

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

Meeting Date: September 23, 2019

Item: The Preserve, Generally south of Raccoon River adjacent to the future extension of SW Grand Prairie Parkway – Amend Comprehensive Plan Land Use Map to designate Single Family Residential (SF), Medium Density Residential (MD), Neighborhood Commercial (NC), and Open Space (OS) land use and establish The Preserve Planned Unit Development and Agricultural/Open Space (OS) zoning – Raccoon River Land Company, LLC – CPA-004077-2018/ZC-004078-2018

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

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

Applicant's Request: The applicant, Raccoon River Land Company, LLC, is requesting approval of both a Comprehensive Plan Land Use Amendment and Rezoning, with the establishment of a Planned Unit Development (PUD), for property located north and south of Raccoon River adjacent to the future extension of SW Grand Prairie Parkway. The applicant is proposing single family residential development, medium density development, and neighborhood commercial development on the property. Also to be included within the PUD area in the future will be public facilities consisting of one or two parks, a fire station and a water tower. Access to the site will be via SW Grand Prairie Parkway, which is crossing through the ground encompassed in the PUD. The SW Grand Prairie Parkway extension is a city project and is currently under construction. A preliminary plat has not yet been developed for the site, so it is undetermined at this time how many single-family and medium-density units there will be with this development; however, given the acreage at maximum allowable density for each type of residential, there could be up to 1,740 single-family dwellings (290 ac x max 6 DU/ac) and up to 828 dwellings within the medium-density ground (69 ac x 12 DU/ac).

In addition, on behalf of the Iowa Natural Heritage Foundation, the City is proposing to designate Agricultural/Open Space zoning on ground that is owned by the applicant and is to be preserved from development.

Specifically, the following changes are proposed with this request:

- Amend the Comprehensive Plan Land Use Map for approximately 16 acres (Section 34 Township 78 Range 26 SW) to change from Neighborhood Commercial to Medium Density Residential; and
- Amend the Comprehensive Plan Land Use Map for approximately 192 acres (Section 33 Township 78 Range 26 NE and Section 34 Township 78 Range 26 NE and NW) to change from Medium Density Residential and Single Family Residential to Open Space; and
- Amend the Comprehensive Plan Land Use Map for approximately 90 acres (Section 3 Township 77 Range 26 NW) from Medium Density Residential and High Density Residential to Single Family Residential; and
- Amend the Comprehensive Plan Land Use Map for approximately 79 acres (Section 3 Township 77 Range 26 NW) from Single Family Residential and High Density Residential to Medium Density Residential, Neighborhood Commercial and Agricultural/Open Space; and
- Designate Agricultural/Open Space (OS) zoning on 192 acres (Section 33 Township 78 Range 26 SW and Section 34 Township 78 Range 26 NE and NW) immediately south of the Raccoon River; and
- Designate Agricultural/Open Space (OS) zoning on approximately 112 acres (Section 32 Township 78 Range 26 NE, Section 28 Township 78 Range 26 NE and Section 33 Township 78 Range 26 NW) to the northwest of the 192 acres described above; and
- Establish The Preserve Planned Unit Development which includes:
 - Underlying zoning of Single Family Residential (R-1) zoning on approximately 290 acres

- (Section 3 Township 77 Range 26 NW, Section 33 Township 78 Range 26 SE and Section 34 Township 78 Range 26 SW) west of SW Grand Prairie Parkway; and
- o Underlying zoning of Residential Medium Density (RM-12) zoning on approximately 50 acres (Section 34 Township 78 Range 26 SW) situated east of SW Grand Prairie Parkway; and
- o Underlying zoning of Residential Medium Density (RM-12) zoning on approximately 19 acres (Section 3 Township 77 Range 26 NW) situated west of SW Grand Prairie Parkway; and
- o Underlying zoning of Neighborhood Commercial (NC) zoning on approximately 19 acres (Section 3 Township 77 Range 26 NW and NE) situated east of SW Grand Prairie Parkway; and
- o Underlying zoning of Agricultural/Open Space (OS) zoning on approximately 10 acres (Section 3 Township 77 Range 26 NE) situated east of SW Grand Prairie Parkway; and
- o Underlying zoning of Residential Medium Density (RM-12) zoning on approximately 57 acres (Section 3 Township 77 Range 26 NE) situated east of SW Grand Prairie Parkway.

