NO CHANGE FROM PREVIOUS READING

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: February 21, 2017

ITEM: Quail Park Woods, 4101 Grand Avenue – Establish a Planned Unit Development (PUD) Ordinance to reduce side yard setbacks and enhance architectural standards – Neighborhood Builders – ZC-003325-2016

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

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Jake Reid of Neighborhood Builders is requesting that a Planned Unit Development (PUD) ordinance be established for Quail Park Woods located at 4101 Grand Avenue. The property is currently zoned Residential Estate (RE-1A). The PUD maintains this use; but as part of the ordinance, Mr. Reid requests that the side yard setbacks be reduced from the standards of 20 feet on each side to 15 feet on each side and proposes that the PUD include architectural standards specific to this development. Provisions to address tree preservation through an increase in rear yard setback when possible and replanting for each tree removed is also included in the PUD.

Previous Council Action:
Vote: 4-0 approval, Council member Sandager absent
Date: February 6, 2017
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 Quail Park Woods PUD Ordinance in final form, subject to the applicant meeting all City Code requirements

Lead Planner: Kara Tragesser, AICP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register	
Date(s) Published	January 20, 2017	
Letter sent to surrounding property owners		January 18, 2017

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	November 28, 2016		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:
Exhibit I - PUD Ordinance

EXHIBIT I

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
Tax Statement: Not Applicable

ORDINANCE NO.

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, to change the zoning of the following legally described property from RE-1A to **Quail Park Woods** Planned Unit Development (PUD):

Legal Description

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 78 NORTH, RANGE 25, WEST OF THE FIFTH P.M., THENCE EASTERLY ALONG THE CENTER LINE OF IOWA HIGHWAY NO. 90, 3,891.0 FEET, THENCE NORTHWEST AT RIGHT ANGLES TO THE CENTER LINE OF SAID IOWA HIGHWAY 90, 113.6 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING IN A STRAIGHT LINE 548.15 FEET, THENCE SOUTHWEST PARALLEL TO AND 661.75 FEET DISTANT FROM SAID CENTER LINE OF IOWA HIGHWAY NO. 90, 803 FEET, THENCE SOUTHEAST ON A LINE WHICH IS AT RIGHT ANGLES TO NORTH LINE OF HIGHWAY 90, 544.25 FEET TO A POINT WHICH IS 117.5 FEET NORMALLY DISTANT FROM SAID CENTER LINE OF HIGHWAY 90, THENCE NORTHEAST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY 90, 225.0 FEET TO A POINT WHICH IS 120.0 FEET NORMALLY DISTANT FROM CENTER LINE OF HIGHWAY 90, THENCE NORTHEAST ALONG SAID RIGHT-OF-WAY LINE 578.0 FEET TO THE POINT OF BEGINNING, BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH P.M., AND CONTAINING 10.475 ACRES MORE OR LESS, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA

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 Quail Park Woods PUD marked Exhibit "A". The Sketch Plan is a graphic representation of the property included in the PUD delineating the approximate location and configuration of the PUD Parcels for the purpose of easier reference for the applicable regulations of this Ordinance. Wherever conflict occurs between the written text in this document and the notations on the Sketch Plan, the written text shall prevail.

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 PUD area shall be platted in accordance with the City's Subdivision Ordinance. Parcels created via the Plat-of-Survey process and platted Outlots identified on a plat shall be unbuildable until such time that the plat-of-survey parcel and/or Outlot is re-platted into a developable lot through the preliminary plat and final plat 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:

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 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. Developer shall be responsible for cost of all streets, storm sewers, sanitary sewers, drainage way improvements, detention basins, water mains, buffers and other improvements as required of the development. Developer shall dedicate appropriate rights-of-way and/or public easements required within the PUD, unless otherwise approved by the City Council.

5. 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.

6. 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.

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

SECTION 5. 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:

All general use regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for Residential Estate (RE-1A) shall apply to any development proposal for the property, unless noted otherwise in this ordinance.

1. The minimum lot size permitted in this development shall be 40,000 square feet.

2. Minimum lot width shall be no less than 100' as measured at the front building setback line.

3. Building height shall be in accordance with the requirements for the Residential Estate zoning district as set forth in Title 9, Chapter 7.

4. Building Setbacks: Setbacks for all residential development shall be as follows:
   a. Front Yard: a minimum of 50' setback along the internal street within the development. Building shall be set as close to the front yard setback line as possible so as to preserve as many trees in the rear and side yards as possible and minimize grading of the site. Front building setbacks will not be consistent throughout the development due to the shape of the lot and the point at which the lot width reaches 100'. Development of intervening lots shall abide by setbacks stated in this ordinance and shall not be determined by the front yard setback of properties within 200' on the same side of the street as otherwise required by city code.

   b. Rear Yard: 80' on the west and east perimeter; 50' on the north and south perimeter of the PUD.

   c. Side Yard: 15' as measured to the foundation with no other element of the building encroaching into the setback by more than two feet.

   d. Detached accessory structures shall not be located in the front yard and shall maintain a minimum 20' setback from side property lines and a minimum of 80 feet from rear property lines on the west, south, and east perimeter and 50 feet from the north perimeter of the PUD.

