CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: May 15, 2017

ITEM: Bridgewood PUD, Generally located at the southwest and northwest corners of Jordan Creek Parkway and Bridgewood Boulevard – Amend Bridgewood Planned Unit Development (PUD) to remove language regarding landscape maintenance – Bridgewood Association, Inc. – ZC-003420-2017

Ordinance: Approval of Third Reading and Adoption

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Bridgewood Association, Inc., the master owner's association of the Bridgewood development is seeking approval of an amendment to the Bridgewood Planned Unit Development (PUD) to remove language from the PUD which requires the association to maintain the medians within Bridgewood Boulevard. They request the City to take over maintenance of the Bridgewood Boulevard medians from Jordan Creek Parkway west to 81st Street.

Previous Council Action:
Vote: 3-1 for approval, with Councilmember Trevillyan voting 'No', and Councilmember Trimble absent
Date: April 17, 2017
Motion: Approval of the First Reading of the amendment to City Code.

Previous Council Action:
Vote: 3-1 for approval, with Councilmember Trevillyan voting 'No', and Councilmember Messerschmidt absent
Date: May 1, 2017
Motion: Approval of the Second Reading of the amendment to City Code with modification to condition of approval #1 to reflect the continued irrigation of the medians.

OUTSTANDING ISSUES: There are no outstanding issues. Staff would note the following regarding the irrigation of the medians:

At the April 17, 2017 City Council meeting, the Council asked staff to research what the costs would be if the City continued to irrigate the medians. In order for the City to keep irrigating the medians, a separate water meter would have to be installed. The cost of the installation of the meter would be approximately $16,000 with an annual maintenance cost of $5,000. Staff checked with Water Works on the annual water service costs that the Bridgewood Owner's Association paid to irrigate the medians. Water Works has the billing history for the entire Bridgewood development, but without plans for the irrigation systems, they are not able to break out the water service charge for just the medians.

At the May 1, 2017 City Council meeting, the City Council voted 3-1 to approve the request for the City to take over maintenance of the Bridgewood medians and keep the irrigation within the medians. A new water meter will need to be installed to differentiate the irrigation water for the medians from the rest of the Bridgewood irrigation that will not be maintained by the City.

The 2nd condition of approval has been modified to not require the capping of irrigation lines, since the Council voted to keep the irrigation within the medians. No changes to the proposed ordinance are necessary.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the Comprehensive Plan, staff recommends the City Council approve the second reading of an amendment to the existing Bridgewood PUD to allow for the City of West Des Moines to assume maintenance of the Bridgewood Boulevard medians between Jordan Creek Parkway and 81st Street subject to the applicant meeting all City Code requirements and the following:

1. The City of West Des Moines shall take over maintenance of the Bridgewood Drive medians from Jordan Creek Parkway to 81st Street no earlier than June 19, 2017.

2. Removal of electric lines, removal of garden plantings and grass seeding of the garden areas within the medians shall occur prior to the City taking over maintenance responsibility for the medians.

Lead Staff Member: Brian Portz BP

STAFF REVIEWS:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	*Des Moines Register*	
Date(s) Published	March 31, 2017	
Letter sent to surrounding property owners		March 31, 2017

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development and Planning		
Date Reviewed	October 24, 2016 & April 3, 2017		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Proposed PUD Amendment

EXHIBIT I

Prepared by: B. Portz, 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 #1276, 1322, 1335, 1401, 1438, 1482, 1628, 1748, 1809, AND 1962, 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 #1276, 1322, 1335, 1401, 1438, 1482, 1628, 1748, 1809, and 1962, pertaining to the **Bridgewood Planned Unit Development (PUD)**, Section 048-16: *Specific Development Exceptions*; Subsection D: *Medians and Cul-De-Sac Islands;* is hereby amended by adding the bolded italicized text:

D. Medians And Cul-De-Sac Islands: Landscaping and irrigation within medians in public streets, cul-de-sacs, and other islands shall be permitted. Medians, cul-de-sacs shall be installed by the developer and designed to meet the Metropolitan Design Standards with adequate radii to accommodate the turning radius of a tandem garbage truck without encroaching into the median. ***The medians within Bridgewood Boulevard between Jordan Creek Parkway and 81st Street shall be maintained by the City of West Des Moines.*** The ***remaining*** medians and cul-de-sac islands ***(roundabouts) within the Bridgewood development*** shall be maintained by the master property owners association to enhance the character and increase the overall aesthetic value of the development.

SECTION 2. 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 3. VIOLATIONS AND PENALTIES. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in 1-4-1 of the City Code of the City of West Des Moines, Iowa.

SECTION 4. OTHER REMEDIES. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

SECTION 5. 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 the ____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