change the land use designation of the commercial from Support Commercial to Neighborhood Commercial; change the High Density Residential to Medium Density Residential and Single Family Residential; change part of the Single Family Residential to also include Parks and Greenways; and change the Low Density Residential to Single Family Residential and Parks and Greenways as illustrated on attached Exhibit B, is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report including conditions added at the Hearing, 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 June 8, 2015.

Craig Erickson, 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 June 8, 2015, by the following vote:

AYES: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth
NAYS: -0-
ABSTENTIONS: -0-
ABSENT: Brown

ATTEST:

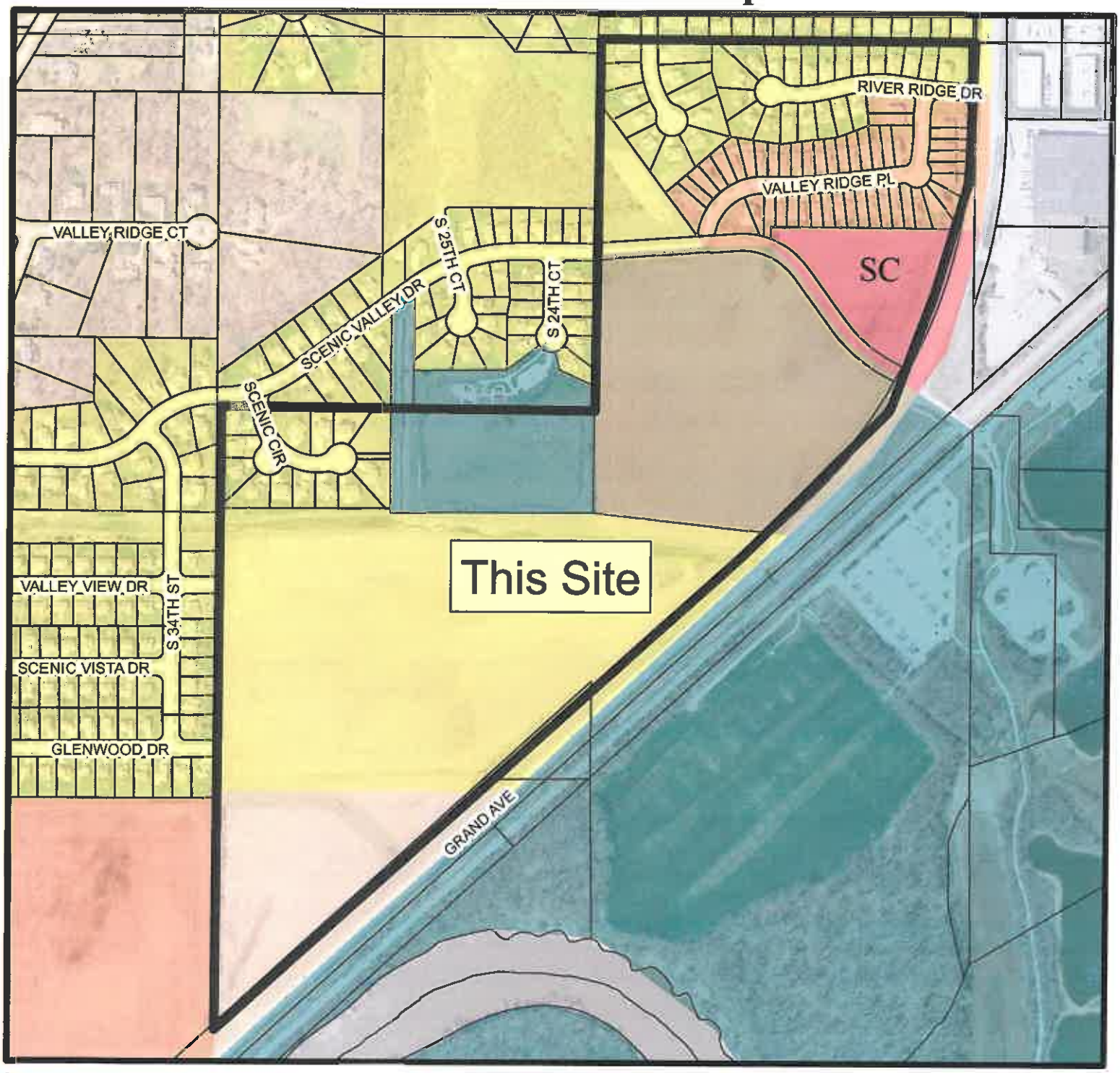
Recording Secretary

S:___Development Projects\Grand Lakes PUD\Grand Lakes PUD\ZC-002622-2015_SR_Grand Lakes PUD_06-08-2015_PZ.doc

EXHIBIT A
CONDITIONS OF APPROVAL

None

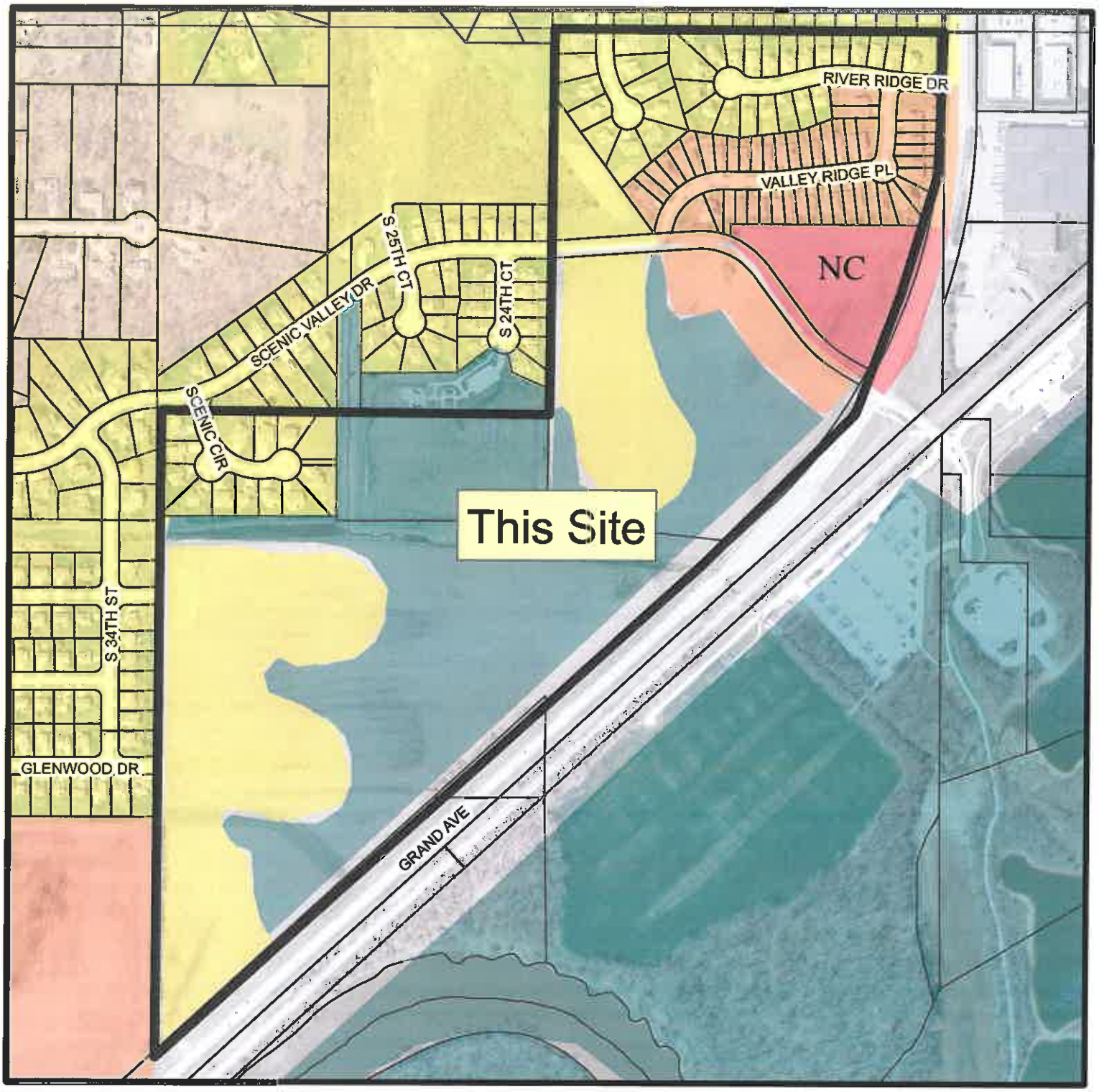
Comprehensive Plan Land Use Ma EXHIBIT B
Grand Lakes
Current Land Use Map



