NO CHANGE FROM PREVIOUS READING

5(a)

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: June 13, 2016

ITEM: West Glen Town Center Specific Plan Amendment, South of Wild Rose Lane and east of South Prairie View Drive – Amend Specific Plan to add 48 dwelling units to Building J-2 and add an I-2 Building with 60 dwelling units and structured parking – MRES West Glen Holdings LP – ZCSP-003032-2016

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

FINANCIAL IMPACT: Undetermined.

BACKGROUND: MRES West Glen Holdings is requesting an amendment to the Specific Plan for West Glen Town Center to add three stories and 48 dwelling units to building J-2 and add a building I-2 in place of a parking structure to add 60 dwelling units and more structured parking to the development.

Previous Council Action:
Vote: 5-0 approval
Date: May 31, 2016
Motion: Approval of the First Reading of the ordinance

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the City Council approve the second reading, waive the third reading and adopt the Ordinance amendment in final form.

Lead Staff Member: Kara Tragesser, AICP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	JBW
Agenda Acceptance	RTG

PUBLICATION(S) (if applicable)

Published In	Des Moines Register	
Date(s) Published	May 13, 2016	
Letter sent to surrounding property owners		May 12, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	April 18, 2016		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENT:
Exhibit I - Proposed Ordinance

Prepared by: K Tragesser, Development Services City of West Des Moines PO Box 65320, West Des Moines, IA 50265
Return To: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265

ORDINANCE #

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2014, AND WEST GLEN TOWN CENTER SPECIFIC PLAN #62, ORDINANCES NOS. 1514, 1593, 1632, 1687, 1724, 1780, 1792, 1806, AND 1887 ACCORDING TO TITLE 9, ZONING, CHAPTER 9, PLANNED UNIT DEVELOPMENT DISTRICT, PERTAINING TO P.U.D. (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES.

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

SECTION 1: AMENDMENT: Ordinance Nos. 1514, 1593, 1632, 1687, 1724, 1780, 1792, 1806, and 1887 "West Glen Town Center" Section 4, Land Use Design Criteria, Subsection E, Parcels H, I, J, and K, is hereby amended adding language in bold, italicized text and removing strikethrough, highlighted text as follows:

1. Allowed Uses: Uses allowed within parcels H, I, J and K are those set forth in Title 9 of the City Code for **the** Community Commercial **zoning** ~~D~~district (CMC). In addition to the uses of CMC, residential high-density district uses will also be required in parcels H, J, and I with at least sixty four (64) residential units to be located on ~~the second and third~~ floors above office, ~~and~~ retail, and **structured parking garage** uses, **not to exceed an overall density among parcels H, J, and I of 18 dwelling units per acre.** Residential uses may be located on the first floor if the director of community development determines that the residential uses are in character with the intent of this PUD. The following uses listed in the zoning ordinance as allowed uses in the community commercial district (CMC~~)~~ shall be prohibited in parcels H, I, J and K:

   a. Two (2) drive-up uses shall be allowed permitted conditionally (PC) within parcel K if the following criteria are met:

      (1) Speaker boxes may only be located next to teller/pick up windows and the noise admitted should be at a level that does not disrupt the street level pedestrian.

      (2) Drive-throughs shall be placed at the rear or side of the building and should be designed to avoid pedestrian conflicts.

      (3) Drive-through design shall work to integrate the drive-through bay with the main building design.

(4) If the drive-through is accessed by a vehicle on the parking lot side of the building, it may have no more than two (2) drive-through bays. If the drive-through is accessed by the pedestrian on main street, no more than one drive-through bay. Any use involving the sale of gasoline products - SIC 554 and part of SIC 541

b. Any automotive or vehicular repair, services and parking - SIC 75.

2. Setbacks: Primary and accessory building setbacks from West Glen Town Center's exterior property line shall be set back thirty feet (30'). Buildings shall be set back zero feet (0') from any internal parcel or property line and zero feet (0') from any building within these parcels.

3. Open Space: See section 062-03 of this ordinance.

4. Architecture: See section 062-14 of this ordinance.

5. Outdoor Use Areas: Outdoor use areas, such as dining areas, gathering and sitting areas, etc., shall be encouraged. Light standards shall be limited to a maximum of twenty five feet (25') in height. Bicycle parking, as determined by the director of community development shall be provided.

6. ~~I-1 Building~~ **Structured** Parking Garages ~~Private Parking~~: ~~A parking garage is allowed adjacent to the I-1 building~~. **Structured parking garages are allowed in Parcels H, I, and J. Residential units may be located on the floors above the structured parking. Retail and office uses may be incorporated as part of the first/ground floor of the structure.**

   In the event the residential units in any building are to be owner-occupied, parking spaces in the nearest structured parking garage will be required to be reserved for each unit to meet covered parking requirements for owner-occupied units. ~~In the event the apartment units in the I-1 building are converted to owner-occupied condominiums, parking spaces in the I-1 building parking garage shall be reserved for I-1 building residents to meet covered parking requirements for owner-occupied units.~~

   a. One space will be reserved for each residential unit. Said space shall count one hundred percent (100%) towards the total number of parking spaces required.

   b. The parking garage must be designed such that parking spaces reserved for ~~I-1 building~~ residential units can be segregated from other parking spaces. Reserved spaces must not be accessible by the general public.

   c. Reservation of spaces for ~~the I-1 building~~ residential units may not cause the commercial portions of West Glen Town Center to fall below the one space per three hundred (300) square feet of gross floor area requirement stated in section 062-03 of this ordinance.

   d. Reserved parking spaces for the ~~I-1 building~~ residential units must be covered stalls located on the first floor/ground level **or the second floor if the first floor/ground level is filled with reserved spaces.**

SECTION 2: AMENDMENT: Ordinance Nos. 1514, 1593, 1632, 1687, 1724, 1780, 1792, 1806, and 1887 "West Glen Town Center" Exhibit C, Specific Plan Map and Illustrations are hereby amended by repealing sheets SP-2, SP-3, SP-4, T-1, A2.4, and replacing those with the sheets attached to this ordinance as Exhibit A.

SECTION 3: VIOLATIONS AND PENALTIES. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in 1-4-1 of the City Code of the City of West Des Moines, Iowa.

SECTION 4: 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 5: <u>SAVINGS CLAUSE.</u> 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 6: <u>EFFECTIVE DATE.</u> This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved this _____ day of _____, 2016.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ___ day of _____, 2016.

_____
Ryan T. Jacobson
City Clerk