CHANGED FROM PREVIOUS READING

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: October 29, 2018

ITEM: The Shoppes at Valley West, 3330 Westown Parkway – Repeal the Valley South/Watson Center PUD and Replace with The Shoppes at Valley West PUD to govern redevelopment of the PUD site – The Shoppes at Valley West LLC – ZC-003678-2017

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

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The Shoppes at Valley West LLC requests approval of a Planned Unit Development (PUD) to replace the Valley South/Watson Center PUD to outline development standards and regulations for redevelopment of that property located at 3330 Westown Parkway.

Previous City Council Action
Vote: 4-0 Approval, Council member Trimble absent
Date: July 9, 2018
Motion: Approval of the first reading of the amendment to The Shoppes at Valley West Planned Unit Development.

STAFF COMMENTS:

Vehicle Trip Generation: Paragraph 2 under Section 12 of the previously provided ordinance was removed. This paragraph discussed alternate land uses and analysis for the PUD area and proposed a total trip generation allocation of 407 trips based on what is presently within the site. Instead, a trip generation analysis based on the building square footages allowed with the original PUD was used which resulted in a trip generation count of 560 p.m. peak trips that may be generated with the original PUD plan. Staff reviewed the uses used and agreed that it was an acceptable analysis of the original PUD. Therefore, the paragraph has been changed to reflect the 560 p.m. trip count.

Signage: Additionally, since the first reading of the PUD, the applicant has requested a slight modification to the Sign provisions that outlines how the signage allowance for tenant spaces interior to the site and without direct visibility of building entries from Westown Parkway will be calculated. Staff is comfortable with the proposed and has included that language in this PUD draft.

Staff does not believe that these changes warrant another public hearing and recommends that the City Council continue to approve the second reading, waive the third reading and adopt the ordinance in final form.

RECOMMENDATION: Based upon the preceding review, Staff recommends the City Council approve the second reading, waive the third reading and adopt The Shoppes at Valley West Planned Unit Development to outline development standards and regulations for redevelopment of the PUD area.

Lead Staff Member: Kara Tragesser, AICP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register	
Date(s) Published	June 8, 2018	
Letter sent to surrounding property owners		June 6, 2018

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	November 13, 2017 and May 29, 2018		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - 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 PUD (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES TO REPEAL AND REPLACE THE VALLEY SOUTH/WATSON CENTER PUD #20 WITH THE SHOPPES AT VALLEY WEST PLANNED UNIT DEVELOPMENT

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 repeal Planned Unit Development Ordinances #625, #675, #697, #797, #839, #2115 **Valley South/Watson Center** #20 in their entirety and replace with the following **The Shoppes at Valley West Planned Unit Development #20:**

SECTION 1: LEGAL DESCRIPTION

The legal description for The Shoppes at Valley West PUD is as follows:

Legal Description

That part of the North 80 acres of the West 1/2 of the Northwest fractional 1/4 of Section 4, Township 78 North, Range 25 West of the 5th Principal Meridian, described as follows: Commencing at the West 1/4 corner of said Section 4; thence North 902.8 feet along the West line of said Section 4; thence East 50 feet to the point of beginning; thence continuing East 1,063.72 feet; thence along a curved line concave Northwesterly, having a radius of 250 feet and a chord bearing North 61°18'45" East, an arc distance of 250.34 feet to the point of intersection of said curved line and the East line of the West 1/2 of said Northwest fractional 1/4 of said Section 4; thence South 00°16'30" East 574.79 feet along said East line of said West 1/2 to the South line of said North 80 acres of said West 1/2 of said Northwest fractional 1/4; thence North 89°29'15" West 497.81 feet along said South line of said North 80 acres to the point of intersection of said South line and the Northeasterly right-of-way line of I-235; thence North 75°21'40" West 732.86 feet along said right-of-way line; thence continuing along said right-of-way line North 33°47'33" West 125.86 feet to the point of intersection of said Northeasterly right-of-way line and the East right-of-way line of 35th Street, West Des Moines; thence North 165.15 feet along said East right-of-way line to the point of beginning, except the East 48.5 feet thereof, and also except that portion condemned for street right of way as recorded in Book 9954 Page 507, all being in and a part of the City of West Des Moines, Polk County, Iowa.