History: The majority of the property was annexed into the City in 2010 as a part of the Raccoon River annexation. Annexation of an additional 79 acres of ground was approved by the City Development Board on August 14, 2019. The property has not been previously platted.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on October 15, 2018 as an informational item only. Councilmembers had no comments and expressed no disagreement with the proposal.

Staff Review and Comment: This request was distributed to various City departments and outside agencies for their review and comment. There are no outstanding issues. Staff would note the following:

- **Buffers along SW Grand Prairie Pkwy:** Residential development will abut SW Grand Prairie Pkwy. Given the long-range intended capacity of the road, buffers are warranted to minimize impact on the adjacent residential dwellings. To preserve a natural prairie look that the applicant desires for the Preserve development, the PUD includes language that requires a 60' wide buffer with the minimum number of overstory trees typically required by code but does not require the installation of evergreen trees or shrubs which are less characteristic of a prairie.
- **The Preserve Signage:** The applicant is proposing a series of signs to identify the development at the gateways to the development (north and south ends of SW Grand Prairie Pkwy), boundary markers within the buffers adjacent to SW Grand Prairie Pkwy and ground monument signs at key full intersections with SW Grand Prairie Pkwy. These gateway and boundary marker signs are allowed to be up to eight feet (8') in height with The Preserve logo no greater than three (3) square feet in size. The signs may be illuminated and will be located within the 60' buffer. The monument signs may be up to seven feet (7') in height with a maximum of twelve (12) square feet of copy and setback a minimum of fifteen feet (15') from the ultimate right-of-way line of SW Grand Prairie Pkwy.
- **Iowa National Heritage Foundation Conservation Easements:** The Iowa National Heritage Foundation is the grantee of conservation easements on ground that is proposed with this action to be designated as Open Space on the Comprehensive Plan land use map and Agricultural/Open Space on the City Zoning map. The Deed of Conservation Easement that governs the areas states, *"the Conservation Areas are to be preserved in their natural, scenic, forested, and/or open space condition and to prevent any use of the Conservation Areas that would significantly impair or interfere with their conservation values."* Designating the easement areas as Open Space, as proposed, will help to preserve the easement areas as intended by the conservation easement. The Iowa National Heritage Foundation has been contacted about this land use amendment and rezoning request and has given their approval of the proposed Open Space land use and zoning designation to be applied to their easement areas.

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 the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Noticing Information: On September 18, 2019, notice for the September 23, 2019, Plan and Zoning Commission and October 7, 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 September 19, 2019.

Staff Recommendation And Conditions Of Approval – Comprehensive Plan Amendment: 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 to recommend the City Council approve the Comprehensive Plan Land Use Map amendment as illustrated in Exhibit A attached to the resolution which results in approximately 90 acres of Single Family Residential (SF), approximately 73 acres of Medium Density Residential (MD), approximately 19 acres of Neighborhood Commercial (NC), and approximately 202 acres of Open Space (OS), subject to the applicant meeting all City Code requirements.

Staff Recommendation And Conditions Of Approval – Rezoning: 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 to recommend the City Council approve the rezoning request to designate Agricultural/Open Space (OS) zoning on 304 acres located north and south of the Raccoon River and establish The Preserve Planned Unit Development with underlying zoning of Single Family Residential (R-1), Residential Medium Density (RM-12), Neighborhood Commercial (NC) and Agricultural/Open Space (OS), subject to the applicant meeting all City Code requirements.

