

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

Meeting Date: February 1, 2016

Item: Newport Office Building, 1075 Jordan Creek Parkway – Approval of a Major Modification to a Site Plan to construct a 75,000 sq. ft. office building – R&R Realty - MaM-002943-2015

Requested Action: Approval of a Major Modification to a Site Plan

Case Advisor: Kara Tragesser, AICP *[Signature]*

Applicant's Request: RRHWoods, LLC is proposing to construct one 75,000 sq. ft. office building at 1075 Jordan Creek Parkway. The building is proposed to be a three story, brown brick building with ribbon windows in keeping with the adjacent buildings (see Attachment B – Location Map, Attachment C – Site Plan, and Attachment D – Building Elevations).

History: The subject property is designated as ‘Parcel F’ within the Country Club West Office Plaza Planned Unit Development (formerly the Fountain West PUD). The property has an underlying zoning district of Professional Commerce Park and is vacant. On August 1, 2005, the City Council approved a site plan for the parcel for a three story, 75,000 sq. ft. building. Since that approval, the entitlement for that approval has been extended nine times. Because the site plan approval remained valid, with the construction of the Sierra Point apartments at 7171 Woodland Avenue in 2014, the applicant was able to place soil from the Sierra Point site onto this property. With the change in grading resulting from the soil being placed on the property, a new site plan needed to be reviewed and approved.

On January 11, 2016, the City Council approved a phased site plan that allowed the property owner to grade the site, install private utilities, and construct footings and foundations at their own risk.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on January 11, 2016; the Subcommittee was supportive of the development.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. Staff notes the following:

Right-of-way: Jordan Creek Parkway is classified as a major arterial roadway which by Comprehensive Plan standards needs 165 feet of total right-of-way or 82.5 feet from the center of the right-of-way adjacent to the subject property. It appears the existing right-of-way adjacent to this site is 80 feet, therefore the deficit of 2.5 feet should be provided to the City by the property owner. Also, 72nd Street is classified as a minor collector roadway which by Comprehensive Plan standards needs 70 feet of total right-of-way or 35 feet from the center of the right-of-way adjacent to the subject property. It appears the existing half right-of-way adjacent to this site is 30 feet, therefore the deficit of 5 feet of right-of-way should be provided to the City by the property owner. It has been the practice of the City Council to require the additional right-of-way by deed or irrevocable offer of dedication for existing platted property. Staff recommended that the right-of-way be provided by deed to be consistent with the City Council’s practice for the majority of development projects approved throughout the City.

The property owner has offered right-of-way needs by easement on other projects, Sierra Point apartments and a Capital Improvement project at 50th and University, and requests the same consideration for this project. After discussion with the City Attorney’s office, staff has included a recommendation that the additional right-of-way for these roadways be provided for by easement in this case as it is unlikely that the subject roadways will be widened.

Future Street Lights: Existing lighting levels on Jordan Creek Parkway do not meet the standards set in the City’s lighting policy. When the west side of Jordan Creek Parkway is developed a lighting analysis will be done and the street light spacing likely will change. This may require additional street lights adjacent to this site. The applicant can either do the analysis now to determine the light pole spacing to verify whether additional street lights would not be necessary or execute a Street Light Agreement agreeing to make the necessary light adjustments at such time that the analysis is completed either by developers on the west side of the road or the City.. If a study were to be completed now by the applicant and no additional street lights were identified as necessary, then the agreement would not be necessary. It does

not appear that the applicant will be completing a study now, therefore Staff recommends a condition of approval that, if the study is not complete by the time the applicant wishes to occupy the building that the Street Light Agreement be executed prior to issuance of an occupancy permit, including a temporary occupancy.

Agreements and Easements executed prior to any occupancy permit versus prior to building permit: Generally, the City requires all easements (right-of-way and ingress/egress) and agreements (street lights and storm water facility management) to be executed prior to approving a building permit. This helps to ensure that the City receives the required documents before being confronted with a development that is ready to be occupied in all other aspects, but for the agreements and easements to be executed. The property owner has raised specific concerns with the provision now of the Storm Water Management Facility Maintenance Agreement and as-built certifications as winter weather prevents the proper surveying of the pond. The property owner has requested that the easements and agreements be executed and returned to the City prior to occupancy instead in order to allow the building permits to be approved and construction begin as soon as possible. Since the City Council has yet to approve the project with the conditions of approval which include accepting right-of-way easements in lieu of deeds and the time it is anticipated to take to complete the street light analysis, these easements and agreements won't be ready at the time the City Council reviews the development proposal. Staff is recommending a condition of approval that would allow the building permits to be issued prior to receiving the documents, but that the documents be executed and provided to the City prior to issuance of an occupancy permit for the building, including issuance of a temporary occupancy permit.

