CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: June 17, 2019

ITEM: Sammons Financial Group, Southwest corner of S. 81st Street and Mills Civic Parkway – Amend Comprehensive Plan Land Use Map to change approximately 12.38 acres from Community Commercial (CMC) to Office (OF) and establish Sammons Financial Group Planned Unit Development (PUD) on 39.2 acres – Sammons Financial Group, LLC – CPA-004212-2019/ZC-004213-2019

RESOLUTION: Approval of Comprehensive Plan Amendment
ORDINANCE: Approval of First Reading of Ordinance

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Sammons Financial Group, LLC, is requesting approval of both a Comprehensive Plan Land Use Amendment and Rezoning for property located at the southwest corner of S. 81st Street and Mills Civic Parkway. The applicant is requesting to change approximately 12.38 acres from Community Commercial (CMC) to Office (OF). Upon changing the Comprehensive Plan Land Use designations on the property, the applicant is then requesting a rezoning to create the Sammons Financial Group Planned Unit Development with an underlying zoning classification of Office in place of the current Etzel Properties Plat 2 PUD. The applicant is proposing to develop a 6-story, 200,000 square foot office building on the north side of the site. A second phase would allow for approximately 150,000 square feet of additional space that would be connected to the first building. Specifics aren't known about future building additions at this time.

Plan and Zoning Commission Action:
Vote: 5-0 approval, with Commissioners Erickson and Costa absent
Date: June 10, 2019
Motion: Adopt a resolution recommending the City Council approve the request to amend the City's Comprehensive Plan Land Use Map and Rezoning Request

Plan & Zoning Commission Discussion: The approved traffic study for the property dated February 1, 2019 and reanalyzed April 18, 2019, recommends a cross connection between Area 1 (the Sammons Financial Group property) and Area 2 (the remaining portion of the property, owned by Etzel Trust). Because of this, a cross connection was added as a requirement of the proposed PUD Ordinance. Sammons indicated that they do not want a connection from their property to the property to the south. Staff told the Plan & Zoning Commission that due to the recommendation of the traffic study for the connection, it is staff's position that the connection should be required because it will make the area appear as one cohesive development, minimize access points on the street, provide additional ways for drivers to enter and exit (including emergency services), and provide for overflow parking if needed. The Plan & Zoning Commission voted to recommend removal of the requirement that there be an internal connection to the property to the south. If the City Council decides to not require the internal connection, the Council will need to direct staff to amend the ordinance to reflect that direction. The Ordinance will be revised accordingly prior to the 2nd Reading of the PUD Ordinance.

OUTSTANDING ISSUES: There are no outstanding issues. The applicant has stated that they are in agreement with all of staff's recommendations and conditions. 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 1, 2019*
- Staff Review and Comment
  - *Cross Connections Between Sites*
  - *Sammons Financial Group Development*

- Findings
- Noticing Information
- Staff Recommendation and Conditions of Approval
- Property Owner/Applicant/Applicant's Representative Information

RECOMMENDATION: 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 the Comprehensive Plan Land Use map amendment for approximately 12.38 acres to change from Community Commercial (CMC) to Office (OF); and approval of the rezoning request to rezone the entire 39.2 acre property from Etzel Properties Plat 2 PUD to Sammons Financial Group PUD, subject to the applicant meeting all City Code requirements.

** As indicated above, if the Council desires to remove the connection, the motion for approval of the PUD will need to be: '… approval of the rezoning request to rezone the entire 39.2 acre property from Etzel Properties Plat 2 PUD to Sammons Financial Group PUD with the removal of the internal connection requirement to the property to the south'.

Lead Staff Member: Brian Portz, AICP BP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register	
Date(s) Published	May 31, 2019	
Letter sent to surrounding property owners		June 3, 2019

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	April 1, 2019		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Plan and Zoning Commission Communication
- Attachment A - Resolution – Approval of the Comprehensive Plan Amendment
  - Exhibit A - Conditions of Approval
- Attachment B - Resolution – Approval of the Rezoning
  - Exhibit A - Conditions of Approval
- Attachment C - Location Map
- Attachment D - Current Zoning Map
- Attachment E - Proposed PUD Ordinance (Moved to Exhibit III)

Exhibit II - Council Resolution – Approval of Comprehensive Plan Amendment

Exhibit III - Proposed PUD Ordinance
- Exhibit A - PUD Sketch

EXHIBIT I

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: June 10, 2019

Item: Sammons Financial Group, Southwest corner of S. 81st Street and Mills Civic Parkway – Amend Comprehensive Plan Land Use Map to change approximately 12.38 acres from Community Commercial (CMC) to Office (OF) and establish Sammons Financial Group Planned Unit Development (PUD) on 39.2 acres – Sammons Financial Group, LLC – CPA-004212-2019/ZC-004213-2019

Requested Action: Recommend Approval of Comprehensive Plan Land Use Map Amendment and Rezoning

Case Advisor: Brian Portz, AICP BP

Applicant's Request: The applicant, Sammons Financial Group, LLC, is requesting approval of both a Comprehensive Plan Land Use Amendment and Rezoning for property located at the southwest corner of S. 81st Street and Mills Civic Parkway. The applicant is requesting to change approximately 12.38 acres from Community Commercial (CMC) to Office (OF). Upon changing the Comprehensive Plan Land Use designations on the property, the applicant is then requesting a rezoning to create the Sammons Financial Group Planned Unit Development with an underlying zoning classification of Office in place of the current Etzel Properties Plat 2 PUD. The applicant is proposing to develop a 6-story, 200,000 square foot office building on the north side of the site. A second phase would allow for approximately 150,000 square feet of additional space that would be connected to the first building. Specifics aren't known about future building additions at this time.

