CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: October 3, 2016

ITEM: Della Vita, Northwest corner of EP True Parkway and 88th Street – Amend Comprehensive Plan Land Use Map to change approximately 36 acres from High Density Residential (HD) to Single Family Residential (SF) and approximately 29 acres from Office (OF) to Medium Density Residential (MD) and designate the entire 65 acres from 'Unzoned' to Della Vita Planned Unit Development (PUD) – Interchange Partners, LLC – CPA-002900-2015/ZC-002901-2015

RESOLUTION: Approval of Comprehensive Plan Amendment
ORDINANCE: Approval of First Reading of Ordinance

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Hubbell Realty Company, in association with the property owner, Interchange Partners, LLC, is requesting approval of both a Comprehensive Plan Land Use Amendment and Rezoning for property located on the northwest corner of EP True Parkway and 88th Street. The applicant is requesting to change approximately 36 acres on the eastern portion of the property from High Density Residential (HD) to Single Family Residential (SF) and approximately 29 acres on the western portion of the property from Office (OF) to Medium Density Residential (MD).

Upon changing the Comprehensive Plan Land Use designations, the applicant is then requesting to change the entire 65 acres from 'Unzoned' to Della Vita Planned Unit Development (PUD). The applicant is proposing to develop approximately 97 single family detached residential lots on the eastern portion of the property and 142 medium density attached and detached townhome units on the western portion of the property. The applicant is proposing a PUD to address building separation requirements for medium density development (see Building Separation discussion included in Plan and Zoning Commission staff report).

Plan and Zoning Commission Action:
Vote: 5-0 approval with Commissioners Southworth and Crowley absent
Date: September 26, 2016
Motion: Adopt a resolution recommending the City Council approve the request to amend the City's Comprehensive Plan Land Use Map and Rezoning Request with PUD language modifications relating to required buffers and architecture standards for single-family residential.

The applicant stated that they wished to have the architecture section of the PUD removed, stating that they had not anticipated architectural requirements as a part of the PUD and that such requirements add to the complexity of developing the property in an economical way. Staff indicated that similar architecture requirements were recently approved as a part of other PUD's in the City, including Roger's Farm, Jordan West and Tallyn's Reach. Staff noted that with the exception of language in the single-family section to discourage snout-houses, the language included in the PUD spoke to the expected level of architecture, but was general in nature. The Plan & Zoning Commission agreed with the applicant in part and voted to remove the below single family architecture language from the PUD Ordinance. They did not, however, remove the medium density architecture language as was also requested by the applicant.

> *"Single Family Residential (Parcel A): Any single family dwelling with a garage which projects in front of the front façade equal to or greater than six (6) feet will be required to provide a minimum five (5) foot deep covered front porch, or stoop with a width that extends across the entire distance of the non-garage front façade. Any single family dwelling with a garage which projects less than six (6) feet or is recessed behind the front façade does not need to meet this requirement."*

One of the adjacent property owners spoke in regards to the alignment of Aspen Drive across the properties to the north of this development. It was explained to this property owner that the applicant was required to show how the

street network for the area could work. The applicant indicated Aspen Drive crossing across the southern portion of the adjoining properties before curving south through the proposed Della Vita development and tying into EP True Parkway. The adjoining property owners were not opposed to the Aspen Drive connection, but did want the roadway to be pushed to the southern boundary of their property rather than dissecting their parcels. While there is no opposition to this occurring, the final alignment of Aspen Drive will not be determined until such time that the properties to the north are developed. The applicant will be constructing only that portion of Aspen Drive that is contained within their development.

Staff requested at the Plan and Zoning Commission meeting to add the following language in bold text to the PUD section relating to buffers:

> *Landscape buffers shall be required along 88th Street on the east and EP True Parkway on the south* ***and on the north side of the medium density (RM-12) designated portion of the Della Vita PUD. If, at the time of platting, single-family homes still exist to the north of the RM-12 portion of the property, a 30' buffer shall be required along the northern boundary. The buffer park will not be required in the event the abutting property owner(s) to the north of the RM-12 portion of the property provide(s) a written covenant to waive the requirement.*** *In addition, a buffer shall be required between the single family, R-1 designated lots and the medium density, RM-12 designated lot(s) within the Della Vita PUD. The required buffer between the two zoning districts shall be located entirely on Parcel B.*

This request was made as there are existing single-family homes immediately to the north of the development. Per Title 9, Chapter 5, Section 7, Building Form Regulations, if the density of the adjacent development varies by 50% or more, transition buffering from the single-family is necessary. Staff did include language that allows the adjoining single family property owners to waive the buffer requirement.

The applicant did not speak in opposition to this language modification. The language addition is included in the draft PUD attached to this staff report.

OUTSTANDING ISSUES: There are no outstanding issues. There are no conditions of approval. The following items of interest are noted in the attached Plan and Zoning Commission report (see Exhibit I):

- Applicant's Request
- History
- City Council Subcommittee - *Development & Planning: September 6, 2016*
- Staff Review and Comment
  - *Building Separation*
  - *Area Land Uses*
  - *Street Alignment*
  - *Medium Density Building Architecture*
  - *Buffer Parks*
- Comprehensive Plan Consistency
- Noticing Information
- Staff Recommendations and Conditions of Approval – Comprehensive Plan Amendment
- Staff Recommendations and Conditions of Approval – Rezoning Request
- Property Owner/Applicant/Applicant Representative Information

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, the Plan and Zoning Commission recommends the City Council approval of the Comprehensive Plan Land Use map amendment for approximately 36 acres on the eastern portion of the property from High Density Residential (HD) to Single Family Residential (SF) and approximately 29 acres on the western portion of the property from Office (OF) to Medium Density Residential (MD); and approve the rezoning request to amend the Zoning Map to designate Della Vita Planned Unit Development (PUD) zoning for approximately 65 acres, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Brian Portz, AICP BP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register Community Section	
Date(s) Published	September 16, 2016	
Letter sent to surrounding property owners		September 12, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	September 6, 2016		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Plan and Zoning Commission Communication
- Attachment A - Resolution – Approval of the Comprehensive Plan Amendment
- Attachment B - Resolution – Approval of the Rezoning
  - Exhibit A - Conditions of Approval
- Attachment C - Location Map
- Attachment D - Current Comprehensive Plan Land Use Map
- Attachment E - Adjacent Property Owner Email

Exhibit II - Council Resolution – Approval of Comprehensive Plan Amendment

Exhibit III - Proposed PUD Ordinance
- Exhibit A - PUD Sketch Plan

EXHIBIT I

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: September 26, 2016

Item: Della Vita, Northwest corner of EP True Parkway and 88th Street – Amend Comprehensive Plan Land Use Map to change approximately 36 acres from High Density Residential (HD) to Single Family Residential (SF) and approximately 29 acres from Office (OF) to Medium Density Residential (MD) and designate the entire 65 acres from 'Unzoned' to Della Vita Planned Unit Development (PUD) – Interchange Partners, LLC – CPA-002900-2015/ZC-002901-2015

Requested Action: Approval of Comprehensive Plan Land Use Map Amendment
Approval of Rezoning Request to establish the Della Vita PUD

Case Advisor: Brian S. Portz, AICP BP

Applicant's Request: The applicant, Hubbell Realty Company, in association with the property owner, Interchange Partners, LLC, is requesting approval of both a Comprehensive Plan Land Use Amendment and Rezoning for property located on the northwest corner of EP True Parkway and 88th Street. The applicant is requesting to change approximately 36 acres on the eastern portion of the property from High Density Residential (HD) to Single Family Residential (SF) and approximately 29 acres on the western portion of the property from Office (OF) to Medium Density Residential (MD).