5. Homes within the PUD that are 8,000 square feet or larger must have a fire sprinkler system according to the West Des Moines Fire Code. On a cul-de-sac, any home beyond the length of 750 feet from the center line of the cross street as measured along the centerline of the cul-de-sac must have a fire sprinkler systems. Cul-de-sacs shall not be longer than 1,000 ft. in length.

SECTION 6. 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 Park and Recreation Department, detailing the specifics related to the Parkland Dedication requirements for the development of any area contained within the PUD is required to be submitted with subdivision of the land within the PUD.

SECTION 7. MASTER PROPERTY OWNERS ASSOCIATION: If deemed applicable, proper action shall be taken to establish a master property owners association. The property owners association shall be responsible for the ongoing upkeep and maintenance of any privately owned common grounds such as buffer parks, storm water detention facilities, greenbelts, 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 8. TREE PRESERVATION: The intent of this section is to recognize existing canopied areas containing trees of significant size, value, and quantity such that the environmental aesthetic is enhanced by these areas. At the time of platting, existing tree cover on the site shall be protected and any loss mitigated. Removal of trees will be permitted for diseased, dead, damaged, or of a species not commonly recognized as being desirable. For every 2,000 square feet of tree canopy removed as measured on an aerial photograph after July 1, 2015, at least one evergreen a minimum of six feet (6') tall or over-story species tree at least two inches (2") in caliper, is to be planted on the lot to mitigate the permanent loss of canopy. At the time of Building Permit Application for each home, trees to be removed shall be indicated and documentation from a certified arborist or ASLA licensed landscape professional indicating the reason for tree removal and whether replacement shall be provided to the Development Services department of the City. Tree replacement shall occur prior to issuance of a final occupancy permit for the home.

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

2. No vegetation which obstructs visibility shall be located within the site triangle of intersecting streets and private drives, including residential driveways.

SECTION 9: ARCHITECTURE: The intent of these regulations is to create building façades throughout this development that are varied and articulated to provide visual interest. Architectural design for single family dwellings shall accomplish this by careful attention to exterior building materials and details, use of windows and doors, and change in building mass within the plan and roof design. Materials, fenestration, and trim 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 facing a street. Care should be taken in the design of the building to keep grading and tree removal to a minimum.

Exteriors of the dwellings and accessory structures shall incorporate materials such as brick, stone, lap or vertical siding, shakes, decorative trim or similar combination of material which incorporates elements typical of the chosen architectural style. 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 and detailed trim and not as the primary cladding material. Changes in materials should be aligned with changes in plan or roof form to emphasize these changes in building mass and shall have the appearance of 3-dimensional elements. Trim and structural elements such as posts or columns shall be sized to the scale of the building and detailed appropriately to the style. Masonry shall be incorporated into the building architecture on the front and side facades, and in a proportion that provides a strong visual presence. Fenestration (door and window openings) shall be sized to the scale of the building and be compatible with the chosen architectural style.

Detached garages or accessory structures should incorporate architectural details of the primary building with the use of roof forms, materials, fenestration and other facade detailing.

Garage Orientation: Garages shall be sited to minimize the visual presence to the street. To facilitate this requirement, acceptable garage orientations include:

A. Street Oriented Garage: garages that open to the street are strongly encouraged and desired to be recessed behind the front plane of the house a minimum of five feet (5'). In no case shall the garage project more than five feet (5') in front of the plane of the house.

    1. In situations where the garage is located less than five feet (5') behind the front plane of the house, the third car garage, if applicable, must be stepped back a minimum of four feet (4') from the front of the two (2) car garage with all garage doors to be individual one car doors.

    2. In situations where the garage projects up to five (5') in front of the plane of the house, a covered porch shall be constructed that is at least the width equal to twenty five percent (25%) of the total width of the house and at least five unobstructed feet (5') in depth.

B. Side Loaded Garage: garages that open to a side yard. This garage orientation can be located in front of the house equal to the building setback for the house. Side loaded garages should incorporate architectural details such as windows, doors, and other detailing on the street facade in order to present a house appearance thus disguising the garage function.

SECTION 10. <u>SIGNAGE REGULATION:</u> Signage shall comply with all provisions and standards of Title 9, Chapter 18 for the Residential Estate (RE) Zoning District.

SECTION 11. <u>STORM WATER MANAGEMENT:</u> A Storm Water Management Plan will be required with the platting of this property. The Developer will have said Storm Water Management Plan prepared by a Professional Engineer licensed in the State of Iowa, in conjunction with the submittal of a preliminary plat for the development of the property. The Storm Water Management Plan 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 a preliminary plat.