Property Owner/Applicant: Raccoon River Land Company, LLC
C/o Knapp Properties
5000 Westown Parkway, Suite 400
West Des Moines, IA 50266
Attn: Aimee Staudt
aimee.staudt@knappproperties.com

Applicant's Representatives: Civil Engineering Consultants
2400 86th Street #12
Des Moines, IA 50322
Attn: Paul Clausen
clausen@ceclac.com

ATTACHMENTS:

Attachment A	-	Plan and Zoning Commission Resolution – Comprehensive Plan Amendment
Exhibit A	-	Comprehensive Plan Land Use Map Amendment
Attachment B	-	Plan and Zoning Commission Resolution – Rezoning
Exhibit A	-	Conditions of Approval
Exhibit B	-	Agricultural/Open Space Zoning Map
Exhibit C	-	Preserve PUD Boundary Map
Attachment C	-	The Preserve PUD Ordinance
Exhibit A	-	PUD Sketch Map

RESOLUTION NO. PZC-065

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 SINGLE-FAMILY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, NEIGHBORHOOD COMMERCIAL AND AGRICULTURAL/OPEN SPACE LAND USE

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Raccoon River Land Company, LLC, and Development Services staff have requested an amendment to the Comprehensive Plan Land Use Map (CPA-004077-2018) to change the land use designation on ground as depicted on the attached Exhibit A as follows:

- Approximately 16 acres from Neighborhood Commercial (NC) to Medium Density Residential (MD); and,
- Approximately 192 acres from Medium Density Residential (MD) and Single Family Residential (SF) to Open Space (OS); and,
- Approximately 90 acres from Medium Density Residential and High Density Residential to Single Family Residential; and,
- Approximately 79 acres from Single Family Residential and High Density Residential to Medium Density Residential, Neighborhood Commercial and Agricultural/Open Space: 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 September 23, 2019, this Commission held a duly-noticed hearing to consider the application for Comprehensive Plan Amendment (CPA-004077-2018); and

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 to allow Single-Family Residential, Medium Density Residential, Neighborhood Commercial and Agricultural/Open Space land use is recommended to the City Council for approval.

PASSED AND ADOPTED on September 23, 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 September 23, 2019, by the following vote:

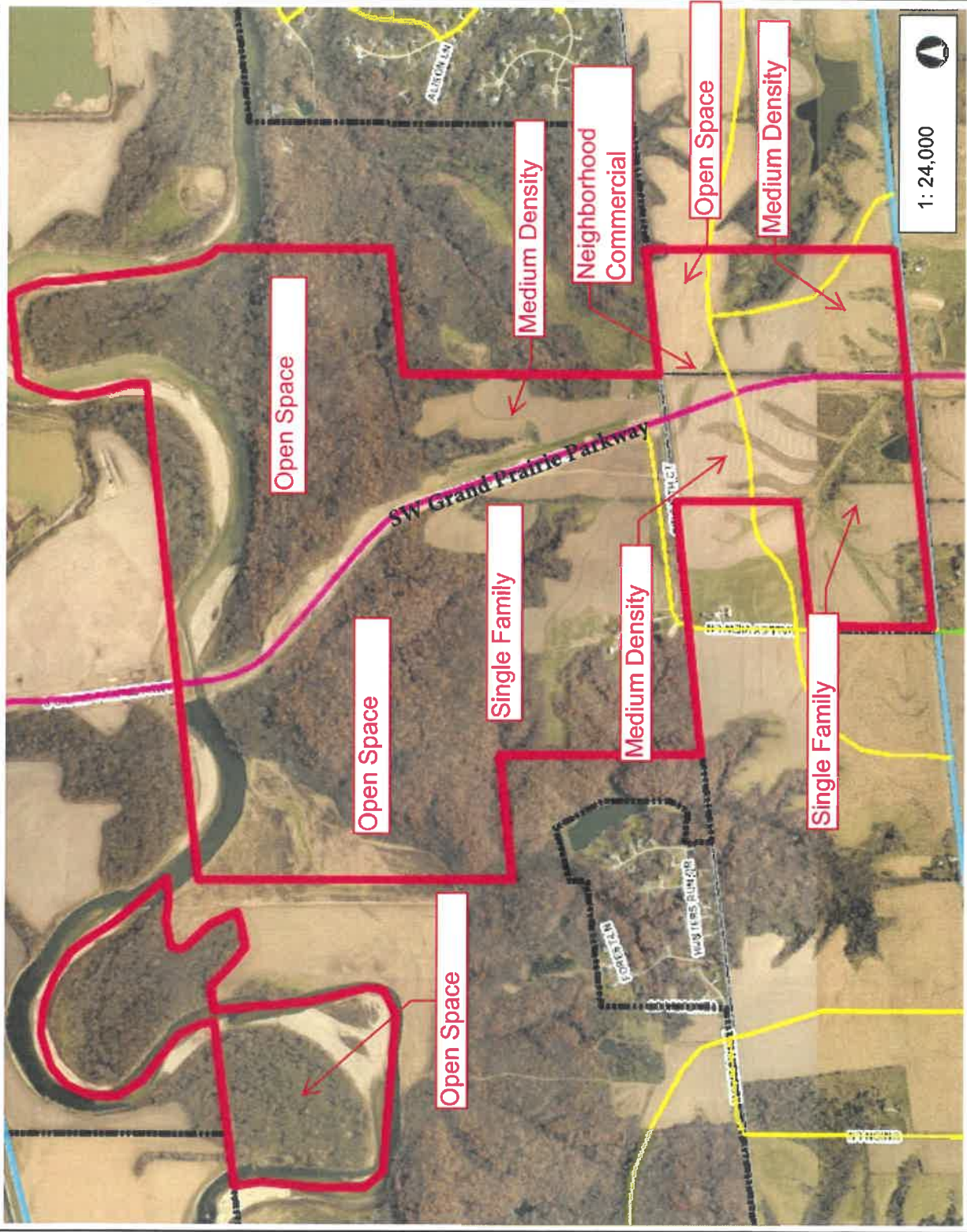
AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

Recording Secretary



The Preserve



1 : 24,000

4,000.0 0 2,000.00 4,000.0 Feet

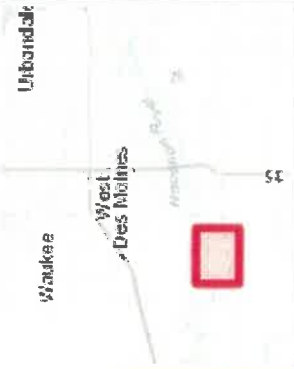
Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City of West Des Moines, Iowa

Legend

- Ultimate Streets Draft**
- Freeway / Expressway
 - Major Arterial
 - Minor Arterial
 - Major Collector
 - Minor Collector
- Corporate Limits**



RESOLUTION NO. PZC--066

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 TO DESIGNATE AGRICULTURAL/OPEN SPACE (OS) ZONING AND ESTABLISH THE PRESERVE PLANNED UNIT DEVELOPMENT ON GROUND LOCATED NORTH AND SOUTH OF THE RACCOON RIVER AND ON BOTH THE EAST AND WEST SIDES OF SW GRAND PRAIRIE PARKWAY

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Raccoon River Land Company, LLC, has requested approval of a Rezoning Request for property located north and south of Raccoon River adjacent to the future extension of SW Grand Prairie Parkway to amend the Zoning Map and designate Agricultural/Open Space (OS) zoning as depicted on attached Exhibit B on 304 acres south and north of the Raccoon River and establish the Preserve Planned Unit Development with underlying zoning of Single Family Residential (R-1), Residential Medium Density (RM-12), Neighborhood Commercial (NC) and Agricultural/Open Space (OS); 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 September 23, 2019, this Commission held a duly-noticed hearing to consider the application for the Rezoning Request (ZC-004078-2018); and

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 September 23, 2019, or as amended orally at the Plan and Zoning Commission hearing of September 23, 2019, are adopted.