History: The property was annexed into the City in 2005 as a part of the Smith Witmer Mentzer Annexation. A Comprehensive Plan Amendment was approved in 2009 to change the future land use on the property from Single Family Residential to Office. In 2017, the land uses on the property were changed to Community Commercial and Office. Also, in 2017, the zoning of the property was changed from "Unzoned" to Etzel Properties Plat 2 PUD with an underlying zoning classification of Office and Community Commercial. The Etzel Properties Plat 2 PUD was created for the development of a Fareway store and other commercial and office development.

City Council Subcommittee: This item was presented to the Development & Planning City Council Subcommittee at their April 1, 2019 meeting, as an informational item only. No discussion was had and no disagreement with the proposal was expressed.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff would summarize the following key points of interest:

- *Cross Connections Between Sites:* As reflected in the approved traffic study for the property dated February 1, 2019 and reanalyzed April 18, 2019, a cross connection between Area 1 (the Sammons Financial Group property) and Area 2 (the remaining portion of the property) is recommended and required as a part of the proposed PUD Ordinance. Sammons has indicated that they do not want a connection from their property to the property to the south. It is staff's position that the connection will make the area appear as one cohesive development, minimize access points on the street, provide additional ways for drivers to enter and exit (including emergency services), and provide for overflow parking if needed. The applicant is seeking direction from the Plan & Zoning Commission and City Council on this requirement. If the Plan & Zoning Commission and City Council decide to not require the internal connection, the Ordinance will be revised accordingly prior to the 2nd Reading of the PUD Ordinance.

- *Sammons Financial Group Development:* The applicant proposes to construct a 6 story, 200,000 square foot office building on the north 2/3rds of the site. The Etzel Properties Plat 2 PUD, which currently governs the site, was designed for commercial development on the north 12 acres with the remainder of the site identified for office development. Based on the proposed Sammons Financial Group development, the Etzel PUD Ordinance will need to be completely replaced by the Sammons Financial Group PUD to allow for the development of only office building within the PUD area. Staff is currently reviewing the site plan documents for the Sammons development, including the proposed architecture of the building. While minor modifications to details may be required as part of the site plan review process, the building elevations provided are acceptable and meet the

intent of the architectural requirements within the PUD. The site plan for the Sammons Financial Group site will be reviewed separately by staff and ultimately presented to the Plan & Zoning Commission and City Council for consideration.

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.

Noticing Information: On May 31, 2019, notice for the June 10, 2019, Plan and Zoning Commission and June 17, 2019, City Council Public Hearings on this project was published in the Des Moines Register. Notice of these public hearings was also mailed to all surrounding property owners within 370 feet of the subject property on June 3, 2019.

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 the Comprehensive Plan Land Use map amendment for approximately 12.38 acres to change from Community Commercial (CMC) to Office (OF); and adopt a resolution recommending to the City Council approval of the rezoning request to rezone the entire 39.2 acre property from Etzel Properties Plat 2 PUD to Sammons Financial Group PUD, subject to the applicant meeting all City Code requirements.

Property Owner/Applicant:	Sammons Financial Group, LLC 4350 Westown Parkway West Des Moines, IA 50266
Applicant's Representative:	Confluence 525 17th Street Des Moines, IA 50309 Matt Carlile mcarlile@thinkconfluence.com

ATTACHMENTS:

Attachment A -	Plan and Zoning Commission Resolution – Comprehensive Plan Amendment
Exhibit A-	Conditions of Approval
Attachment B -	Plan and Zoning Commission Resolution – Rezoning
Exhibit A-	Conditions of Approval
Attachment C -	Location Map
Attachment D -	Current Zoning Map
Attachment E -	Proposed PUD Ordinance
Exhibit A-	PUD Sketch

ATTACHMENT A

RESOLUTION NO. PZC ~19~053

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 COMPREHENSIVE PLAN LAND USE MAP FOR 12.38 ACRES LOCATED ON THE SOUTHWEST CORNER OF S. 81ST STREET AND MILLS CIVIC PARKWAY TO CHANGE THE COMPREHENSIVE PLAN LAND USE MAP DESIGNATION FROM COMMUNITY COMMERCIAL (CMC) TO OFFICE (OF)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the property owner Sammons Financial Group, LLC, has requested an amendment to the Comprehensive Plan Land Use Map (CPA-004212-2019) to change the land use designation from Community Commercial (CMC) to Office (OF) for approximately 12.38 acres located on the southwest corner of S. 81st Street and Mills Civic Parkway and located within the area legally described as follows;

Legal Description

THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, EXCEPT PARCEL AA AND PARCEL H OF THE PLAT OF SURVEY FILED IN BOOK 2014, PAGE 4167 AS PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY, IOWA AND THOSE PARCELS SHOWN ON THE DEED TO THE CITY OF WEST DES MOINES AS FILED IN BOOK 2009, PAGE 15835, AND EXCEPT THAT PARCEL SHOWN ON THE DEED TO THE CITY OF WEST DES MOINES AS FILED IN BOOK 2015, PAGE 13828.

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; and

WHEREAS, on June 10, 2019, this Commission held a duly-noticed hearing to consider the application for Comprehensive Plan Amendment (CPA-004212-2019).

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The request for a change in the land use designation from Community Commercial (CMC) to Office (OF) for that approximately 12.38 acres located on the southwest corner of S. 81st Street and Mills Civic Parkway and legally described above is recommended to the City Council for approval.

PASSED AND ADOPTED on June 10, 2019.

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 June 10, 2019, by the following vote:

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

ATTEST: Michelle Kiesenberg
Recording Secretary

Exhibit A
Conditions of Approval

No conditions of approval

ATTACHMENT B

RESOLUTION NO. PZC-19-054

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE REZONING REQUEST (ZC-004212-2019) FOR THE PURPOSE OF REZONING THE 39.2 ACRE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF S. 81ST STREET AND MILLS CIVIC PARKWAY

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the property owner, Sammons Financial Group, LLC, has requested approval of a Rezoning Request for that 39.2 acre property located on the southwest corner of S. 81st Street and Mills Civic Parkway to replace the Etzel Properties Plat 2 PUD with the Sammons Financial Group Planned Unit Development (PUD); and

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; and

WHEREAS, on June 10, 2019, this Commission held a duly-noticed hearing to consider the application for the Rezoning Request (ZC-004212-2019).