SECTION 2. SKETCH PLAN: Attached hereto and on file with the City is the Sketch Plan document for the Shoppes at Valley West PUD marked Exhibit A and is made a part of this rezoning approval. The Sketch Plan is a graphic representation of the property included in the PUD with delineation of PUD parcels and main circulation. Ultimate locations of buildings and parking fields may change. Wherever conflict occurs between the written text in this document and the notations on the Sketch Plan, the written text shall prevail. The sketch illustrates three areas of development: East, Middle, and West for specific application of uses and regulations allowed as outlined herein.

SECTION 3. INTENT OF PUD: The Shoppes at Valley West PUD intends to provide a framework for development standards reflective of the realities and constraints of redevelopment of a site with existing structures, the possibility of demolition of existing structures, and the construction of new structures on the development plan and to establish design standards to reinforce and respect the context of the area and create a development identity that recognizes the area's development history. The PUD further intends to introduce new design regulations to the area which will bring a contemporary flavor and unification of the site as redevelopment occurs.

SECTION 4. REQUIRED PLANS: The following plans shall be required as a part of the processing of any development application for any property within the PUD:

A. Planned Unit Development: A Planned Unit Development (PUD) identifies detailed development criteria for specific areas within The Shoppes at Valley West PUD. The Planned Unit Development shall be reviewed by the Plan and Zoning Commission and adopted by the City Council by Ordinance.

   This document shall constitute the Planned Unit Development Ordinance for The Shoppes at Valley West PUD. This document and any referenced documents or exhibits (included or on file with the City Clerk) are intended to specify the components, parameters, and requirements to be adhered to and implemented in order to ensure the realization of the site redevelopment. It is recognized that modifications and changes may be necessary due to changes in building footprints, site details, and response to market demand. At the discretion of the Director of Development Services, changes to the layout of the development that are deemed to be 'major' changes shall require an amendment to the Sketch Plan and Ordinance. Major amendments shall require the review and approval of the Plan and Zoning Commission and City Council.

   Where the Sketch Plan and PUD language conflict, the PUD language shall prevail.

B. Development Applications (Site Plans or Modifications to a Site Plan): Site Plans for lots within The Shoppes at Valley West PUD must meet the intent of the approved PUD. Site plans for the development of each and all lots shall be submitted to the City of West Des Moines for review and approval prior to the development of any portion of the lot. Site plans for permitted and permitted conditional uses which comply (as determined by the Director of Development Services or designee) with the design intent as set forth in this PUD will be subject to review via the City's review process and receive final approval from the City Council following a recommendation from the Plan and Zoning Commission.
   1) If another building is added in this PUD, a Major Modification application will be reviewed by the City. If any existing building parcel is razed for a new building, then a Site Plan application will be reviewed by the City.
   2) New buildings or building additions over 2,000 square feet will cause full compliance with the codes and regulation of the City of West Des Moines within 10 feet of the building, any parking areas affected by the addition or building, service areas, dumpster enclosure or associated improvements for the addition or building.
   3) The next development application after two Minor Modification Level 2 permits are granted will trigger the submittal of a Major Modification and be cause for bringing the PUD Parcel into full compliance with the codes and regulation of the City of West Des Moines.
   4) Site modifications that do not include building additions and which comply with that allowed per City Code for the Minor Modification Level 1 application will be reviewed by the City. There is no limit of Minor Modification Level 1 allowed per building site.

   Scope of Work: for any new building or building addition over 2,000 square feet (Site Plan or Major Modification application), the scope of work will include at a minimum: the building, required open space, additions or

reconfigurations to required parking and accessory structures. Any building additions under 2,000 square feet or site modification projects that do not include building additions (Minor Modification application), the scope of work will include the building addition and any site area to be altered as part of the project. All development codes and regulations, except as modified by this ordinance, shall be met with any new building or site improvement in the identified work area. Replacement of parking or drives and new parking spaces shall be required to meet current codes and regulations for that parking area or drive.

At the discretion of the Director of Development Services, an amendment to The Shoppes at Valley West PUD may be required to bring consistency between the ordinance and site plan development proposed.

Uses identified as Permitted Conditional (PC) shall require approval from the Board of Adjustment.

C. Subdivision of Property: One Plat of Survey which meet the codes and regulations of Title 9, Zoning, and Title 10, Subdivision will be allowed within the PUD to create one lot. Plats of Survey are subject to review of the City Council of the City of West Des Moines. Further subdivision of property will require Preliminary Plat and Final Plats which meet the codes and regulations of the City Code Title 9, Zoning and Title 10, Subdivision. Preliminary Plats are reviewed by the Plan & Zoning Commission which makes a recommendation to the City Council. The City Council reviews the Preliminary Plat and determines approval or disapproval. The Final Plat is reviewed by the City Council who determines approval or disapproval of the final plat. Final Plats must be acted upon by the City Council within one year from the City Council action on the Preliminary Plat.

