CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: June 17, 2019

ITEM: Grand Ridge PUD, 1809 S. 50th Place – Establish a Planned Unit Development (PUD) Ordinance to preserve trees and adjust bulk standards – Lowry Company LLC – ZC-004310-2019
(Continued from June 3, 2019)

ORDINANCE: Approval of First Reading of Ordinance

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Bill Lowry of the Lowry Company LLC is requesting that a Planned Unit Development (PUD) ordinance be established for the remaining portion of the Boone Family Farm located at 1809 S. 50th Place (see Attachment B – Location Map). The property is currently zoned Residential Estate (RE-1A). The developer is requesting a PUD to modify the minimum lot square footage required and front and rear yard setbacks for select lots to respect topography and trees. The PUD will reduce the minimum lot size from 40,000sf to 30,000sf for lots 1, 2 and 10; and the front and rear yard setbacks for lots 1, 2, 7, and 10 to be reduced from 50 feet to 35 feet.

It should be noted, action on this matter initially started as establishment of 'Boone Farm PUD'; however, it was realized post the Plan and Zoning Commission meeting that a Boone Farm PUD already existed for ground immediately to the east. Due to the existence of a Boone Farm PUD, this PUD has been renamed to 'Grand Ridge PUD'.

Plan and Zoning Commission Action:
Vote: 5-0 approval, with Commissioners Costa and Erickson absent
Date: June 10, 2019
Motion: Adopt a resolution recommending the City Council approved the zone change as recommended.

The applicant noted a typo in the ordinance where it refers to setbacks on certain lots. The staff report referred to 12 lots and the text should have read lots 1, 2, 7, and 10. Staff recommended that this change be reflected in the Commission recommendation. The Commission agreed. This has been changed in the ordinance.

The applicant also requested that the Commission consider not requiring a buffer along the east side of the property (adjacent to Medium Density/Townhome development) and along the interstate on-ramp or western boundary. The applicant stated that he had talked to the president of the townhome association and they had an understanding that the applicant would plant some trees but not the shrubs that are typical of a buffer. Also, along the east side, the installation of a buffer would cause the rear yard setback to be measured from the buffer line, therefore making the already short lots (lots 1 and 2) even more difficult to build upon.

On the west side, City Code requires single family developments to be buffered from the interstate. The applicant again offered to plant some trees but not the shrubs of a typical buffer along this area and asked the Commission to remove the buffer requirement. This west side of the development is more specifically along the on-ramp to I-35N from Grand Avenue and not next to the full lanes of traffic. The developer didn't want to install fences as he felt they trapped debris.

The Commission supported the removal of the buffers as required by City Code and recommends to the City Council that it approve the PUD ordinance as amended.

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: May 20, 2019*

- Staff Review and Comment
  - *Setback Modification*
  - *Tree Preservation*
- Comprehensive Plan Consistency
- Staff Recommendations and Conditions of Approval
- Noticing Information

RECOMMENDATION – REZONING REQUEST: 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 Rezoning Request to change the zoning of the property from Residential Estate (RE-1A) to Grand Ridge PUD, subject to the applicant meeting all City Code requirements.

Lead Planner: Kara Tragesser, AICP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register Community Section	
Date(s) Published	May 17, 2019	
Letter sent to surrounding property owners		May 14, 2019

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	May 20, 2019		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Plan and Zoning Commission Communication
- Attachment A - Plan and Zoning Commission Resolution – Zone Change
  - Exhibit A - Conditions of Approval
- Attachment B - Location Map
- Attachment C - Proposed Ordinance *(moved to Exhibit II)*
  - Exhibit A - PUD Sketch *(moved to Exhibit II)*

Exhibit II - Proposed Ordinance
- Exhibit A – PUD sketch

EXHIBIT I

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: June 10, 2019

Item: Boone Farm, 1809 S. 50th Place – Establish a Planned Unit Development (PUD) Ordinance to preserve trees and adjust bulk standards – The Lowry Company LLC – ZC-004310-219 (Continued from May 28, 2019)

Requested Action: Resolution: Recommend approval of Planned Unit Development

Case Advisor: Kara V. Tragesser, AICP

Applicant's Request: Bill Lowry of The Lowry Development Company LLC is requesting that a Planned Unit Development (PUD) ordinance be established for Boone Farm located at 1809 S. 50th Street (see Attachment B – Location Map). The property is zoned Residential Estate (RE-1A); as part of the ordinance, Mr. Lowry requests that the front yard setbacks for select lots be reduced from the standards of 50 feet to 35 feet to respect topography and trees.

