CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: August 5, 2019

ITEM: Cedar Ridge, Northwest corner of the intersection of Mills Civic Parkway and S. 88th Street - Amend the Cedar Ridge PUD to expand the PUD boundary and modify zoning designation and regulations pertaining to Parcel D - Chayse Holdings LLC – ZC-004339-2019

ORDINANCE: Approval of First Reading of the PUD Ordinance Amendment

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant and property owner, Chayse Holdings LLC, represented by Jared Murray of Civil Design Advantage, is requesting to amend the zoning designation and associated regulations for Parcel D within the Cedar Ridge Planned Unit Development (PUD). The amendment will change the zoning from Medium-Density Residential with footprint lots to Single-Family Residential with full depth lots. The lots will follow Residential Single-Family (RS-8) regulations with the exception that the homes will have a 25' front-yard setback with an allowed encroachment of up to eight (8) feet as long as at least six (6) of the eight (8) feet is a front porch. This setback is being allowed for two (2) reasons: first, to minimize the presence of the garage by encouraging the house to project forward of the garage; and secondly, to bring the homes closer to the street to encourage neighbor interactions.

No change to the Comprehensive Plan Land Use designation is necessary as the subject properties being added to the Cedar Ridge PUD are already designated as Single-Family Residential.

Plan and Zoning Commission Action:
Vote: 4-0 Approval, with Commissioner(s) Drake, Erickson and Southworth Absent.
Date: July 22, 2019
Motion: Adopt a resolution recommending the City Council approve the amended 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: June 3, 2019 (corrected from June 6, 2019 in P& Z report)*
- Staff Review and Comments
  - *Access to Adjacent Properties*
- Comprehensive Plan Consistency
- Noticing Information
- Staff Recommendations and Conditions of Approval
- Owner/Applicant/Applicant 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 first reading of an amendment to the Cedar Ridge Planned Unit Development to expand the PUD boundary and modify land use designation and regulations pertaining to Parcel D, subject to the applicant meeting all City Code requirements.

Lead Staff Member: J. Bradley Munford JBM

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	JDS
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	*Des Moines Register*	
Date(s) Published	June 14, 2019	
Letter sent to surrounding property owners		June 14, 2019

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	6/3/2019		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

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

Exhibit II - PUD Ordinance
- Exhibit A - PUD Sketch Plan

EXHIBIT I

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: July 22, 2019

Item: Cedar Ridge, Northwest corner of the intersection of Mills Civic Parkway and S. 88th Street - Amend the Cedar Ridge PUD to expand the PUD boundary and modify land use designation and regulations pertaining to Parcel D - Chayse Holdings LLC - ZC-004339-2019

Requested Action: Recommend Approval of an amendment to the Cedar Ridge Planned Unit Development

Case Advisor: J. Bradley Munford, Planner

Applicant's Request: The applicant, Chayse Holdings LLC, represented by Jared Murray of Civil Design Advantage, is requesting to amend the land use designation and associated regulations for Parcel D within the Cedar Ridge Planned Unit Development (PUD). The amendment will change the allowed land use from Medium Density Residential with footprint lots to Single-Family Residential with full depth lots. The lots will follow Residential Single-Family (RS-8) regulations with the exception that the homes will have a 25' front-yard setback with an allowed encroachment of up to eight feet as long as at least six of the eight feet is a front porch. This setback is being allowed for two reasons: first, to minimize the presence of the garage by encouraging the house to project forward of the garage; and secondly, to bring the homes closer to the street to encourage neighbor interactions.

No change to the Comprehensive Plan Land Use designation is necessary as the subject properties being added to the Cedar Ridge PUD are already designated as Single-Family Residential.