If part of the subdivision creates lots without public street frontage, as provided within the City Code requirements, those may be allowed provided the frontage requirements of the Code have been met by an abutting or surrounding lot which is under common ownership, under an owners' association, or a cross parking and access easement has been executed which provides for the unrestricted use and access of the drives and parking. Outlots are not buildable lots. All lots must meet minimum lot size and setback requirements for the Regional Commercial District and in accordance with the City's Zoning Code or as otherwise specified in this PUD ordinance.

SECTION 5. GENERAL CONDITIONS, RESTRICTIONS, AND REGULATIONS: 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 PUD shall comply with the provisions of the West Des Moines Zoning Ordinance.

3. Building and Fire Code Conformance: All construction, remodeling and change of use shall conform to West Des Moines building codes and West Des Moines Fire Codes and addendums.

4. 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 drainage 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.

5. 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 new streets, new or reconstructed storm sewers, sanitary sewers, drainage way improvements, detention basins, water mains, buffers and other improvements as required of the development.

6. Right-of-way: The Developer shall dedicate appropriate rights-of-way and/or public easements required within the PUD, unless otherwise approved by the City Council.

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.

SECTION 6. 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 the East, Middle and West parcels of the PUD as designated on the Sketch Plan and generally delineated by the location of the driveways along Westown Parkway:

All general use regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for Regional Commercial (RC) zoning district shall apply to any development proposal for the property, unless noted otherwise in this ordinance.

A. Uses: All allowed permitted (P) and permitted conditional (Pc) uses in the Regional Commercial and Support Commercial zoning districts will be reviewed and subject to approval by the appropriate approval body, except as modified by the following:

The following permitted (P) or permitted conditional (Pc) uses are prohibited in all areas of the PUD:

a. SIC 15, 16, 17 Building Construction Contractor and operative builders offices
b. SIC 4522 Heliport/Helistop
c. SIC 47 Transportation Services
d. SIC 55 Automotive Dealers, service stations, and auto and home supply stores
e. SIC 75 Automotive Repair, Services, and Parking

The following uses will be permitted uses:

1) Multi-family residential uses are permitted when incorporated as part of a mixed use building and/or development.
2) Hotels

B. Convenience Store: One Convenience store will be allowed within the PUD with approval of Permitted Conditional Use application. The convenience store may be placed at a reduced setback of 15 feet subject to the building being located adjacent to the property lines along Westown Parkway or Valley West Drive, with the canopy and pumps oriented towards the interior of the site and it has been designed to have a pedestrian friendly façade along Westown Parkway and Valley West Drive to include doors, glass facades, full length plazas or patios. Also the design of the building will cause service areas to face away from the public streets. If the building is not adjacent to the property lines, the regulations contained in the PUD for each PUD parcel will be followed and the canopy will be placed perpendicular to the public street or faced interior to the site.

C. PUD East Parcel. This parcel is generally considered to be located in that area east of the eastern driveway into the site and the east property line.
   1) Building setbacks for the East PUD Parcel: any new building constructed in the East PUD parcel will follow the setbacks from the property line and ultimate right-of-way line as follows:
      a. East Property Line = a minimum of 25 feet
      b. North Property Line = a minimum of 100 feet from the ultimate right-of-way line if parking is proposed along the north property line. If the building is situated such that it is

adjacent to the ultimate right-of-way, has a pedestrian friendly façade (entry doors, glass fronts, plaza areas, patios, etc. and not the back of the building) and no intervening parking between the ultimate right-of-way line and the building, the minimum building setback will be equal to 15 feet.

c. South property line = a minimum of 45 feet and out of the sewer easement that is located adjacent to the sanitary sewer line that is adjacent to the south property line.

d. Interior property lines = zero feet. If there are not any interior property lines, the separation between buildings, including accessory structures, will be a minimum of 20 feet.

2) Height Restrictions: Maximum height at the minimum building setback line will be 36 feet. An additional 10 feet in setback will be required for each 12 feet in additional height of the building.