Legend

- Open Space (OS)
- Parks & Greenways (PG)
- Low Density Resid (LD)
- Single Family Resid (SF)
- Medium Density Resid (MD)
- High Density Resid (HD)
- Manufactured Homes (MF)
- Mixed Use (MU)
- Regional Commercial (RC)
- Town Center Comm (TCC)
- Community Comm (CMC)
- Support Orffice (SO)
- Neighborhood Comm (NC)
- Convenience Comm (CC)
- Support Commercial (SC)
- Highway Commercial (HC)
- Convenience Commercial (CVC)
- Valley Junction Commercial (VJ SC)
- Historic Business (HBC)
- Office (OF)
- General Industrial (GI)
- Light Industrial (LI)
- Business Park (BP)
- Warehouse/Retail (WR)

Comprehensive Plan Land Use Map
Grand Lakes
Proposed Land Use Map



Legend

- Open Space (OS)
- Parks & Greenways (PG)
- Low Density Resid (LD)
- Single Family Resid (SF)
- Medium Density Resid (MD)
- High Density Resid (HD)
- Manufactured Homes (MF)
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- Support Commercial (SC)
- Highway Commercial (HC)
- Convenience Commercial (CVC)
- Valley Junction Commercial (VJ SC)
- Historic Business (HBC)
- Office (OF)
- General Industrial (GI)
- Light Industrial (LI)
- Business Park (BP)
- Warehouse/Retail (WR)

RESOLUTION NO. PZC-15-041

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN ORDINANCE AMENDING THE EIGHT WAYS PLANNED UNIT DEVELOPMENT (PUD)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Diligent Grand 67 LLC, has requested approval to amend the Eight Ways Planned Unit Development (ZC-002622-2015) for property legally described as:

Legal Description
Lots B and C, and Outlot D, Eight Ways Farm, on official plat now 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 June 8, 2015, this Commission held a duly-noticed hearing to consider the application to amend the Eight Ways Planned Unit Development (PUD);

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 for this hearing or as amended orally at the hearing are adopted.

SECTION 2. The amendment to the Eight Ways Planned Unit Development, as proposed in Exhibit B, is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report including conditions added at the Hearing, 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 June 8, 2015.

Craig Erickson, 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 June 8, 2015, by the following vote:

AYES: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth
NAYS: -0-
ABSTENTIONS: -0-
ABSENT: Brown

ATTEST:

Recording Secretary

EXHIBIT A
CONDITIONS OF APPROVAL

None

Tragesser, Kara

To: Bob Sodders
Subject: RE: Notice received

From: Bob Sodders [mailto:bsodders@buildwithball.com]
Sent: Wednesday, May 20, 2015 9:12 AM
To: Tragesser, Kara
Subject: RE: Notice received

Kara,

Are there any specific plans related to any of these parcels?

One of the main concerns would be increased traffic flow and degradation of the current streets due to construction traffic. Are the developers going to be responsible for repairs?

I live at 3400 Valley View Dr.

Bob

BALL TEAM INC
Robert E. Sodders, LEED® AP – bsodders@buildwithball.com
P. 515.440.4544 (Ext. 1001) | F. 515.457.8265 | C. 515.208.0747
10550 New York Avenue, Suite 100
Urbandale, IA 50322

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RECEIVED
CITY OF WDM

MAY 26 2015

DEVELOPMENT
SERVICES

May 21, 2015

Development Services Department
4200 Mills Civic Parkway, Suite 2D,
P.O. Box 65320
West Des Moines, IA 50265-0320

To the Plan and Zoning Commission:

I am writing in regard to the public hearing notice concerning the PUD development west of Grand Avenue.

I'm a homeowner of Grand Woods Townhomes on Valley Ridge Place which is gated on the west end. I'm concerned, as are most of the homeowners here, that the gate will be removed by the city when Scenic Valley Drive is extended to Grand Avenue and at the same time, connected to Valley Ridge Place. Without the gate in place, traffic will **greatly increase** through our neighborhood by creating a shortcut to the neighborhoods to the west and south. It will not only disrupt the peaceful quiet quality of living that we have enjoyed since the townhomes were built but will also lessen the appeal of the neighborhood to prospective buyers who may consider locating here, thereby making the homes more difficult to sell and reducing the property resale value.

Please understand that I am not opposed to the new development itself; only to the removal of the gate as it is an **important component** of our own established development. Please consider the concerns and wishes of those of us already living in the area as well as those of the builders and developers.

Sincerely,

Terri D. Frye
2333 Valley Ridge Place
West Des Moines, IA 50265

May 22, 2015

Kara V. Tragesser, AICP
Planner/Development Services
City of West Des Moines

RE: Diligent Grand Ave 67 Proposal

Dear Ms. Tragesser:

Thank you for your response to my inquiries of the planned zoning changes and what is included in each parcel of this planned project.

We have read the proposals for rezoning and development of the property west of Grand Avenue and across from the entrance to Raccoon River Park. We can't imagine the City approving commercial development across from this park. It obviously will result in increased traffic and congestion, then there's the noise factor, lights at all hours, and will create a safety hazard for bikers, joggers, and the general public.

Raccoon River Park is one of the finest, if not the finest, in the Metro area of Des Moines and West Des Moines and should remain that way for all the same reasons considered by the Planning & Zoning Commission and the City Council when they denied the request to place a river boat on Blue Herron Lake to retain the integrity of the park.

We agree Parcel B should be rezoned, however, it should be zoned the same as Parcel C and Parcel E. We ask that you consider this proposal carefully and deny any request for commercial development across from Raccoon River Park. Let's maintain the integrity and tranquility of the park.

Ray & Bonny Fortune
2346 Valley Ridge Place
West Des Moines, Iowa 50265

fortunewdm@msn.com

Tragesser, Kara

From: David Drescher <david.drescher81@gmail.com>
Sent: Tuesday, June 02, 2015 4:58 PM
To: Tragesser, Kara
Cc: David Drescher; Sandy Drescher
Subject: Grand Lakes PUD Zoning change

Importance: High

Att: Kara Tragesser, Development Services Dept, WDM

Hello Kara, Will you please provide these written comments to the Commission pertaining to the zoning change hearing on 8 June 2015.

My wife and I are neighboring property owners who have lived at 1208 S 34th Street since 1992. While we do not oppose the change in zoning to this plat, we are concerned about the extensive storm water management system that will be needed to assure neighboring properties are not affected by the addition of the Parcel D Lake. The city is aware of the extensive flooding conditions which have occurred over the years with this property. The most serious of which was during the flood of 1993, when most of the plat was submerged by backup of the Raccoon River, and by heavy rain coming down the spillway. I understand that a storm water management plan will include flood gates to mitigate backup from the river, but there needs to be diligent review of a potential rainstorm condition which could create a confluence of runoff from the spillway system which would have no egress if floodgates were closed. This actually occurred in 1993 when the Raccoon actually backed up UP the spillway system until the Valley Junction dike gave way. The storm water management plan should be reviewed and approved by an Independent Engineer --along with the city engineering resources to assure there are multiple egress points for water coming downhill that normally is directed to the culverts to the Raccoon. This should also consider the widening of Grand avenue and the re-routing of the new drainage system along the roadway. Please ask the commission to fully consider these risks.

In addition, we have concern about the impacts to our property by the proposed trail around Parcel D, but these can be addressed when proposals for that improvement are considered. Thank you for your attention to these issues. David & Sandra Drescher

Tragesser, Kara

From: William Stump <stump.william@gmail.com>
Sent: Monday, June 08, 2015 5:01 PM
To: Tragesser, Kara
Subject: Comments for the public hearing today - Eight Ways PUD

Hello Ms. Tragesser,

I'd like to review a couple of items based on the letter we received regarding the Eight Ways Planned Unit Development. I have a couple of items I would like to point out in hopes that a different decision can be made so it will be a better outcome for those who are currently affected by the upcoming changes.

1. Eliminating PUD parcel I, and making the homes directly east of 34th street, will directly affect the home values of property owners 1-10. I believe leaving this area as a low density residential area will help offset the affect this new development will have on our home values. I would like to see the existing plan for this area to be used for low density stay in effect.

2. The trees that are directly south of my plot (3330 Glenwood Dr) appear to be on the plans for removal, based on the diagram provided. Is it necessary to remove these trees? We are going to go from no houses to our south and to our east to an entire neighborhood. I do not believe the trees will need to be removed, and it stands to help the value of the homes that are going to be placed in this area.

3. The road that is being connected to Grand, S 33rd St, presents an issue with traffic flow within our current neighborhood. I fear this will cause many people to drive through our neighborhood unnecessarily. I propose the possibility of not connecting S 33rd St at Glenwood and allowing the unnamed southern road curve southward to the desired location. There will be no lost home plots and traffic will be less of a concern.

4. Just to clarify, what will be planned for parcel D? Will this be left for further development or will it be used to retain any potential water that may cause an issue to the new homes due to being in a flood plain?

I appreciate any consideration you can discuss to bring my concerns to resolution. I want to be clear that I understand the development needs in the area, however I feel the current plans to change the zoning will negatively affect our home values.