History: The Cedar Ridge subdivision was platted in unincorporated Dallas County in September 19, 1980. Lots 1-8 front to Mills Civic Parkway and generally have developed as single-family homes. Lots 9-46 never developed although five lots in the far northwestern corner of the development were sold: the developer has since purchased back two of the lots, thus the change in the PUD boundary. The area was annexed into the city in 2007 as a part of the PCarroll Annexation. On August 7, 2017 the City Council approved RE-1A zoning designation for Lots 1-8 of the Cedar Ridge subdivision. Zoning for the remainder of the subdivision has never been established; however, with the adoption of the 2010 Comprehensive Plan, Lots 9-20 and 35-46 of Cedar Ridge were designated as Office, Lots 21-24 and 31-34 as Medium Density Residential and Lot 30 as Single Family Residential. In June of 2018 the City Council approved a Comprehensive Plan Amendment and the establishment of the Cedar Ridge PUD which eliminated the Office land use replacing with 9.31 acres of Medium-Density Residential and 13.48 acres of High-Density and designated 9.10 acres of Single-Family Residential. On November 12, 2018 the City Council approved a site plan for 2-story, 78,506 sf continuum care facility called Cedar Ridge Village. On June 3, 2019 The City Council approved a site plan for an 88-unit apartment building intended for individuals with special needs.

City Council Subcommittee: This request was reviewed by the Development and Planning City Council Subcommittee on June 6, 2019. The Subcommittee was supportive of the request.

Staff Review and Comment: There are no outstanding issues. Staff would note the following:

- *Access to Adjacent Properties:* During the prior approvals for this development, two owners of property directly adjacent to the western edge of this development voiced concern about future access to their property. Both individuals own lots from the original Cedar Ridge subdivision plat that was approved by Dallas County in 1980. That plat was recorded and at some point, lots were sold however, the construction of public improvements such as streets did not occur. The adjacent property owners are seeking assurance that they will have access to their property. The developer assured the

property owners that they will have access to their properties and agreed to add language to the conditions section (section 4) of the PUD which states the following:

> *11. Access to Adjacent Properties: The Developer shall provide street, sanitary and water utilities connections to a point that is adjacent and available to properties directly west of Parcel D.*

This language is still in the PUD and the applicant is standing by the original commitment.

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.

Noticing Information: On June 14, 2019, a notice of the June 24, 2019, Plan and Zoning Commission and the July 1, 2019, City Council public hearings was published in the *Des Moines Register*. Notice of this public hearing also was mailed to all surrounding property owners within 370 feet of the subject property on June 14, 2019.

Staff Recommendations 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 that the Plan and Zoning Commission adopt a resolution recommending the City Council approval of an amendment to the Cedar Ridge Planned Unit Development to expand the PUD boundary and modify land use designation and regulations pertaining to Parcel D, subject to the applicant meeting all City Code requirements.

Applicant:
Chayse Holdings LLC
Toby Torstenson
9550 Hickman Road Suite 101
Clive, Iowa 50325
Toby@priorityexc.com

Applicant Representative:
Civil Design Advantage
Jared Murray
3405 SE Crossroads Drive, Suite G
Grimes, Iowa 50111
Jaredm@cda-eng.com

Attachments:

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

ATTACHMENT A

RESOLUTION NO. PZC-19-059

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 CEDAR RIDGE PLANNED UNIT DEVELOPMENT TO EXPAND THE PUD BOUNDARY AND MODIFY LAND USE DESIGNATION AND REGULATIONS PERTAINING TO PARCEL D

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Chayse Holdings LLC, has requested approval of an amendment to the Cedar Ridge PUD generally located at the Northwest corner of the intersection of Mills Civic Parkway and S. 88th Street and legally described below to expand the PUD boundary by 3.38 acres, thus increasing the overall area contained within the PUD to 41.11 acres and modify land use designation and associated regulations pertaining to Parcel D:

Legal Description

ALL OF LOTS 9 THROUGH 26, LOTS 30 THROUGH 46, STREET LOTS 'C' AND 'D', AND PART OF STREET LOT 'B' OF CEDAR RIDGE, BEING AN OFFICIAL PLAT AND ALL OF OUTLOT 'V', OF SILVERWOOD PLAT 1, BEING AN OFFICIAL PLAT, ALL WITHIN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 EAST OF THE FIFTH PRINCIPAL MERIDIAN; THENCE NORTH 83°12'37" EAST ALONG THE NORTHERLY LINE OF SAID CEDAR RIDGE, 1271.85 FEET TO THE NORTHWEST CORNER OF SAID STREET LOT 'B'; THENCE SOUTH 00°23'58" WEST, 412.93 FEET; THENCE SOUTH 07°21'24" EAST, 332.79 FEET TO THE NORTHERLY CORNER OF SAID OUTLOT 'V'; THENCE CONTINUING SOUTH 07°21'24" EAST ALONG THE EASTERLY LINE OF SAID OUTLOT 'V', 190.40 FEET TO THE SOUTHEAST CORNER OF SAID OUTLOT 'V'; THENCE SOUTH 37°29'00" WEST ALONG THE SOUTHERLY LINE OF SAID OUTLOT 'V' AND THE SOUTHWESTERLY EXTENSION OF SAID SOUTHERLY LINE, 99.20 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 2082.50 FEET, WHOSE ARC LENGTH IS 10.94 FEET AND WHOSE CHORD BEARS SOUTH 81°08'31" WEST, 10.94 FEET TO THE EASTERLY LINE OF SAID LOT 14; THENCE SOUTH 00°23'58" WEST ALONG SAID EASTERLY LINE, 207.57 FEET; THENCE SOUTHWESTERLY CONTINUING ALONG SAID EASTERLY LINE AND A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 36.18 FEET AND WHOSE CHORD BEARS SOUTH 41°51'28" WEST, 33.10; THENCE SOUTH 83°18'58" WEST ALONG THE SOUTH LINE OF SAID LOTS 14 THROUGH 9, A DISTANCE OF 824.27 FEET TO A SOUTHERLY CORNER OF SAID LOT 9; THENCE SOUTH 82°31'20" WEST CONTINUING ALONG SAID SOUTH LINE OF LOT 9, A DISTANCE OF 88.50 FEET TO THE SOUTHWEST CORNER OF SAID LOT 9; THENCE NORTH 00°17'39" EAST ALONG THE WEST LINE OF SAID LOT 9, A DISTANCE OF 283.57 FEET TO THE SOUTHEAST CORNER OF SAID LOT 21; THENCE SOUTH 83°09'31" WEST ALONG THE SOUTH LINE OF SAID LOT 21, A DISTANCE OF 299.34 FEET TO THE SOUTHWEST CORNER OF SAID LOT 21; THENCE NORTH 00°17'39" EAST ALONG THE WEST LINE OF SAID LOT 21, A DISTANCE OF 124.26 FEET TO THE SOUTHEAST CORNER OF SAID LOT 25; THENCE NORTH 89°38'14" WEST ALONG THE SOUTHERLY LINE OF SAID LOTS 25 AND 26, A DISTANCE OF 561.73 FEET TO THE SOUTHWEST CORNER OF SAID LOT 26; THENCE NORTH 00°44'43" EAST ALONG THE WESTERLY LINE OF SAID LOT 26, A DISTANCE OF 161.11 FEET; THENCE SOUTH 78°55'25" WEST CONTINUING ALONG SAID WESTERLY LINE, 47.00 FEET; THENCE NORTH 01°31'19" EAST CONTINUING ALONG SAID WESTERLY LINE, 79.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 26; THENCE NORTH 63°07'06" EAST ALONG THE NORTH LINE OF SAID LOT 26, A DISTANCE OF 248.89 FEET TO THE NORTHEAST CORNER OF SAID LOT 26; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 27 BEING A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 60.00 FEET, WHOSE ARC LENGTH IS 96.78 FEET AND WHOSE CHORD BEARS NORTH 19°17'22" EAST, 86.63 FEET TO THE SOUTHEAST CORNER OF LOT 28, SAID CEDAR RIDGE; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 28 BEING A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 50.00 FEET, WHOSE ARC LENGTH IS 35.62 FEET AND WHOSE CHORD BEARS NORTH 45°14'30" EAST, 34.87 FEET; THENCE NORTH 24°02'25" EAST CONTINUING ALONG SAID EASTERLY LINE, 28.25 FEET;