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 June 10, 2019, or as amended orally at the Plan and Zoning Commission hearing of June 10, 2019, are adopted.

SECTION 2. REZONING REQUEST (ZC-004212-2019) to replace the 39.2 acres Etzel Properties Plat 2 PUD with the Sammons Financial Group PUD is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated June 10, 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 June 10, 2019.

Erica Andersen, Chairperson
Plan and Zoning Commission

ATTEST: Michelle Riesenberg
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 June 10, 2019, by the following vote:

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

ATTEST: Michelle Riesenberg
Recording Secretary

Exhibit A
Conditions of Approval

No conditions of approval

ATTACHMENT C

Sammons Financial Group PUD - Location Map

718.4 0 359.19 718.4 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

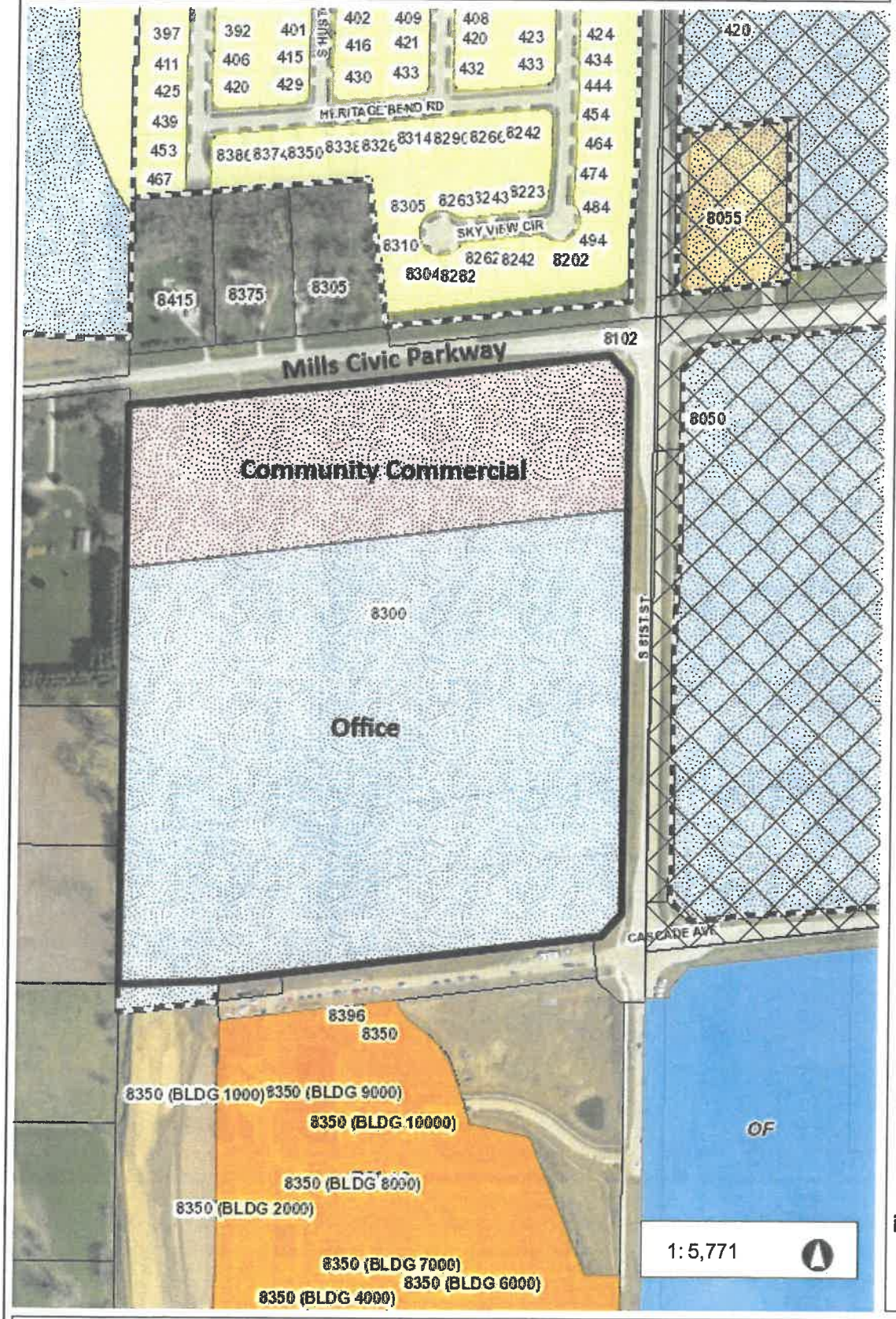
© City of West Des Moines, Iowa

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

ATTACHMENT D

Current Zoning Map



Legend

- Addresses
- Zoning Area Labels
- Overlay District
- Zoning Conditional Zones
- Zoning PUD Boundaries
- Zoning
  - Unzoned
  - Open Space/Agricultural (OS)
  - Residential Estate (RE)
  - Residential Single-Family (RS)
  - Single-Family Residential (R-1)
  - Single-Family - Commerce Resider
  - Single-Family - Valley Junction Res
  - Manufactured Housing (MH)
  - Residential Medium-Density (RM)
  - Residential High-Density (RH)
  - Neighborhood Commercial (NC)
  - Convenience Commercial (CVC)
  - Valley Junction Historic Business (\
  - Valley Junction Commercial (VJC)
  - Community Commercial (CMC)
  - Support Commercial (SC)
  - Regional Commercial (RC)
  - Office (OF)
  - Professional Commerce Park (PCP
  - Warehouse Retail (WR)
  - Business Park (BP)
  - Valley Junction Light Industrial (VJI
  - Light Industrial (LI)
  - General Industrial (GI)
  - PUD - Open Space
  - PUD - Single Family Residential
  - PUD - Medium Density Residential
  - PUD - High Density Residential
  - PUD - Business and Commercial
  - PUD - Office
  - PUD - Industrial
- Corporate Limits
- Parcels