Thank you for your time.

William R Stump
3330 Glenwood Dr
West Des Moines, IA 50265

Opposition to intersection of Valley Ridge Place and Scenic Valley Drive

5-18-2015

The undersigned individuals represent that they are in receipt of notice of Public Hearings regarding the Grand Lakes PUD. They further represent that they reside in residences located on Valley Ridge Place in West Des Moines, Iowa.

Each represents that they are opposed to approval by the City of West Des Moines to the intersection of Valley Ridge Place with Scenic Valley Drive.

They individually represent that they believe that significant traffic will increase on Valley Ridge Drive because local traffic will attempt to enter our neighborhood at River Ridge to shortcut the route from Grand Avenue and River Ridge to Scenic Valley and south 35th Street. This increase in traffic will increase the speed and reduce the safety of our neighborhood. We believe that this will be a significant detriment to the value of homes in our community.

1 Nancy Earll 2323 Valley Ridge Place
2 Terri Fryer 2333 Valley Ridge Place
3 Harold Godfrey 2325 Valley Ridge Pl.
4 Jan Godfrey 2325 Valley Ridge Place
5 Marcia Jordan 2336 Valley Ridge Pl
6 Ray Fato 2346 Valley Ridge Place
7 Bonny Fatheme " "

8

9

10

11

12

Petition regarding Public Hearing Grand Lakes PUD

5-18-2015

The undersigned individuals represent that they are in receipt of notice of Public Hearings regarding the Grand Lakes PUD. They further represent that they reside in residences located on Valley Ridge Place in West Des Moines, Iowa.

Each signer represents that they are opposed to the approval by the City of West Des Moines to the development of Parcel B, Parcel C, or Parcel E described in a document prepared by MClure Engineering.

They further represent that their disapproval of said development is among other items based on their fear that development of the described property will increase the risk of flooding in the Grand Woods Townhomes located on Valley Ridge Place. Many of the signers to this petition personally participated in the sandbagging effort of 2008 which was necessary to avoid the catastrophe of flooding their personal homes, remembering that Parcel B was totally covered by the flood waters of the Raccoon River—with said water reaching the ground not more than three feet from the backs of some of our homes. Had the rise in the water increased more than 1 additional inch, rather than starting to recede, it would have been in the basement of some of our homes.

It is our individual and collective concern that increased development which has occurred in the watershed above our homes, plus the potential reduction in absorption on the proposed site , will in the event of a similar flood to the 2008 event put water in our basements thereby reducing the value of our homes and or increase the cost and burden of flood insurance.

1 Ray Fortune 1346 Valley Ridge Place
2 Bonny Fortune "
3
4
5
6
7
8
9
10
11
12

Tragesser, Kara

From: Carol <cstone625@aol.com>
Sent: Monday, June 08, 2015 7:58 PM
To: Tragesser, Kara
Cc: DLNCANON@aol.com
Subject: Planning & Zoning Commission - Comment / Question

Kara - I attended the meeting tonight (June 8) during which a revised land use plan for the undeveloped property located along Grand Avenue across from Raccoon River Park was discussed.

I live in the Grand Woods Townhomes, my property borders the area designated as "Lot B" - which is now proposed to be designated as "neighborhood commercial" and I have some questions for the commission that I thought of after the meeting:

1 - there was some confusion among the homeowners present as to whether "neighborhood commercial" zone, as proposed for Lot B, would allow a gas station or convenience store with gas pumps to be constructed there. When the staff person spoke, it sounded like anything automobile related would NOT be allowed - but then we heard that it could be. Could you more clearly define what types of businesses would be allowed in a "neighborhood commercial" area?

2 - The extension of Scenic Valley Drive to Grand Avenue has a lot of homeowners concerned about increased traffic and hazards to the residents in the area. I understand that this extension is a previously approved piece of the plan for this land - but is there no opportunity for reconsideration of that part of the plan? There is general concern that extending Scenic Valley Drive to Grand will cause a great deal of traffic coming out of the park to travel through the neighborhoods to reach S 35th Street rather than taking Grand Avenue. I think the homeowners in the entire area would appreciate an opportunity to have that part of the plan re-considered and re-designed.

3 - Finally - the whole issue of flood control is obviously a huge concern - I think the homeowners need to hear from city engineers or other experts as to how a pond would help the flooding situation rather than create a worse hazard. Would such a pond cause more homeowners to be zoned into a flood zone since they would be closer to a water feature?

Thank you for your consideration.

Carol Stone
2324 Valley Ridge Place

PLAN AND ZONING COMMISSION MEETING **June 8, 2015**

Direction: CITY1360.DSS

Chairperson Erickson called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, June 8, 2015, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines.

Roll Call: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Present
Brown.....Absent

Item 1 - Consent Agenda

Item 1a - Minutes of the meeting of May 26, 2015

Chairperson Erickson asked for any comments or modifications to the May 26, 2015 minutes.

Moved by Commissioner Crowley, seconded by Commissioner Andersen, the Plan and Zoning Commission approve the minutes of the May 26, 2015 meeting.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown.....Absent
Motion carried.

Item 2 – Public Hearings

Item 2a – Whisper Rock at Quail Cove, 5200 block of Cherrywood Drive – Rezone property from Medium Density Residential to Single Family Residential – Prairie Building and Development, LLC – ZC-002701-2015

Chairperson Erickson opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on May 29, 2015.

Chairperson Erickson asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Costa, seconded by Commissioner Southworth, the Plan and Zoning Commission accept and make a part of the record all testimony and all other documents received at this public hearing.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown.....Absent
Motion carried.

Chris Thompson, Cooper Crawford & Associates, 475 S. 50th Street, West Des Moines, representing the applicant, requested approval for an amendment to the Zoning Map to change the zoning from Residential Medium Density to Single Family Residential for the property located on the north side of Cherrywood Drive at about the 5200 block. Mr. Thompson continued that this project had been before the Plan & Zoning Commission several times, and that this was simply a rezoning to allow for larger lot sizes.

Planner Tragesser indicated that staff had no further comments on the request and recommended approval of the rezoning request.

Chairperson Erickson asked if anyone from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion.

Moved by Commissioner Costa, seconded by Commissioner Crowley, the Plan and Zoning Commission approve a resolution recommending the City Council approve an ordinance to amend the Zoning Map to change the zoning of the property from Residential Medium Density (RM-8) to Single Family Residential (R-1).

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown .....Absent
Motion carried.

Item 2b - Grand Lakes PUD, west side of Grand Avenue at Raccoon River Park Entrance – Amend the Comprehensive Plan land use designations for Eight Ways PUD Parcel B from Support Commercial to Neighborhood Commercial, PUD Parcel C from High Density Residential to Medium Density Residential and Single Family Residential, PUD Parcel E from Low Density Residential to Single Family Residential, and change Parcel I from Low Density Residential to Single Family Residential and amend the Eight Ways PUD to zone the parcels consistent with the Comprehensive Plan, define development regulations for undeveloped parcels, detail detention basin improvements, and change the name of the PUD to Grand Lakes – Diligent Grand Ave. 67 LLC – CPA-002640-2015/ZC-002622-2015 (Continued from May 26, 2015)

The Recording Secretary noted that a memorandum had been placed on the dais with comments regarding the Grand Lakes PUD amendment provided by Mr. William R. Stump. Also, two petitions were provided at the dais signed by adjacent residents regarding the PUD amendment.

Chairperson Erickson opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on May 29, 2015.

Chairperson Erickson asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Hatfield, seconded by Commissioner Costa, the Plan and Zoning Commission accept and make a part of the record all testimony and all other documents received at this public hearing.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown.....Absent
Motion carried.

A few moments were taken to give the Commissioners time to review and consider the information provided at the dais regarding this item.

Caleb Smith, McClure Engineering, 1360 NW 121st Street, Clive, representing the applicant, requested approval for an amendment to the Comprehensive Plan for a parcel of land on the west side of Grand Avenue across from the entrance Raccoon River Park and for an amendment to the Eight Ways Planned Unit Development (PUD). He highlighted the major changes proposed from that provided in the existing Eight Ways PUD. Mr. Smith noted that Parcel D will now have a very large pond to control storm water, the Single Family and Multi-family designations proposed, and the connection of Valley

View Drive to Grand Avenue will be constructed. He noted that Parcel C will be a bi-attached single family residential product with significantly less density then what was originally proposed. Parcel B has a support commercial use, but after working with staff, it was felt that a neighborhood commercial use would have more value for the residents. All other areas would have no change from the previous proposal. Mr. Smith summarized that the two main changes to the project will be the reduction in density and the installation of a larger pond to address storm water issues.

Commissioner Crowley asked how many single family lots are planned for this project. Mr. Smith replied that initially over 300 multi-family dwellings were planned for, but now approximately 80 single family lots are being proposed.

Planner Tragesser had no comments or additions to this item.