Comprehensive Plan Consistency: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Findings: This proposed project was distributed to various city departments for review and comment. Based upon that review, the following findings have been made on the proposed project:

1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that the project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan.
2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance.
3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare and safety of the community.
4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.
5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and the project has complied with or has been conditioned to comply with all City Code requirements.
6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the zoning designation and Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

Staff Recommendation And Conditions Of Approval: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Major Modification to a Site plan to construct a 75,000 sq. ft. office building at 1075 Jordan Creek Parkway, subject to the applicant meeting all City Code requirements and the following:

1. That the applicant acknowledge that prior to any occupancy permit for the building, the landscaping for open space, parking lot, and screening be installed, inspected, and approved or in the event the landscaping is not complete, surely in an amount equal to 1 ½ times the landscape contract be submitted to the City in order to receive a temporary occupancy permit. The applicant further acknowledges that all site improvements, including landscaping will need to be completed, inspected by staff, and deficiencies remedied prior to the issuance of a Final Occupancy Permit for the building.
2. That the applicant acknowledge that final site plan drawings which address all staff comments must be submitted prior to any work that may require City inspections.
3. That the City Council accept right-of-way and utility easements for an additional 2.5 feet of right-of-way along Jordan Creek Parkway adjacent to this site and for an additional 5 feet of right-of-way along 72nd Street adjacent to this site, prior to any occupancy of the building.
4. That the City Council allow ingress/egress easement, the street light agreement (if needed), and the storm water facility management agreement and certifications to be submitted prior to any occupancy of the building.

Owner: RRHWoods, LLC
c/o R&R Realty Group LTD
1225 Jordan Creek Parkway
West Des Moines IA 50266

Applicant: R&R Realty Group
1225 Jordan Creek Parkway, Suite 200
West Des Moines IA 50266
Tom Rupprecht
515-223-4500
Rupprecht.tom@rrrealty.com

ATTACHMENTS:

Attachment A	-	Plan and Zoning Commission Resolution
Attachment B	-	Location Map
Attachment C	-	Site Plan
Attachment D	-	Elevations

ATTACHMENT A

RESOLUTION NO. PZC

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES,
RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE A SITE PLAN TO CONSTRUCT A 75,000
SQUARE FOOT OFFICE BUILDING AT 1075 JORDAN CREEK PARKWAY**

WHEREAS, pursuant to the provisions of Title 10, Chapter 1 et seq., of the West Des Moines Municipal Code, the applicant, RRHWoods LLC, has requested approval for a Major Modification to a Site Plan (MaM-002943-2015) to construct a 75,000 square foot office building and associated site improvements on that property located at 1075 Jordan Creek Parkway;

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 February 1, 2016, this Commission held a duly-noticed public meeting to consider the application for a Major Modification to Site Plan;

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 or as amended orally at the Plan and Zoning Commission hearing are adopted.

SECTION 2. The Site Plan to construct a 75,000 square foot office building and associated site improvements 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 February 1, 2016.

Craig Erickson, Chairperson
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 February 1, 2016, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

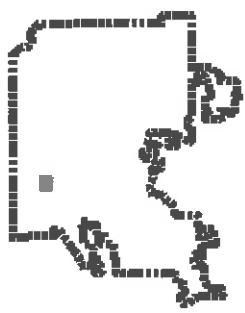
ABSENT:

ATTEST:

Recording Secretary

Exhibit A
CONDITIONS OF APPROVAL

1. That the applicant acknowledge that prior to any occupancy permit for the building, the landscaping for open space, parking lot, and screening be installed, inspected, and approved or in the event the landscaping is not complete, surely in an amount equal to 1 ½ times the landscape contract be submitted to the City in order to receive a temporary occupancy permit. The applicant further acknowledges that all site improvements, including landscaping will need to be completed, inspected by staff, and deficiencies remedied prior to the issuance of a Final Occupancy Permit for the building.
2. That the applicant acknowledge that final site plan drawings which address all staff comments must be submitted prior to any work that may require City inspections.
3. That the City Council accept right-of-way and utility easements for an additional 2.5 feet of right-of-way along Jordan Creek Parkway adjacent to this site and for an additional 5 feet of right-of-way along 72nd Street adjacent to this site, prior to any occupancy of the building.
4. That the City Council allow ingress/egress easement, the street light agreement (if needed), and the storm water facility management agreement and certifications to be submitted prior to any occupancy of the building.