History: The 18.9 acres property was a family farm when annexed into the City. Zoning of the property was assigned a Medium Density Residential (RM-8) district. In August 2018, the property when through a zone change to change the zoning from RM-8 to Single Family Residential (RE-1A).

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee at the May 20, 2019 meeting. The Subcommittee was supportive of the allowing the change in setback and the preservation of trees and being respectful of the topography.

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 note the following items of interest:

- *Setback Modification*: The Residential Estate (RE-1A) zoning district requires front yard setbacks of 50 feet. More than half of the 10 proposed lots can meet this setback without disturbing trees or being built on downhill slopes. Also, the access to the development from the east extension of Grand Ridge Drive makes a turn to the north and shortens the depth of Lots 1 and 2; to expand the ability to construct a house of these lots, the setbacks also have been adjusted.
- *Tree Preservation:* Included in the PUD is a section which provides for preservation of trees on the property. The property currently has some significant stands of trees and development of the property most likely will remove some of these trees. Staff has included a provision for the mitigation of tree removal by canopy size removed being replace by trees of a certain size to eventually replace the canopy.

Comprehensive Plan Consistency: The proposed Planned Unit Development amendment has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed amendment 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.

Staff Recommendations and Conditions of Approval Based upon the preceding review and a finding of consistency with the Comprehensive Plan, staff recommends that the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Planned Unit Development Ordinance for Boone Farm, subject to the applicant meeting all City Code requirements.

Noticing Information: On May 17, 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 May 14, 2019.

Property Owner:	The Lowry Company LLC Bill Lowry 36539 Meadowbrook Circle Cumming IA 50061
Applicant:	Same as Owner

Attachments:

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

ATTACHMENT A

RESOLUTION NO. PZC - 19-051

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-004310-2019) FOR THE PURPOSE OF ESTABLISHING THE BOONE FARM PLANNED UNIT DEVELOPMENT

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, The Lowry Development Company LLC has requested approval to establish the Boone Farm Planned Unit Development (PUD) to set requirements for setbacks and tree preservation for property located at 1809 S. 50th Street; 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 a Rezoning Request.

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-004310-2019) to establish the Boone Farm Planned Unit Development 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

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

ATTEST:
Michelle Riesenberg
Recording Secretary

EXHIBIT A
CONDITIONS OF APPROVAL

None.

ATTACHMENT B

EXHIBIT II

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, 2019 BY AMENDING TITLE 9, ZONING, CHAPTER 9, PLANNED UNIT DEVELOPMENT DISTRICT, PERTAINING TO P.U.D. (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES TO ESTABLISH THE GRAND RIDGE PUD

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 change the zoning of the following legally described property from Residential Estate (RE-IA) to Grand Ridge Planned Unit Development (PUD):

Legal Description

THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M,, POLK COUNTY, IOWA, LYING NORTH OF THE CENTERLINE OF GRAND AVENUE AS IT PRESENTLY EXISTS, EXCEPT THAT PART LYING WEST OF INTERSTATE NO. 35 AND EXCEPT THOSE PARTS CONVEYED TO THE STATE OF IOWA BY WARRANTY DEEDS RECORDED IN BOOK 3005, PAGE 491 AND BOOK 13732, PAGE 407 IN THE OFFICE OF THE POLK COUNTY RECORDER, POLK COUNTY, IOWA
AND
THE EAST 33 FEET OF THE SOUTH 1/2 SE1/4 OF SECTION 19, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M. EXCEPT THE SOUTH 740 FEET, WEST DES MOINES, POLK COUNTY, IOWA THAT IS ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE CORNER OF QUAIL COVE PLAT 1, AN OFFICIAL PLAT RECORDED IN BOOK 9044, PAGE 204 AT THE POLK COUNTY RECORDER'S OFFICE, SAID SE CORNER ALSO BEING ON THE WEST LINE OF QUAIL RIDGE PARK, AN OFFICIAL PLAT RECORDED IN BOOK 7836, PAGE 74 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE S00°26'13"E, 652.81 FEET ALONG A LINE THAT COINCIDES THE WEST LINE OF SAID QUAIL RIDGE PARK AND THE WEST LINE OF QUAIL MEADOWS WEST, AN OFFICIAL PLAT RECORDED IN BOOK 8006, PAGE 121 AT THE POLK COUNTY RECORDER'S OFFICE, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF GRAND AVENUE AS IT IS PRESENTLY ESTABLISHED; THENCE S89°49'15"W, 40.38 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT; THENCE S08°59'54"W
335.71 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT; THENCE S89°55'23"W, 360.67 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF US INTERSTATE I-35; THENCE N47°49'29"W, 587.13 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT; THENCE N19°36'41"W, 622.63 FEET ALONG THE SAID EAST RIGHT-OF-WAY LINE AS