Commissioner Andersen inquired the difference between Support Commercial and Neighborhood Commercial. Ms. Tragesser responded that Support Commercial is geared towards more automobile related uses, i.e., service stations, auto parts stores, repair shops, etc. Support Commercial is usually located at intersections with the interstates and major roadways. The Neighborhood Commercial designation limits the automotive service oriented uses and includes dry cleaners, restaurants, banks, etc.

Chairperson Erickson explained that this is a Comprehensive Land Use amendment and that many of the specific issues, i.e., flooding, storm sewer, etc. may not be able to be addressed tonight. Details will be provided as part of the site plan process. He continued that tonight is primarily about the land use and amending the PUD which precedes specific site plan issues.

Michelle Short, 2900 Scenic Valley Drive, expressed concern with flooding stating that a few years ago all of Scenic Valley Park was under water up to her backyard. She indicated that with this property, essentially a funnel would be created for all the water to go straight through the neighborhood. It seems like worse flooding would occur and that the area would now be stuck in the middle. Ms. Short asked if this would put her property in a flood zone and would she now have to pay for flood insurance. She asked how flooding would be addressed by the City, especially if Grand Avenue is closed because of flood water.

Dave Nagel, 2344 Valley Ridge Place, currently serving as President of Brentwood townhome neighborhood association, stated that his concerns were similar to that posed by Ms. Short. He recalled that when his neighborhood was planned and platted, there were plans for a berm on the property line directly to the north of parcel B. That berm was removed by an agreement between the City Council and the developer. He noted that in 1999 or 2000, it was concluded by City Engineering that the risk to Grand Woods would be worsened by the berm as it would catch water coming down the hill and add to the flooding. If parcel B is raised to reduce flood activity on the site, doesn't that put the risk back to before the berm was removed which was meant to protect the neighborhood from water from the north as well as from the south. He continued by noting that with the flood of 1988, water was up to the back of several of the homes in the neighborhood. This would create an additional cost to the association for additional flood insurance. He also noted that this would create a funnel for the existing houses unless the issue was resolved.

Diana Wissler, 3301 Scenic Valley, expressed concern with the pond as the houses on the south side of the street often experience water coming into the backyard when there are heavy rains. Her opinion was that a pond will add to the flooding. Ms. Whistler continued by asking if the pond would have public or private access and would boats and ramps be allowed. Also, she inquire if a stop light will be installed at Grand and S. 35th Street as traffic will be heavier with this development. Like the others,

Ms. Whistler expressed concern with a funnel being formed from the water that would be generated. She stated that with this project, she may be flooded in the front yard, as well as the backyard.

Chairperson Erickson reiterated that the details would be addressed in the Site Plan and questions answered at that time.

Darrell Drake, 2311 Valley Ridge Place, asked what would be the total benefit to West Des Moines with this development.

Kirk Mueldener, 2550 Scenic Valley Drive, expressed that his concern was with the flooding and primarily with putting Scenic Valley Drive through creating a thoroughfare. Coming straight out of the park, given the opportunity to take Scenic Valley Drive over to S. 35th Street will drive traffic that way and they will not be forced to take Fuller Road to S. 35th Street. The unique difference between Scenic Valley Drive, and Fuller Road and S. 35th Street is that none of the two streets have driveways that are directly accessed onto the street and Scenic Valley Drive has a lot of on-street parking. Those coming out of the park will zoom through the neighborhood. There is regular speeding out of the park now, but with full access, this will be compounded which makes for neighborhood safety concerns.

Darrell Godfrey, 2325 Valley Ridge Place, stated his concern with a rezoning for more multi-family units, that would mean an increase number of children in the area and having a pond would be very dangerous to that population. Also, by extending Scenic Valley Drive to Grand Avenue, there would be extra traffic going to Valley Ridge Drive to the north or when coming back to the area using Valley Ridge Place and that would increase traffic.

Sharon Hammer, 2901 Scenic Valley, also expressed concern with added traffic in the neighborhood. She purchased her home knowing that there was not a through street. She felt that this project would significantly impact the value of her home, as well as increase traffic.

Jennifer Harper Mendenhall, 1212 Scenic Circle, agreed with everyone who had spoken in that Scenic Drive should not go through the neighborhood. She indicated that as she looked at the drawing, she did not see any advantage for anyone through this development proposal and noted that the beauty of neighborhood and the circle drives is a draw for the families where the children can play safely. Having an access would take this away. No one wants or needs the additional accesses. It would be a disadvantage to have access and not a benefit due to the safety issue and the impact to home values.

Michelle Short, 2900 Scenic Valley Drive, asked how the West Des Moines School District has been involved with this project and did they know how many additional homes would be in the area, and how all the children that would be going to Jordan Creek Elementary which would affect the population, the school boundary borders, and class sizes of the school.

Jan Hiscocks, 1211 S. 24th Court, asked that if the project moves forward who would be responsible for maintaining the pond as it would need dredging, monitoring for algae, etc.

Jack Paulson, 2322 Valley Ridge Place, stated that his bedroom faces south, and that he can hear traffic and squealing tires on Grand Avenue. He indicated that this type of activity would be worse if Scenic Valley Drive was extended to Grand Avenue. He also is concerned with the pond and doesn't want his property put into a flood zone.

Chairperson Erickson asked if anyone else from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion.

Commissioner Hatfield asked that staff address the concerns that were expressed by the citizens in attendance. Planner Tragesser responded that since the original PUD (exhibit C) *(Staff notes that the Grand Woods PUD was established in 1987 and only included the single family residential development on the north. In 1990, the Eight Ways PUD was established which incorporated the area included in the Grand Woods PUD, as well as that land known as Parcel B, C, D, E, F, G, H, I, and J. The Eight Ways PUD is the original PUD for the parcels under discussion)* a large detention area has always been shown, as well as Scenic Valley Drive connecting to Grand Avenue for exiting and entering. The right-of-way was established for Scenic Valley Drive with the plat *(Staff notes that the right of way still is owned by the developer, and was not acquired by the City through the Eight Ways plat)*, and it has been the City's plan to have this connection for entering and exiting, as well as for traffic circulation purposes. As for the pond, it has been studied and should improve the flooding situation. The Commercial designations have always been commercial *(since the approval of the Eight Ways PUD)*, and a convenience store has always been an option. As far as traffic and density of development, with the removal of the apartment complex and multi-family, there will be less traffic generated than what was proposed in the original PUD.

Chair Erickson confirmed that as part of the site plan approval process, there will be an extensive study of storm water issues and a traffic study would be completed. Written comments can always be provided to staff.

Commissioner Andersen inquired who would own and maintain the pond. Planner Tragesser stated that it was unusual, but this PUD calls for the City to have ownership and maintenance responsibilities for the pond. The pond will be public property for public use. There will be recreational trails and connections around the pond, but boats or ramps will not be allowed.

Comprehensive Plan

Moved by Commissioner Crowley, seconded by Commissioner Hatfield, the Plan and Zoning Commission approve a resolution recommending City Council approval of the Comprehensive Plan Land Use map amendment to change the land use designations to that illustrated on the Proposed Comprehensive Plan Land Use Map, subject to the applicant meeting all City Code requirements.

PUD Ordinance

Moved by Commissioner Hatfield, seconded by Commissioner Crowley, the Plan and Zoning Commission approve a resolution recommending City Council approve the amendment to the Eight Ways PUD to reconfigure PUD parcels, reduce the amount of multi-family residential allowed, increase the size of the proposed detention basin, update underlying zoning designations and regulations, and change the name of the PUD from Eight Ways to Grand Lakes, subject to the applicant meeting all City Code requirements.

These action items will now be going forward to City Council at their June 15, 2015 meeting for approval.

Item 2c - Jordan West Specific Plan Amendment, SW corner of E. P. True Parkway and Jordan Creek Parkway – Amend Specific Plan Ordinance to modify development regulations in alignment with new development plan – Ryan Companies US, Inc. – ZCSP-002558-2014 (Continued from May 26, 2015)

Chairperson Erickson opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on May 15, 2015.

Chairperson Erickson asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Hatfield, seconded by Commissioner Andersen, the Plan and Zoning Commission accept and make a part of the record all testimony and all other documents received at this public hearing.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown.....Absent
Motion carried.

Ed Arp, Civil Engineering Consultants, 2400 86th Street, Des Moines, representing the applicant, requested approval for a Specific Plan Ordinance Amendment to establish development regulations for a new development plan that would include various retail, office, restaurant, hotel, convenience store and an apartment complex. While pointing out the 37 acres and the green belt park, he stated that this development process started in 2007 at which time the previously approved development plan was an intensely developed office park with larger buildings. Other than the connection at Walden Drive, all other development plans for the area have changed. Mr. Arp continued by providing an illustrative plan with the access points which have been reconsidered from the original with streets that divide up land uses. There will now be private drives through the development. The Bridgewood Drive connection will be taken up to EP True as a private street.