3) Parking: Parking spaces will be required according to Title 9, Zoning, Chapter 15, Off Street Parking and Loading, for each use in the East PUD Parcel. Except that parking rates as follows may be acceptable with City Council review and approval: Office and retail uses shall provide a minimum of 1 parking space per 300sf of gross floor area. Restaurants (both sit down and drive-thru) and drinking establishments shall provide a minimum of 1 parking space per 150sf of gross floor area. Parking spaces located in the East PUD Parcel may also accommodate the uses in the Middle PUD parcel that reasonably will be using or needing parking in the East PUD Parcel. Shared parking easements and cross access agreements between lots within the East PUD Parcel will be established with the application and review of any Major Modification or Site Plan in the East PUD Parcel. With the approval of the City Council and the execution of an appropriate cross-parking easement, required spaces for one parcel may be located on a different parcel. If shared parking is utilized, the total parking spaces provided within the PUD must meet the minimum number of parking stalls for all uses in accordance with the city code or a specified above.

4) Parking Setback: The parking lot setback from the ultimate right-of-way will be equal to 15 feet. For parking spaces existing as of the date of this ordinance that do not meet this setback, the existing condition will be the setback for these spaces. New parking areas or full depth replacement of parking will meet the minimum 15 foot setback from the ultimate right-of-way.

5) Parking Lot Landscaping: any reconfiguration, full depth replacement of pavement, or new parking spaces will be required to meet the parking lot landscape requirements outlined in Title 9, Zoning, Chapter 19, Landscaping,, including the addition of three foot berms and year-round screening of the parking spaces facing the public street or interstate or the installation of hardscape (walls, large stones, etc.) or a mixture of both which meets the intent of screening the views of the parking from the public view.

6) Storm Water Management facilities: as part of the application and review of a Site Plan or Major Modification for a new or replacement building to be located within the East PUD Parcel, storm water management facilities generally capturing the storm water running through the East PUD Parcel, as determined by the master storm water management plan, will be required to be constructed.

D. PUD Middle Parcel: This parcel is generally considered to be located between the western and eastern main driveways into the development.

1) Setbacks for the Middle PUD Parcel: any new building constructed in the Middle PUD Parcel will follow the setbacks from the property line and ultimate right-of-way line as follows:

a. North Property Line = a minimum of 100 feet from the ultimate right-of-way line if parking is proposed along the north property line. If a building is situated such that it is parallel to the ultimate right-of-way, has a pedestrian friendly façade (entry doors, glass fronts, plaza areas, patios, etc. and not the back of the building) and no intervening parking between the ultimate right-of-way line and the building, the minimum building setback will be equal to 15 feet from the ultimate right-of-way line.

b. South property line = a minimum of 45 feet and out of the sewer easement for the sanitary sewer line that is adjacent to the south property line.

c. Interior property lines = zero feet. If there are not any interior property lines, the separation between buildings, including accessory structures, will be a minimum of 20 feet.

2) Height Restrictions: Maximum height at the minimum building setback line will be 36 feet. An additional 10 feet in setback will be required for each 12 feet in additional height of the building.
3) Parking: Parking spaces will be required according to Title 9, Zoning, Chapter 15, Off Street Parking and Loading, for each use in the Middle PUD Parcel, unless the cluster of buildings is reasonably considered a planned commercial center or mixed use building. If a cluster of buildings is to be considered a Planned Commercial Center, then the parking requirement will be calculated according to the Planned Commercial Center provisions in Chapter 15. With the approval of the City Council and the execution of an appropriate cross-parking easement, required spaces for one parcel may be located on a different parcel. Office and retail uses shall provide a minimum of 1 parking space per 300sf of gross floor area. Restaurants (both sit down and drive-thru) and drinking establishments shall provide a minimum of 1 parking space per 150sf of gross floor area. Parking spaces requirements of the Middle PUD Parcel may be met by locating parking on either the West PUD Parcel or the East PUD Parcel. Shared parking easements and cross access agreements between PUD Parcels will be established with the application and review of any Major Modification, Site Plan, or Permitted Conditional Use permit in the Middle PUD Parcel. If shared parking is utilized, the total parking spaces provided within the PUD must meet the minimum number of parking stalls for all uses in accordance with the city code or a specified above.
4) Parking Setback: The parking lot setback from the ultimate right-of-way will be equal to 15 feet. For parking spaces existing as of the date of this ordinance that do not meet this setback, the existing condition will be the setback for these spaces. New parking areas shall meet the minimum 15 foot setback from the ultimate right-of-way. Maintenance, including full depth replacement, of parking along the north property line in the Middle PUD Parcel, independent from a new building will be allow to be constructed to reflect the existing condition before the maintenance.
5) Parking Lot Landscaping: any reconfiguration, full depth replacement of pavement, or new parking spaces will be required to meet the parking lot landscape requirements outlined in Title, Zoning, Chapter 19, Landscaping, including the addition of three foot berms and year-round screening of the parking spaces facing the public street or interstate or the installation of hardscape (walls, large stones, etc.) or a mixture of both which meets the intent of screening the views of the parking from the public view.
6) Storm Water Management facilities: as part of the application and review of a Site Plan or Major Modification for a new or replacement building to be located within the Middle PUD Parcel, storm water management facilities generally capturing the storm water running through the Middle PUD Parcel, as determined by the master storm water management plan, will be required to be constructed.