ESTABLISHED IN THE ACQUISITION PLAT RECORDED IN BOOK 13732, PAGE 407 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE N22°54'18"W, 1.00 FEET ALONG SAID EAST RIGHT-OF-WAY LINE AS ESTABLISHED IN THE ACQUISITION PLAT RECORDED IN BOOK 13581, PAGE 26 AT THE POLK COUNTY RECORDER'S OFFICE TO A POINT ON THE SOUTH LINE OF SAID QUAIL COVE PLAT 1; THENCE N89°49'28"E, 1093.06 FEET ALONG SAID SOUTH LINE OF QUAIL COVE PLAT 1 TO THE POINT OF BEGINNING AND CONTAINING 18.96 ACRES MORE OR LESS.

SECTION 2. SKETCH PLAN: Attached hereto and made a part of this rezoning approval, for concept description and delineation is the Sketch Plan document for the Grand Ridge PUD marked Exhibit "A". The Sketch Plan is a graphic representation of the property included in the PUD delineating the approximate location and configuration of the PUD Parcels for the purpose of easier reference for the applicable regulations of this Ordinance. Wherever conflict occurs between the written text in this document and the notations on the Sketch Plan, the written text shall prevail.

SECTION 3. DEVELOPMENT INTENT: To provide the framework for a large lot single-family residential neighborhood that allows for development while encouraging preservation of the site's natural characteristics and accommodates the channel pattern of the creek dividing the site.

SECTION 4. REQUIRED PLANS: Prior to or in conjunction with development or transfer of ownership of any portion of the property covered by this PUD, the following plans shall be required:

A. Preliminary Plat and Final Plat: The PUD area shall be platted in accordance with the City's Subdivision Ordinance. Parcels created via the Plat-of-Survey process and platted Outlots identified on a plat shall be unbuildable until such time that the plat-of-survey parcel and/or Outlot is re-platted into a developable lot through the preliminary plat and final plat process.

SECTION 5. CONDITIONS: 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 in addition to the PUD Sketch Plan.

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. 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 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.

4. 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 streets, storm sewers, sanitary sewers, drainage way improvements, detention basins, water mains, buffers and other improvements as required of the development. Developer shall dedicate appropriate rights-of-way and/or public easements required within the PUD, unless otherwise approved by the City Council.

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. Private On-Site Sewer: Private on-site sewer systems will be allowed on platted lots 8, 9, and 10 or lots on the northwest corner of the site gaining access from Cherrywood Drive.

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.

8. Mailboxes: The Developer shall be responsible for installation of any required Cluster Box Units (CBUs / mailboxes) required by the local U.S. Postal Service Post Office.

9. All homes within the PUD must have a fire sprinkler system in accordance with West Des Moines Fire Code provisions due to the length of the streets accessing the 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 all areas designated on the Sketch Plan:

All general use regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for Residential Estate (RE-1A) shall apply to any development proposal for the property, unless noted otherwise in this ordinance.