961.8 0 480.90 961.8 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

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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 Dept., PO Box 65320 West Des Moines IA 50265-0320 (515) 273-0770
When Recorded, Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES APPROVING THE COMPREHENSIVE PLAN AMENDMENT (CPA-004212-2019) TO AMEND THE COMPREHENSIVE PLAN LAND USE MAP FOR THE APPROXIMATELY 12.38 ACRES FROM COMMUNITY COMMERCIAL (CMC) TO OFFICE (OF)

WHEREAS, pursuant to the provisions of Title 9, Zoning, Chapter 1 et seq, of the West Des Moines Municipal Code, the property owner, Sammons Financial Group, LLC, has requested an amendment to the Comprehensive Plan Land Use Map (CPA-004212-2019) to change the land use designation from Community Commercial (CMC) to Office (OF) for approximately 12.38 acres located on the southwest corner of S. 81st Street and Mills Civic Parkway and located within the area legally described as follows:

LEGAL DESCRIPTION

THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, EXCEPT PARCEL AA AND PARCEL H OF THE PLAT OF SURVEY FILED IN BOOK 2014, PAGE 4167 AS PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY, IOWA AND EXCEPT THOSE PARCELS SHOWN ON THE DEED TO THE CITY OF WEST DES MOINES AS FILED IN BOOK 2009, PAGE 15835, AND EXCEPT THAT PARCEL SHOWN ON THE DEED TO THE CITY OF WEST DES MOINES AS FILED IN BOOK 2015, PAGE 13828.

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; and

WHEREAS, on June 10, 2019, the Plan and Zoning Commission did recommend the City Council approve the Comprehensive Plan Amendment (CPA-004212-2019); and

WHEREAS, on June 17, 2019, this City Council held a duly-noticed public hearing to consider the application for the Comprehensive Plan Amendment (CPA-004212-2019).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

SECTION 1. The findings as stated in the staff report, dated June 17, 2019, or as amended orally at the City Council hearing of June 17, 2019, are adopted.

SECTION 2. The amendment of the Comprehensive Plan Land Use Map as described above is hereby adopted.

PASSED AND ADOPTED on June 17, 2019.

Steven K. Gaer, Mayor

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on June 17, 2019, by the following vote:

ATTEST:

Ryan T. Jacobson
City Clerk

EXHIBIT III

Prepared by: B. Portz, Development Services, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265
Return To: City Clerk, City of West Des Moines, P.O. Box 65320, West De s Moines, IA 50265

ORDINANCE #

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2019, 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: Ordinance #2194, pertaining to Etzel Properties Plat 2 Planned Unit Development (PUD) #110 is hereby amended by deleting in its entirety and in place thereof creating the '**Sammons Financial Group Planned Unit Development (PUD)**' with the following text:

Legal Description

THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, EXCEPT PARCEL AA AND PARCEL H OF THE PLAT OF SURVEY FILED IN BOOK 2014, PAGE 4167 AS PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY, IOWA AND EXCEPT THOSE PARCELS SHOWN ON THE DEED TO THE CITY OF WEST DES MOINES AS FILED IN BOOK 2009, PAGE 15835, AND EXCEPT THAT PARCEL SHOWN ON THE DEED TO THE CITY OF WEST DES MOINES AS FILED IN BOOK 2015, PAGE 13828.

SECTION 2. DEVELOPMENT INTENT: The Sammons Financial Group PUD aims to create a development that provides for a professional office development linked by a system of trails, walkways, streetscapes and bike paths. An open space/stream preserve unifies the development while providing links with surrounding developments.

SECTION 3. REQUIRED PLANS: The following plans shall be required as a part of the processing of any development application for any property within the Sammons Financial Group PUD:

A. Preliminary and Final Platting: Prior to or in conjunction with any site plan submittal for proposed development within Sammons Financial Group PUD, such area shall be subdivided by both preliminary and final plat, in accordance with the City's Subdivision Ordinance, to delineate the parcel to be developed or sold. A preliminary and final plat shall be required regardless if a plat-of-survey is approved for the property to allow for transfer of ownership. Outlots are not buildable until such time that they are replatted through the Preliminary and Final Plat subdivision process. Prior to approval of an associated final plat, unless otherwise authorized by the City Council, the developer of property within the Sammons Financial Group

PUD shall provide all necessary and appropriate agreements, easements, and sureties for all public rights-of-way and other public improvements (utilities, sidewalks, street lights, traffic signals, etc.) within and associated with the property being Final platted.

An associated final plat applicable to each proposed development area must be approved and recorded with the Dallas County Recorder's Office prior to issuance of any building permit, including footing and foundation permits, for construction of any structure or improvement within the parcel identified for development.

B. Development Applications (Site Plans): Site Plans for all lots and phases of development within the Sammons Financial Group PUD must meet the intent of the approved PUD sketch. The Sammons Financial Group building site plan shown on the PUD sketch is for illustrative purposes only. The specific site layout is not approved with the Sammons Financial Group PUD. Site plans shall be submitted to the City of West Des Moines for review and approval prior to the development of any portion of the development of the subject property. At the discretion of the Director of Development Services, an amendment to the Sammons Financial Group PUD Ordinance may be required to bring consistency between the ordinance and site plan development proposed.

