

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

**Meeting Date:** January 16, 2017

**Item:** Grand Valley, NE corner of S 35<sup>th</sup> Street and Grand Avenue - Amend the Grand Valley PUD to modify PUD parcel boundaries and associated regulations - Russell Ver Ploeg (CRVP, LC) - ZC-003316-2016

**Requested Action:** Approval of an amendment to the Grand Valley Planned Unit Development

**Case Advisor:** J. Bradley Munford, Planner 

**Applicant's Request:** The applicant, Bob Gibson of Civil Design Advantage, on behalf of Russ Ver Ploeg of CVRP, L.C., is requesting to amend the Grand Valley Planned Unit Development (PUD) on the 34.5 acres located at the northeast corner of S 35<sup>th</sup> Street and Grand Avenue to modify boundaries of the PUD parcels to allow for the addition of 10 single family lots to the development and adjust the detention pond configuration.

**History:** In 1990 the property was zoned to R-5 Multi-Family Residential District (Medium Density). As a condition of approval, in the same year a covenant was created to establish development and density restrictions along the north and west property lines. In 1998 as a part of the larger City-Wide Consistency Zoning, the property was zoned to Residential Medium-Density (RM-7). To clear the title, the developer requested and the City Council approved the release of the recorded covenants at the October 20, 2014 meeting. On December 15, 2014, the City Council approved a rezoning from Residential Medium Density (RM-7) to Planned Unit to establish the Grand Valley PUD and allow for the development of detached Single Family Residential, attached Multi-Family Residential in the form of 3 and 4-plex buildings and apartment buildings. The Preliminary Plat for Grand Valley Plat 1 was approved by the city council on June 1, 2015 and the Final Plat on December 14, 2015.

**City Council Subcommittee:** This request was reviewed by the Development and Planning City Council Subcommittee on January 9, 2017. The Subcommittee was supportive of the request.

**Staff Review and Comment:** There are no outstanding issues. Staff would note the following:

*Parcel Boundary Modifications* This proposal will modify Parcel A to add 10 single family home lots to the eastern end of Grand Valley Dr. and reshape the proposed pond. The pond is being separated from original PUD Parcel D, thus a Parcel E is being added to the sketch plan and PUD. It should be noted that the density of the development with the 10 lot addition is below the 7 units per acre that is allowed per the PUD. The capacity of the pond remains the same with the new design.

**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 January 6, 2017, a notice of the January 16, 2017, Plan and Zoning Commission and January 23, 2017, City Council public hearings 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 on January 3, 2017.

**Staff Recommendations 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 that the Plan and Zoning Commission adopt a resolution recommending the City Council approval of an amendment to the Grand Valley Planned Unit Development to modify PUD parcel boundaries and associated regulations, subject to the applicant meeting all City Code requirements.

**Applicant:**

Russ Ver Ploeg  
4812 Pleasant Street  
Des Moines, Iowa 50312  
[Rvp@verploegarch.com](mailto:Rvp@verploegarch.com)

**Applicant Representative:**

Civil Design Advantage  
Bob Gibson  
3405 SE Crossroads Drive, Suite G  
Grimes, IA 50111  
[bobg@cda-eng.com](mailto:bobg@cda-eng.com)

**Attachments:**

- Attachment A - Plan and Zoning Commission Resolution – PUD Amendment
- Exhibit A - Conditions
- Attachment B - Location Map
- Attachment C - Proposed PUD Ordinance Amendment

**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 AN AMENDMENT TO THE GRAND VALLEY PLANNED UNIT DEVELOPMENT TO MODIFY THE PUD PARCEL BOUNDARIES AND ASSOCIATED REGULATIONS**

**WHEREAS**, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, CRVP, LLC, has requested approval of an amendment to the Grand Valley PUD for that 34.5 acre property generally located at the northeast corner of S35th Street and Grand Avenue and legally described below to modify the boundary of Parcel A to add 10 single family lots and to adjust the detention pond configuration and add a Parcel E to separate the pond from PUD Parcel D:

**Legal Description**

ALL THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF GOVERNMENT LOT 4 IN SECTION 21, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN LYING EAST OF SOUTH 35<sup>TH</sup> STREET AND NORTH OF GRAND AVENUE, COMPRISING 36 ACRES MORE OR LESS, INCLUDED WITHIN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA; EXCEPT THE NORTH 60 FEET THEREOF

**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 January 16, 2017, this Commission held a duly-noticed meeting to consider the request to modify the Grand Valley PUD (ZC-003316-2016);

**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 January 16, 2017, or as amended orally at the Plan and Zoning Commission hearing of January 16, 2017, are adopted.