1. The minimum lot size permitted in this development shall be 40,000 square feet, except lots 1, 2, and 10 which shall be no less than 30,000 square feet.
2. Minimum lot width shall be no less than 100' as measured at the front building setback line.
3. Building height shall be in accordance with the requirements for the Residential Estate zoning district as set forth in Title 9, Chapter 7.
4. Building Setbacks: Setbacks for all residential development shall be as follows:
   a. Front Yard: a minimum of 50', except lots 1, 2, 7, and 10, which will be allowed a minimum 35' front yard setback
   b. Rear Yard: a minimum of 50', except lots 1, 2, 7, and 10 which will be allowed a minimum 35' rear yard setback
   b. Side Yard: 20' as measured to the foundation with no other element of the building encroaching into the setback by more than two feet.
   c. For detached structures on lots 1 and 2, the maximum size of the total of all structures is 1,000 gross square feet.

SECTION 7. BUFFERS: No buffers will be required in this development. The developer or individual property owner may install additional landscaping along the east boundary adjacent to the medium density/townhome development and along the interstate right-of-way as they deem appropriate to mitigate views or buffer adjacent higher intensity uses.

SECTION 8. PARKLAND DEDICATION: An area of land calculated by a set formula based upon the density (total number of dwelling units) of the proposed development is required to be dedicated for purposes of a public park and greenway as per city code. A Parkland Dedication Agreement, acceptable to the Park and Recreation Department, detailing the specifics related to the Parkland Dedication requirements for the development of any area contained within the PUD is required to be executed in conjunction with the Final Platting of the subdivision.

SECTION 9. MASTER PROPERTY OWNERS ASSOCIATION: If deemed applicable, proper action shall be taken to establish a master property owners association. The property owners association shall be responsible for the

ongoing upkeep and maintenance of any common grounds as outlined in the association documents and any other specific development improvements noted as their responsibility in this ordinance.

SECTION 10. TREE PRESERVATION: The intent of this section is to recognize existing areas containing trees of significant size, value, and quantity such that the environmental aesthetic is enhanced by these areas. At the time of platting, existing tree cover on the site shall be protected and any loss mitigated. Removal of trees will be permitted for diseased, dead, damaged, or of a species not commonly recognized as being desirable. For all other trees removed one inch of caliper at breast height of overstory trees shall be provided for every inch of caliper at breast height of removed trees. At the time of Building Permit Application for each home, documentation from a certified arborist or ASLA licensed landscape professional shall be provided to the Development Services department of the City, indicating trees to be removed, the reason for tree removal and whether replacement is required. Tree replacement shall occur prior to issuance of a final occupancy permit for the home.

A. Trees shall not be planted closer than five feet (5') to a sidewalk as measured from the center of the tree.

B. No vegetation which obstructs visibility shall be located within the site triangle of intersecting streets and private drives, including residential driveways.

SECTION 11: ARCHITECTURE: The intent of these regulations is to create building façades throughout this development that are varied and articulated to provide visual interest. Architectural design for single family dwellings shall accomplish this by careful attention to exterior building materials and details, use of windows and doors, and change in building mass within the plan and roof design. Non – masonry materials, fenestration, and trim used on the front façade shall be continued around all sides of the building. However, the level of detail can be reduced on the facades not facing a street. Care should be taken in the design of the building to keep grading and tree removal to a minimum.

Exteriors of the dwellings and accessory structures shall incorporate materials such as brick, stone, lap or vertical siding, shakes, decorative trim or similar combination of material which incorporates elements typical of the chosen architectural style. Use of natural materials is encouraged, composite materials such as fiber cement and wood composites are appropriate substitutions. Vinyl siding may be used only with appropriately scaled and detailed trim and not as the primary cladding material. Changes in materials should be aligned with changes in plan or roof form to emphasize these changes in building mass and shall have the appearance of 3-dimensional elements. Trim and structural elements such as posts or columns shall be sized to the scale of the building and detailed appropriately to the style. Masonry shall be incorporated into the building architecture on the front and side facades, and in a proportion that provides a strong visual presence. Fenestration (door and window openings) shall be sized to the scale of the building and be compatible with the chosen architectural style.

Detached garages or accessory structures should incorporate architectural details of the primary building with the use of roof forms, materials, fenestration and other facade detailing.

Garage Orientation: Garages shall be sited to minimize the visual presence to the street. To facilitate this requirement, acceptable garage orientations include:

A. Street Oriented Garage: garages that open to the street are strongly encouraged and desired to be recessed behind the front plane of the house a minimum of five feet (5'). In no case shall the garage project more than five feet (5') in front of the plane of the house.