In general, there will be commercial and retail to the front of the property east of Bridgewood Drive. Mr. Arp provided a drawing which depicted larger retail users in the middle of the project with the ability to have a mix of uses, i.e, pharmacy, bank, restaurant, hotel, etc. To the west of Bridgewood Drive, there will be 180 multi-family dwelling units to include a club house and pool area. The development will have a high-point where water drains away in all directions into smaller detention areas. The development will follow similar architectural standards using materials that would fit into the Jordan Creek neighborhood. The materials will include metal, cement, stone, and wood so as to capture a sleek and modern look using horizontal lines with various color combinations and textures. Examples of building elevations were provided.

Mr. Arp explained that the applicant has been working with the neighbors on the Bridgewood Drive connection to address traffic and safety concerns. At the suggestion of staff, Ryan Companies is proposing that a portion of Bridgewood Drive be vacated north of Beechtree Lane which then would become a private street. The trail that crosses Bridgewood Drive has surfaced as a safety concern as it is used by children to get to school. If there is a private street at the trail crossing, more creative safety elements could be incorporated into the street than if it were a public street. Mr. Arp stated that it was anticipated that construction would begin this summer. He expressed agreement with all staff recommendations.

Planner Portz added that staff is currently working on the Bridgewood Drive vacation which will be brought back to Plan and Zoning for approval within the next month or so.

Chairperson Erickson asked if anyone from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion.

Moved by Commissioner Crowley, seconded by Commissioner Hatfield, the Plan and Zoning Commission approve a resolution recommending City Council approve an amendment to the Specific Plan Ordinance to redefine and detail the regulations, allowances, and limitations of the newly proposed development, subject to the applicant meeting all City Code requirements and the following:

1. Prior to issuance of a building permit for Parcel 8 (medium density ground), the Applicant dedicating the greenway to the City in accordance with the Irrevocable Offer of Dedication agreement executed by Ryan Companies (Dallas County book 2007, page 10387).

2. The applicant implementing traffic calming measures on Bridgewood Drive extension in conjunction with construction of the roadway. Said measures shall be reviewed and approved by the City's Traffic Engineer and Fire Marshal prior to installation.

3. The applicant installing berming and landscape vegetation in the buffer to be located adjacent to Lots 12-19, Bridgewood Plat 2 in conjunction with the development of the first parcel within the Jordan West development, regardless whether or not the parcel is adjacent to the buffer.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown .....Absent
Motion carried.

Item 3 – Old Business

There were no Old Business items on the agenda.

Item 4 – New Business

Item 4a – Aspen Valley (fka Brody Place Estates), Southeast corner of Ashworth Road and future 84th Street – Subdivide property into sixty (60) lots, four (4) street lots, and three (3) outlots for construction of a single family residential development – Arrow Properties, LLC – PP-002641-2015 (Continued from May 26, 2015)

Chris Thompson, Cooper Crawford & Associates, 475 S. 50th Street, West Des Moines, representing the applicant, requested Preliminary Plat approval for the property located at the southeast corner of Ashworth Road and future 84th Street to allow for single family residential development. This project was before the Commission two weeks previously. Since that time, the road has been realigned so that only two lots were lost for the Creekside Glynn development and one lot was gained for the Aspen Valley development. The new plan was provided which depicted the new road alignment.

Commissioner Crowley asked if neighbors to the east were in agreement with the alignment. Mr. Thompson affirmed that the neighbors were in agreement.

Mr. Thompson expressed agreement with all staff recommendations and conditions of approval.

Chairperson Erickson asked if anyone from the audience would like to speak to this item; seeing none, asked for continued discussion or a motion.

Planner Portz stated that he had nothing additional to add.

Moved by Commissioner Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Preliminary Plat to create sixty (60) lots for residential development, four (4) street lots, and three (3) outlots (2 for future development and 1 to be deeded to an adjacent property owner), subject to the applicant meeting all City Code requirements and the following:

1. In conjunction with the Final Platting of the subject property, the applicant shall execute an agreement and waiver for Ashworth Road improvements. Agreement should indicate how the obligation will be distributed across existing and newly platted lots.
2. In conjunction with development of the property, Applicant will be responsible for the installation of all standard public improvements, including sewers, streets, sidewalks/trails and street lights adjacent to all public streets. The applicant acknowledging that public improvements will need to be completed and ready for acceptance by the City prior to issuance of any Final Occupancy permits.
3. The applicant acknowledging and agreeing that development of the lots may be limited so as to not exceed maximum dead-end lengths in City Code until such time that the road network for the area is implemented which provides multiple ways in and out of the development thus eliminating dead-ends.

Item 4b – Woodland Hills, Northwest corner of the intersection of South 88th Street and Sugar Creek Drive – approval to grade site for future development – McAninch Corporation – GP-002729-2015

Josh Trygstad, Civil Design Advantage, 3405 SE Crossroads Drive, Grimes, representing the applicant, requested grading plan approval to remove dirt from the site in anticipation of future development. The grading plan is currently being used as a "borrow" pit for another project.

Chairperson Erickson asked if anyone from the audience would like to speak to this item; seeing none, asked for continued discussion or a motion.

Moved by Commissioner Anderson, seconded by Commissioner Crowley, the Plan and Zoning Commission adopt a resolution approving the grading plan, subject to the applicant meeting all City Code requirements and the following:

1. Providing written confirmation to the Building Division that the National Pollutant Discharge Elimination System (NPDES) General Permit No. 2 has been obtained from the Iowa Department of Natural Resources (IDNR), prior to initiating any grading on the site;
2. The applicant discussing haul route options and, if determined necessary, roadway maintenance measures with the City prior to beginning soil removal from the site; and
3. Applicant coordinating with utility companies for proposed grading within existing easements.

Item 5 – Staff Reports

None.

Item 6 - Adjournment

Chairperson Erickson asked for a motion to adjourn the meeting.

Moved by Commissioner Crowley, seconded by Commissioner Costa to adjourn the meeting.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown.....Absent
Motion carried.

The meeting adjourned at 6:29 p.m.

_____
Craig Erickson, Chairperson
Plan & Zoning Commission

_____
Kimberly Taylor, Recording Secretary

Prepared by: KTragesser, Development Services PO 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 TO APPROVE A COMPREHENSIVE PLAN LAND USE MAP AMENDMENT TO CHANGE THE LAND USE DESIGNATION FROM SUPPORT COMMERCIAL TO NEIGHBORHOOD COMMERCIAL; CHANGE THE HIGH DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL AND SINGLE FAMILY RESIDENTIAL; CHANGE PART OF THE SINGLE FAMILY RESIDENTIAL TO ALSO INCLUDE PARKS AND GREENWAYS; AND CHANGE THE LOW DENSITY RESIDENTIAL TO SINGLE FAMILY RESIDENTIAL AND PARKS AND GREENWAYS.

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, Diligent Grand Avenue 67, LLC has requested approval for a Comprehensive Plan Amendment to amend the Comprehensive Plan Land Use Plan to change the land use designation from Support Commercial (SC) to Neighborhood Commercial (NC); from High Density Residential (HD) to Medium Density Residential (MD) and Single Family Residential (SF); from Low Density Residential (LD) to Single Family Residential (SF) and Parks and Greenways (PG); and part of the Single Family Residential (SF) to also include Parks and Greenways (PG), for the property legally described as:

Legal Description
Lots B and C, and Outlot D, Eight Ways Farm, on official plat now 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 June 8, 2015, the Plan and Zoning Commission did recommend the City Council approve the Comprehensive Plan Amendment;

WHEREAS, on June 15, 2015, this City Council held a duly-noticed public hearing to consider the application for Comprehensive Plan Amendment;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report for the hearing or as amended orally at the City Council hearing are adopted.

SECTION 2. The amendment of the Comprehensive Plan Land Use Map as described above is hereby adopted.

PASSED AND ADOPTED on June 15, 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 June 15, 2015, by the following vote:

ATTEST:

Ryan Jacobson
City Clerk

Prepared by: KTragesser City of West Des Moines, PO Box 65320, West Des Moines, IA 50265 515-222-3620
Return To: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265 515-222-3610
Tax Statement: Not Applicable

ORDINANCE #

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2014, AND ORDINANCE #829, #916, #1050, AND #1248 (ALSO KNOWN AS PUD #1 EIGHT WAYS) PERTAINING TO P.U.D. (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES.

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

SECTION 1. AMENDMENT. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD is hereby amended by renaming the Planned Unit Development from Eights Ways to Grand Lakes.

SECTION 2. AMENDMENT. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD is hereby amended by deleting all instances of "Eight Ways PUD" and replacing each instance with "Grand Lakes PUD".

SECTION 3. AMENDMENT. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD is hereby amended by deleting all instances of "Community Development Department" and replacing each instance with "Development Services Department".

