# CITY OF WEST DES MOINES
# CITY COUNCIL MEETING COMMUNICATION

**Date: May 6, 2019**

**ITEM:** Bridgewood PUD, Northwest corner of Jordan Creek Parkway and Bridgewood Boulevard – Amend Bridgewood PUD to modify wall sign regulations for Parcel M (aka Bridgewood Square) – Bridgewood Commercial, LLC – ZC-004275-2019

**ORDINANCE: Approval of First Reading of PUD Amendment**

**FINANCIAL IMPACT:** Undetermined.

**BACKGROUND:** The applicant, Bridgewood Commercial, LLC has submitted an application for approval of an amendment to the Bridgewood PUD to allow wall signs on buildings within Parcels 1 and 3 within Parcel M of the PUD in alignment with City sign code requirements.

Plan and Zoning Commission Action:
Vote: 6-0 for approval, with Commissioner Erickson absent.
Date: April 22, 2019
Motion: Adopt a resolution recommending the City Council approve an Amendment to the Bridgewood PUD.

*Plan and Zoning Commission Discussion:* A resident that lives at 7725 Wistful Vista Drive, Unit 1101 spoke against the allowance of a wall sign on the west side of the buildings along Jordan Creek Parkway. He stated he does not have concerns with lighting, traffic, etc., of the development, but more with the proposed signage facing to the west that would be in his line of sight. Staff responded that the proposal for wall signage would only affect those buildings along Jordan Creek Parkway (Parcels 1 and 3 in Parcel M) and that signage would be located on the west side of those buildings since the main entrance to some of the units faces to the west.

**OUTSTANDING ISSUES:** There are no outstanding issues. The following items of interest are noted in the attached Plan and Zoning Commission report (see Exhibit I):

- Applicant's Request
- History
- City Council Subcommittee – *Development & Planning: April 15, 2019*
- Staff Review and Comment
  - *Applicant's Request*
- Comprehensive Plan Consistency
- Findings
- Staff Recommendation and Conditions of Approval
- Noticing Information
- Property Owner/Applicant Information

**Staff Recommendation and Conditions Of Approval:** Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, the Plan and Zoning Commission recommends the City Council approve an amendment to the existing Bridgewood PUD to modify provisions for wall signs on Parcel M (aka Bridgewood Square), subject to the applicant meeting all City Code requirements.

Lead Staff Member: Brian S. Portz, AICP BP

**Staff Reviews:**

| | |
|---|---|
| Department Director | |
| Appropriations/Finance | |
| Legal | |
| Agenda Acceptance | |

**PUBLICATION(S) (if applicable)**

| | | |
|---|---|---|
| Published In | Des Moines Register | |
| Date(s) Published | April 16, 2019 | |
| Letter sent to surrounding property owners | | April 17, 2019 |

**SUBCOMMITTEE REVIEW (if applicable)**

| | | | |
|---|---|---|---|
| Committee | Development & Planning | | |
| Date Reviewed | April 15, 2019 | | |
| Recommendation | Yes X | No ☐ | Split ☐ |

ATTACHMENTS:

Exhibit I - Plan and Zoning Commission Communication
- Attachment A - Plan and Zoning Commission Resolution
- Attachment B - Location Map
- Attachment C - Proposed PUD Ordinance Amendment *(moved to Exhibit II)*

Exhibit II - Amended PUD Ordinance

**EXHIBIT I**

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

**Meeting Date:** April 22, 2019

**Item:** Bridgewood PUD, Northwest corner of Jordan Creek Parkway and Bridgewood Boulevard – Amend Bridgewood PUD to modify wall sign regulations on Parcel M (aka Bridgewood Square) – Bridgewood Commercial, LLC – ZC-004275-2019

**Requested Action:** Recommend approval of Rezoning Request

**Case Advisor:** Brian S. Portz, AICP BSP

**Applicant's Request:** The applicant, Bridgewood Commercial, LLC has submitted an application for approval of an amendment to the Bridgewood PUD to allow wall signs on buildings within Parcels 1 and 3 of the PUD in alignment with City sign code requirements.

**History:** There are currently two buildings built on the property with two buildings under construction along Jordan Creek Parkway. The property was annexed into the City in December of 1997 as a part of the Bridgewood Annexation. The property is platted as Lot 33 of Bridgewood Plat 1 and is included as Parcel M in the Bridgewood PUD. In May of 2017, a Specific Plan Ordinance was developed for the property creating the Bridgewood Square Development. In July of 2017, approval was granted for the construction of the two buildings in the rear of the property. In August of 2018, approval was granted for the construction of a two-tenant building at the northeast corner of the property and in October of 2018, approval was granted for the construction of a restaurant on the southeast corner of the property.

**City Council Subcommittee:** This item was presented to the Development and Planning City Council Subcommittee on April 15, 2019 as an informational item only.