Unless otherwise specifically restricted by the City Council, ground work and construction of private roads and utilities may be started, at the developer's risk, upon approval of the preliminary plat by the City Council; however, no construction of structures, including footing and foundations shall be allowed prior to site plan approval Public street and utility construction may begin, at the sole risk of the developer, after approval of the preliminary plat by the City Council and Public Improvement Plans by the City of West Des Moines.

SECTION 4. COMPLIANCE WITH CODE:
Unless otherwise specified herein, the development of all property within the Sammons Financial Group PUD shall comply with the provisions of the West Des Moines City Code.

SECTION 5. CONDITIONS: Whereas, Title 9, Chapter 9, Planned Unit Development District of the City Code, establishes certain regulations and guidelines pertaining to accompanying information required on plat and site plan documents. In addition, 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. 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 minimum opening elevation (including top of window well) less than one foot (1') above the determined level of the 100-year frequency flood event. Buildings shall only be permitted within twenty five feet (25') of any easement or property boundary of a major drainageway, storm water detention basin or pond if said location is approved as part of the development entitlement by the city council and said building is structurally designed accordingly.
   2. Developer Responsibility: Unless otherwise specifically approved by the City Council, the developer, its 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 shall pay all costs related to approved site plans, which may include but is not limited to the cost of all streets, storm sewers, sanitary sewers, water mains and service lines, drainage-way improvements, detention basins, and other improvements as required. No occupancy permits, either temporary or permanent, shall be issued until all necessary improvements applicable to the area/lot or structure requesting occupancy are installed and public improvements accepted by the City of West Des Moines. Nothing in this Ordinance shall be construed to prevent the developer, its successors and/or assigns, if any, from entering into private agreement(s) as it/they may desire to share the cost of improvements.
   3. Public Street Improvements and Right-Of-Way Dedication: Unless otherwise provided for in a separate development agreement, at the time of subdivision platting within the PUD, the subdivider shall be responsible for construction and/or installation of all required public infrastructure improvements in accordance with the City's Subdivision Ordinance, as indicated herein, and/or as indicated on the approved Sammons Financial Group PUD sketch plan. With any subdivision plat within the PUD,

the subdivider 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 complies with all City Ordinances

4. Cross Connections: A cross connection(s) will be required between Area 1 and Area 2 to make the area appear as one cohesive development, minimize access points on the street, provide additional ways for drivers to enter and exit (including emergency services), and provide overflow parking if needed. If Area 2 is subdivided in the future, cross connections between lots in Area 2 will be required. Cross access agreements will be required to be executed in conjunction with platting or site planning to allow for the connections.
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: Unless otherwise provided for in a separate development agreement, 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) as per the local U.S. Postal Service Post Office.

SECTION 6. <u>VEHICLE TRIP ALLOCATION</u>: A traffic analysis was completed on April 18, 2019 which evaluated proposed land uses on areas within the Sammons Financial Group PUD. The analysis indicates that the Sammons Financial Group PUD as a whole is anticipated to generate 4,741 Average Daily Trips, 757 A.M. peak hour and 685 P.M. peak hour trips. Based upon the traffic analysis, the traffic allocation table specifies the allowable traffic generation for each developed and undeveloped parcel in the Sammons Financial Group PUD.

Development of each area and implementation of desired land uses in the Sammons Financial Group PUD will be limited by the available number of trips designated for each area as shown on the traffic allocation table, as well as compliance with all applicable regulations within this ordinance or city code. The traffic to be generated by each parcel within the Sammons Financial Group PUD must be less than or equal to the traffic allocation shown on the traffic allocation table for that area. The maximum traffic allocation shown on the traffic allocation table shall be an entitlement to each area within the PUD. Traffic generation due to subsequent redevelopment, expansion or change of use for any parcel within the PUD shall not exceed the maximum traffic allocation entitlement shown on the traffic allocation table. Unless otherwise specified, the traffic allocation for each area shown on the traffic allocation table shall not change. Areas 1 & 2 collectively may not exceed the number of vehicle trips shown in the traffic allocation table for these areas. The trips may be distributed to another area, as necessary, at the time of initial site development, if determined acceptable through a traffic study and with written consent of the property owner transferring (losing) trips; however, the two (2) areas together may not exceed 4,741 Average Daily Trips, 757 A.M. peak hour and 685 P.M. peak hour trips.

Traffic Allocation Table

PUD Sketch Area	Average Daily Trips	Traffic Allocation (A.M. Peak)	Traffic Allocation (P.M. Peak)
1	3,938	660	598
2	803	97	87
Total trips for development	**4,741**	**757**	**685**

SECTION 7. <u>FIRE ACCESS</u>:

A. All streets and parking lots shall permit the travel of the Fire Department's largest vehicle, including adequate accommodation of the vehicle's turning needs. Approval of unique design solutions to accommodate fire access may be granted by the City Council if, the solutions proposed are recommended by the West Des Moines Fire Department.
B. At the discretion of the City's Fire Marshal, "No Parking Fire Lane" areas may be established as necessary to ensure efficient movement and access of the fire trucks. The owner of each respective area within

Sammons Financial Group PUD shall be responsible for the procurement and erection of approved fire lane signage applicable to their parcel(s).

C. All roads, alleys, and access drives shall maintain a minimum of twenty feet (20') of clear pavement.

D. A minimum of fourteen feet (14') of vertical clearance over the travel portion shall be maintained at all times over all vehicle travel ways, including drive-under canopies.

E. The developer or its designee shall be responsible for enforcement of no parking lanes and maintaining adequate clearance of structures and vegetation along and above all vehicle travel ways regardless if public or private.

