NO CHANGE FROM PREVIOUS READING

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: January 7, 2019

ITEM: Wirtz PUD, 815 S. 51st Street – Amend Comprehensive Plan Land Use Map and the Wirtz Planned Unit Development for PUD Parcel C to Change the Land Use Designation and Zoning of Property from Office to Support Commercial and Amend Signage Regulations– Steak N Shake Iowa LLC – CPA-004148-2018/ZC-004152-2018

ORDINANCE: Approval of Second Reading, Waive Third Reading, and Adopt in Final Form the Ordinance to amend the Wirtz PUD for Parcel C

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Steak N Shake Iowa LLC, with permission from the property owner, Woodside Business Park LLC, is requesting an amendment the Wirtz Planned Unit Development (PUD) for a portion of Lot 2 Wirtz Commercial Park Plat 5 to change the zoning from Office to Support Commercial and establish sign regulations.

Previous Council Action:
Vote: 5-0 approval
Date: December 26, 2018
Motion: 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 and waive the third reading of the ordinance to change the zoning of a portion of a portion of Lot 2 Wirtz Commercial Park Plat 5 from Office to Support Commercial and establish sign regulations, subject to the applicant meeting all City Code requirements.

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	December 7, 2018	
Letter sent to surrounding property owners		December 7, 2018

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	October 15, 2018		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENT:
Exhibit I – Ordinance

EXHIBIT I

Prepared by: K Tragesser, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265 515-222-3620
Return To: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265 515-222-3603
Tax Statement: Not Applicable

ORDINANCE # _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING TITLE 9, ZONING, CHAPTER 9, PLANNED UNIT DEVELOPMENT DISTRICT, PERTAINING TO PUD (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES FOR THE WIRTZ (#33) PUD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

SECTION 1. AMENDMENT: Amend Ordinances 1086, 1313, 1485, 1500, 1513, and 1572, to amend Section 2, Sketch Plan by deleting the entire section text and replacing it with the following text in bold lettering :

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

SECTION 2. AMENDMENT: Amend Ordinances 1086, 1313, 1485, 1500, 1513, and 1572, to amend Section 3, General Conditions, Paragraph B, Land Use Design Criteria, Subparagraph 3, Parcels C and F, by deleting the highlighted, strike-through text as follows:

3. Parcels C And F: All general use regulations, performance standards and provisions set forth in title 9 of the city code for the SC support commercial district shall apply to any development proposal for the property within parcels C and F as shown on the sketch plan, except as shall be further provided herein. ~~These parcels shall encompass a maximum of thirteen (13) acres.~~

SECTION 3. AMENDMENT: Amend Ordinances 1086, 1313, 1485, 1500, 1513, and 1572, to amend Section 6, Signage, by adding the text in bold lettering as follows:

Section 6: SIGNAGE REGULATION:

No pole sign, as defined by the West Des Moines city sign code, shall be incorporated into any development within the Wirtz Property PUD. Ground sign standards shall be used for the construction of freestanding signage as set forth within the West Des Moines city sign code for the PCP professional commerce park district for parcels C and F. All remaining residential parcels shall have signage regulated as outlined within the West Des Moines city sign code.

For property located within PUD Parcel C, specifically Lots 1 and 2 Wirtz Commercial Park Plat 5, one multi-tenant interstate sign will be allowed with the execution of an easement on either property which benefits both properties. If no easement is granted, then neither property meets the minimum interstate frontage required to allow for an intestate sign.

For Lot 2 Wirtz Commercial Park Plat 5, building signage allowance will be calculated at a rate of one square foot of signage allowed for every one linear foot of building wall on which the front door is located.

All signage constructed as wall signs on building fascia within parcels C and F shall incorporate aesthetic features compatible with the overall character of the development. All wall signs will be composed of solid individual letters attached to the building fascia, or individual letters of anodized aluminum, galvanized metal, illuminated self-contained with translucent plastic faces set in anodized aluminum returns and trim; panel signs with letters incorporated or painted upon a panel or wall area shall be prohibited. Advertising or promotional temporary signage attached to exterior windows or walls including exposed neon lights visible from the exterior of the building shall be prohibited.

SECTION 4. 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 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 this ____ day of _____, 2019.