THENCE NORTHEASTERLY CONTINUING ALONG SAID EASTERLY LINE BEING A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 208.00 FEET, WHOSE ARC LENGTH IS 59.99 FEET AND WHOSE CHORD BEARS NORTH 32°37'28" EAST, 59.79 FEET TO THE SOUTHEAST CORNER OF LOT 29, SAID CEDAR RIDGE; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 29 BEING A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 208.00 FEET, WHOSE ARC LENGTH IS 81.57 FEET AND WHOSE CHORD BEARS NORTH 52°12'51" EAST, 81.04 FEET TO THE SOUTHWEST CORNER OF LOT 30, SAID CEDAR RIDGE; THENCE NORTH 26°42'03" WEST ALONG THE WEST LINE OF SAID LOT 30, A DISTANCE OF 241.09 FEET TO THE NORTHWEST CORNER OF SAID LOT 30; THENCE NORTH 83°23'15" EAST ALONG THE NORTH LINE OF SAID CEDAR RIDGE, 300.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 41.11 ACRES (1,790,756 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on July 22, 2019, this Commission held a duly-noticed meeting to consider the request to modify the Cedar Ridge PUD (ZC-004339-2019);

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

SECTION 2. Rezoning request (ZC-004339-2019) to amend the Cedar Ridge PUD to increase the area within the PUD and modify the land use designation and regulations pertaining to Parcel D is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated June 22, 2019, including conditions added at the Hearing, and attached hereto as Exhibit "A", if any. Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on July 22, 2019.

Erica Andersen, Chairperson
Plan and Zoning Commission

ATTEST:

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 July 22, 2019, by the following vote:

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

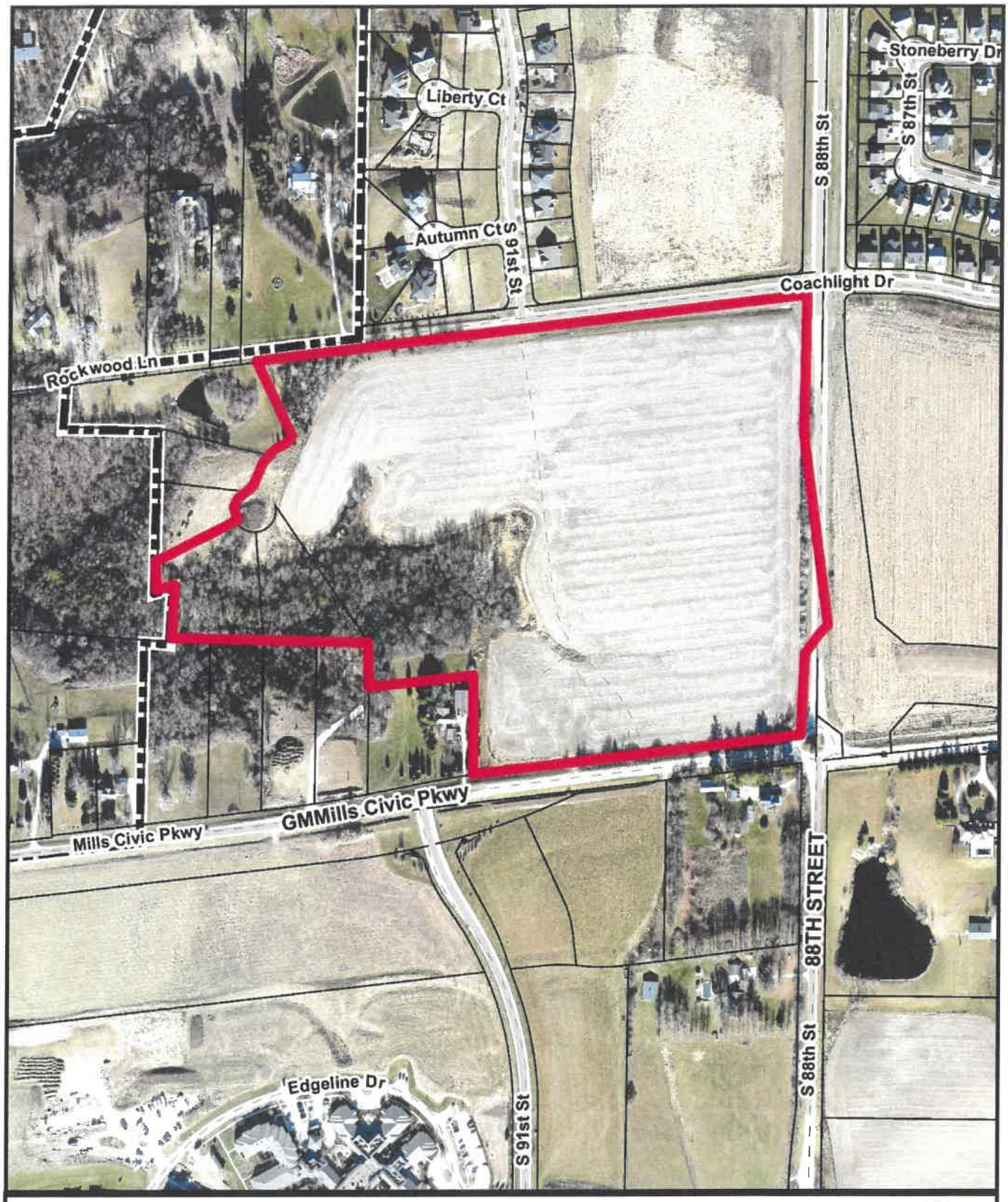
ATTEST:

Recording Secretary

Exhibit A
CONDITIONS OF APPROVAL

1. No Conditions of Approval

ATTACHMENT B



The City of West Des Moines.

Cedar Ridge PUD

https://wdmiowa.sharepoint.com/sites/ds/CommDev Documents/___Development Projects/Cedar Ridge/Sandahl

P&Z Attachment C, Amended PUD Ordinance and Sketch Plan
have been moved to Exhibit II

EXHIBIT II

Prepared by: J. B. Munford, Development Services, PO Box 65320, W.D.M., IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2019, AND ORDINANCE #2311 (ALSO KNOWN AS CEDAR RIDGE #119) 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 #2311 Cedar Ridge Planned Unit Development (PUD), Section 1, *Legal Description,* is hereby amended by deleting all of Section 1, *Legal Description* and replacing with the bolded italicized text below:

> ***ALL OF LOTS 9 THROUGH 26, LOTS 30 THROUGH 46, STREET LOTS 'C' AND 'D', AND PART OF STREET LOT 'B' OF CEDAR RIDGE, BEING AN OFFICIAL PLAT AND ALL OF OUTLOT 'V', OF SILVERWOOD PLAT 1, BEING AN OFFICIAL PLAT, ALL WITHIN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:***
>
> ***BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 EAST OF THE FIFTH PRINCIPAL MERIDIAN; THENCE NORTH 83°12'37" EAST ALONG THE NORTHERLY LINE OF SAID CEDAR RIDGE, 1271.85 FEET TO THE NORTHWEST CORNER OF SAID STREET LOT 'B'; THENCE SOUTH 00°23'58" WEST, 412.93 FEET; THENCE SOUTH 07°21'24" EAST, 332.79 FEET TO THE NORTHERLY CORNER OF SAID OUTLOT 'V'; THENCE CONTINUING SOUTH 07°21'24" EAST ALONG THE EASTERLY LINE OF SAID OUTLOT 'V', 190.40 FEET TO THE SOUTHEAST CORNER OF SAID OUTLOT 'V'; THENCE SOUTH 37°29'00" WEST ALONG THE SOUTHERLY LINE OF SAID OUTLOT 'V' AND THE SOUTHWESTERLY EXTENSION OF SAID SOUTHERLY LINE, 99.20 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 2082.50 FEET, WHOSE ARC LENGTH IS 10.94 FEET AND WHOSE CHORD BEARS SOUTH 81°08'31" WEST, 10.94 FEET TO THE EASTERLY LINE OF SAID LOT 14; THENCE SOUTH 00°23'58" WEST ALONG SAID EASTERLY LINE, 207.57 FEET; THENCE SOUTHWESTERLY CONTINUING ALONG SAID EASTERLY LINE AND A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 36.18 FEET AND WHOSE CHORD BEARS SOUTH 41°51'28" WEST, 33.10; THENCE SOUTH 83°18'58" WEST ALONG THE SOUTH LINE OF SAID LOTS 14 THROUGH 9, A DISTANCE OF 824.27***