Upon changing the Comprehensive Plan Land Use designations, the applicant is then requesting to change the entire 65 acres from 'Unzoned' to Della Vita Planned Unit Development (PUD). The applicant is proposing to develop approximately 97 single family detached residential lots on the eastern portion of the property and 142 medium density attached and detached townhome units on the western portion of the property. The applicant is proposing a PUD to address building separation requirements for medium density development (see 'Building Separation' discussion below).

History: The property was annexed into the City as a part of the 88th Street Annexation in June of 2000. The property is undeveloped and has not been previously platted.

City Council Subcommittee: This request was presented to the Development & Planning City Council Subcommittee on September 6, 2016. As discussed below, the Subcommittee agreed to allow the applicant to move forward with their development considering the proposed changes to building separations are consistent with that which staff will be recommending in the proposed code amendment.

Staff Review and Comment: This request was distributed to various City departments and outside agencies for their review and comment. There are no outstanding issues. Staff would note the following:

- *Building Separation:* Staff has been working on a Code amendment to address building separation requirements for multi-family developments. The regulation required of code today does not take into consideration building mass or height. Staff will be bringing forward an amendment that varies the separation distances based on the height and number of units within one building (building mass), Currently a 30' building separation is required per code; however, lesser separations have been written into many PUDs. Rather than continue to use the PUD process, staff is preparing an amendment but it will be several weeks before all of the details of the amendment can be finalized. Instead of delaying the applicant until the amendment is formally approved by the City Council, the use of a PUD was recommended. Staff discussed proceeding with a PUD at the September 6, 2016 Development and Planning City Council Subcommittee. The subcommittee was in agreement with the proposal since that which the applicant is proposing is consistent with the separations that staff will recommend establishing in city code. In alignment with the anticipated ordinance amendment that staff will be bringing forward, the applicant is proposing the following:

- For detached townhomes and 2 story attached townhomes with 4 units or less, there shall be a minimum building separation of 14' between buildings or outdoor spaces (patios, decks, etc.), if such is provided.
- For 2 story attached townhomes with more than 4 units per building or 3 story or greater attached townhomes with 4 units or less, there shall be a minimum building separation of 20' between buildings or outdoor spaces (patios, decks, etc.), if such is provided.
- For 3 story or greater attached townhomes with more than 4 units per building, there shall be a minimum building separation of 30' between buildings or outdoor spaces (patios, decks, etc.), if such is provided.

- *Area Land Uses*: Staff will be reevaluating the land uses for the larger area south of Interstate 80 and west of 88th Street in the near future. Staff is comfortable with the application of Single Family Residential and Medium Density Residential as proposed by the applicant.

- *Street Alignment:* EP True Parkway will be extended along the southern portion of the applicant's property to provide access to the medium density portion of the site and to also continue EP True Parkway to connect to properties to the west. Cody Drive will be extended on the north side of the applicant's property to align with the extension of Cody Drive on the east side of 88th Street. The future extension of Aspen Drive (which currently terminates at 84th Street to the east) will traverse through or near the applicant's property. The actual alignment of Aspen Drive will be coordinated with the adjacent property owners in a master street plan for the area. The future location of Aspen Drive will be determined by this master plan and implemented with the preliminary and final plat for the Della Vita project.

- *Medium Density Building Architecture:* The intent with the design of the medium density portion of this development is to create building façades that are varied and articulated to provide visual interest. Building design shall accomplish this by careful attention to exterior building materials and details, use of windows and doors, and change in building mass and roof forms. Materials, trim and details used on the front façade will be continued around all sides of the building. Building design will use materials such as brick, stone, stucco, lap siding or shakes, decorative trim or similar combination of material which represents a variation of architectural styles or elements. Final details of the architecture will be worked out as part of the site planning process for the medium density area.

- *Buffer Parks:* 30' buffer parks will be provided along 88th Street and the future extension of EP True Parkway. In addition, there will be a 30' buffer park between the proposed easternmost single family units and the medium density units to the west side. Because this is a medium density development with no detached accessory structures, the applicant is proposing to overlap the 30' buffer park and the required 35' perimeter setback. Staff is comfortable with this and allowance for this has been specifically written into the PUD Ordinance.

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 September 16, 2016, notice for the September 26, 2016, Plan and Zoning Commission and October 3, 2016, City Council Public Hearings on this project was published in the Des Moines Register. Notice of these public hearings was also mailed to all surrounding property owners within 370 feet of the subject property on September 12, 2016.

Staff Recommendation And Conditions Of Approval - Comprehensive Plan Amendment: 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 to approve the Comprehensive Plan Land Use Map amendment for approximately 36 acres on the eastern portion of the property from High Density Residential (HD) to Single Family Residential (SF) and approximately 29 acres on the western portion of the property from Office (OF) to Medium Density Residential (MD); subject to the applicant meeting all City Code requirements.

Staff Recommendation And Conditions Of Approval – Rezoning Request: 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 to approve the rezoning request to amend the Zoning Map to designate Della Vita Planned Unit Development (PUD) zoning for approximately 65 acres located at the northwest corner of 88th Street and EP True Parkway, subject to the applicant meeting all City Code requirements.

Property Owner:

Interchange Partners, LLC
1709 S. 42nd Street
West Des Moines, IA 50265

Applicant:

Hubbell Realty Company
6900 Westown Parkway
West Des Moines, IA 50266
Attn: Joe Pietruszynski
Joe.pietruszynski@hubbellrealty.com

Applicant's Representative:

Civil Design Advantage
3405 SE Crossroads Drive, Suite G
Grimes, IA 50111
Attn: Emily Harding
emilyh@cda-eng.com

ATTACHMENTS:

Attachment A	-	Plan and Zoning Commission Resolution – Comprehensive Plan Amendment
Attachment B	-	Plan and Zoning Commission Resolution – Rezoning
Exhibit A	-	Conditions of Approval
Attachment C	-	Proposed PUD Ordinance
Exhibit A	-	PUD Sketch Plan
Attachment D	-	Location Map
Attachment E	-	Comprehensive Plan Land Use Map

ATTACHMENT A

RESOLUTION NO. PZC-16-056

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP FOR APPROXIMATELY 36 ACRES FROM HIGH DENSITY RESIDENTIAL (HD) TO SINGLE FAMILY RESIDENTIAL (SF) AND APPROXIMATELY 29 ACRES FROM OFFICE (OF) TO MEDIUM DENSITY RESIDENTIAL (MD)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Hubbell Realty Company, in cooperation with the property owner, Interchange Partners, LLC, has requested an amendment to the Comprehensive Plan Land Use Map (CPA-002900-2015) to change the land use designation of approximately 36 acres on the eastern portion of the property from High Density Residential (HD) to Single Family Residential (SF) and approximately 29 acres on the western portion of the property from Office (OF) to Medium Density Residential (MD), located within part of the area legally described as:

Legal Description

A PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 82°56'46" WEST ALONG THE SOUTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER, 1315.53 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 82°47'26" WEST ALONG SAID SOUTH LINE, 89.76 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1440.00 FEET, WHOSE ARC LENGTH IS 414.30 FEET AND WHOSE CHORD BEARS NORTH 88°58'02" WEST, 412.87 FEET; THENCE NORTH 80°43'31" WEST, 356.44 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 1560.00 FEET, WHOSE ARC LENGTH IS 452.15 FEET AND WHOSE CHORD BEARS NORTH 89°01'43" WEST, 450.57 FEET TO THE WEST LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE NORTH 00°35'58" EAST ALONG SAID WEST LINE, 507.62 FEET; THENCE SOUTH 89°38'41" EAST, 31.00 FEET; THENCE NORTH 05°50'13" EAST, 307.70 FEET; THENCE NORTH 10°57'47" WEST, 171.57 FEET; THENCE NORTH 02°33'13" EAST, 111.56 FEET; THENCE SOUTH 88°07'48" WEST, 28.53 FEET TO THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE NORTH 82°51'12" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER, 1384.56 FEET; THENCE SOUTH 00°28'16" WEST, 350.00 FEET; THENCE NORTH 82°51'12" EAST, 1245.00 FEET TO THE EAST LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 00°28'16" WEST ALONG SAID EAST LINE, 969.36 FEET TO THE POINT OF BEGINNING AND CONTAINING 65.24 ACRES (2,842,026 SQUARE FEET).

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 September 26, 2016, this Commission held a duly-noticed hearing to consider the application for Comprehensive Plan Amendment (CPA-002900-2015);

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The request for a change in the land use designation from High Density Residential (HD) to Single Family Residential (SF) for approximately 36 acres and from Office (OF) to Medium Density Residential (MD) for approximately 29 acres at the northwest corner of EP True Parkway and 88th Street, is recommended to the City Council for approval.

PASSED AND ADOPTED on September 26, 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 September 26, 2016, by the following vote:

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

ATTEST:

Recording Secretary

ATTACHMENT B

RESOLUTION NO. PZC-16-057

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE REZONING REQUEST (ZC-002901-2015) FOR THE PURPOSE OF REZONING APPROXIMATELY 65 ACRES OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF EP TRUE PARKWAY AND 88TH STREET

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Hubbell Realty Company, in cooperation with the property owner, Interchange Partners, LLC, has requested approval of a Rezoning Request for that property located at the northwest corner of EP True Parkway and 88th Street to amend the Zoning Map and designate approximately 65 acres as Della Vita Planned Unit Development (PUD);

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 September 26, 2016, this Commission held a duly-noticed hearing to consider the application for the Rezoning Request (ZC-002901-2015);

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated September 26, 2016, or as amended orally at the Plan and Zoning Commission hearing of September 26, 2016, are adopted.

SECTION 2. REZONING REQUEST (ZC-002901-2015) to designate approximately 65 acres as Della Vita Planned Unit Development (PUD) is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated September 26, 2016, including conditions added at the Hearing, and attached hereto as Exhibit "A", if any. Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on September 26, 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 September 26, 2016, by the following vote:

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

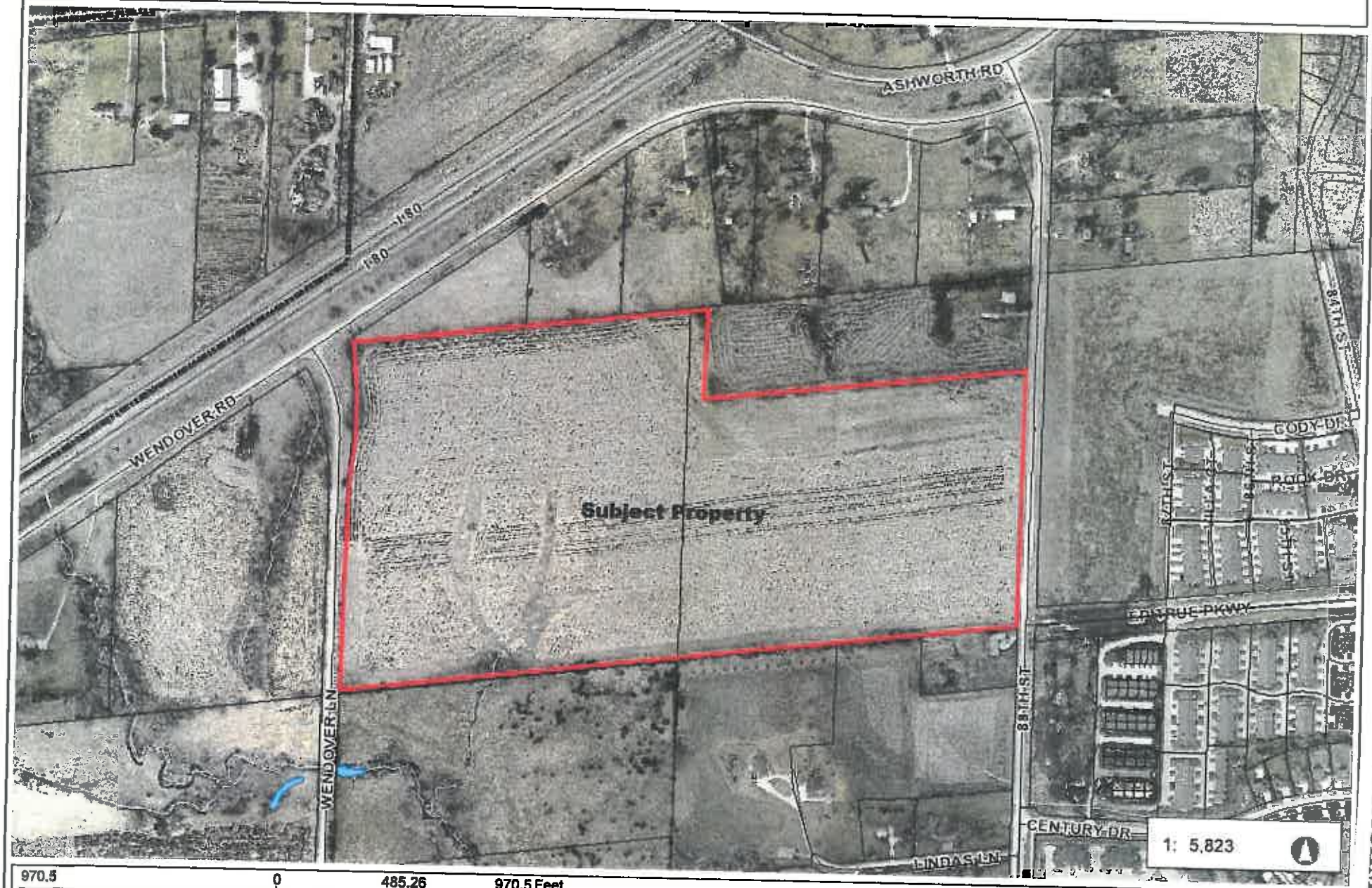
ATTEST:

Recording Secretary

Exhibit A
Conditions of Approval

No Conditions of Approval

Della Vita



970.5 0 485.26 970.5 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet

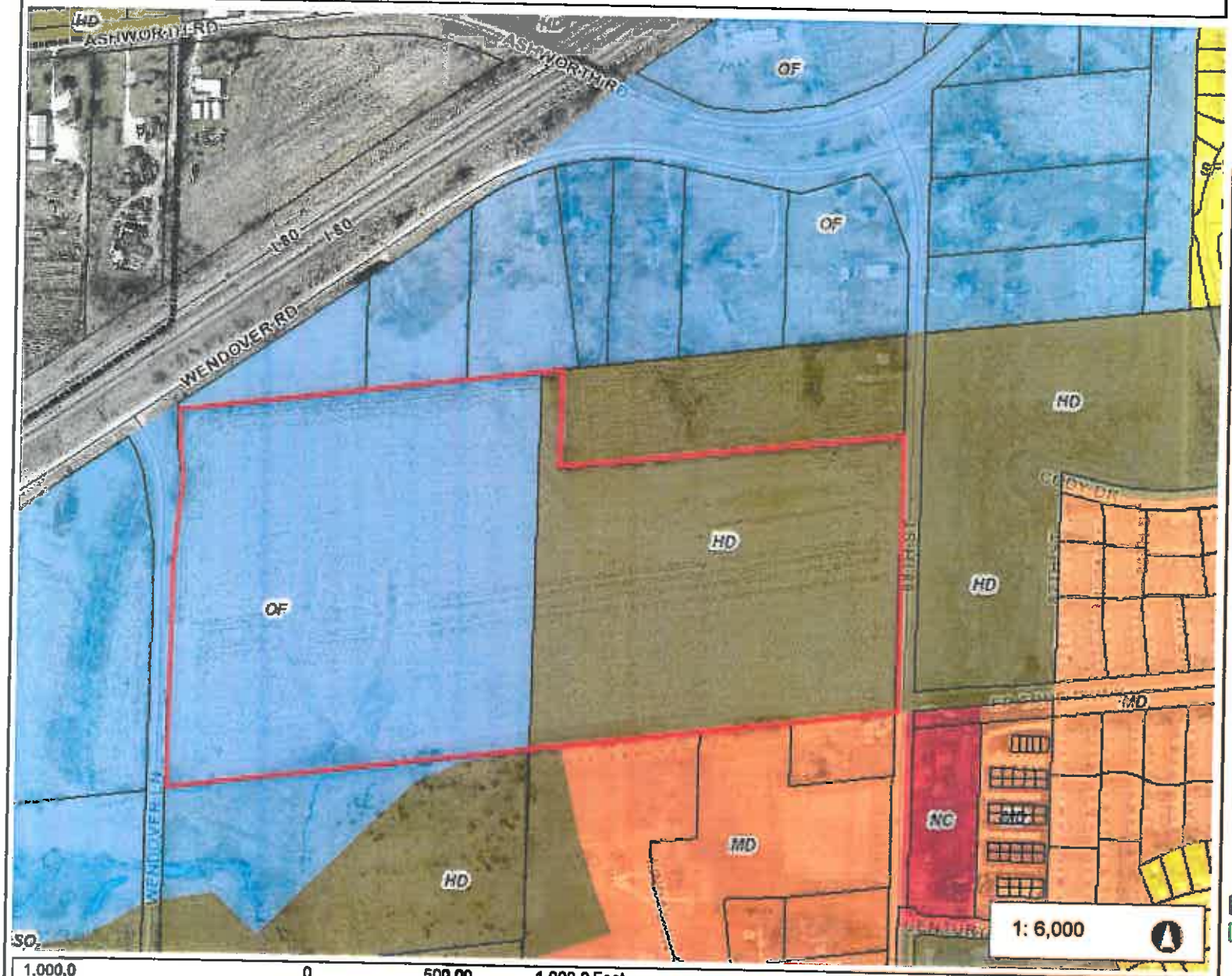
© City of West Des Moines, Iowa

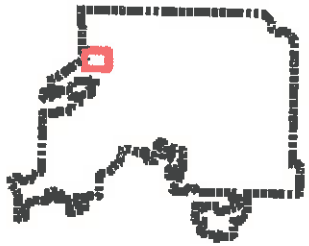
Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

ATTACHMENT C

Comprehensive Plan Land Use Map





Legend

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

1: 6,000

1,000.0 0 500.00 1,000.0 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet

© City of West Des Moines, Iowa

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

ATTACHMENT D

ATTACHMENT E

Portz, Brian

From: Steve Alexander <alexlink@dwx.com>
Sent: Saturday, September 24, 2016 12:56 PM
To: Portz, Brian
Cc: Tragesser, Kara; Marianne Alexander
Subject: Della Vita ...WDM P&Z meeting Mon 9-26-16

Importance: High

WDM Plan & Zoning Commission; Della Vita
RE: Public hearing Mon 9-26-2016 , request to enter in the meeting records.
Objection to Hubbell Realty Request to amend comprehensive plan land use in area of 88th street, EP True, and Wendover Rd, West Des Moines.

Based on a requested change by Hubbell to route a future extension of Aspen Rd west of 88th Street, as discussed with Ben-WDM engineer, and a drawing showing
significant encroachment into several acreages fronting Wendover RD with a Hubbell proposed cul de sac , we adamantly object to and will resist this Aspen road
extension as proposed.

We do , however, see no present objection to the initial plan by WDM engineers to extend Aspen along the southern property lines of our acreage.
We strongly urge the Commission to reject the variance (?) requested by Hubbell Realty.

Several neighbors we spoke with feel the same and we are encouraging them to speak out as well.

Respectfully,
Steve & Marianne Alexander
9092 Wendover RD
West Des Moines, Ia 50266
SA ph 515-240-0955
MA ph 515-314-4626

EXHIBIT II

Prepared by: B. Portz, Development Services Dept., PO Box 65320 West Des Moines IA 50265-0320 (515) 273-0770
When Recorded, Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES APPROVING THE COMPREHENSIVE PLAN AMENDMENT (CPA-002900-2015) TO AMEND THE COMPREHENSIVE PLAN LAND USE MAP FOR APPROXIMATELY 36 ACRES FROM HIGH DENSITY RESIDENTIAL (HD) TO SINGLE FAMILY RESIDENTIAL (SF) AND APPROXIMATELY 29 ACRES FROM OFFICE (OF) TO MEDIUM DENSITY RESIDENTIAL (MD)

WHEREAS, the applicant, Hubbell Realty Company, in cooperation with the property owner, Interchange Partners, LLC, has requested an amendment to the Comprehensive Plan Land Use Map (CPA-002900-2015) to change the land use designation of approximately 36 acres on the eastern portion of the property from High Density Residential (HD) to Single Family Residential (SF) and approximately 29 acres on the western portion of the property from Office (OF) to Medium Density Residential (MD), located within part of the area legally described as:

LEGAL DESCRIPTION

A PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 82°56'46" WEST ALONG THE SOUTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER, 1315.53 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 82°47'26" WEST ALONG SAID SOUTH LINE, 89.76 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1440.00 FEET, WHOSE ARC LENGTH IS 414.30 FEET AND WHOSE CHORD BEARS NORTH 88°58'02" WEST, 412.87 FEET; THENCE NORTH 80°43'31" WEST, 356.44 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 1560.00 FEET, WHOSE ARC LENGTH IS 452.15 FEET AND WHOSE CHORD BEARS NORTH 89°01'43" WEST, 450.57 FEET TO THE WEST LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE NORTH 00°35'58" EAST ALONG SAID WEST LINE, 507.62 FEET; THENCE SOUTH 89°38'41" EAST, 31.00 FEET; THENCE NORTH 05°50'13" EAST, 307.70 FEET; THENCE NORTH 10°57'47" WEST, 171.57 FEET; THENCE NORTH 02°33'13" EAST, 111.56 FEET; THENCE SOUTH 88°07'48" WEST, 28.53 FEET TO THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE NORTH 82°51'12" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER, 1384.56 FEET; THENCE SOUTH 00°28'16" WEST, 350.00 FEET; THENCE NORTH 82°51'12" EAST, 1245.00 FEET TO THE EAST LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 00°28'16" WEST ALONG SAID EAST LINE, 969.36 FEET TO THE POINT OF BEGINNING AND CONTAINING 65.24 ACRES (2,842,026 SQUARE FEET).

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 September 26, 2016, the Plan and Zoning Commission did recommend the City Council approve the Comprehensive Plan Amendment (CPA-002900-2015);

WHEREAS, on October 3, 2016, this City Council held a duly-noticed public hearing to consider the application for Comprehensive Plan Amendment (CPA-002900-2015);

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

SECTION 1. The findings as stated in the staff report, dated October 3, 2016, or as amended orally at the City Council hearing of October 3, 2016, are adopted.

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

PASSED AND ADOPTED on October 3, 2016.

_____
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 October 3, 2016, by the following vote:

ATTEST:

_____
Ryan T. Jacobson
City Clerk

EXHIBIT III

Prepared by: B. Portz, 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
Tax Statement: Not Applicable

ORDINANCE # _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING 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: Amend the Zoning Map of the City of West Des Moines, Iowa, by adding the following legally described property from "Unzoned" to **Della Vita** Planned Unit Development (PUD) of West Des Moines, Iowa:

Legal Description

A PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 82°56'46" WEST ALONG THE SOUTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER, 1315.53 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 82°47'26" WEST ALONG SAID SOUTH LINE, 89.76 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1440.00 FEET, WHOSE ARC LENGTH IS 414.30 FEET AND WHOSE CHORD BEARS NORTH 88°58'02" WEST, 412.87 FEET; THENCE NORTH 80°43'31" WEST, 356.44 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 1560.00 FEET, WHOSE ARC LENGTH IS 452.15 FEET AND WHOSE CHORD BEARS NORTH 89°01'43" WEST, 450.57 FEET TO THE WEST LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE NORTH 00°35'58" EAST ALONG SAID WEST LINE, 507.62 FEET; THENCE SOUTH 89°38'41" EAST, 31.00 FEET; THENCE NORTH 05°50'13" EAST, 307.70 FEET; THENCE NORTH 10°57'47" WEST, 171.57 FEET; THENCE NORTH 02°33'13" EAST, 111.56 FEET; THENCE SOUTH 88°07'48" WEST, 28.53 FEET TO THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE NORTH 82°51'12" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER, 1384.56 FEET; THENCE SOUTH 00°28'16" WEST, 350.00 FEET; THENCE NORTH 82°51'12" EAST, 1245.00 FEET TO THE EAST LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 00°28'16" WEST ALONG SAID EAST LINE, 969.36 FEET TO THE POINT OF BEGINNING AND CONTAINING 65.24 ACRES (2,842,026 SQUARE FEET).

SECTION 2. SKETCH PLAN: Attached hereto and made a part of this rezoning approval, for concept description and delineation is the Sketch Plan document for the Della Vita PUD marked Exhibit "A". Wherever conflict occurs between the written text in this document and the notations on the Sketch Plan, the written text shall prevail. The Sketch Plan is a graphic representation of the property included in the PUD delineating the approximate location and configuration of the Parcels for the purpose of easier reference for the applicable regulations of this Ordinance.

SECTION 3. REQUIRED PLANS: Prior to or in conjunction with development or transfer of ownership of any portion of the property covered by this PUD, the following plans shall be required:

A. Preliminary Plat and Final Plat: The area included within the PUD shall be platted in accordance with the City's Subdivision Ordinance. Parcels identified on a plat as Outlots shall be unbuildable until such time that the Outlot is re-platted into a developable lot via the Preliminary and Final Platting processes.

B. Site Plan: Prior to the development of Parcel B within the PUD, site plan approval shall be granted by the appropriate approval body through the development process.

SECTION 4. CONDITIONS: Whereas, Title 9, Chapter 9, PUD 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:

A. General Conditions: In addition to the PUD Sketch Plan Map, the following general development criteria shall be integrated into and made a part of this planned unit development.

1. General Conformance To Subdivision Ordinance: All subdivisions, public and private streets, public or private street rights-of-way and general development shall adhere to the standards and design criteria set forth in the West Des Moines Subdivision Ordinance and/or established City policies pertaining thereto, unless otherwise stated within this Ordinance.

2. General Conformance to Zoning Ordinance: Unless otherwise specified herein, the development of the Della Vita PUD shall comply with the provisions of the West Des Moines Zoning Ordinance.

3. Flood Hazard: In all areas within a 100-year frequency flood hazard zone, or adjoining drainage ways, and detention ponding areas involving potential flood hazards, no building shall be erected which has a lowest level floor, including basements, less than one foot (1') above the determined level of the 100-year frequency flood event. Buildings shall not be permitted within twenty five feet (25') of any easement or property boundary of a major drainage way, storm water detention basin or pond unless said location is approved as part of the development entitlement by the city council and said building is structurally designed accordingly.

4. Developer Responsibilities: The Developer, their successors and/or assigns, if any, shall pay all planning, engineering, and construction costs for the development of the planned unit development, as required by this Ordinance and approved site plans and the cost of all streets, storm sewers, sanitary sewers, drainageway improvements, detention basins, water mains, buffers and other improvements as required for rights-of-way or public easements within the Della Vita PUD, unless otherwise approved by the City Council.

6. Sanitary Sewer: Any proposed change in approved land use densities for the PUD will require an analysis of the downstream sanitary sewer capacity to assure that adequate capacity is available for the proposed change in approved land use densities.

7. Street Lighting: The Developer shall be responsible for all costs associated with the installation of public street lights within or adjacent to any area proposed to be platted or included within a development.

8. Mailboxes: The Developer shall be responsible for installation of any required Cluster Box Units (CBUs / mailboxes) as per the local U.S. Postal Service Post Office.

9. Parking requirements: Number of parking stalls to be provided shall be compliant with City Code, Title 9, Chapter 15. For any residential dwelling intended as owner occupied and/or for which a condominium

regime is established, a minimum of one (1) of the required spaces for each unit shall be as an enclosed parking space. This parking space shall be a minimum of 19' x 9' and may be designed as a free standing garage, attached garage or multiple garage spaces within an enclosure. A specific covered parking space shall be designated for and legally tied to each dwelling unit. The covered space must be for the exclusive use of the occupant of the dwelling unit and cannot be rented or purchased by a 3rd party, even if the dwelling unit is rented.