_____
Steven K. Gaer, Mayor

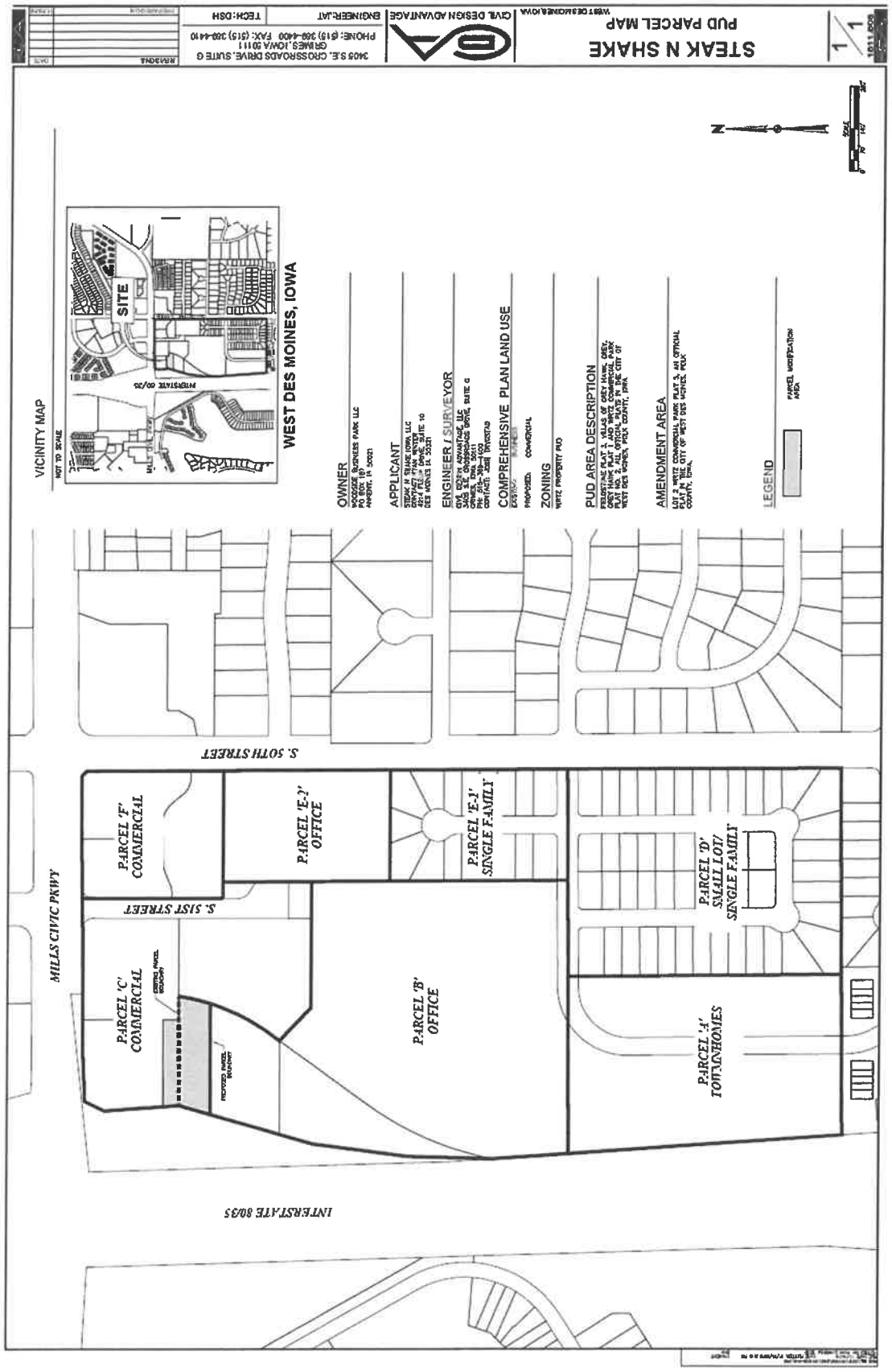
ATTEST:

_____
Ryan T. Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2019, and was published in the Des Moines Register on _____, 2019.

_____
Ryan T. Jacobson
City Clerk

EXHIBIT A


STEAK N SHAKE
PUD PARCEL MAP
WEST DES MOINES, IOWA
CIVIL DESIGN ADVANTAGE
3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410
ENGINEER: JAT
TECH: DSH
REVISIONS
DATE
1 / 1
VICINITY MAP
NOT TO SCALE
SITE
WEST DES MOINES, IOWA
OWNER
APPLICANT
ENGINEER / SURVEYOR
COMPREHENSIVE PLAN LAND USE
EXISTING
PROPOSED: COMMERCIAL
ZONING
WIRTZ PROPERTY PUD
PUD AREA DESCRIPTION
AMENDMENT AREA
LEGEND
PARCEL VERIFICATION AREA
N
SCALE
S. 50TH STREET
MILLS CIVIC PKWY
S. 51ST STREET
INTERSTATE 80/35
PARCEL 'F' COMMERCIAL
PARCEL 'E-2' OFFICE
PARCEL 'E-1' SINGLE FAMILY
PARCEL 'D' SMALL LOT/ SINGLE FAMILY
PARCEL 'C' COMMERCIAL
EXISTING PARCEL BOUNDARY
PROPOSED PARCEL BOUNDARY
PARCEL 'B' OFFICE
PARCEL 'A' TOWNHOMES