   1. In situations where the garage is located less than five feet (5') behind the front plane of the house, the third car garage, if applicable, must be stepped back a minimum of four feet (4') from the front of the two (2) car garage with all garage doors to be individual one car doors.

   2. In situations where the garage projects up to five (5') in front of the plane of the house, a covered porch shall be constructed that is at least the width equal to twenty five percent (25%) of the total width of the house and at least five unobstructed feet (5') in depth.

B. Side Loaded Garage: garages that open to a side yard. This garage orientation can be located in front of the house equal to the building setback for the house. Side loaded garages should incorporate architectural details such as windows, doors, and other detailing on the street facade in order to present a house appearance thus disguising the garage function.

SECTION 12. SIGNAGE REGULATION: Signage shall comply with all provisions and standards of Title 9, Chapter 18 for the Residential Estate (RE) Zoning District.

SECTION 13. STORM WATER MANAGEMENT: A Storm Water Management Plan will be required with the platting of this property. 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 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. The method of storm water management and the storm water conveyance system shall be determined prior to City approval of a preliminary plat.

At time of platting, 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 prepared by the City with information provided by the developer. This agreement essentially provides that the property owner will maintain and repair their storm water facilities. If they fail to do so, the city will make repairs or perform maintenance and assess all costs back to the property owner. As part of the maintenance agreement, the property owner will be responsible to provide a letter certifying the detention facility in in conformance with the approved Storm Water Management Plan. The property owner also will need to provide as-built drawings of the detention facilities. Both the letter and as-builts will need to be signed and sealed in accordance with Chapter 6, 193c-6.1(542B) of the Iowa Code.

SECTION 14. PUBLIC IMPROVEMENTS: The developer 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 it complies with all City Ordinances. Public improvements must be accepted by the city prior to issuance of any occupancy permit, including temporary occupancy permits.

SECTION 15. REPEALER: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 16. 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 17. VIOLATIONS AND PENALTIES: Any person who violates the provision of this Ordinance upon conviction shall be punished as set forth in Section 1-4-1 of the City Code of the City of West Des Moines, Iowa.

SECTION 18. 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 19. 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.