FEET TO A SOUTHERLY CORNER OF SAID LOT 9; THENCE SOUTH 82°31'20" WEST CONTINUING ALONG SAID SOUTH LINE OF LOT 9, A DISTANCE OF 88.50 FEET TO THE SOUTHWEST CORNER OF SAID LOT 9; THENCE NORTH 00°17'39" EAST ALONG THE WEST LINE OF SAID LOT 9, A DISTANCE OF 283.57 FEET TO THE SOUTHEAST CORNER OF SAID LOT 21; THENCE SOUTH 83°09'31" WEST ALONG THE SOUTH LINE OF SAID LOT 21, A DISTANCE OF 299.34 FEET TO THE SOUTHWEST CORNER OF SAID LOT 21; THENCE NORTH 00°17'39" EAST ALONG THE WEST LINE OF SAID LOT 21, A DISTANCE OF 124.26 FEET TO THE SOUTHEAST CORNER OF SAID LOT 25; THENCE NORTH 89°38'14" WEST ALONG THE SOUTHERLY LINE OF SAID LOTS 25 AND 26, A DISTANCE OF 561.73 FEET TO THE SOUTHWEST CORNER OF SAID LOT 26; THENCE NORTH 00°44'43" EAST ALONG THE WESTERLY LINE OF SAID LOT 26, A DISTANCE OF 161.11 FEET; THENCE SOUTH 78°55'25" WEST CONTINUING ALONG SAID WESTERLY LINE, 47.00 FEET; THENCE NORTH 01°31'19" EAST CONTINUING ALONG SAID WESTERLY LINE, 79.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 26; THENCE NORTH 63°07'06" EAST ALONG THE NORTH LINE OF SAID LOT 26, A DISTANCE OF 248.89 FEET TO THE NORTHEAST CORNER OF SAID LOT 26; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 27 BEING A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 60.00 FEET, WHOSE ARC LENGTH IS 96.78 FEET AND WHOSE CHORD BEARS NORTH 19°17'22" EAST, 86.63 FEET TO THE SOUTHEAST CORNER OF LOT 28, SAID CEDAR RIDGE; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 28 BEING A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 50.00 FEET, WHOSE ARC LENGTH IS 35.62 FEET AND WHOSE CHORD BEARS NORTH 45°14'30" EAST, 34.87 FEET; THENCE NORTH 24°02'25" EAST CONTINUING ALONG SAID EASTERLY LINE, 28.25 FEET; THENCE NORTHEASTERLY CONTINUING ALONG SAID EASTERLY LINE BEING A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 208.00 FEET, WHOSE ARC LENGTH IS 59.99 FEET AND WHOSE CHORD BEARS NORTH 32°37'28" EAST, 59.79 FEET TO THE SOUTHEAST CORNER OF LOT 29, SAID CEDAR RIDGE; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 29 BEING A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 208.00 FEET, WHOSE ARC LENGTH IS 81.57 FEET AND WHOSE CHORD BEARS NORTH 52°12'51" EAST, 81.04 FEET TO THE SOUTHWEST CORNER OF LOT 30, SAID CEDAR RIDGE; THENCE NORTH 26°42'03" WEST ALONG THE WEST LINE OF SAID LOT 30, A DISTANCE OF 241.09 FEET TO THE NORTHWEST CORNER OF SAID LOT 30; THENCE NORTH 83°23'15" EAST ALONG THE NORTH LINE OF SAID CEDAR RIDGE, 300.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 41.11 ACRES (1,790,756 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