SECTION 2. REZONING REQUEST (ZC-004078-2018) to designate Agricultural/Open Space (OS) zoning and establish the Preserve Planned Unit Development (PUD) is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated September 23, 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 September 23, 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 September 23, 2019, by the following vote:

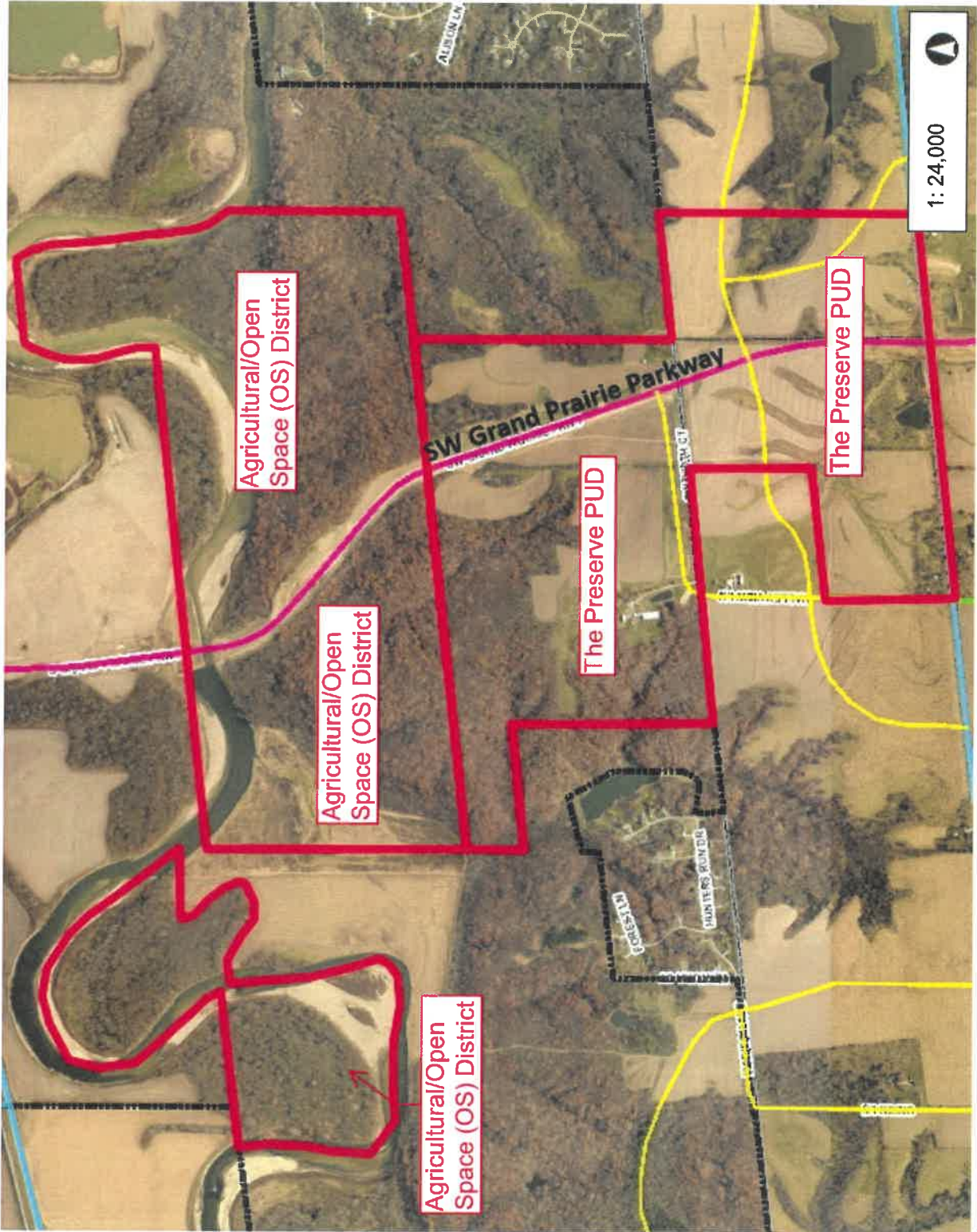
AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST: _____
Recording Secretary