SECTION 5. PARKLAND DEDICATION: An area of land calculated by a set formula based upon the density (total number of dwelling units) of the proposed development is required to be dedicated for purposes of a public park and greenway as per city code. A Parkland Dedication Agreement, acceptable to the Parks and Recreation Department, detailing the specifics related to the Parkland Dedication requirements for the development of any area contained within the PUD is required prior to the Della Vita Final Plat being approved.

SECTION 6. MASTER PROPERTY OWNERS ASSOCIATION: If deemed applicable, proper action shall be taken to establish a master property owners association. The Della Vita property owners association shall be responsible for the ongoing upkeep and maintenance of any privately owned common grounds such as the buffer parks, storm water detention facilities, greenways, plazas and other common space, as outlined in the association documents and any other specific development improvements noted as their responsibility in this ordinance.

SECTION 7. LAND USE DESIGN CRITERIA: In addition to the general criteria as stated above, the following land use regulations, development standards, and design criteria shall apply to the development of all areas designated on the Sketch Plan:

A. Parcel A: All general use regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for Single Family Residential (R-1) zoning district shall apply to Parcel A as identified on the PUD sketch (Exhibit A), unless noted otherwise in this ordinance.

B. Parcel B: All general use regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for Medium Density Residential (RM-12) zoning district shall apply to Parcel B as identified on the PUD sketch (Exhibit A), unless noted otherwise in this ordinance.
   1. Density: Based on the PUD sketch (Exhibit A) submitted by the applicant, the density for Parcel B shall not exceed 150 dwelling units.
   2. Building Setbacks: Setbacks for Parcel B shall be as follows:
      a. Perimeter Setback (to adjacent properties and public street right-of-way): 35' Covered porches, decks, patios, etc. shall not encroach into the required perimeter setback.
      b. Front Yard Setback (adjacent to private streets): 25' from the face of the garage to the curb of the private street or sidewalk if such is provided, whichever is closer. Porches, decks or patios are allowed to encroach up to 8' into the 25' front yard setback.
      c. Side Yard Setback (adjacent to private streets): 15' to curb of private streets, if no driveway is present; no porches, decks or patios can encroach into the 15' side yard setback.
      d. The required 35' perimeter building setback and the required landscape buffers are allowed to overlap.
   3. Building Separation:
      a. For detached townhomes and 2 story attached townhomes with 4 units or less, there shall be a minimum building separation of 14' between buildings or outdoor spaces (patios, decks, etc.), if such is provided.
      b. For 2 story attached townhomes with more than 4 units per building or 3 story or greater attached townhomes with 4 units or less, there shall be a minimum building separation of 20' between buildings or outdoor spaces (patios, decks, etc.), if such is provided.
      c. For 3 story or greater attached townhomes with more than 4 units per building, there shall be a minimum building separation of 30' between buildings or outdoor spaces (patios, decks, etc.), if such is provided.

SECTION 8. <u>ARCHITECTURE:</u> The intent is to create building façades throughout this development that are varied and articulated to provide visual interest. Building design shall accomplish this by careful attention to exterior building materials and details, use of windows and doors, and change in building mass and roof forms. Materials, trim and details used on the front façade shall be continued around all sides of the building, however, the level of detail can be reduced on the facades not visible from a street (public or private) or adjacent property surrounding the development.

Building design should use materials such as brick, stone, stucco, lap siding or shakes, decorative trim or similar combination of material which represents a variation of architectural styles or elements. Use of natural materials is encouraged, composite materials such as fiber cement and wood composites are appropriate substitutions. Vinyl siding may be used only with appropriately scaled trim. Changes in materials should be aligned with changes in plan or roof form to emphasize these changes in building mass. Trim and structural elements such as posts or columns shall be sized to the scale of the building and detailed appropriately to the style. When used, masonry materials shall start and stop at change in wall plane or wrap corners a minimum of two (2) feet to give authenticity to the material. Fenestration (door and window openings) shall be sized to the scale of the building and be compatible to the chosen architectural style.

Garage doors shall not be the predominate feature of the front facade. Garage doors facing the street shall be setback so as to minimize the dominance of their appearance and provide adequate space between the street or sidewalk and the garage to accommodate additional parking. Entrances into buildings should be easily identified through the use of building design and detailing. Projected or recessed entryways, porches or extended rooflines along with changes in building material are examples that can create this effect.

Detached garages or accessory structures should be clad in the same materials and incorporate similar architectural details of the primary buildings with the use of roof forms, windows, doors and other facade detailing.

~~<u>Single Family Residential (Parcel A):</u> Any single family dwelling with a garage which projects in front of the front façade equal to or greater than six (6) feet will be required to provide a minimum five (5) foot deep covered front porch, or stoop with a width that extends across the entire distance of the non-garage front façade. Any single family dwelling with a garage which projects less than six (6) feet or is recessed behind the front façade does not need to meet this requirement.~~

<u>Medium Density Residential Units (Parcel B):</u> Building design shall incorporate additional strategies to lessen the plainness of appearance which can be characteristic of large residential buildings. Building design shall incorporate changes that break up the building into modules which reflect the individual dwelling units within the building. These strategies include:

1. Facade modulation - stepping back or extending forward a portions of the building footprint and varying wall heights. Designs that are repetitive in form should be avoided.
2. Changing the roof form and incorporation of dormers, stepped roofs, gables, or other roof elements - organized with the changes in plan or to identify individual dwelling units
3. Building form, details and materials should provide unique treatment of the individual units, but still maintain the cohesive design of the development.
4. Door or window openings shall be included on all sides of the building in sufficient number and size to visually break up blank building walls.

Building design shall incorporate brick or stone in a percentage that provides a strong visual presence, primarily on the base (lowest) story of the building. Siding, shakes and stucco can encompass the remaining area, combining a variety of colors and textures along with trim and details to provide visual interest within the development. Use of natural materials is encouraged, composite materials such as fiber cement and wood composites are appropriate substitutions. Vinyl siding may be used only with appropriately scaled trim.

Garage doors facing the street should be set back to minimize the dominance of their appearance or staggered across the building façade to create opportunities for individuality of the dwelling units. If the garages project more than six (6) feet in front of the front façade, one or more design strategies noted below to mitigate the dominant appearance of the garage shall be implemented:

1. Limiting the building size to no more than 4 attached dwelling units
2. Providing side entry garages for the end units of a building
3. Enhanced garage facade design such as the addition of engaged columns, secondary roof forms or decorative garage doors.

SECTION 9. LANDSCAPING: Buffering between districts or parcels and uses shall be required as set forth in Title 9, Chapter 5 and Chapter 19 of the Zoning Ordinance, except as noted otherwise in this Ordinance.

1. Landscape buffers shall be required along 88th Street on the east, ~~and~~ EP True Parkway on the south and on the north side of the medium density (RM-12) designated portion of the Della Vita PUD. If, at the time of platting, single-family homes still exist to the north of the RM-12 portion of the property, a 30' buffer shall be required along the northern boundary. The buffer park will not be required in the event the abutting property owner(s) to the north of the RM-12 portion of the property provide(s) a written covenant to waive the requirement. In addition, a buffer shall be required between the single family, R-1 designated lots and the medium density, RM-12 designated lot(s) within the Della Vita PUD. The required buffer between the two zoning districts shall be located entirely on Parcel B.