Legend

- Parcels
- Parks
- Greenways



Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Newport - 1075 Jordan Creek Parkway



NEWPORT OFFICE BUILDING
COUNTRY CLUB OFFICE PARK
1075 JORDAN CREEK PARKWAY,
CITY OF WEST DES MOINES, COUNTY OF DALLAS, STATE OF IOWA

PLAINTIFF INFORMATION:
1. WEALTH GROUP LTD
1 JORDAN CREEK PARKWAY SUITE 200
NEWARK, DE 19713-2685
(302) 232-4450

DEFENDANT INFORMATION:
1. WEALTH GROUP LTD
1 JORDAN CREEK PARKWAY SUITE 200
NEWARK, DE 19713-2685
(302) 232-4450

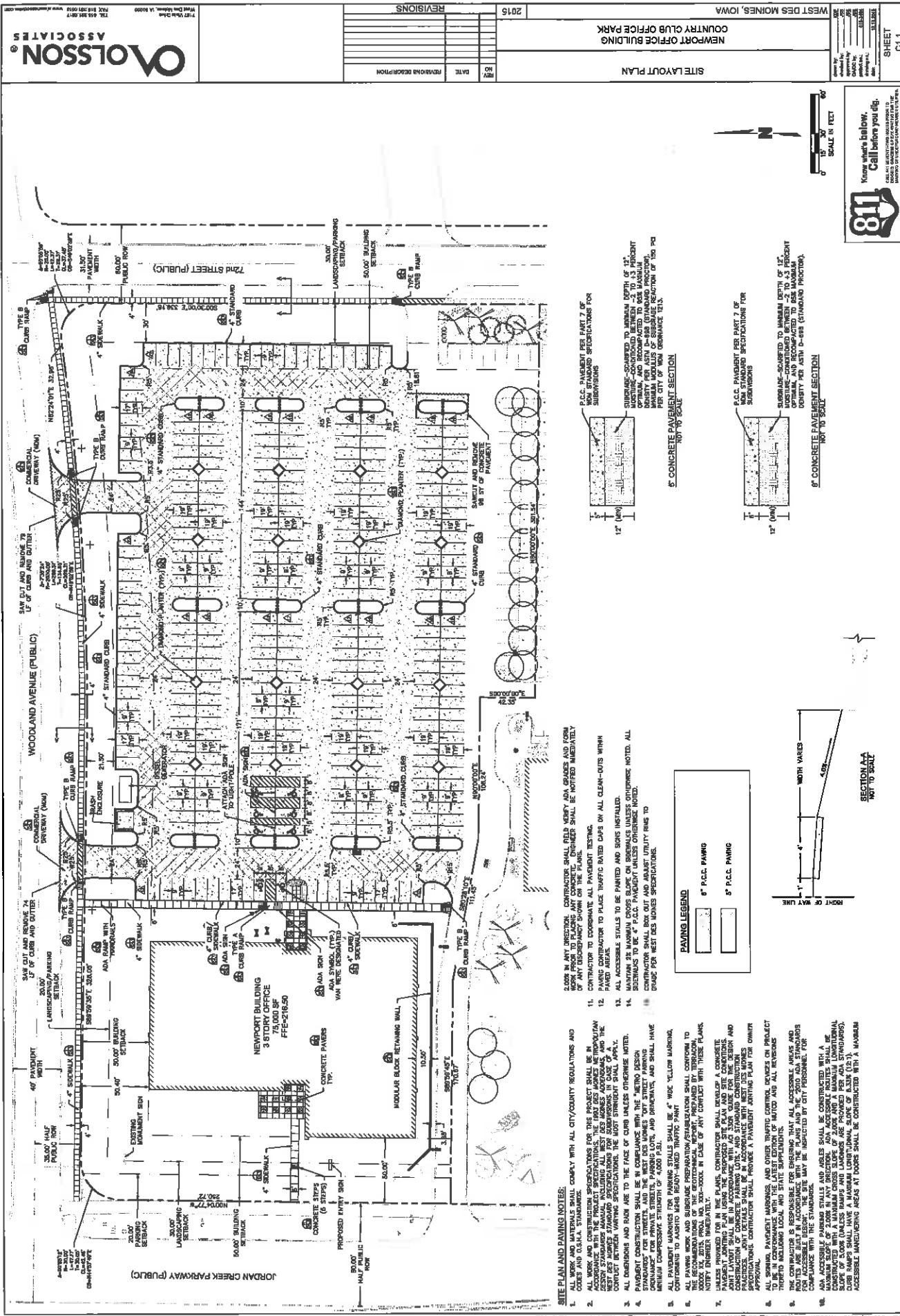
UTILITIES
PROJECT TEAM:

WATER: WEST MINNESOTA WATER WORKS, INC., 1000 1ST AVENUE, ST. PAUL, MN 55101-3000
ARCHITECT: SPV ARCHITECTS, INC., 1000 21ST STREET, SUITE 200, CHICAGO, IL 60601-3066
 1400 BROADWAY, SUITE 1000, BOULDER, CO 80302-3066
 PH: (612) 337-5900
STRUCTURAL ENGINEER: RICHARD L. HERBERD
MECHANICAL ENGINEER: ROBERT J. KELLY
ELECTRICAL ENGINEER: ROBERT J. KELLY
PLANT OPERATOR: ROBERT J. KELLY
HAZARDOUS WASTE ENGINEER: ROBERT J. KELLY
ENVIRONMENTAL ENGINEER: ROBERT J. KELLY
LANDSCAPE ARCHITECT: ROBERT J. KELLY
STORM SEWER: CITY OF WEST MINNESOTA
 1000 1ST AVENUE, ST. PAUL, MN 55101-3000
SEWERAGE: CITY OF WEST MINNESOTA
 1000 1ST AVENUE, ST. PAUL, MN 55101-3000

LEGAL DESCRIPTION:
LOT 14 KNUDSEN AS LOT 1 OF COUNTRY CLUB OFFICE PLAZA
F T PLAT 7, CONTAINING 4.98 ACRE, MORE OR LESS

STANDARD NOTES CITY OF WEST DES MOINES

CONTRACTOR'S EXPENSE.—
THE EXPENSES OF DESIGNING AND CONSTRUCTION ACTIVITIES SHALL BE CONFINED TO THE OWNER'S
TYPICAL EXPENSES OF A CONTRACTOR—NOT, PERMANENT EASMENTS, AND TEMPORARY
CONSTRUCTION EASEMENTS.



100

- CROSS-SECTION DRAWINGS**

5' CONCRETE PAVEMENT SECTION NOT TO SCALE

1. CONTRACTOR TO COORDINATE ALL PAVEMENT TESTING.

2. PAVING CONTRACTOR TO PLACE TRAFFIC RATED CAPS ON ALL CLEAN-OUTS WITHIN FACED AREAS.

3. ALL ACCESSIBLE STOLES TO BE PAINTED AND SIGNS INSTALLED.

4. MAINTAIN 3' MARGIN CROSS-SLOPE ON BERMAS UNLESS OTHERWISE NOTED.

5. SUBTURFS TO BE 4" P.C.C. PAVING UNLESS OTHERWISE NOTED.

6. CONTRACTOR TO PLACE TRAFFIC RATED RAMPS AND UTILITY RAMS TO GRADE PER WEST MICHES SPECIFICATIONS.

PAVING LEGEND

5' P.C.C. PAVING

S.P.C.C. PAVING

WATER LINE

ROCK OF WATER

WATER VARIES

NOTES

ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY REGULATIONS AND CODES AND U.S.A. STANDARDS.

11. ALL WORK AND CONSTRUCTION SPECIFICATIONS FOR THIS PROJECT SHALL BE IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS, THE INDIA DEPARTMENT OF METROPOLITAN PLANNING, ENGINEERING, AND DESIGN (IDMD) STANDARDS AND SPECIFICATIONS, THE STATE OF MICHIGAN STANDARDS AND SPECIFICATIONS, AND THE CONTRACTOR'S STANDARDS AND SPECIFICATIONS, PROVIDED THAT THE CONTRACTOR DETERMINES VARIOUS SPECIFICATIONS ARE INCONGRUENT. IN THE CASE OF A DISCREPANCY, THE CONTRACTOR'S STANDARDS AND SPECIFICATIONS SHALL APPLY.

12. ALL DIMENSIONS AND RUMPS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.

13. PAVING CONSTRUCTION SHALL BE IN COMPLIANCE WITH THE "METRO DESIGN STANDARDS" FOR STREETS, AND THE WEST DES LINES TO STREET PARKING ORNAMENTAL, FOR PRIVATE STREETS, PARKINGLOTS, AND DRIVEWAYS, AND SHALL HAVE ENOUGH COVERAGE TO ASSURE THAT HEAVY TRAFFIC CAN PASS OVER THEM EASILY.