SECTION 4. AMENDMENT. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD Section 1. LEGAL DESCRIPTION is hereby amended by deleting all text in the section and replacing it with the following text in bold lettering:

> **The legal description for the Grand Lakes PUD is as follows:**
>
> **Lots A, B, C, D, G, H, J, and P, Eight Ways Farm, an official plat now in and forming a part of the City of West Des Moines, Polk County, Iowa.**

SECTION 5. AMENDMENT. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 2, SKETCH PLAN is hereby amendment by adding the following text highlighted in bold lettering:

> On file with the Development Services Department of the City and made a part of this rezoning approval for concept description and delineation is the sketch plan document for the Grand Lakes PUD. It is recognized, minor shifts or realignments of roadways may be necessary and compatible with the need to acquire workable street patterns, grades and usable building sites, but the general plan layout, including the relationship of uses to each other and the relationship of land use and dwelling unit types to the general plan framework, traffic layout and development requirements shall be used as the implementation guide. **Wherever conflict occurs between the written text in this document and the notations on the sketch plan, the written text shall prevail.**

SECTION 6. AMENDMENT. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 3. CONDITIONS, is hereby amended by deleting that text highlighted by strikethrough lettering and adding the following text as highlighted in bold lettering:

> ~~Whereas, Section 6 of Ordinance 497 amended Ordinance 430 by creating Article XX(a), PUD District establishes certain regulations and guidelines pertaining to accompanying information required on a final site plan and final site plan documents. Now, therefore, the following conditions, restrictions and regulations are adopted as part of this approval, to wit:~~
>
> **Whereas, title 9, chapter 9, "Planned Unit Development District", of the city code, establishes certain regulations and guidelines pertaining to accompanying information required on plat and site plan documents. Now, therefore, the following conditions, restrictions, and regulations are adopted as part of this approval:**

SECTION 7. AMENDMENT. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 3. CONDITIONS, Subsection A, General Conditions is hereby amended by adding the following text as highlighted in bold lettering and deleting that text highlighted by strikethrough lettering:

> **CONDITIONS**: Whereas, ~~Section 6 of Ordinance 497 amended Ordinance 430 by creating Article XX(a), PUD District~~ **title 9, chapter 9, "Planned Unit Development District"** establishes certain regulations and guidelines pertaining to accompanying information required on final site plan and final site plan documents. Now, therefore, the following conditions, restrictions and regulations are adopted as part of this approval, to wit:
>
> A. General Conditions: The sketch plan incorporates residential and commercial/retail land uses which shall be distributed by area, density, types and location according to the sketch plan as presented. This Ordinance, its conditions, restrictions and regulations adopted herein as a condition to this rezoning action, is binding on the entire property as legally described above in Section 1 and shall run with the land.
>
> In addition, the following general site plan criteria shall be integrated into and made a part of the planned unit development and sketch plan document:
>
> 1. All subdivisions, public streets, public street rights-of-way and general development shall adhere to the standards and design criteria set forth in the West Des Moines Subdivision Ordinance pertaining thereto unless otherwise stated within this Ordinance.
>
> 2. ~~Unless otherwise specified herein, the development of the Eight Ways PUD shall comply with Article XXII (Off Street Parking and Loading Areas), Article XXIII (Open Space Requirements) and Article XXV (Site Plans) of the West Des Moines Zoning Ordinance. For the purposes of the application of Article XX(a), Planned Unit Development District, Section 6, Final Plan Submittal: the submittal of final plan documents for any parcel or part of any parcel of the Eight Ways PUD within one year after approval and publication of this Ordinance, shall be considered to satisfy the terms and requirements of Section 6.~~
>
> **Unless otherwise specified herein, the development of the Grand Lakes PUD shall comply with Title 9 "Zoning", Title 10 "Subdivision Regulations" of the city code, and any other applicable codes and regulations.**
>
> 3. In all areas within a 100-year frequency flood hazard zone, or adjoining drainageways or detention areas involving potential flood hazards, no residential structure shall be erected which has a lowest floor, including basements, less than one foot (1') above the determined level of the 100-year frequency flood event, no residential structure shall be erected within thirty five feet (35') of any major drainageway or storm water detention basin (i.e., Parcel D), and no parking lot shall be constructed at an elevation of less than the 100-year frequency flood event elevation.

4. The developers of each parcel, their heirs, successors and assigns, if any, shall pay all construction and engineering costs for the interior development of that parcel of the planned unit development, as required by this Ordinance, or the Subdivision Ordinance of the City of West Des Moines, Iowa, for all streets, storm sewers, sanitary sewers, drainageway improvements, water main, buffers and other improvements within the PUD as may be required by the Subdivision and Zoning Ordinances; except as provided for in subsection B-4, Parcel D, and subsection ~~B-9~~ **B-6**, Parcel P in this Ordinance

SECTION 8. **AMENDMENT**. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 3, Conditions, Subsection B. Land Use Design Criteria is hereby amended by deleting that text highlighted by strikethrough lettering and adding the following text as highlighted in bold lettering:

B. Land Use Design Criteria: In addition to the general conditions as stated in subsection A above, the following land use design criteria shall apply to the development areas designated on the sketch plan. The sketch plan document which is made a part of this rezoning action per Section 001-02 herein, delineates ~~ten (10)~~ **nine (9)** parcels of the PUD as Parcels A, B, C, D, E, F, G, H, ~~I~~ and P for application of specific development standards of use and density regulations. The development standards and use regulations shall apply to each of the individual parcels as applicable:

SECTION 9. **AMENDMENT**. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 3, Conditions, Subsection B. Land Use Design Criteria, Paragraph 2. Parcel B is hereby amended by deleting the text entirely and replacing with the following:

2. Parcel B: Unless otherwise provided for within this ordinance, the use regulations and provisions set forth in title 9 of the city code for the neighborhood commercial district (NC) shall apply to any development proposal for the property within Parcel B as shown on the sketch plan except as shall be further provided herein. This parcel shall cover a maximum of five and one-half (5.5) acres.

a. Multiple use of the site by more than one building shall be permitted only if said buildings are consistent in architectural design and use of materials and organized utilizing a compatible planned open space, landscape plan, and parking plan to serve and maintain a unified master plan concept; multiple buildings separated by parking areas or drives shall not be considered acceptable if not complying with the neighborhood commercial minimum lot area standards. All uses specifically permitted within the neighborhood commercial district shall be allowed. Lot area, lot frontage and yard requirements shall comply with standards of the neighborhood commercial district, provided the front yard setback from any street shall be a minimum of fifty feet (50'), and the setback from adjoining Parcel A to the north may be a minimum of twenty five feet (25') if sufficient measures are taken for acceptable buffering of the rear of the commercial buildings from the adjoining single-family residential use. Additionally, adequate buffering of negative aspects of commercial buildings (loading docks, garbage dumpsters and HVAC mechanical units) from Grand Avenue and adjoining residential uses shall be required and direct driveway access to Grand Avenue prohibited.

SECTION 10. **AMENDMENT**. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 3, Conditions, Subsection B, Land Use Design Criteria, Paragraph 3. Parcel C is hereby amended by deleting the entire text in Section 3. Parcel C and replacing it with the following:

3. Parcel C: Parcel C may be developed with either single family detached residential structures or single family bi-attached structures e.g. twin homes, duplexes'; this does not include attached dwellings with an owners association. The two types of structures are not allowed to co-exist within the parcel; the parcel will either be developed with all detached or all bi-attached structures.

a. If Parcel C is developed for single family detached structures, all general use regulations, performance standards and provisions set forth in title 9, "Zoning", of the

city code for the R-1 Single-Family Residential District shall apply. No structure shall be located within the 100 foot easement for the overhead electric power distribution system.

b. If Parcel C is developed for single family bi-attached structures, all general use regulations, performance standards, and provisions set for the in title 9, "Zoning", of the city code for residential medium density (RM-6) shall apply, except as provided herein:

1. **Minimum lot area shall be 5,000 square feet for each side of the bi-attached dwelling unit.**
2. **Minimum lot width shall be 37.5 feet.**
3. **Front yard setback shall be a minimum of 30 feet, rear yard setback shall be a minimum of 20 feet, and side yard setback shall be a minimum of 7 feet from the closest portion of the structure or basement egress window well.**
4. **Maximum height shall be two stories.**
5. **Accessory structures shall be in accordance with R-1 district standards for such structures and Title 9, Zoning, Chapter 14, Accessory Structures**

No structure shall be located within the 100 foot easement for the overhead electric power distribution system.