2. Buffers required under the provisions of this section or elsewhere in this title shall be accomplished by any one of the following methods:

   a. Sixty Foot Buffer: A landscaped and earthen bermed area of not less than sixty feet (60') in width comprised of landscape plantings consisting of the equivalent of one (1) overstory or upright evergreen tree and three (3) shrubs for every thirty-five (35) linear feet of buffer.

   b. Thirty Foot Buffer: A landscaped and earthen bermed area of not less than thirty feet (30') in width comprised of landscape plantings consisting of the equivalent of one (1) overstory or upright evergreen tree, two (2) understory trees and six (6) shrubs for every thirty-five (35) linear feet of buffer.

   A minimum of 50% of the required number of trees shall be evergreen. At the time of planting, overstory trees shall have a minimum trunk diameter of 2"; understory trees shall have a minimum trunk diameter of 1½"; and evergreens shall be a minimum of 6' in height. Shrub height at time of planting varies according to the anticipated mature size of the plant. In general, the taller the shrub at maturity the larger the plant size at time of planting. The location of the required landscaping (trees, shrubs, etc.) may be planted in any location within the buffer area.

3. The required 35' perimeter building setback for Parcel B and the required landscape buffers are allowed to overlap.

4. Rear yard setbacks for single family lots are measured from the interior boundary of the buffer.

5. Trees that will encroach into any vehicle or pedestrian use area or travel lane shall be of a variety that will accommodate pruning to allow for the minimum clearance height (fourteen feet (14') over vehicle travel lanes; eight feet (8') over pedestrian travel lanes) without adversely affecting the overall natural shape of the variety. Maintaining trees to these clearance levels is the responsibility of the property owner.

6. Trees shall not be planted closer than five feet (5') to a sidewalk as measured from the center of the tree or shrub base.

7. No vegetation which obstructs visibility shall be located within the site triangle of intersecting streets and drives.

SECTION 10. SIGNAGE REGULATIONS: Signage shall comply with all provisions and standards of Title 9, Chapter 18 of the West Des Moines City Code for the respective zoning district in which the sign is located. Under the authority of the City's Fire Marshal, Development Directory Boards may be required for Parcel B. Said boards shall be of a design as specified by the Fire Marshal and shall be located on private property outside of public street rights-of-way and utility easements. Directory boards shall be in place prior to the issuance of the first occupancy permit, including temporary occupancy permits for any dwelling within Parcel B.

SECTION 11. STORM WATER MANAGEMENT: Specific Storm Water Management Plans will be required with the development of each parcel. The Developer will have said specific Storm Water Management Plans prepared by a Professional Engineer licensed in the State of Iowa, in conjunction with the submittal of a specific development proposal for any portion of property included within the PUD. All specific Storm Water Management Plans shall

comply with the City's current design standards for storm water management. The method of storm water management and the storm water conveyance system shall be determined prior to City approval of any development proposal.

At time of platting or site development (whichever is more applicable to knowledge of storm water detention measures), ownership and repair and maintenance responsibility for all storm water detention areas and private storm water detention outlet structures will need to be established through the execution of a Storm Water Facility Maintenance Agreement.

SECTION 12. PUBLIC IMPROVEMENTS AND RIGHT-OF-WAY DEDICATION: The developer of each parcel shall be responsible for constructing and/or installing the public infrastructure necessary to support development within the subdivision in a manner that will assure that the public infrastructure functions at an acceptable level of service (per the City's Comprehensive Plan) and that it complies with all City Ordinances. At the time of subdivision platting into developable lots, the subdivider shall construct, provide the necessary surety or city acceptable agreements to provide for the construction and/or installation of all required public infrastructure improvements in accordance with the City's Subdivision Ordinance.

SECTION 13. TRAFFIC REPORTS: A Traffic Impact Study (Traffic Report) dated December 29, 2015, has been prepared by the City of West Des Moines for the Della Vita development. The Traffic Report caps the traffic generated from all property within this PUD at 3,369 average daily trips, with 259 AM peak hour trips and 322 PM peak hour trips. The Traffic Report, along with previous studies for the area, outlines the ultimate geometry for the major roadways in the vicinity of the Della Vita development. Prior to, or in conjunction with the development of any parcel, or portion of a parcel, the Developer shall have the traffic report reviewed by the City's traffic consultant to ensure that the provisions and assumptions of the original traffic report are still valid and applicable.

SECTION 14. 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 15. 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 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

EXHIBIT A

OWNER

INTERCHANGE PARTNERS, LLC
1709 SOUTH 42ND STREET
WEST DES MOINES, IOWA 50265

APPLICANT

HUBBELL REALTY COMPANY
6900 WESTOWN PARKWAY
WEST DES MOINES, IOWA 50266

ENGINEER / SURVEYOR

CIVIL DESIGN ADVANTAGE, LLC
3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH: 515-369-4400

ZONING

EXISTING: UNZONED
PROPOSED: R-1 AND RM

BULK REGULATIONS

PARCEL A
UNDERLYING ZONING: SINGLE FAMILY RESIDENTIAL (R-1)

MIN. LOT WIDTH:	60'
FRONT SETBACK:	30'
SIDE SETBACK:	15' TOTAL (7' MIN.)
REAR SETBACK:	35'
MIN. LOT SIZE:	7,500 SF
LAND USE DENSITY:	1.1 TO 6.0 DU/ACRE

PARCEL B
UNDERLYING ZONING: MEDIUM DENSITY RESIDENTIAL (RM)

PERIMETER SETBACK:	35'
BUILDING SEPARATION:	14' MIN.
LAND USE DENSITY:	12 DU/ACRE MAX.

COMPREHENSIVE PLAN LAND USE

EXISTING: OF - OFFICE (WEST)
HD - HIGH DENSITY RESIDENTIAL (EAST)
PROPOSED: MD - MEDIUM DENSITY RESIDENTIAL
SF - SINGLE FAMILY

ADJACENT PROPERTY

1. STOTTLEMYER, JAMES F & BONNIE L JTRS
   ZONING: UNZONED
   COMP PLAN: OFFICE
2. STOTTLEMYER, JAMES F & BONNIE L JTRS
   ZONING: UNZONED
   COMP PLAN: OFFICE
3. WILLIAMS, JARED B & JOLEE A JTRS
   ZONING: UNZONED
   COMP PLAN: OFFICE
4. CAYLER, RONALD & NANCY JTRS
   ZONING: UNZONED
   COMP PLAN: HIGH DENSITY RESIDENTIAL
5. F & S ASSOCIATES, INC
   ZONING: R-18
   COMP PLAN: HIGH DENSITY RESIDENTIAL
6. BO-CON LLC
   ZONING: PUD-BUSINESS & COMMERCIAL
   COMP PLAN: NEIGHBORHOOD COMMERCIAL
7. EASTVOLD, JEFFREY J
   ZONING: UNZONED
   COMP PLAN: MEDIUM DENSITY RESIDENTIAL
8. HOLMES, DORRELL GENE &
   ZONING: UNZONED
   COMP PLAN: MEDIUM DENSITY RESIDENTIAL
9. ROBEL, LINDA M 2010 TRUST U/A/D MAY13, 2010
   ROBEL, LINDA M, ASOA, AS TRUSTEE
   ZONING: UNZONED
   COMP PLAN: MEDIUM & HIGH DENSITY RESIDENTIAL
10. PAVILION PARK LC
    ZONING: UNZONED
    COMP PLAN: OFFICE & HIGH DENSITY RESIDENTIAL
11. PAVILION PARK LC
    ZONING: UNZONED
    COMP PLAN: OFFICE & HIGH DENSITY RESIDENTIAL
12. PAVILION PARK LC
    ZONING: UNZONED
    COMP PLAN: OFFICE