SECTION 2. AMENDMENT. Ordinance #2311 Cedar Ridge Planned Unit Development (PUD), Section 2, *Sketch Plan,* is hereby amended by repealing the existing illustration and replacing with that attached to this ordinance as Exhibit 'A':

SECTION 3. AMENDMENT. Ordinance #2311 Cedar Ridge Planned Unit Development (PUD), Section 6, *Land Use Design Criteria,* Subsection D, *Parcel D* is hereby amended by deleting all of Section 6, *Land Use Design Criteria,* Subsection D, *Parcel D* and replacing with the bolded italicized text below:

D. Parcel D: All general use regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for Residential Single-Family District (RS-8) shall apply to any development proposal for property in Parcel D as shown on the sketch plan, unless noted otherwise in this ordinance.

1. ***Setbacks and Bulk Regulations:***

All residential structures shall comply with a twenty-five foot (25') front yard setback, a thirty five foot (35') rear yard setback and a seven foot (7') side yard. Porches are allowed to encroach up to eight feet (8') into the front yard setback as long as the porch is a minimum of six feet (6') in depth in order to provide a useable seating area.

All setbacks or separations are measured from the closest part of the foundation. Building projections are allowed to encroach up to two feet (2') from each building into the minimum setback or separation. No window well or any ground mounted mechanical equipment may be closer than three feet (3') to a property line. Rear yard setbacks shall be measured from any required buffer; buffer and setbacks are not allowed to overlap. Face of garage must be a minimum of twenty-five feet (25') from the front property line if a public street or from the sidewalk if a private street.

2. ***Lot Size:*** ***Minimum of eight thousand square feet (8,000sf).***

3. ***Architecture:*** ***It is desired that building architecture within Parcel D should be varied and provide strong visual interest through the use of design, materials, and detailing. It's recommended that side and rear building facades incorporate a minimum of two material types: one primary and one accent material comprised of a different material type, color, or texture than the primary material. Facades that face a public or private street should incorporate a third material of brick or stone in a percentage that provides a strong visual presence. When utilized, masonry materials shall start and stop at an interior corner created by a change in wall plane and wrap corners a minimum of two feet (2') to give authenticity to the material. Materials, trim and details used on the front façade should be continued around all sides of the building, however, the level of detail could be reduced on the facades not visible from a street (public or private) or adjacent properties to the development. It is encouraged that the house design be such that garage doors facing the street do not extend forward of the front facade of the house to minimize their dominance within the facade. It is desired but not required that the face of the garage be set back five feet (5') from the front facade of the home.***

SECTION 4. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. 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 6. VIOLATIONS AND PENALTIES. 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 7. 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 8. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council on this _____ day of _____ 2019.