SECTION 11. <u>AMENDMENT</u>. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 3, Conditions, Subsection B, Land Use Design Criteria, Paragraph 4. Parcel D is hereby amended by deleting the strikeout text and adding the bolded text:

4. Parcel D: Storm Water Detention Basin. Parcel D as shown on the sketch plan shall be reserved for acquisition by the City of West Des Moines for public use **upon the basin's completion and with the submittal and approval of as-built drawings of the basin.** ~~within one year after the date of issuance of building permits and initiation of construction of buildings within any one of the adjoining Parcels C, E, or I within the planned unit development. Parcel D shall be up to twenty four and six tenths (24.6) acre~~ **The basin will be acquired by the City** for area wide storm water detention in accordance with storm water drainage and detention engineering plans and studies approved by the City **and as a public amenity for the area.**

   a. Parcel D shall be conveyed by warranty deed, free and clear of all liens and encumbrances including all judgments, attachments, mechanics and other liens, except any special assessments for public projects, to the City of West Des Moines subject to any easements and covenants filed of record on or prior to January 1, ~~1990~~**2015**.

   The value of the land to be purchased by the City for ~~detention basin use (~~Parcel D~~)~~ shall be established at the time of purchase of said property by the City and shall be based upon current value of the land for row crop farming use only and comparable to the value of comparable farm land in central Iowa and shall not be based upon or adjusted in value for any alternate use in lieu of row crop farming. If possible, the value shall be determined by mutual agreement between the City Council and owner. If an agreement on the value cannot be mutually reached by the parties, such value shall be determined by the parties appointing a real estate appraiser with qualifications of a M.A.I., who shall determine the value of the land for farming use only with the cost of the appraisal being equally shared by the City and the owner.

   b. ~~The cost for the purchase of the land, construction of the detention basin (Parcel D) and outlet structures under Grand Avenue in accordance with engineering plans approved by the City for the detention basin shall be paid through special assessment proceedings required for public improvement projects.~~ The owner reserves the right to farm Parcel D, and/or grade and remove earth from Parcel D prior to conveyance of the land to the City. Any grading and dirt removal shall be in accordance with grading plans approved by the City, which approval shall not be unreasonably withheld.

c. **A strip of land, 40 feet in width, shall be provided between the lot lines of the property in parcels C, E, F, G, I, P and the top of the bank of the proposed detention basin. This land shall be graded at a minimum 4:1 slope towards the detention pond. No private improvements or enhancements will be permitted on said property or the adjacent detention or its banks. A multipurpose trail shall be constructed by the City within this land in the future and shall be shown on any future plats or site plans.**

d. **The City of West Des Moines shall maintain all the land it owns around the detention basin up to the private property lines in a manner consistent with it practices along other bodies of water where trails are present. This generally means that the ground vegetation shall be of a native prairie nature and will be burned or mowed on occasion (generally about once per year). A strip of ground immediately on each side of the proposed trail may be mowed more frequently. The City reserves the right to establish site specific rules and regulations for the basin, the surrounding land area and any associated trails.**

e. **The detention basin shall be designed and constructed not only to provide dirt for construction and capacity for storm water management, but also a habitat for aquatic and vegetative life and a visually attractive asset. This may include providing more irregular shoreline forms and varying depths beneath the water level. With that in mind, the design of the detention basin shall incorporate best practices as guided by the Iowa Department of Natural Resources Fisheries and Wildlife Division and address all of these multiple needs and require approvals from the city as part of the overall approval development process. Sections and details shall be provided at platting of the parcels at multiple locations describing edge treatments, water depths, and associated habitat.**

f. **No swimming or boats with gas or electric powered motors are allowed in or on the detention basin. The city shall manage the detention basin in a way that promotes public enjoyment and use and shall use whatever physical or chemical means are prudent to aerate the water, control the algae, and promote biological health.**

g. **A strip of land 25 feet in width shall be provided between the ultimate right-of-way line of Grand Avenue and the top of the bank of the detention basin. This land shall be graded at a 4:1 slope as it slopes towards the basin.**

SECTION 12. **AMENDMENT**. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 3, Conditions, Subsection B, Land Use Design Criteria, Paragraph 5. Parcel E is hereby amended by deleting the entire text and replacing the text with the following:

> **5. Parcels E, F, G and H: All general use regulations, performance standards and provisions set forth in title 9, "Zoning", of the city code for the R-1 Single-Family Residential District shall apply to any development proposal for all property within Parcels E, F, G, and H as shown on the sketch plan of the Grand Lakes PUD.**

SECTION 13. **AMENDMENT**. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 3, Conditions, Subsection B, Land Use Design Criteria, Paragraph 6. Parcel F is hereby amended by deleting the entire paragraph.

SECTION 14. **AMENDMENT**. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 3, Conditions, Subsection B, Land Use Design Criteria, Paragraph 7. Parcel G is hereby amended by deleting the entire paragraph.

SECTION 15. **AMENDMENT**. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 3, Conditions, Subsection B, Land Use Design Criteria, Paragraph 8. Parcel H is hereby amended by deleting the entire paragraph.

SECTION 16. **AMENDMENT**. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 3, Conditions, Subsection B, Land Use Design Criteria, Paragraph 9. Parcel I is hereby amended by deleting the entire paragraph.

SECTION 16. AMENDMENT. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 3, Conditions, Subsection B, Land Use Design Criteria, Paragraph 10. Parcel P is hereby amended by renumbering the Paragraph from 10 to 6.

SECTION 17. AMENDMENT. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, is hereby amended by inserting a new section prior to Section 4 Double Frontage Lots and renumber succeeding sections accordingly:

> **PARKLAND DEDICATION: In conjunction with development of any residential portion of the PUD, said area shall be subject to parkland dedication requirements per city code, Title 10, Chapter 1, Section 4.**

SECTION 18. AMENDMENT. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 9. STORM WATER MANAGEMENT is hereby amended by adding the text highlighted in bold lettering:

> There shall be submitted to, and approved by, the West Des Moines City Engineer a complete storm water management plan for each separate parcel, except Parcel D and P, to be prepared by the developer prior to development within the parcel. A storm water management plan shall be submitted for all of Parcels A, B, C, **E, F, G** and H prior to any development within any of said parcels to show the manner in which storm water shall be conveyed to Parcel D or other determined storm water drainage outlets from the area.

SECTION 19. AMENDMENT. Ordinances 829, 916, 1050, and 1248 Eight Ways PUD, Section 8. TRANSPORATION AND ACCESS TO GRAND AVENUE is hereby amended by adding the text highlighted in bold lettering and deleting text in strikethrough lettering:

> Upon development of Parcels B, C, **E,** or H, Scenic Valley Drive shall be constructed for dedication to the City, from the west boundaries of Parcels ~~C~~ **E** and H to Grand Avenue. Direct private driveway or roadway access to Grand Avenue shall be prohibited, except, use of existing agricultural driveway accesses may be maintained for continued farming operations within the area of the Grand Lakes PUD described in Section 001-01 of this PUD.

SECTION 20. 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 21. VIOLATIONS AND PENALTIES: Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Section 1-4-1 of the City Code of the City of West Des Moines, Iowa.

SECTION 22. 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 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 this _____day _____ 2015.

_____

Steven K Gaer, Mayor

ATTEST:

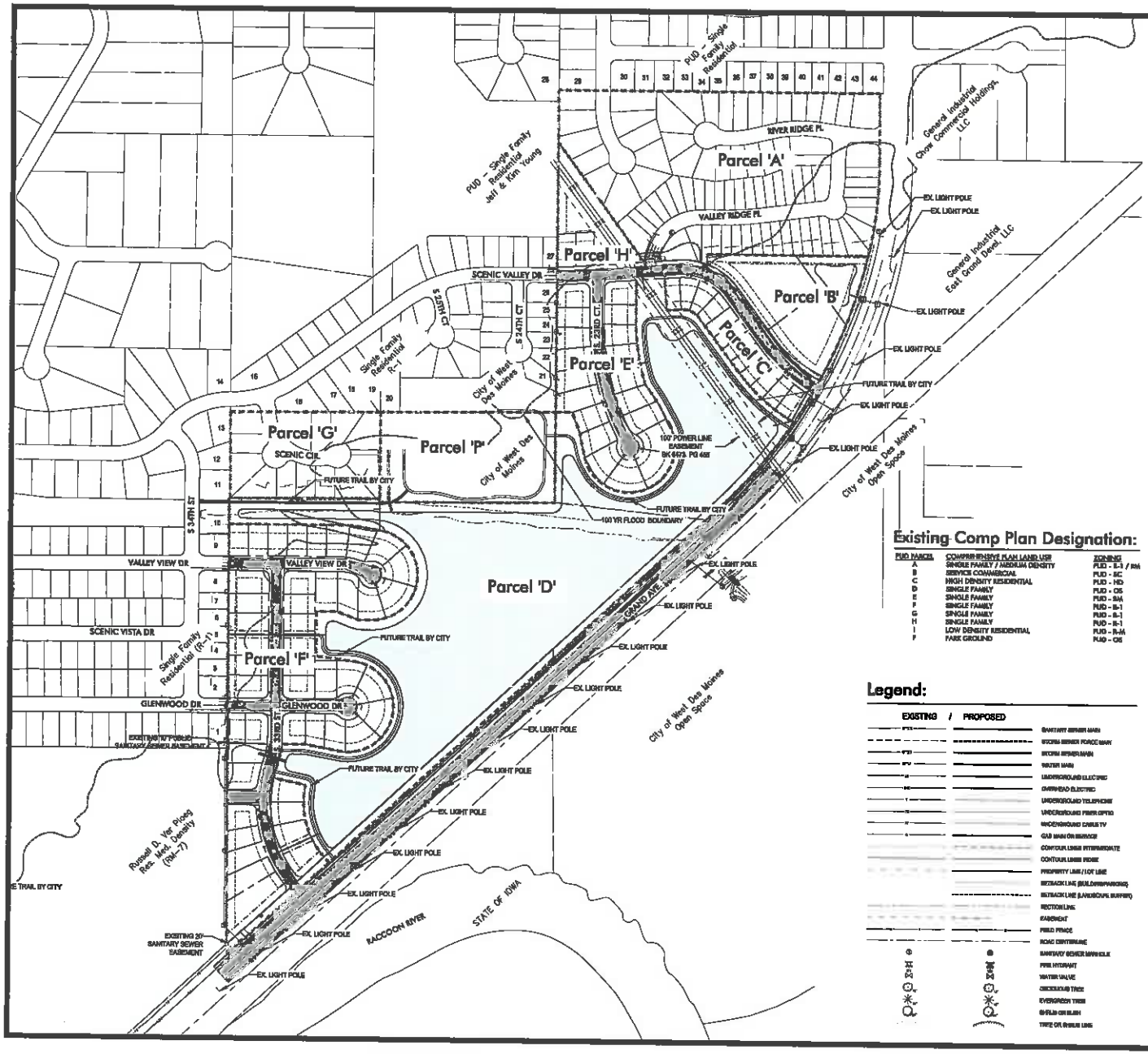
_____

Ryan Jacobson
City Clerk

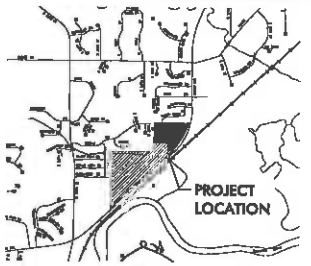
I certify that the foregoing was published as Ordinance No. _____ on the __ day of _____ 2015.

_____

Ryan Jacobson
City Clerk



Vicinity Map:



Legal Description:

LOTS A, B, C, G, H, P, I AND OUTLOT D OF EIGHT-WAYS FARM FINAL PLAT CONTAINING 98.69 ACRES.

Owner/Applicant:

DILIGENT GRAND AVE. 67, LLC
12119 STRATFORD DRIVE, SUITE B
CLIVE, IOWA 50325
515-222-1347

Zoning:

EXISTING
PUD - EIGHT WAYS

PROPOSED
PUD - GRAND LAKES

Street Classifications:

GRAND AVE: MAJOR ARTERIAL (150' R.O.W.)
SCENIC VALLEY DR: MINOR COLLECTOR (70' R.O.W.)

NOTE:
ROW WIDTH AT INTERSECTIONS IS TYPICALLY WIDER TO ACCOMMODATE ADDITIONAL LANES.

Existing Comp Plan Designation:

PUD PARCEL	COMPREHENSIVE PLAN LAND USE	ZONING
A	SINGLE FAMILY / MEDIUM DENSITY	PUD - R-1 / RM
B	SERVICE COMMERCIAL	PUD - SC
C	HIGH DENSITY RESIDENTIAL	PUD - HD
D	SINGLE FAMILY	PUD - OS
E	SINGLE FAMILY	PUD - RM
F	SINGLE FAMILY	PUD - R-1
G	SINGLE FAMILY	PUD - R-1
H	SINGLE FAMILY	PUD - R-1
I	LOW DENSITY RESIDENTIAL	PUD - R-M
P	PARK GROUND	PUD - OS

Proposed Comp Plan Designation:

PUD PARCEL	COMPREHENSIVE PLAN LAND USE	ZONING
A	SINGLE FAMILY / MEDIUM DENSITY	PUD - R-1 / RM
B*	NEIGHBORHOOD COMMERCIAL*	PUD - NC*
C*	MEDIUM DENSITY RESIDENTIAL*	PUD - R-1 / RM-6*
D	SINGLE FAMILY	PUD - OS
E*	SINGLE FAMILY*	PUD - R-1*
F*	SINGLE FAMILY*	PUD - R-1*
G	SINGLE FAMILY	PUD - R-1
H	SINGLE FAMILY	PUD - R-1
I*	-	-
P	PARK GROUND	PUD - OS

* - CHANGED FROM ORIGINAL PUD ORDINANCE

Proposed Building Setbacks:

PUD PARCEL	FRONT	REAR	SIDE
B*	45'	35'	35'
C (R-1)	30'	35'	7' (MIN.) / 18' TOTAL
C (RM-6)	30'	30'	7'
D	30'	35'	7' (MIN.) / 18' TOTAL
E	30'	35'	7' (MIN.) / 18' TOTAL
F	30'	35'	7' (MIN.) / 18' TOTAL
H	30'	35'	7' (MIN.) / 18' TOTAL

* A 30 FOOT BUFFER EASEMENT ON THE NORTH SIDE OF THE PARCEL AND A 15' PARKING SETBACK ALONG ALL PUBLIC ROW. BUFFER SHALL CONSIST OF A NATURAL EARTHEN BERM AND PLANTINGS PER THE CURRENT CITY BUFFER REQUIREMENTS.

Legend:

EXISTING / PROPOSED

SANITARY SEWER MAIN
STORM SEWER FORCE MAIN
STORM SEWER MAIN
WATER MAIN
UNDERGROUND ELECTRIC
OVERHEAD ELECTRIC
UNDERGROUND TELEPHONE
UNDERGROUND FIBER OPTIC
UNDERGROUND CABLE TV
GAS MAIN OR SERVICE
CONTOUR LINES INTERMEDIATE
CONTOUR LINES INDEX
PROPERTY LINE / LOT LINE
SETBACK LINE (BUILDING/PARKING)
SETBACK LINE (LANDSCAPE BUFFER)
SECTION LINE
EASEMENT
FIELD FENCE
ROAD CENTERLINE
SANITARY SEWER MANHOLE
FIRE HYDRANT
WATER VALVE
DECIDUOUS TREE
EVERGREEN TREE
SHRUB OR BUSH
TREE OR SHRUB LINE

Neighboring Property Owners:

PROPERTY OWNERS

1	William Stump	23	Tyler West
2	Chris & Sarah Voggesser	24	Brian Kinnon
3	Salvador B Leon	25	Curtis & Jennifer Simmons
4	BCS REO I, LLC	26	Christopher Sayco
5	Jillian J Grund	27	Lucas & Katie Baeder
6	John L & Stephanie L Buisl	28	Sharon Wittenstein
7	Dylan Claypool	29	Wen Nam & Hee Sook Yun
8	Brian L & Marla B Malco	30	Jeffanyk Lynn Johnson
9	John L & Gena L Wheeler	31	John Long & Myrna Leonard
10	City of West Des Moines	32	Robert Gerschold
11	David A & Sandra S Drescher	33	Frederick & Joanne Nordengren
12	Anurag & Sonalee Joshi	34	Kimberly Barrett
13	Peter & Anni Bass	35	Steven & Donna Flamm
14	James & Diana Wessler	36	Mark & Christine Rasmussen
15	Gregory & Mary Chesler	37	Nancy & Zachary Binder
16	Nathan & Sara Davis	38	Dennis Hoff
17	Mark Wolford & Kendra Williams	39	Brian & Peggy Willard
18	Michelle Short	40	Robert & Cynthia Lattington
19	Mary Belcher	41	Carl & Debra Evans
20	City of West Des Moines	42	David & Jennifer De Carlo
21	William & Emily Hebak	43	Jill Dettbarn
22	Andrew Countryman	44	Ray Ford

McCLURE ENGINEERING Co
building strong communities.
1360 NW 121ST. Street
Clive, Iowa 50325
515-964-1229
fax 515-964-3370

NOTICE:
McClure Engineering Company makes no and all responsibility and liability for problems which arise from failure to follow these plans, specifications, and the engineering based thereon, or for problems which arise from failure to obtain and/or follow the engineers guidelines with respect to any errors, omissions, inconsistencies, ambiguities, or conflicts which are alleged.

PUD Sketch

NORTH

0 100 200 400
GRAPHIC SCALE

Grand Lakes PUD Sketch Plan

West Des Moines, Iowa

2210054

February 2015

REVISIONS
May 8, 2015

ENGINEER: C. SMITH
DRAWN BY: C. SMITH
CHECKED BY: -
FIELD BOOK NO.: -
DRAWING NO.: PUD-01
SHEET NO.: 01 / 01