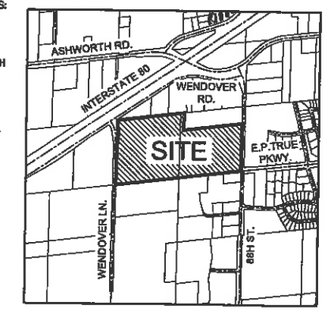
REZONING DESCRIPTION

A PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

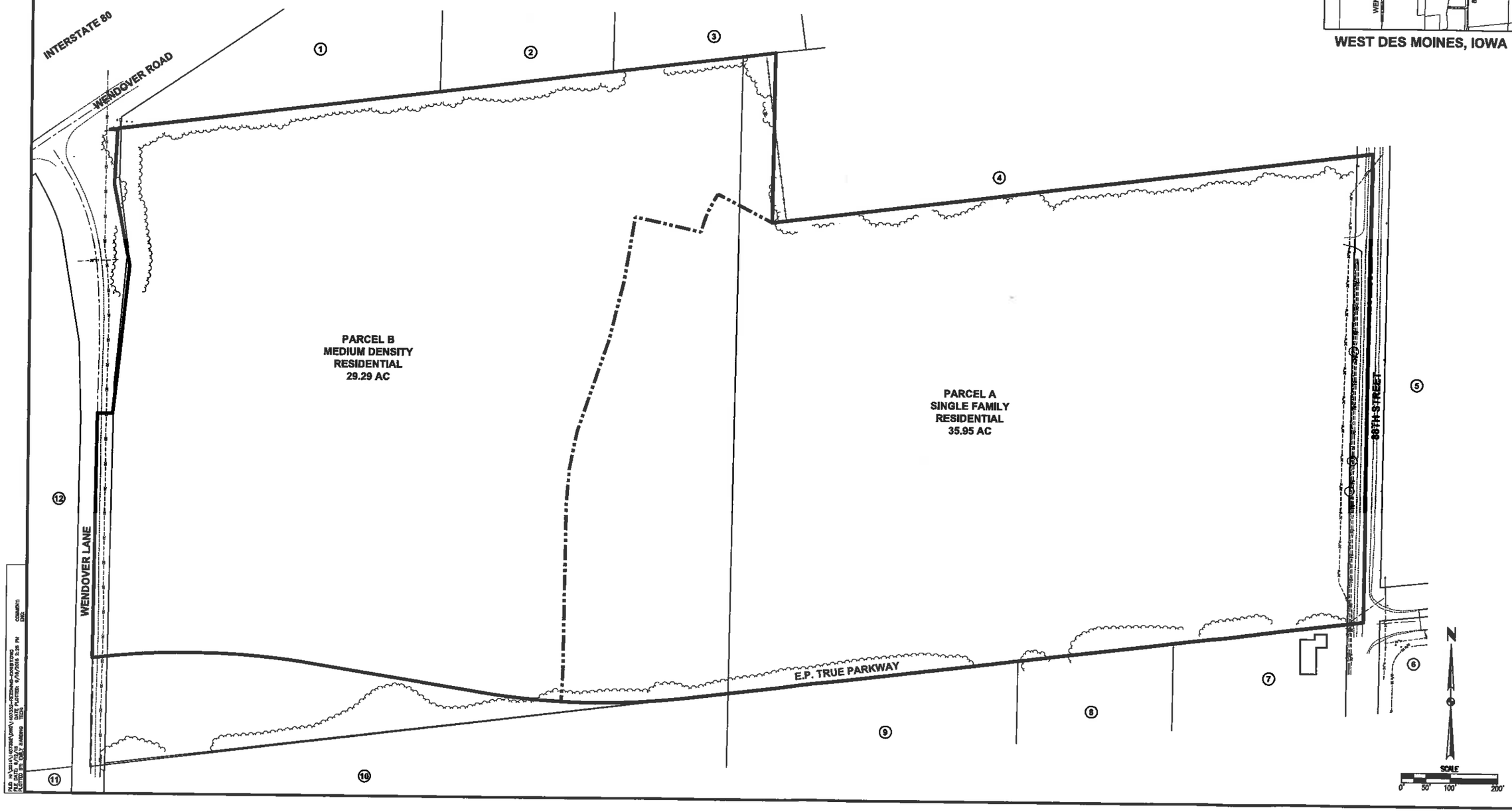
BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 82°56'46" WEST ALONG THE SOUTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER, 1316.53 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 82°47'26" WEST ALONG SAID SOUTH LINE, 69.76 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1440.00 FEET, WHOSE ARC LENGTH IS 414.30 FEET AND WHOSE CHORD BEARS NORTH 88°58'02" WEST, 412.87 FEET; THENCE NORTH 80°43'31" WEST, 356.44 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 1560.00 FEET, WHOSE ARC LENGTH IS 452.15 FEET AND WHOSE CHORD BEARS NORTH 89°01'43" WEST, 450.57 FEET TO THE WEST LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE NORTH 00°35'58" EAST ALONG SAID WEST LINE, 507.82 FEET; THENCE SOUTH 89°38'41" EAST, 31.00 FEET; THENCE NORTH 05°50'13" EAST, 307.70 FEET; THENCE NORTH 10°57'47" WEST, 171.57 FEET; THENCE NORTH 02°33'13" EAST, 111.56 FEET; THENCE SOUTH 88°07'48" WEST, 28.53 FEET TO THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE NORTH 82°51'12" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER, 1384.58 FEET; THENCE SOUTH 00°28'16" WEST, 350.00 FEET; THENCE NORTH 82°51'12" EAST, 1245.00 FEET TO THE EAST LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 00°28'16" WEST ALONG SAID EAST LINE, 969.36 FEET TO THE POINT OF BEGINNING AND CONTAINING 65.24 ACRES (2,842,026 SQUARE FEET).

VICINITY MAP

NOT TO SCALE



WEST DES MOINES, IOWA



REVISIONS	DATE
FOURTH SUBMITTAL	09/02/16
THIRD SUBMITTAL	08/17/16
SECOND SUBMITTAL	05/23/16
FIRST SUBMITTAL	11/09/15

3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410
ENGINEER: ENH
TECH:
CIVIL DESIGN ADVANTAGE

DELLA VITA

PUD REZONING / COMPREHENSIVE PLAN AMENDMENT SKETCH

WEST DES MOINES, IOWA

1/1

1407.352