SECTION 2. Rezoning request (ZC-003316-2016) to amend the Grand Valley PUD to modify PUD parcel boundaries and associated regulations is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated January 16, 2017, 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 January 16, 2017.

\_\_\_\_\_  
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 January 16, 2017, by the following vote:

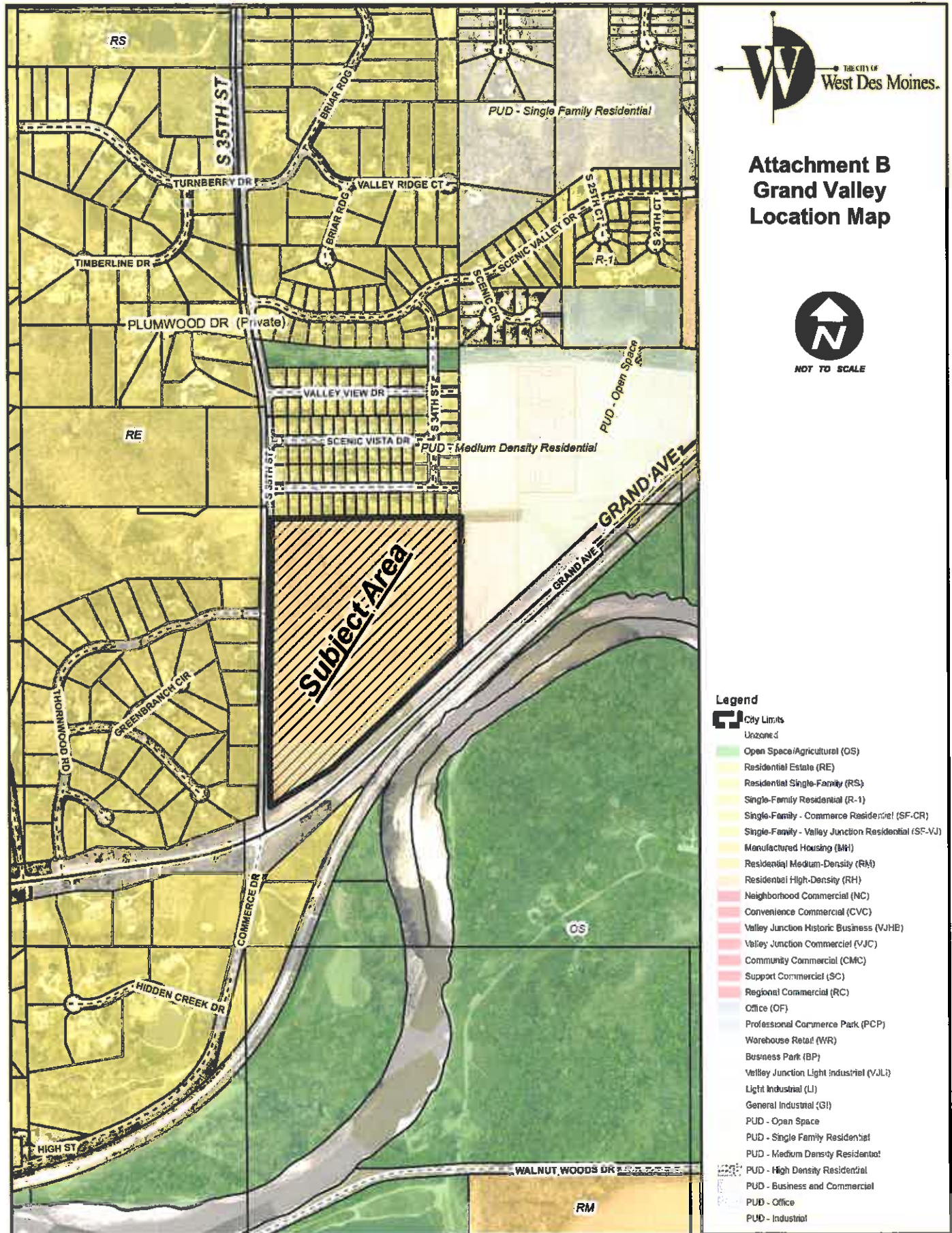
AYES:  
NAYS:  
ABSTENTIONS:  
ABSENT:

ATTEST:

\_\_\_\_\_  
Recording Secretary

**Exhibit A**  
**CONDITIONS OF APPROVAL**

**No Conditions of Approval**



**Attachment B  
Grand Valley  
Location Map**



- Legend**
- City Limits
  - Unzoned
  - Open Space/Agricultural (OS)
  - Residential Estate (RE)
  - Residential Single-Family (RS)
  - Single-Family Residential (R-1)
  - Single-Family - Commerce Residential (SF-CR)
  - Single-Family - Valley Junction Residential (SF-VJ)
  - Manufactured Housing (MH)
  - Residential Medium-Density (RM)
  - Residential High-Density (RH)
  - Neighborhood Commercial (NC)
  - Convenience Commercial (CVC)
  - Valley Junction Historic Business (VJHB)
  - Valley Junction Commercial (VJC)
  - Community Commercial (CMC)
  - Support Commercial (SC)
  - Regional Commercial (RC)
  - Office (OF)
  - Professional Commerce Park (PCP)
  - Warehouse Retail (WR)
  - Business Park (BP)
  - Valley Junction Light Industrial (VJLI)
  - Light Industrial (LI)
  - General Industrial (GI)
  - PUD - Open Space
  - PUD - Single Family Residential
  - PUD - Medium Density Residential
  - PUD - High Density Residential
  - PUD - Business and Commercial
  - PUD - Office
  - PUD - Industrial

Prepared by: J. B. Munford, Development Services, PO Box 65320, W.D.M., IA 50265-0320, 515-222-3620  
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, AND ORDINANCE #2075 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 #2075 pertaining to the Grand Valley Planned Unit Development (PUD), Section 3, *Required Plans*, Subsection B, *Site Plan Development Applications* is hereby amended by inserting the italicized and bolded text:

**SECTION 3. REQUIRED PLANS:**

- A. Preliminary Plat/Final Plat: Prior to or in conjunction with development of any portion of the property covered by this PUD, said area shall be platted in accordance with the City's Subdivision Ordinance.
- B. Site Plan Development Applications: Site plans for lots within the Grand Valley PUD must meet the intent of the PUD. Prior to development of the respective parcel, site plans for development of *the* single-family attached *or multi-family* product shall be submitted to the City for review through the development review process and approval by the appropriate approval body.

**SECTION 2. AMENDMENT.** Ordinance #2075 pertaining to the Grand Valley Planned Unit Development (PUD), Section 8, *Land Use Design Criteria*, Subsection B and C are hereby amended by deleting the highlighted strike-thru text and inserting the italicized and bolded text and adding a Subsection D with the italicized and bolded text:

**SECTION 8. LAND USE DESIGN CRITERIA:**

- B. Parcels B and Parcel C: All general use regulations and provisions set forth in Title 9, zoning of the West Des Moines City Code for Residential Medium Density (RM-7) or Residential Single Family (RS-5), as follows, shall apply to any development proposal for property in Parcels B or C, as shown on the sketch plan, unless noted otherwise in this ordinance. Parcels B and C may be developed with either traditional single family detached dwellings on individual lots or with horizontally attached multi-family dwelling units with a maximum of 4 dwellings per building and 2 stories or less. Multi-family dwelling units may be located on either one large parcel of common ground or postage stamp lots. The first plat within each parcel will determine the type of dwelling unit for that parcel; both single family detached and multi-family attached dwellings shall not be allowed within the same PUD parcel.
  1. Setbacks:
    - a. RS-5 Single Family District: All residential structures shall comply with a thirty foot (30') front yard setback and a thirty-five foot (35') rear yard setback as measured from the boundary of Parcel B or Parcel C, respectively. Side yard setbacks shall be a minimum of five feet (5') as measured

to the closest element including egress window wells, roof overhangs, bay windows, chimney bump-outs, etc. ***If a buffer is required for single family detached double frontage lots, the rear yard setback shall be measure from the interior edge of the buffer.***