**Staff Review and Comment:** This request was distributed to other City departments and other agencies for their review and comment. Staff would summarize the following key point of interest:

- *Applicant's Request*: The applicant is requesting this PUD amendment to allow additional wall sign square footage for the buildings on Parcels 1 and 3. The PUD currently allows 1 square foot of wall signage for each linear foot of tenant frontage which contains the building's primary entrance. In the case of the building on parcel 3, the main entrance to one of the tenants faces west, away from Jordan Creek Parkway. That tenant space is 25' wide, therefore, they would only be allowed a total of 25 square feet for their signs. As proposed, and consistent with the current sign code, with this PUD Amendment, that tenant would be allowed 1 square foot of sign area for every linear foot of their tenant space that faces Jordan Creek Parkway plus ½ square foot of sign area per linear foot of wall that faces away from Jordan Creek Parkway which contains a public entrance to the building. In the case of the tenant indicated above, they would be allowed 37½ square feet of wall signage with the amendment as proposed.

**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.

**Findings:** This proposed project was distributed to various city departments for review and comment. Based upon that review, the following findings have been made on the proposed project:

1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that 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.

2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance.

3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare and safety of the community.

4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.

5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and the project has complied with or has been conditioned to comply with all City Code requirements.

6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the zoning designation and Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

**Staff Recommendation 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 the Plan and Zoning Commission adopt a resolution recommending the City Council approve an amendment to the Bridgewood PUD to modify provisions for wall signs on Parcel M (aka Bridgewood Square), subject to the applicant meeting all City Code requirements.

**Noticing Information:** On April 16, 2019, notice for the April 22, 2019, Plan and Zoning Commission and May 6, 2019, City Council Public Hearings on this project was published in the Des Moines Register Community Section. Notice of these public hearings was also mailed to all surrounding property owners within 370 feet of the subject property on April 17, 2019.

**Property Owner/Applicant:**

Bridgewood Commercial, LLC
9500 University Avenue, Suite 2112
West Des Moines, IA 50266
Attn: Dave Hansen
dhansen@signatureres.com

**Attachments:**

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

**RESOLUTION NO. PZC -19-034**

**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 BRIDGEWOOD PUD TO MODIFY REGULATIONS FOR WALL SIGNS ON PARCEL M (AKA BRIDGEWOOD SQUARE)**

**WHEREAS,** pursuant to the provisions of Title 9 of the West Des Moines Municipal Code, the applicant, Bridgewood Commercial, LLC, has requested an amendment to the Bridgewood PUD (ZC-004275-2019) to modify regulations for wall signs on Parcel M (aka Bridgewood Square).

**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 April 22, 2019, this Commission held a duly-noticed hearing to consider the application for Rezoning Request (ZC-004275-2019);

**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 April 22, 2019, or as amended orally at the Plan and Zoning Commission hearing of April 22, 2019, are adopted.

**SECTION 2.** REZONING REQUEST (ZC-004275-2019) to modify regulations for wall signs on Parcel M (aka Bridgewood Square) is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated April 22, 2019, 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 April 22, 2019.

Erica Andersen

Erica Andersen, Chairperson
Plan and Zoning Commission

ATTEST:
Michelle Kiesenberg
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 April 22, 2019, by the following vote:

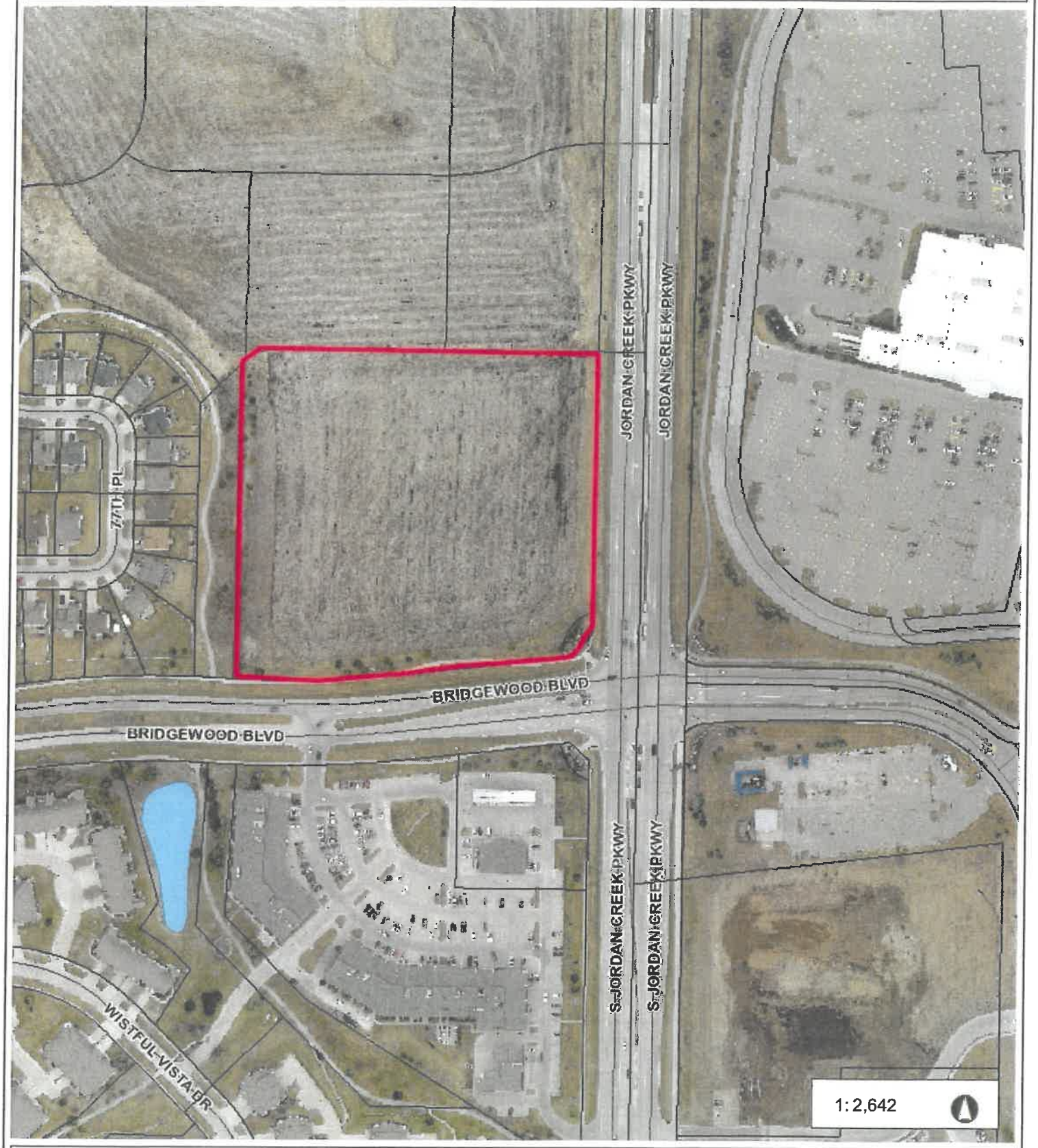
AYES: Costa, Crowley, Andersen, Drake Hatfield, Southworth
NAYS:
ABSTENTIONS:
ABSENT: Erickson

ATTEST:
Michelle Kiesenberg
Recording Secretary

**Exhibit A**
No Conditions of Approval

ATTACHMENT B

# Bridgewood Square




440.4 0 220.18 440.4 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet

© City of West Des Moines, Iowa

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

**EXHIBIT II**

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, 1962, 2198, 221, 2220, AND 2331 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**. Ordinances #1276, 1322, 1335, 1401, 1438, 1482, 1628, 1748, 1809, 1962, 2198, 2219, 2220 and 2331 pertaining to the **Bridgewood Planned Unit Development**, Section 048-05: *Land Use Design Criteria*; Subsection K: *Parcel M*; Subsection 12: *Signage*; Subsection d: *Wall Signage*; is hereby amended by deleting the following highlighted strikethrough text and adding the following bolded italicized text:

d. Wall Signage: The regulations and provisions set forth in title 9, chapter 18, "Signs", of the City Code for the designated zoning classification for the respective parcel shall govern sign design and placement with the exception of the following: No lighted wall signage shall be allowed on any wall facing single family residential properties. Wall signage for a tenant in a multi-tenant building shall be located on the wall area of the tenant's location within the building.
   (1) Parcel #2 shall be allowed one and one-half ($1^1/_2$) square feet of wall signage per linear foot of tenant frontage which contains the building's primary public entrance and Parcels 1 and 3 shall be allowed ~~one square foot of wall signage per linear foot of tenant frontage which contains the building's primary public entrance~~ ***wall signs in accordance with the regulations and provisions set forth in the City Sign Code***. The allowed signage may be divided into multiple signs as long as the total amount of sign area earned, based upon the formulas above, is not exceeded.
   (2) All wall signage within the Bridgewood Square development shall incorporate aesthetic features compatible with the overall character of the development. All wall signs will be composed of either solid individual letters of anodized aluminum or galvanized metal or plastic attached to the building fascia, illuminated self-contained individual letters with translucent plastic faces set in anodized aluminum returns and trim or solid metal panels with routed letters illuminated by recessed cabinets. To the greatest extent possible, signs shall be contoured to minimize the excess unused area of a sign and to minimize the amount of glow. Logos may be incorporated into wall signage but not be larger than one and one-half ($1^1/_2$) times that size of the largest letter in the sign. A contoured panel sign may be allowed for logo signs but shall be designed so that only the logo is illuminated and background areas are covered with opaque vinyl or a routed face design. The Sign Administrator shall work with the applicant to accomplish a sign for the logo that allows for the tenants identity to be recognized but minimizes the background illumination and addresses the intent of this ordinance

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

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

**SECTION 5. 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 6. 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 _____, 2019.

_____

Steven K. Gaer, Mayor

**ATTEST:**

_____

Ryan T. Jacobson
City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____, 2019.

_____

Ryan T. Jacobson
City Clerk