E. PUD West Parcel: This parcel is generally considered to be located between the western main driveway into the development and the west property line.

1) Setbacks for the West PUD Parcel: any new building constructed in the West PUD Parcel will follow the setbacks from the property line and ultimate right-of-way line as follows:

a. North Property Line = a minimum of 40 feet from the ultimate right-of-way line if drive aisle only with no parking. The minimum setback along the north property line with parking between the building and the property line is 60 feet with additional landscaping and berming. If a building is situated such that it is parallel to the ultimate right-of-way, has a pedestrian friendly façade (entry doors, glass fronts, plaza areas, patios, etc. and not the back of the building) and no intervening parking between the ultimate right-of-way line and the building, the minimum building setback will be equal to 15 feet from the ultimate right-of-way line.
b. South property line = a minimum of 45 feet or out of the sewer easement for the sanitary sewer line that is adjacent to the south property line.
c. West property line = a minimum of 40 feet from the ultimate right-of-way line if drive aisle only with no parking. The minimum setback along the north property line with

parking between the building and the property line is 60 feet with additional landscaping and berming. If a building is situated such that it is parallel to the ultimate right-of-way, has a pedestrian friendly façade (entry doors, glass fronts, plaza areas, patios, etc. and not the back of the building) and no intervening parking between the ultimate right-of-way line and the building, the minimum building setback will be equal to 15 feet from the ultimate right-of-way line.

d. Interior property lines = zero feet. If there are not any interior property lines, the separation between buildings, including accessory structures, will be a minimum of 20 feet.

2) Height Restrictions: Maximum height at the minimum building setback line will be 36 feet. An additional 10 feet in setback will be required for each 12 feet in additional height of the building.

3) Parking: Parking spaces will be required according to Title 9, Zoning, Chapter 15, Off Street Parking and Loading, for each use in the West PUD Parcel, unless the cluster of buildings is reasonably considered a planned commercial center. If a cluster of buildings is to be considered a Planned Commercial Center, then the parking requirement will be calculated according to the Planned Commercial Center provisions in Chapter 15. Parking space requirements of the West PUD Parcel may be met by locating parking on either the West PUD Parcel. Shared parking easements and cross access agreements between PUD Parcels will be established with the application and review of any Major Modification, Site Plan, or Permitted Conditional Use permit in the West PUD Parcel. Off-Peak parking arrangements may be acceptable with City Council review and approval.

4) Parking Setback: The parking lot setback from the ultimate right-of-way will be equal to 15 feet. For parking spaces existing as of the date of this ordinance that do not meet this setback, the existing condition will be the setback for these spaces. New parking areas shall meet the minimum 15 foot setback from the ultimate right-of-way. Maintenance, including full depth replacement, of parking along the north and property line in the West PUD Parcel, independent from a new building, will be allow to be constructed to reflect the existing condition before the maintenance.

5) Parking Lot Landscaping: any reconfiguration, full depth replacement of pavement, or new parking spaces will be required to meet the parking lot landscape requirements outlined in Title 9, Zoning, Chapter 19, Landscaping, including the addition of three foot berms and year-round screening of the parking spaces facing the public street or interstate or the installation of hardscape (walls, large stones, etc.) or a mixture of both which meets the intent of screening the views of the parking from the public view.

6) Storm Water Management facilities: as part of the application and review of a Site Plan or Major Modification for a new or replacement building to be located within the West PUD Parcel, storm water management facilities generally capturing the storm water running through the West PUD Parcel, as determined by the master storm water management plan, will be required to be constructed.