- b. RM-7 Medium Density District: Shall abide by city code **for type and height of buildings.**
  2. Front porches or balconies shall have a usable area that is no less than five feet (5') feet in width and depth. Porches and balconies may be allowed to extend into the front yard building setback a maximum of five feet (5').
  3. The maximum height of dwelling buildings within Parcel B and C shall not exceed 2 stories
- C. Parcel D: All general use regulations and provisions set forth in Title 9, zoning of the West Des Moines City Code for Residential Medium Density (~~RM-7~~) shall apply to any development proposal for property in Parcel D, as shown on the sketch plan, unless noted otherwise in this ordinance.
1. Setbacks: All residential structures shall comply with all general use regulations and provisions set forth in title 9, "Zoning," of the city code for Residential Medium-Density District (~~RM-7~~), as well as, Zoning District Transitioning and Compatibility as identified in the zoning code, Chapter 5, Section 7.
  2. Balconies may extend a maximum of five feet (5') into the building setback.
  3. The maximum building height shall not exceed three (3) stories.

***D. Parcel E: Parcel E as shown on the sketch plan shall be reserved and used for storm water detention.***

**SECTION 3. AMENDMENT.** Ordinance #2075 pertaining to the Grand Valley Planned Unit Development (PUD), Section 9, *Density*, is hereby amended by inserting the italicized and bolded text:

**SECTION 9: DENSITY:** The total number of dwellings within the Grand Valley PUD shall not exceed seven (7) dwelling units per acre or 241 dwelling units. Parcel A, B and C shall not exceed a maximum of 5 dwelling units per acre. Any unused density from Parcels A, B, and C, may be located in Parcel D. ***The density allotment from Parcel E can be used on Parcel D: which may result in the density of Parcel D to exceed maximum density for the zoning district.*** If Parcel D is developed before Parcels A, B, and/or C, the density of the remaining undeveloped parcels shall be reduced as necessary as they are developed such that the total number of units within the PUD does not exceed 241.

**SECTION 4. AMENDMENT.** Ordinance #2075 pertaining to the Grand Valley Planned Unit Development (PUD), Section 12, *Buffering and Transitioning*, is hereby amended by deleting the highlighted strike-thru text and inserting the italicized and bolded text:

**SECTION 12. BUFFERING AND TRANSITIONING:**

A 30' landscaped and bermed buffer shall be provided along the South 35<sup>th</sup> Street frontage. ***With the exception of a buffer required for double-frontage single family detached lots, the buffer may overlap building setbacks. On single family detached double frontage lots, the rear yard setback shall be measure from the interior edge of the buffer.***

Where single family detached abuts ***Single family attached and Multi-family***, the following architectural and/or buffering standards as outlined in A, B, C, and D below and illustrated in Exhibit A (attached or on file with the City Clerk) shall also apply:

- A. ***Single family attached and Multi-family*** buildings located on street corners shall have facades that relate to both streets. Buildings should implement building enhancements, such as but not limited to porches, sun rooms, bay windows, additional entries, and other elements typically used only on front facades on both street-facing facades. A minimum landscape of 3 trees and 16 shrubs shall be implemented along that part of a lot adjacent to the street that functions as the side yard for the lot.
- B. Parcels developed with multifamily dwellings that have side yard which abuts the rear yard of an adjacent single family detached property shall provide a 6' privacy fence on the common property line with a 15' side yard building setback.