SECTION 8. PARKING:

A. Off-Street Parking:

1. All off-street parking areas shall be sited and landscaped to screen their visibility from street rights-of-way, pedestrian pathways, and adjoining property outside of Sammons Financial Group PUD development.
2. Excluding parking structures, parking stalls measurements and drive aisle widths shall conform to Title 9, Chapter 15 of the City's Zoning Ordinance.
3. If parking structures are proposed, architectural design and vehicle functionality, including emergency services access and maneuverability, shall be reviewed in conjunction with site plan review.
4. If a proposed parking stall is designed to allow the bumper of the vehicle to overhang an open area or center median which does not include a pedestrian pathway, the length of both the parking stall and island may be reduced by that overhang amount or a maximum of two feet (2'). If the proposed overhang is over a sidewalk less than seven feet (7') wide rather than natural green space, that sidewalk width shall be increased two feet (2') to accommodate pedestrian movements and vehicle overhang.
5. It is desired that all off-street parking areas be aesthetically improved to reduce obtrusive characteristics that are inherent to their function. Multiple landscape islands combined with vegetation shall be incorporated to effectively eliminate a "sea of asphalt/concrete" and to provide shade thus decreasing heat reflection back into the environment. Landscape islands/tree pods and associated vegetation shall be implemented in accordance with the following:
   a. Islands or open areas shall be located at the terminus end of all parking rows. Terminal islands shall measure at least ten feet (10') in width and shall match, at a minimum the stall length.
   b. Linear parking islands that run the length of the parking row shall be implemented every six (6) rows. Said linear islands may be used as pedestrian pathways and shall measure an average of ten feet (10') in width. These areas may also serve as bioswales/detention areas.
   c. No more than ten (10) continuous parking stalls are allowed in a single row without being interrupted by landscape areas. Landscape islands or landscape pods shall be incorporated at least every ten (10) parking stalls per row. Islands shall measure a minimum of ten feet (10') in width and shall match, at a minimum the stall length. Each 10' X 17' landscape island or landscape pod shall contain at least one (1) overstory tree and vegetated groundcover (turf, perennials, ornamental grasses or shrubs), except for parking islands associated with lower levels within a parking structure. As an alternative to the implementation of pods within a linear row of parking, the terminal islands at each end of the row of parking may be increased in width by five feet (5') for every two (2) pods within the row which are eliminated. In no instance however, should there be greater than eighteen (18) parking stalls in a row uninterrupted by a landscape island or pod. The width of landscape islands within a linear row of parking need only match the minimum width of a parking stall. In the event landscape islands are increased in size, one (1) overstory tree shall be required for every one hundred fifty (150) square feet of landscape area in those larger islands.

B. Parking Ratios:

1. A minimum of one space per two hundred seventy five (275) square feet of gross floor area (gfa) shall be provided within each lot/parcel.
2. At the discretion of the Director of Development Services, a less stringent parking calculation may be used provided the applicant can demonstrate a parking rate less than that required by code is adequate due to the type of potential use, shared uses or off-peak uses.

SECTION 9. STORM WATER MANAGEMENT PLAN: A Master Storm Water Management Plan (MSWMP) which governs the overall storm water management of the PUD shall be submitted to and approved

by the City of West Des Moines as part of the preliminary plat or site plan application process, whichever occurs first. Specific Storm Water Management Plans (SWMP) which demonstrates compliance with the approved Sammons Financial Group PUD Master Storm Water Management Plan, on file with the city, will be required with the development of each subsequent preliminary plat or site plan. The Specific Storm Water Plans shall be prepared at the developer's expense, by a Professional Engineer licensed in the State of Iowa. All Storm Water Management Plans shall comply with the City's applicable design standards for storm water management existing at the time each development (site plan) is approved.

SECTION 10. UTILITIES: The developer, its successors or assigns, if any, shall construct at its cost, and if for general public use dedicate to the City, all sanitary sewer mains, water mains, and storm sewers associated with the Sammons Financial Group PUD as required by the City of West Des Moines' Subdivision Ordinance in accordance with applicable City design standards. All necessary easements to allow City access to public utilities for maintenance and repair purposes shall be executed prior to approval and recordation of the final plat for each respective area or shall be executed as a blanket access agreement prior to the approval and recordation of the first final plat. Unless otherwise specified within a specific easement document, the City shall not be responsible for reimbursement, restoration and/or replacement of any improvements located within the public easements should the City be required to excavate the public utilities for normal City operations.

Overstory trees shall not be placed over utility lines or within utility easements. Adequate access for maintenance vehicles shall be provided into and through the easement areas.

SECTION 11. LAND USE & BULK REGULATIONS:

In addition to the general conditions stated previously within this ordinance, the following land use and bulk regulations shall apply to the specific areas designated on the Sammons Financial Group PUD Sketch.

A. Areas 1 & 2:

1. Land Use:
   All general use regulations, performance standards, and provisions set forth in Title 9; "Zoning" of the City Code for the Office (OF) district shall apply to Areas 1 & 2 within the Sammons Financial Group PUD.

2. Building Setbacks:
   a. Unless otherwise specifically stated, setbacks shall be measured from the property line of parcels that abut a public street or back-of-curb of an adjoining private street. Setbacks along boundaries that don't abut a street shall be measured from the lot boundary.
   b. Building setbacks are to the main plane of the building excluding canopies and pedestrian arcades. Canopies and arcades are allowed to extend into the building setback a maximum of 8' however they may not extend into a required buffer.
      (1) Buildings must be setback a minimum of thirty feet (30') from Mills Civic Parkway, Cascade Avenue, S 81st Street, & S 85th Street right-of-way/property lines.
      (2) Rear yard: 35'; 15' if it abuts a like zoning district
      (3) Side yard: 10'; 0' if it abuts a like zoning district.
      (4) Buildings should be setback a minimum of fifteen feet (15') from the back-of-curb of internal private streets and off-street parking areas to accommodate the pedestrian streetscape.
   c. Detached accessory structures shall be setback a minimum of thirty feet (30') from all public streets. Detached accessory structures shall be setback a minimum of fifteen feet (15') from interior lot lines and from the back of curb of internal private drives.