14. ALL PAVING, INC., AND SUBGRADE PREPARATION, SHALL CONFORM TO THE REQUIREMENTS OF THE GEOTEXTILE REPORT, PREPARED BY TERRACON, DOUGLAS, INC., DOUGLAS, ILLINOIS, NO. 200-2000, IN CASE OF ANY CONFLICT WITH THESE PLANS, THE CONTRACTOR IS RESPONSIBLE FOR ENGINEERING.

15. ALL ENGINEERS INVOLVED:

16. THE CONTRACTOR SHALL PREPARE A CONCRETE PLANS AND DETAILS FOR THE PAVING CONTRACTOR TO USE IN THE PREPARED SITE PLAN, AND SITE CONDITIONS, AND SHALL BE IN ACCORDANCE WITH AS-3000 GUIDE FOR THE DESIGN AND JOINT LAYOUT SHALL BE IN ACCORDANCE WITH AS-3000 JOINT LAYOUT CONSTRUCTIONS.

17. CONCRETE CONTRACTOR SHALL PREPARE A CONCRETE PLANS AND DETAILS FOR THE PAVING CONTRACTOR TO USE IN THE PREPARED SITE PLAN, AND SITE CONDITIONS.

18. CONTRACTOR SHALL PREPARE A PAVING CONTRACTOR APPROVAL.

19. SPANNING, PAVEMENT HARRISONS, AND OTHER TRAFFIC CONTROL DEVICES ON PRODUCT LOCATIONS ARE THE RESPONSIBILITY OF THE CONTRACTOR.

20. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT ALL ACCESSIBLE AREAS AND LOCATIONS ARE BUILT IN ACCORDANCE WITH THE PLANS AND AS-2000 ADA STANDARDS AND ACCESSIBLE DESIGN, AND THE SITE MAY BE INSPECTED BY CII PERSONNEL FOR ACCESSIBILITY.

21. ACCESSIBLE RAMPS SHALL BE CONSTRUCTED WITH A MAXIMUM LENGTH OF 30' AND A MAXIMUM SLOPE OF 1:12 IN ANY DIRECTION. AND ACCESSIBLE RAMPS SHALL BE CONSTRUCTED WITH A MAXIMUM CROSS SLOPE OF 1:200 IN ANY DIRECTION, AND A MAXIMUM LENGTH OF 12' AND A MAXIMUM SLOPE OF 1:12 IN ANY DIRECTION. AND ACCESSIBLE RAMPS SHALL BE CONSTRUCTED WITH A MAXIMUM LENGTH OF 12' AND A MAXIMUM SLOPE OF 1:12 IN ANY DIRECTION. AND ACCESSIBLE RAMPS SHALL BE CONSTRUCTED WITH A MAXIMUM LENGTH OF 12' AND A MAXIMUM SLOPE OF 1:12 IN ANY DIRECTION.

This detailed site plan illustrates the layout for the construction of the Newport Building. The plan shows a complex network of foundation piles (labeled 210 through 222) arranged in a grid pattern. A central area contains several rectangular structures, with one specifically labeled as the 'NEWPORT BUILDING' featuring '3 STORY OFFICE 75,000 SF FFE=2416.50'. The site is bounded by 'WOODLAND AVENUE (PUBLIC)' to the west and 'STREET HEIGHTS' to the east. Various drainage and protection measures are indicated, including 'GRAVEL FILTER BAG' along the western boundary, 'INLET PROTECTION' at several locations, and 'SLIT FENCE' sections. A legend in the bottom right corner provides symbols for 'GRAVEL FILTER BAG', 'INLET PROTECTION', and 'SLIT FENCE'.

SITTE INFORMATION

TOTAL DISTURBED AREA	4,513 AC
TOTAL SITE AREA	4,499 AC
SITE INFORMATION	CLARISON, OHIO, BELMONT COUNTY, U.S.A.
RECEIVING WATERS	LUNDON CREEK, WA UNLICENSED TERRITORY
CONSTRUCTION ACTIVITIES	COAL MINING (OPENS TO CONSTRUCTION) RUNOFF (CONSTRUCTION)
CONSTRUCTION ACTIVITIES	COAL MINING (CONSTRUCTION) RUNOFF (CONSTRUCTION)
TIME PERIOD	0.55 (\$100/YEAR)
TIME PERIOD	0.65 (\$100/YEAR)



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C2.2