- C. In the case where *Single family attached and Multi-family* residential buildings back up to parcels intended for detached single family homes, a minimum of two (2) overstory trees shall be located in the rear yard area and a 6' privacy fence shall be constructed along the rear property line.
- D. ~~A thirty foot (30') buffer will be required along the boundary of Parcel D adjacent to Parcels B and C-E and adjoining property outside of the PUD area unless the parcels are developed with a like architectural product and density/zoning district. Adequate buffering of views of the multi-family development to be located in Parcel D from homes along the south boundary of Parcel A and the eastern boundary of Parcels B and C, if developed with single-family detached dwellings, shall be provided. Earthen berming, if possible, along with implementation of landscape vegetation equivalent to that required of city code for a 30' wide buffer shall be provided adjacent to the pond within Parcel E or along the north and west boundaries of Parcel D.~~

**SECTION 5. AMENDMENT.** Ordinance #2075 pertaining to the Grand Valley Planned Unit Development (PUD), Section 14, *Signage Regulations*, is hereby amended by inserting the italicized and bolded text:

**SECTION 14. SIGNAGE REGULATION:** Signage restrictions shall be imposed to limit and reduce the negative impacts of sign clutter. Signage within each PUD parcel shall comply with all provisions of Title 9, Chapter 18 for either the Single Family Residential (*R-1*), *Residential Single Family* (RS) district or the Residential Medium Density (RM) district, whichever is applicable to the type of dwellings implemented within the parcel.

**SECTION 6. 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 7. 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 8. 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 9. 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 \_\_\_\_\_ 2017.

\_\_\_\_\_  
Steven K. Gaer, Mayor

**ATTEST:**

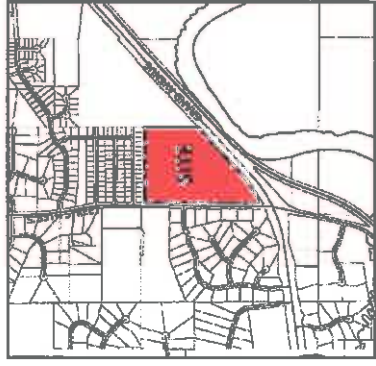
\_\_\_\_\_  
Ryan T. Jacobson, City Clerk

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
Ryan T. Jacobson, City Clerk

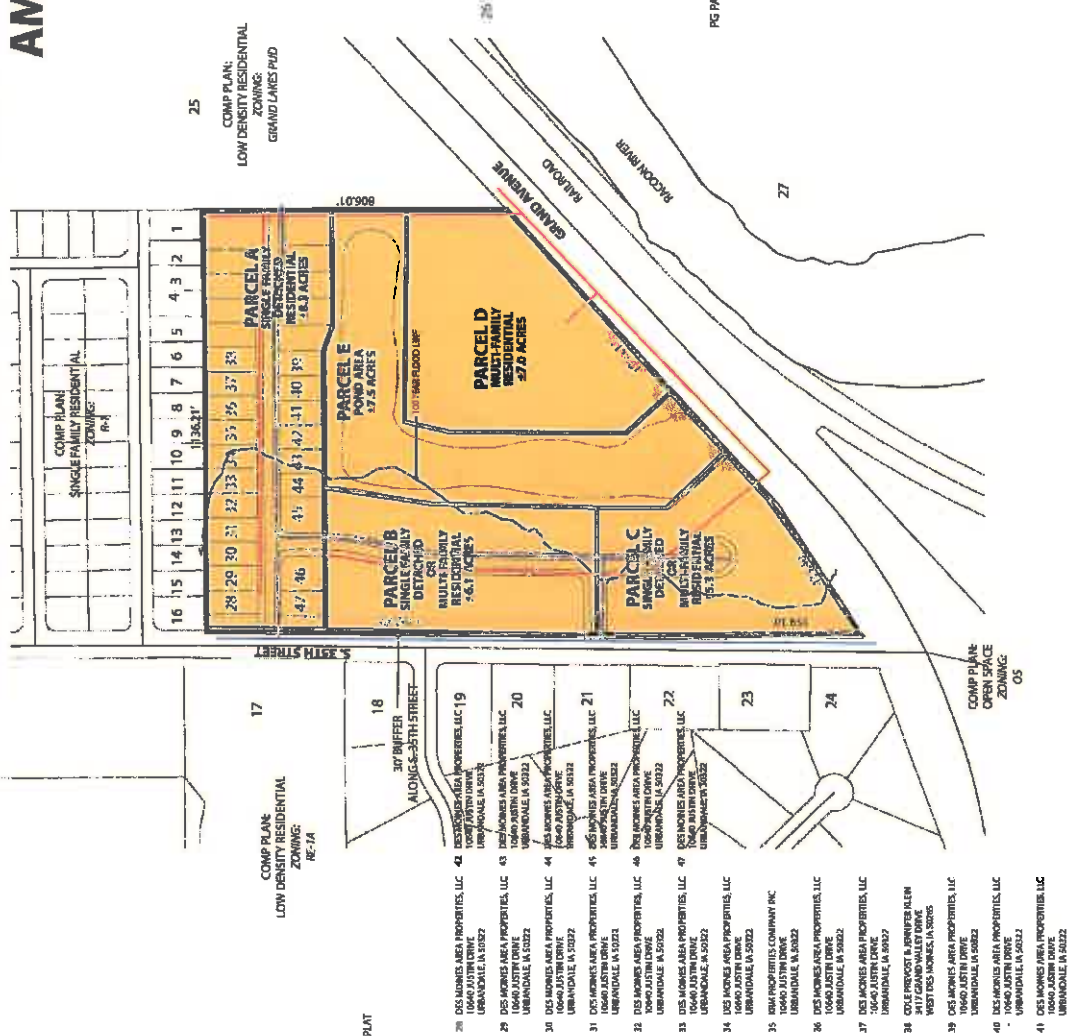
# GRAND VALLEY PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT SKETCH