At time of platting, ownership and 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 prepared by the City with information provided by the developer. This agreement essentially provides that the property owner will maintain and repair their storm water facilities. If they fail to do so, the city will make repairs or perform maintenance and assess all costs back to the property owner. As part of the maintenance agreement, the property owner will be responsible to provide a letter certifying the detention facility in in conformance with the approved Storm Water Management Plan. The property owner also will need to provide as-built drawings of the detention facilities. Both the letter and as-builts will need to be signed and sealed in accordance with Chapter 6, 193c-6.1(542B0 of the Iowa Code.

SECTION 12. <u>PUBLIC IMPROVEMENTS:</u> The developer 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. Public improvements must be accepted by the city prior to issuance of any occupancy permit, including temporary occupancy permits.

SECTION 13. 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 14. 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.

_____
Steve Gaer, Mayor

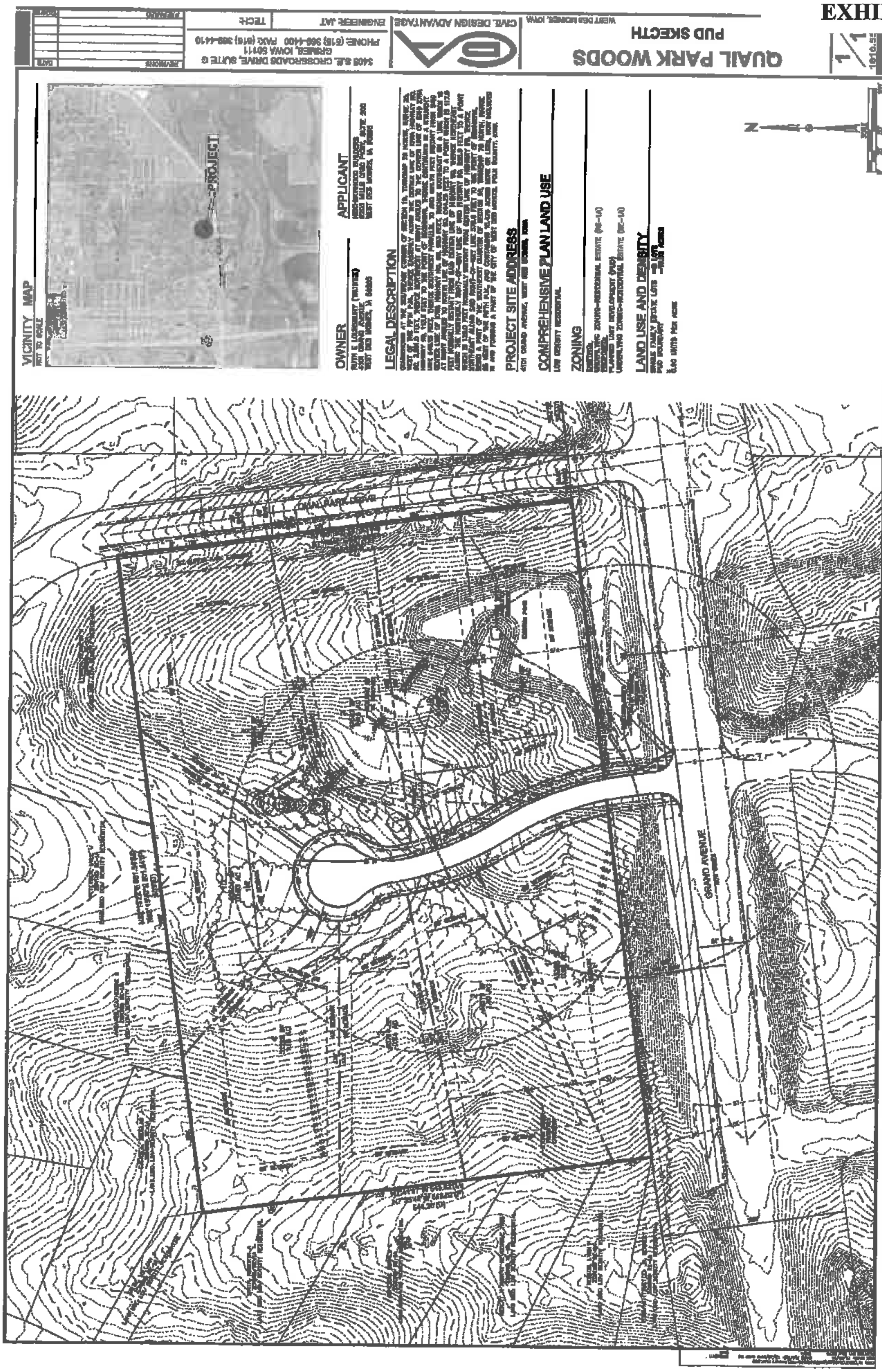
ATTEST:

_____
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

EXHIBIT A


QUAIL PARK WOODS
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