F. Dumpster Enclosures: A dumpster enclosure will be required for all waste disposal carts and containers. The dumpster enclosure shall be constructed from durable materials consistent with the primary building closest to the enclosure and in color and pattern similar to the principal structure. Whenever possible, dumpster enclosures shall be an extension of the building, versus free-standing structures. The sharing of dumpsters by multiple businesses may be allowed as long as safe pedestrian pathways for all businesses sharing the structure is possible and effective screening, including landscaping, of the dumpster and enclosure is achieved to minimize its presence within the development. Dumpster enclosures may be located within the sanitary sewer easement along the south property line when reviewed under a Site Plan, Major Modification, or Minor Modification and accompanied by a hold harmless in favor of the City. In the event of approval, a hold harmless agreement indemnifying the City against damage and removal shall be provided at the time of approval of the subject project.

SECTION 7. OPEN SPACE AND LANDSCAPING: Landscaping for open space, parking lots, and screening shall be governed by Title 9, Zoning, Chapter 19, Landscaping, unless modified within this ordinance. All screening of mechanical units, meters, condensers, trash enclosures, bulk material storage such as propane tanks or

kegs, service areas, and other less attractive elements of buildings and operations, and parking lot landscaping requirements are in addition to required open space landscaping requirements.

1. Open Space: The Open Space requirement is twenty five percent (25%) of the gross square footage of the PUD. In an effort to increase the open space in the Middle and West PUD Parcels, with any Major Modification or Site Plan for a new building, open space will be incorporated around the building by a minimum 10 foot of either pervious surface area or plaza space along the frontage with five feet on all other sides measured from all foundations to the curb or property line, drive through lanes will be screened from view with on the outer curb line; landscaping between the building and drive through lane may be exempted based upon design.
2. Open Space Landscaping: Existing, healthy, and worthwhile trees and shrubs may be counted toward meeting the requirements for landscaping as outline in Title 9, Chapter 19 if the plants are inventoried, labeled on the landscape plan, and included in the schedule of plantings with notes that the material is existing. Open Space landscaping is expected in each of the PUD Parcels. Open Space calculations will be done for the PUD parcel and a pro-rate share, based upon the scope of work, of the open space landscape requirements will be installed. If needed, the scope of work area will be increased, by determination of the Director of Development Services or designee, to reasonably include surrounding area towards meeting the intent of the PUD provisions.
3. Building landscape: Due to the apparent imbalance of open space within the PUD, in the Middle and West PUD Parcels all new buildings or additions over 2,000 sq. ft. will include landscaping adjacent to the building walls (excluding walls with drive-thru windows, patio spaces adjacent to the building or other similar features that prevent landscaping). The plant materials may include shrubs, perennials mixed with annuals or perennial grasses to relieve the starkness of the building wall and add interest to the site overall.
4. Ground mounted mechanical systems and other equipment such as transformers, and utility boxes shall be screened from public view by coniferous vegetation which is a minimum of three feet in height at the time of installation and of a variety that will be expected to grow to a height that will provide 100 percent screening within two years from installation. Screening of any wall mounted utilities located higher than three feet on a wall surface and screening of the roof mounted mechanical shall be achieved through building integrated architectural means such as screen walls, parapets, etc. Appropriate evergreen landscaping shall be allowed for screening of wall mechanical equipment mounted less than three feet.
5. Landscape along interstate right-of-way: Large shrub or understory tree plantings will be required within the first 15 feet adjacent to the interstate right-of-way to provide visual interest to both the development and the public view in addition to parking screening. The landscape requirement will be equal to one-third of the requirement of a 30 foot buffer as outlined in Chapter 19, landscaping. Additional grasses, perennials, and small evergreen plantings across this frontage are strongly encouraged to help mitigate the deficit of open space along the right-of-way of the interstate. These plantings may occur within the sewer easement, but not within 10 feet on either side of the pipe.
6. Parking Lot Landscape: Parking lot landscape will be installed in accordance with the provisions in Title 9 (Zoning), Chapter 19 (Landscaping).

SECTION 8. ARCHITECTURE: The architectural design of any building within this development shall be acceptable to the city. The architecture shall attempt to express a creative presentation by careful attention to exterior building materials and details, use of fenestration, and change in building mass within the plan and roof design to lessen the plainness of appearance which can be characteristic of commercial buildings. Building design, materials, and colors shall provide continuity amongst buildings to unite all structures within the development into one project concept. All sides to each building shall receive high quality materials, finishes, and details (360 degree architectural treatment). There are no "backs" to a building. Materials should be durable, economically maintained and of a quality that will maintain their appearance over a prolonged time.