Exhibit A: Conditions of Approval

No Conditions of Approval

The Preserve - Rezoning Map

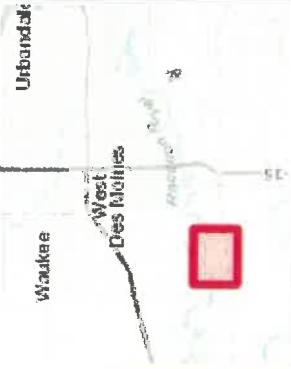


Legend

Ultimate Streets Draft

- Freeway / Expressway
- Major Arterial
- Minor Arterial
- Major Collector
- Minor Collector

Corporate Limits



1: 24,000



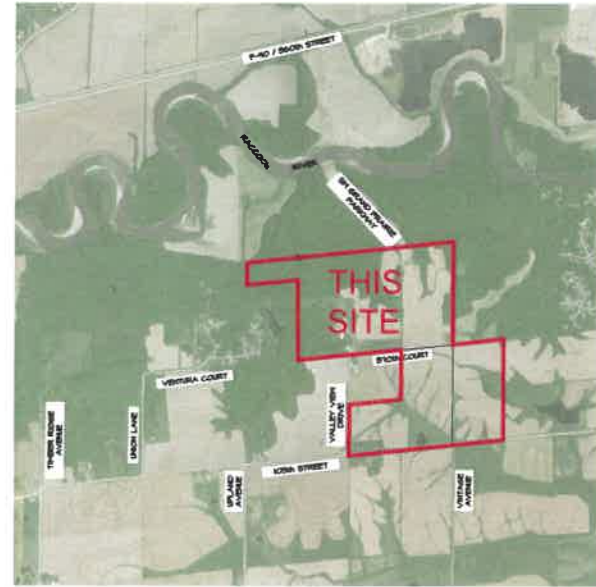
Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

THE PRESERVE

P.U.D. REZONING SKETCH

WEST DES MOINES, IOWA, DALLAS & MADISON COUNTY



VICINITY SKETCH
NO SCALE

PROPERTY OWNER / APPLICANT:
RACCOON RIVER LAND CO, LLC
c/o KNAPP PROPERTIES
5000 WESTOWN PKWY SUITE 400
WEST DES MOINES, IA 50266-5121
CONTACT: ALMEE STAUDT
PH: 515-222-5225
EMAIL: almee.staudt@knappproperties.com

PROJECT MANAGER:
JERRY F. OLIVER, PE
CIVIL ENGINEERING CONSULTANTS
2400 86TH STREET, #12
DES MOINES, IOWA 50322
515-276-4884 EXT. #212
OLIVER@CECLAC.COM

PAUL CLAUSEN, PE
CIVIL ENGINEERING CONSULTANTS
2400 86TH STREET, #12
DES MOINES, IOWA 50322
515-276-4884 EXT. #212
CLAUSEN@CECLAC.COM

TOTAL LAND AREA:
447.8 ACRES

EXISTING ZONING:
UNZONED

PROPOSED ZONING:
SINGLE FAMILY RESIDENTIAL (R-1)
RESIDENTIAL MEDIUM DENSITY (RM-12)
NEIGHBORHOOD COMMERCIAL (NC)

EXISTING COMPREHENSIVE PLAN DESIGNATIONS:
SINGLE FAMILY RESIDENTIAL
MEDIUM DENSITY RESIDENTIAL
HIGH DENSITY RESIDENTIAL
NEIGHBORHOOD COMMERCIAL

PROPOSED COMPREHENSIVE PLAN DESIGNATIONS:
SINGLE FAMILY RESIDENTIAL
MEDIUM DENSITY RESIDENTIAL
NEIGHBORHOOD COMMERCIAL

PROPOSED LAND USE DENSITIES:
SINGLE FAMILY RESIDENTIAL R-1, 5.8 DU/AC. MAX.
MEDIUM DENSITY RESIDENTIAL RM-12, 12 DU/AC. MAX.