## JANUARY 6, 2016



INDICATES WATER MAIN  
INDICATES SANITARY SEWER

COMP PLAN:  
PG PARKS & GREENWAYS  
ZONING:  
OS



**OWNER:**  
CRVP, LLC  
4812 PLEASANT STREET, DES MOINES, IA 50312  
CONTACT: RUSS VER PLOEG  
PHONE: 515-274-1010

**APPLICANT:**  
CRVP, LLC  
4812 PLEASANT STREET, DES MOINES, IA 50312  
CONTACT: RUSS VER PLOEG  
PHONE: 515-274-1010

**APPLICANT REPRESENTATIVE:**  
CIVIL DESIGN ADVANTAGE  
3405 SE CROSSROADS DRIVE, GRIMES, IA 50111  
CONTACT: BOB GIBSON  
515-369-4400

**EXISTING COMPREHENSIVE PLAN DESIGNATION:**  
MID MEDIUM DENSITY RESIDENTIAL

**EXISTING ZONING:**  
RM-7 MEDIUM DENSITY RESIDENTIAL

**LEGAL DESCRIPTION:**  
LOTS 1-20, AND OUTLOTS 1-2 OF GRAND VALLEY PLAT 1, AN OFFICIAL PLAT  
IN THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA  
TOTAL ACRES: 34.5

**ADJACENT OWNERS**

1	WILLIAM STUBB	14	JOSEPH & BRENDA RICH
2	WEST DES MOINES, IA 50305	15	3446 GLENWOOD DRIVE
3	WEST DES MOINES, IA 50305	16	10440 JUSTIN DRIVE
4	WEST DES MOINES, IA 50305	17	10440 JUSTIN DRIVE
5	WEST DES MOINES, IA 50305	18	10440 JUSTIN DRIVE
6	WEST DES MOINES, IA 50305	19	10440 JUSTIN DRIVE
7	WEST DES MOINES, IA 50305	20	10440 JUSTIN DRIVE
8	WEST DES MOINES, IA 50305	21	10440 JUSTIN DRIVE
9	WEST DES MOINES, IA 50305	22	10440 JUSTIN DRIVE
10	WEST DES MOINES, IA 50305	23	10440 JUSTIN DRIVE
11	WEST DES MOINES, IA 50305	24	10440 JUSTIN DRIVE
12	WEST DES MOINES, IA 50305	25	10440 JUSTIN DRIVE
13	WEST DES MOINES, IA 50305	26	10440 JUSTIN DRIVE
14	WEST DES MOINES, IA 50305	27	10440 JUSTIN DRIVE
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36	WEST DES MOINES, IA 50305	49	10440 JUSTIN DRIVE