On file with the city are conceptual architectural illustrations of the general architectural style, materials, and colors to be implemented. Once city approval is gained on a particular building design, any changes in design before or during construction must be reviewed and approved by the city's development services department.

The building(s) within this development shall accommodate or incorporate the following in building design and materials:

A. Prototypical architecture shall be prohibited in the PUD, except for materials and colors specific to the corporate brand can be incorporated as accents and architectural elements.
B. Buildings shall be organized to create a logical and identifiable relationship with the site and other buildings, open spaces, street and pedestrian circulation paths.
C. Building articulation and materials which break up the building mass into modules that respect a pedestrian scale shall be implemented. The overall design should minimize long expanses of wall at a single height or in one plane. Long blank walls shall be prohibited. Variation in materials, material modules, expressed joints, textures, colors and detailing should be used to break up the mass of the buildings. Changes in materials should be aligned with changes in plan or roof form to emphasize changes in building mass. In respect to the areas of the existing building where long expanses of wall exist and are visible to the public:
    1. If those areas are not in the scope of a proposed exterior building modification, exterior enhancements are encouraged, but not required.
    2. If those areas are included in the scope of a proposed exterior building modification, the exterior design shall accommodate or incorporate changes in building footprint and materials to visually minimize long expanses of wall for the entire wall segment.
D. The building's design should meet context and site objectives such as providing gateways, creating visual and physical linkages and framing or terminating views.
E. Variation in building height, mass and roof forms shall be provided to create interest while still maintaining an overall building continuity. Roofs should not be designed as attention getting devices related to the reinforcement of signage or as an identifiable corporate image.
F. Entrances into buildings should be easily identified through the use of building design and detailing. Projected or recessed entryways, change in rooflines, addition of awnings or changes in building material are examples that can create this effect. Building(s) with multiple tenant spaces shall be designed to articulate each tenant facade and entry as a separate entity and to provide visual interest to the building exterior.
G. Ground floor tenant areas should provide the maximum possible glazing toward sidewalks to provide pedestrians with visual interest. Use of reflective glass or mirrored glass is discouraged. Efforts should be made to use clear glass on storefronts, windows and doors to promote the linkage of the interior and exterior of buildings.
H. Materials should be high quality, durable, and maintain their appearance over a prolonged time. Natural materials such as brick and stone shall be used as the major elements of the facade. Architectural concrete, composite materials or metal panel systems acceptable to the city may be incorporated in the design. These materials should be used in limited areas to offer architectural detail and texture. Metal panel systems should be detailed with finished edges and have concealed fasteners. Architectural concrete shall have an integrated color rather than surface applied paint/staining and should generally have texture for interest. The use of EIFS or synthetic stucco shall be used in moderation and primarily used as an accent or trim material and not within six feet (6') of grade. The use of vinyl materials is prohibited. The incorporation of new materials on an existing building shall complement existing building materials to provide a unified design.
I. Trim and structural elements such as posts or columns shall be sized to the scale of the building.
J. Buffering of negative aspects of commercial buildings, such as trash areas, loading docks, mechanical equipment and storage areas from public view, including public streets and any adjoining sites, shall be achieved through the use of landscaping, earth berming and/or wall structures acceptable to the city.

SECTION 9. SIGNAGE REGULATION: Signage will be regulated through the provisions and standards of Title 9, Chapter 18 (Signs) for the Regional Commercial Zoning District, except as provided-as follows:

1) Interstate Signage:
    a) Two Interstate signs will be allowed along the I-235 frontage. The signs shall be placed a minimum of 100 feet from the east property line, a minimum 300 feet apart, and 100 feet from the west property line.
    b) Interstate and monument signs will be constructed of materials consistent with the primary materials in the development. If no material is identified as a primary material, the materials used in the signage will become the materials that will be primary throughout the redevelopment of the PUD. Materials should be high quality, long-lasting, and durable.

c) Setback and size will be in accordance with Title 9, Zoning, Chapter 18, Signs, unless alternate setbacks and sizes are approved by the City Council through review of a site plan; requested deviation from the code will be reviewed by the Board of Adjustment.
d) Interstate signs may be located within the sanitary sewer easement along the south property line when reviewed under a Site Plan, Major Modification, or Minor Modification and with City Council approval. In the event of approval, a hold harmless agreement indemnifying the City against damage and removal shall be provided at the time of approval of the subject project.
e) All other regulations of interstate signs will be governed by Title 9, Zoning, Chapter 18, Signs.