_____
Steven K. Gaer, Mayor

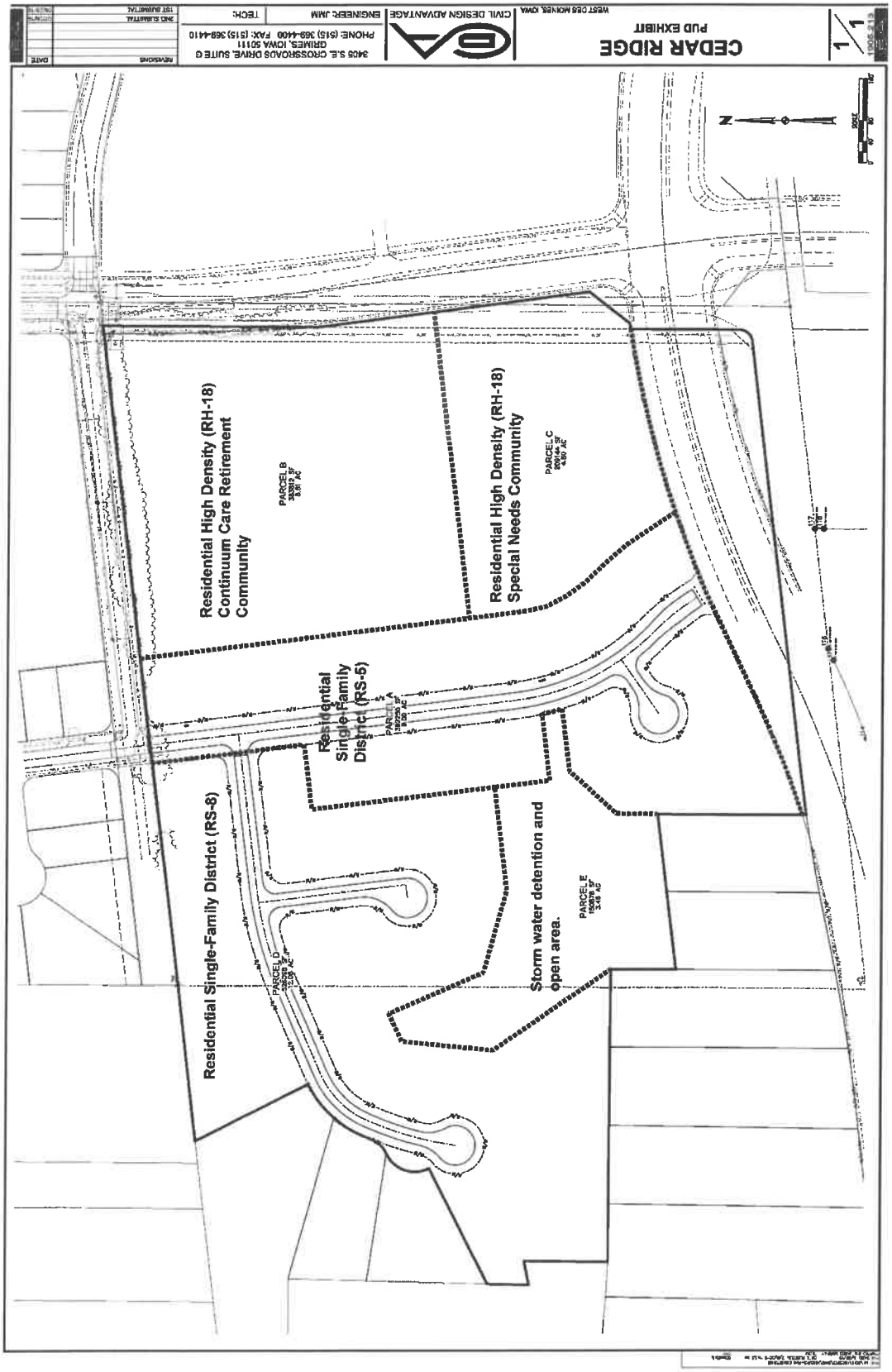
ATTEST:

_____
Ryan T. Jacobson, City Clerk

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

_____
Ryan T. Jacobson, City Clerk

EXHIBIT A


CEDAR RIDGE
PUD EXHIBIT
WEST DES MOINES, IOWA
CIVIL DESIGN ADVANTAGE
3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE (515) 369-4400 FAX: (515) 369-4410
ENGINEER: JMM
TECH:
REVISIONS
DATE
2ND SUBMITTAL
1ST SUBMITTAL
Residential High Density (RH-18) Continuum Care Retirement Community
PARCEL B
Residential High Density (RH-18) Special Needs Community
PARCEL C
Residential Single-Family District (RS-5)
Residential Single-Family District (RS-8)
PARCEL D
Storm water detention and open area.
PARCEL E