3. Building Height: The maximum height of a building shall not exceed thirty six feet (36') in height, except that an additional 12 feet of height is allowed for each additional 10' of building setback.

4. Off-Street Parking Lot Setbacks: Parking lots shall be setback a minimum of thirty feet (30') from the Mills Civic Parkway, Cascade Avenue, S 81st Street, and S 85th Street right-of-way/property lines and five feet (5') from the back of curb of internal private streets. Parking lots shall be setback a minimum of thirty feet (30') from the edge of the blueline stream running through the property. A minimum five foot (5') setback is required along an adjoining lot line, unless the parking space within the setback is part of a common parking lot of joint usage between the adjoining lots. Views of parking lots from

public thoroughfares and adjacent parcels shall be visually mitigated through the use of a combination of earthen berms and landscape vegetation – this may or may not require the parking lots to be setback more than the minimum.

SECTION 12. PEDESTRIAN ELEMENTS:

Sammons Financial Group PUD aims to encourage pedestrian movement and opportunities for pedestrian interaction through a series of interconnected sidewalks and trails which lead to the office areas as well as adjacent developments. Development of these areas shall comply with the following guidelines with details of the development of each area to be specified, reviewed, and approved at the time of site plan development. Unless otherwise specified, the installation of these pedestrian elements shall be by the respective developer of each parcel within the Sammons Financial Group PUD in conjunction with or before the development of the parcel.

A. Trails and Sidewalks:
   1. Pedestrian crossings of internal private streets and parking lot drive aisles should be identified through the use of striped crosswalks as appropriate.
   2. A minimum of eight feet (8') of vertical clearance shall be maintained at all times over all pedestrian travel ways.
   3. Public Trails:
      a. Public trails shall be installed within the Sammons Financial Group PUD area in alignment with the City's Master Trail Plan or as agreed upon with the City of West Des Moines.
      b. Trails shall be constructed in accordance with the City of West Des Moines' Standard Specifications.
      c. A minimum of two feet (2') of clear shoulder should be provided on each side of the trail.

SECTION 13. LANDSCAPING:

The landscaping requirements specified herein are intended to create an aesthetically pleasing development which enhances the appearance and character of the City of West Des Moines, while protecting the general health, safety and welfare of the citizens. Landscaping is required to address the following primary aspects or consequences of development:

- Open space protection and enhancement
- Creation of environments conducive and inviting to pedestrian activities
- Street/parking side enhancement ('streetscapes')
- Visual screening of undesirable views, activities and/or site elements, and
- Mitigation of paving expenses associated with off-street parking

A. Open/Green Space: The intent of open space is to allow for a balance between natural areas and the built environment and to provide for the overall beautification and "greening" of the City. The minimum percentage of the site to be provided as open space shall comply with City Code for the respective zoning district for each parcel. All of the land within a site that is not occupied by buildings, on-street and off-street parking areas, or other vehicle use areas may be classified as open space. Plaza areas, water features and structures such as gazebos, arbors, pergolas, etc. that are associated with outdoor pedestrian use areas may be counted towards fulfilling the minimum open space requirement.
   1. In order to ensure 'green' within the development, vegetation must be incorporated at a rate of two (2) overstory trees, one (1) understory or conifer tree, and three (3) shrubs for every three thousand (3,000) square feet of required open space.
      a. One tree may be substituted for ten (10) shrubs.
      b. A twenty (20) square foot mass planting of perennial flowers or ornamental grasses may be substituted for three (3) shrubs.
      c. No substitution for required trees is allowed.
      d. The incorporation of evergreen vegetation is encouraged to provide winter substance within the landscape.
   2. Vegetation required as part of the open space may be placed into off-street parking areas or required buffers; however the open space vegetation is in addition to that which would be required of buffers or

parking islands/pods and may not be counted towards fulfilling the minimum amount of vegetation required for these areas.

B. Buffer and Visual Screening: The implementation of vegetation is required as part of buffering/screening. This vegetation may be combined with other measures such as berming, low stone walls, decorative fencing, or any combination thereof to enhance the effectiveness of the buffering/screening. Buffers should be designed to achieve the maximum amount of screening from the maximum number of viewpoints with vegetation layered to ensure adequate blockage of views and to create depth.

1. A minimum thirty-foot (30') wide buffer shall be required along Mills Civic Parkway. A combination of land forms, evergreen and deciduous trees and shrubs, and tall grasses shall be used to visually buffer adjacent parking and negative ground level site improvements from public streets and from properties outside of the Sammons Financial Group PUD development. Land forms ranging from 3 to 4 feet in height with slopes not to exceed 3:1 are required. Land forms should undulate to create a natural appearance rather than being designed with a consistent height along the entire berm. One (1) overstory trees, two (2) understory tree and six (6) shrubs shall be provided for an average of every thirty-five lineal feet (35') of this buffer; of the required trees, one-fourth (1/ 4) shall be evergreen in nature.
   a. Vegetation may be substituted at the following rate:
      (1) One tree may be substituted for ten (10) shrubs as long as under-canopy views of parking and negative elements are mitigated.
      (2) A sixty (60) square foot mass planting of perennial flowers or ornamental grasses may be substituted for six (6) shrubs.
      (3) No substitution for required trees is allowed.
   b. No parking lots, drive aisles, fences, or buildings are permitted within required buffers; however, sidewalks, trails, landscape features, pedestrian furniture, and permitted signage may be located within the buffers.
2. In addition to that specified above, the elements identified within the following section shall be buffered/screened regardless of use area:
   a. Views of off-street parking areas, loading docks, and other vehicle related service areas from adjacent roadways, pedestrian paths and adjoining properties within and outside of the development shall be buffered and visually screened to a height of at least six feet (6'). Creative grading including land forms can be used to provide this screening, in conjunction with plantings or fencing. Loading docks must be located and oriented to minimize views into the dock/service area. Screening can be provided thru a combination of the placement of adjacent buildings, screen walls, land forms, and plantings.
   b. Mechanical, utility meters, transformers, HVAC, and other similar undesirable elements/equipment which are located on, beside, or adjacent to any building shall be buffered and visually screened from streets, pedestrian pathways, and adjoining property within and outside of the development. A permanent screen that utilizes building materials and designs compatible and consistent with the architecture and materials of the principal building shall be implemented whenever possible. It is desired that raised parapets or elevated architectural features provide roof top mechanical screening rather than wrapping the units with screen walls. As much as possible, roof top mechanical units should be clustered rather than randomly placed on the roof. Additionally, roof top units should be located towards the center of the roof as much as possible to minimize views thereof. Equipment should be screened on all sides.
   c. Sanitation/Recycle enclosures shall be visually screened from view from streets, businesses, pedestrian pathways, and adjoining property within and outside of the development. The enclosure should incorporate the primary building material of the adjacent buildings on three sides (brick or masonry material) and a durable gate material on the fourth side.