2) Monument Signage
   a) Two monument signs will be allowed along the Westown Parkway frontage. Up to three spaces on each monument sign are available to identify the development or tenants. The setback for the signs will be measured from the property line or ultimate right-of-way easements. All other regulations of monument signs will be governed by Title 9, Zoning, Chapter 18, Signs.
   b) One monument sign is allowed on the Valley West Drive frontage. Up to three spaces on this sign are available to identify the development or tenants. All other regulations of monument signs will be governed by Title 9, Zoning, Chapter 18, Signs.

3) Building Signage will be governed by Title 9, Zoning, Chapter 18, Signs, except for tenants with the entrance to their retail space facing interior to the site shall earn one square foot of sign per one linear foot of tenant frontages of the wall with the primary entrance into their tenant space.

SECTION 10. PEDESTRIAN CONNECTIONS AND ELEMENTS: The PUD aims to encourage pedestrian movement through the implementation of multiple and connected pathways to and from parcels or buildings within the PUD. Pedestrian connections via sidewalk shall be included in modifications to the site plan to enable pedestrians to safely move from parking areas to buildings and from the public sidewalks along Valley West Drive and Westown Parkway to destinations within the PUD. All pathways shall provide a minimum four (4) foot unobstructed path; sidewalks or paths between a building and a parking area shall be widened to at least six (6) feet to allow for overhang of vehicles in head-in situations.

Pedestrian Elements: In addition to pedestrian movement, opportunities for pedestrian interaction is encouraged through a series of interconnected sidewalks and gathering areas. Details for each of these plaza areas shall be submitted, reviewed, and approved as part of the development application for the specific site. In addition to the plaza areas indicated on the specific plan map, the incorporation of patios and pedestrian use areas shall be encouraged as part of each building/parcel development.

SECTION 11. STORM WATER MANAGEMENT: A Master Storm Water Management Plan will be required for the PUD with the first Site Plan or Major Modification. Storm water management plans for each major modification, site plan, a preliminary plat, or a single minor modification with a net increase of 2,000 sq. ft. or more or any series of minor modifications that collectively result in a net increase in impervious surface of 2,000 sq. ft. or more will be required.

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 site plan, major modification, eligible minor modifications, or 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 and recommendations of any storm water study approved by the City Council. The implementation of the storm water management plan will occur in each of the PUD Parcels as described in the respective sections with the result being three or more detention facilities constructed that will bring the entire property within the PUD into compliance with current regulations for storm water management.

At time of any of the above actions, 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.

SECTION 12. TRAFFIC STUDY AND VEHICLE TRIP GENERATION: The permitted uses for the parcels contained in the original Valley South/Watson Center PUD, based on a trip generation analysis conducted by Snyder and Associates, indicated a p.m. peak vehicular trip generation of 560 trips. The West Des Moines Engineering Department Traffic Study conducted for the Shoppes at Valley West and dated December 13, 2017 established requirements regarding the configuration of access drives and throat distance for these drives (the vehicular trip generation portion of such study is not being applied to this PUD). The p.m. trip count of 560 trips will be used for this PUD. If proposed additional uses or development exceed the vehicle trip allocation provided herein, no amendment to the provisions of this section increasing the vehicle trip allocation will be required if (i) approved by Staff based on a finding that there is available trip capacity on the roadway network or (ii) approved by the City Council.

Development and redevelopment of each parcel and implementation of desired land uses will be limited by the available number of trips designated above for the PUD, as well as compliance with all applicable regulations within this ordinance or city code. The traffic to be generated by these parcels must be less than or equal to that allocated. The traffic allocation indicated above shall be an entitlement to the PUD. Traffic generation due to subsequent redevelopment, expansion or change of use for any parcel shall not exceed the maximum traffic allocation stated previously for the development. Alternate or different square foot ratio of uses to that currently anticipated may be allowed, following completion of an amendment to the approved traffic study analyzing the proposed alternative and appropriate city approval if the existing uses and the proposed change(s) collectively do not exceed the trip allocation above.

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. 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 _____ 2018.

_____
Steve Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ___ day of _____ 2018.

_____
Ryan T. Jacobson, City Clerk