LEGAL DESCRIPTION - PROPERTY TO BE REZONED

THE SOUTHWEST 1/4 SECTION 34, AND EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 33, AND THE NORTH 1/2 ACRES OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, ALL IN TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, CONTAINING 253.8 ACRES MORE OR LESS.

AND

THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 3 AND THE NORTHEAST FRACTIONAL 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, AND THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 3, ALL IN TOWNSHIP 71 NORTH, RANGE 26 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA, CONTAINING 194.0 ACRES MORE OR LESS.

TOTAL ACRES TO BE REZONED = 447.8 ACRES

LEGAL DESCRIPTION - PARCEL 'A'
UNZONED TO R-1 (SINGLE FAMILY RESIDENTIAL)

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, THENCE S64°07'51"W, 1933.86 FEET ALONG THE SOUTH LINE OF SAID SECTION 33 TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE N00°18'16"W, 1316.10 FEET ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE N00°16'14"E, 1504.11 FEET ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 33 TO THE SOUTHWEST CORNER OF THE NORTH 1/2 ACRES OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE S84°21'07"W, 1241.84 FEET ALONG THE SOUTH LINE OF SAID NORTH 1/2 ACRES TO THE SOUTHWEST CORNER OF SAID NORTH 1/2 ACRES; THENCE N00°44'53"E, 567.48 FEET ALONG THE WEST LINE OF SAID NORTH 1/2 ACRES TO THE NORTHWEST CORNER OF SAID NORTH 1/2 ACRES; THENCE N83°54'01"E, 1288.08 FEET ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 33 TO THE NORTHEAST CORNER OF SAID NORTH 1/2 ACRES; THENCE N84°18'27"E, 1511.81 FEET ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 33 TO THE EAST 1/4 CORNER OF SAID SECTION 33; THENCE N83°53'18"E, 1305.14 FEET ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., TO A POINT; THENCE SOUTHERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1100.00 FEET AND A CHORD BEARING OF S14°04'08"E, AN ARC LENGTH OF 2.82 FEET TO A POINT OF TANGENCY; THENCE S14°04'08"E, 2671.80 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 34; THENCE S84°08'24"W, 864.38 FEET ALONG THE SOUTH LINE OF SAID SECTION 34 TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE S84°08'24"W, 1514.01 FEET ALONG THE SOUTH LINE OF SAID SECTION 34 TO THE POINT OF BEGINNING AND CONTAINING 194.9 ACRES MORE OR LESS.

LEGAL DESCRIPTION - PARCEL 'B'
UNZONED TO R-1 (SINGLE FAMILY RESIDENTIAL)

BEGINNING AT THE CENTER OF SECTION 3, TOWNSHIP 71 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, MADISON COUNTY, IOWA, THENCE S84°08'14"W, 1817.82 FEET ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 3 TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 3; THENCE S84°04'11"W, 1871.74 FEET ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 3 TO THE WEST 1/4 CORNER OF SAID SECTION 3; THENCE N00°21'09"E, 1310.90 FEET ALONG THE WEST LINE OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 3; THENCE N84°06'04"E, 1316.02 FEET ALONG THE NORTH LINE OF SAID SOUTH 1/2 TO THE SOUTHWEST CORNER OF THE NORTHEAST FRACTIONAL 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 3; THENCE N00°16'43"E, 447.78 FEET ALONG THE WEST LINE OF THE NORTHEAST FRACTIONAL 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 3 TO A POINT; THENCE S84°18'31"E, 233.68 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2000.00 FEET AND A CHORD BEARING OF N0°36'01"E, AN ARC LENGTH OF 675.67 FEET TO A POINT OF TANGENCY; THENCE N10°55'20"E, 212.04 FEET TO A POINT; THENCE S10°44'40"E, 514.47 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1525.00 FEET AND A CHORD BEARING OF S04°26'14"E, AN ARC LENGTH OF 519.14 FEET TO A POINT OF TANGENCY; THENCE S00°12'12"W, 943.33 FEET ALONG THE EAST LINE OF SAID SOUTH 1/2 TO THE POINT OF BEGINNING AND CONTAINING 40.8 ACRES MORE OR LESS.