SECTION 14. **SIGNAGE:** All proposed exterior signage requires a sign permit issued by the city of West Des Moines through normal sign review procedures prior to installation of the sign. Unless otherwise prescribed herein, signage shall abide by the standards and regulations as set forth in title 9, chapter 18, "Signs", of the city code for the Office (OF) district.

A. Monument Signs:
   1. Primary Monument Entrance Sign: One (1) monument sign shall be allowed at the primary entrance to Area 1 from Mills Civic Parkway (east entrance). The sign shall not exceed twelve feet (12') in height, a maximum size for the total structure of ninety-six (96) square feet and a maximum sign copy of thirty-five (35) square feet per side. The sign shall be setback a minimum of twenty feet (20') from the ultimate street right-of-way line.
   2. Secondary Monument Entrance Sign: One (1) monument sign shall be allowed at the secondary entrance to Area 1 from S. 81st Street (north entrance). The sign shall not exceed seven feet (7') in height, a maximum size for the total structure of seventy-seven (77) square feet and a maximum sign copy of twenty (20) square feet per side. The sign shall be setback a minimum of twenty feet (20') from the ultimate street right-of-way line.
   3. All other monument signs within Area 1 shall comply with current City sign code.
   4. Area 2 Monument signs: Area 2 of the Sammons Financial Group PUD shall comply with current City sign code for allowed monument signs.

B. Landscape Signs: Landscape signs shall be allowed at the corner of each perimeter public street intersection for both Area 1 and Area 2. The signs shall be designed according to the current City sign code.

C. Directional Signs: Directional signs shall be allowed according to the current City sign code for both Area 1 and Area 2.

D. Wall Signs: Building wall signage shall comply with current City sign code for both Area 1 and Area 2.

SECTION 15. **ARCHITECTURE:** The intent is to create building facades throughout this development that are varied and articulated to provide visual interest to pedestrians and to establish a unique identity for the development. The architectural design of any building within this development shall be acceptable to the City. The architecture shall express a creative presentation by careful attention to exterior building materials and details, use of fenestration, and change in building mass within the plane and roof design to lessen the plainness of appearance which can be characteristic of large commercial buildings. Building design, materials, trim, detailing, 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 building style and material options. Once City approval is gained on a particular building design, any alteration in design before or during construction must be reviewed and approved by the City's Development Services Department.

A. All buildings within this development shall accommodate or incorporate the following in building design and materials:
   1. Corporate architecture shall be prohibited. Limited use of architectural elements characteristic of prototypical architecture may be allowed at the discretion of the Director of Development Services or the appropriate reviewing and approval body. Implementation of these architectural elements shall be minimized and whenever possible modified to give a unique image to the establishment. No standard corporate building design without modifications shall be implemented.
   2. Buildings shall be organized to create a logical and identifiable relationship with the site and other buildings, open spaces, and pedestrian circulation paths.
   3. The use of building articulation and materials which break up the building mass into modules that respect a pedestrian scale and reflects proportions similar to other buildings within the development.
   4. The building's design should meet context and site objectives such as providing gateways, creating visual and physical linkages and framing or terminating views.

5. 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.
6. 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.
7. Shifts in building planes/facades and variation in exterior materials shall be incorporated to minimize long expanses of wall. Long blank walls shall be prohibited.
8. Variation in materials, material modules, expressed joints, textures, colors and details should be used to break up the mass of the buildings. Materials should change with the change in building planes.
9. Trim and structural elements such as posts or columns shall be sized to the scale of the building.
10. Whenever possible, ground floor 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.
11. Natural materials such as brick and stone shall be used as the major elements of the facade. Architectural precast concrete or metal acceptable to the City may be incorporated in the design as the major element. Concrete products shall have integrated color rather than surface applied paint/staining and should generally have texture for interest; smooth finish concrete products may be used in conjunction with texture for accent purposes. The use of EIFS, synthetic stucco or composite materials shall be used in moderation and primarily used as an accent or trim material and cannot be the predominate building material. Use of EIFS is limited to areas of the building six feet (6') above grade and higher and use of vinyl materials is prohibited.

B. Area 2: It is recognized that the development of Area 2 has not been planned and therefore the architectural intent for that portion of the site cannot be defined at the time of the writing of this ordinance. At such time that development of this area is pending, the architecture design and choice of colors and materials will need to be such so as to provide visual cohesiveness and achieve a unified development for the entire PUD area. At time of development of Area 2, an amendment to the PUD may be necessary to address the specific architecture needs for Area 2.

SECTION 16. <u>REPEALER.</u> All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

SECTION 17. <u>VIOLATIONS AND PENALTIES.</u> 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 18. <u>OTHER REMEDIES.</u> 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 19. <u>SAVINGS CLAUSE.</u> 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 20. <u>EFFECTIVE DATE.</u> 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