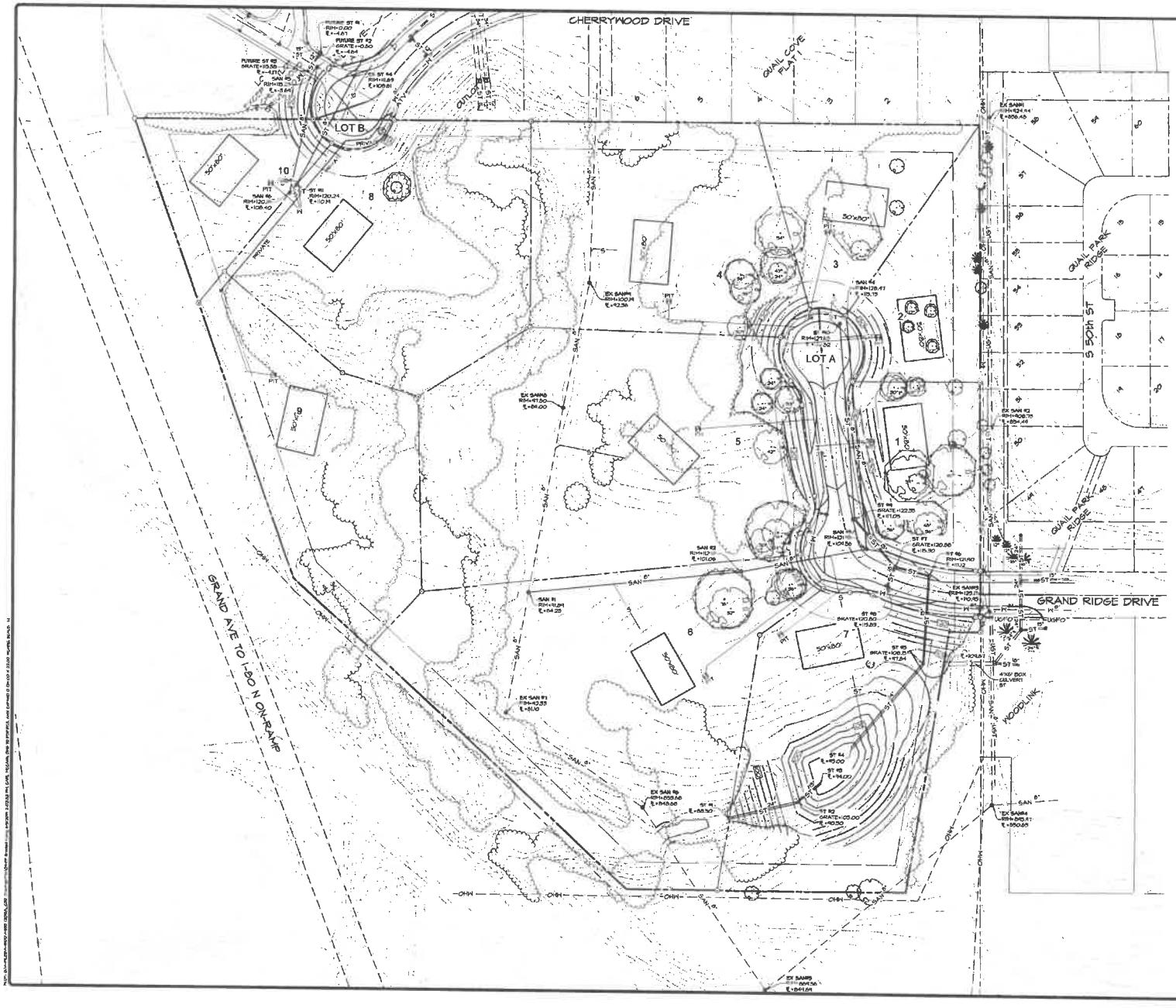
_____
Steve K. Gaer, Mayor

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



GRADING QUANTITIES

2.77 AC.	SOIL DISTURB
0.55 AC.	TREE CLEARING & GRUBBING
3,710 L.F.	TREE PROTECTION FENCING

PAVING QUANTITIES

271 S.Y.	PAVEMENT REMOVAL
2,188 S.Y.	PAVING

SIDEWALK QUANTITIES

1121 L.F.	4' SIDEWALK

BY OTHERS

131 L.F.	4' SIDEWALK
1 EA.	PEDESTRIAN RAMPS W/TRUNCATED DOME PANELS

SANITARY SEWER QUANTITIES

5 EA.	SM-401 MANHOLE
408 L.F.	8-INCH SANITARY SEWER
10 EA.	SERVICE

STORM SEWER QUANTITIES

408 L.F.	8-INCH PVC
294 L.F.	15-INCH RCP
111 L.F.	24-INCH RCP
2 EA.	15-INCH F.E.S.
1 EA.	24-INCH F.E.S.
1 EA.	SM-513 INTAKE
3 EA.	SM-401 MANHOLE
2 EA.	SM-503 INTAKE
1 EA.	SM-505 INTAKE
1 EA.	SM-506 INTAKE

BY OTHERS:

24 L.F.	12-INCH RCP
8 L.F.	15-INCH RCP
1 EA.	SM-401 MANHOLE
2 EA.	SM-501 INTAKE
10 EA.	SERVICE

WATER MAIN QUANTITIES

582 L.F.	8-INCH WATERMAIN
2 EA.	8-INCH VALVE
4 EA.	8-INCH 45° BEND
2 EA.	8-INCH 22.5° BEND
2 EA.	8-INCH 11.25° BEND
2 EA.	HYDRANT, REDUCER & 6-INCH VALVE

PRIVATE:

525 L.F.	6-INCH WATERMAIN
2 EA.	6-INCH 45° BEND
1 EA.	6-INCH 11.25° BEND
1 EA.	6-INCH VALVE
1 EA.	6-INCH REDUCER
1 EA.	BLOWOFF HYDRANT

CEC
Civil Engineering Consultants, Inc.
2400 86th Street, Unit 12, Des Moines, Iowa 50322
515 276 4884 · Fax: 515 276 7084 · mail@ceciia.com

DATE:	05/31/2014	REVISIONS	COMMENTS
		1	
		2	
		3	
DATE OF SURVEY:	05/23/2014	4	
DESIGNED BY:	BHA	5	
DRAWN BY:	CK	6	

ROONEY

DNA

LITY PLAN

EXHIBIT A