LEGAL DESCRIPTION - PARCEL 'C'
UNZONED TO RM-12 (MEDIUM DENSITY RESIDENTIAL)

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 71 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, MADISON COUNTY, IOWA, THENCE N84°08'24"E, 864.38 FEET ALONG THE NORTH LINE OF SAID SECTION 3 TO A POINT; THENCE S14°04'08"E, 2671.80 FEET TO A POINT; THENCE S10°55'20"E, 212.04 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2000.00 FEET AND A CHORD BEARING OF S0°36'01"E, AN ARC LENGTH OF 675.67 FEET TO A POINT OF TANGENCY; THENCE N84°18'31"E, 233.68 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3; THENCE N00°16'43"E, 823.03 FEET ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 3 TO THE POINT OF BEGINNING AND CONTAINING 19.2 ACRES MORE OR LESS.

LEGAL DESCRIPTION - PARCEL 'D'
UNZONED TO RM-12 (MEDIUM DENSITY RESIDENTIAL)

BEGINNING AT THE CENTER OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, THENCE S00°27'57"W, 1915.55 FEET ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34 TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE S00°11'19"W, 664.64 FEET ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34 TO A POINT; THENCE S10°55'20"E, 554.64 FEET TO A POINT; THENCE N14°04'40"W, 2450.32 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1100.00 FEET AND A CHORD BEARING OF N14°04'40"W, AN ARC LENGTH OF 2.82 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE N83°53'18"E, 2111 FEET ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 34 TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE N83°53'18"E, 1305.14 FEET ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34 TO THE POINT OF BEGINNING AND CONTAINING 50.1 ACRES MORE OR LESS.

LEGAL DESCRIPTION - PARCEL 'E'
UNZONED TO NC (NEIGHBORHOOD COMMERCIAL)

BEGINNING AT THE SOUTH 1/4 CORNER OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS & MADISON COUNTY, IOWA, THENCE N83°54'47"E, 674.06 FEET ALONG THE SOUTH LINE OF SAID SECTION 34 TO A POINT; THENCE S00°00'22"E, 644.34 TO A POINT; THENCE S84°18'31"W, 1507.14 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1500.00 FEET AND A CHORD BEARING OF S0°27'24"W, AN ARC LENGTH OF 449.30 FEET TO A POINT OF TANGENCY; THENCE S10°55'20"E, 235.87 FEET TO A POINT; THENCE N14°04'40"W, 1005.46 FEET TO A POINT; THENCE N10°55'20"E, 554.64 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE S00°11'19"W, 352.01 FEET ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34 TO THE POINT OF BEGINNING AND CONTAINING 19.2 ACRES MORE OR LESS.

LEGAL DESCRIPTION - PARCEL 'F'
UNZONED TO RM-12 (MEDIUM DENSITY RESIDENTIAL)

BEGINNING AT THE CENTER OF SECTION 3, TOWNSHIP 71 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, MADISON COUNTY, IOWA, THENCE N00°12'12"E, 943.33 FEET ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 3 TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1525.00 FEET AND A CHORD BEARING OF N04°26'14"W, AN ARC LENGTH OF 519.14 FEET TO A POINT OF TANGENCY; THENCE N14°04'40"W, 514.47 FEET TO A POINT; THENCE N10°55'20"E, 235.87 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1500.00 FEET AND A CHORD BEARING OF N80°27'24"E, AN ARC LENGTH OF 449.30 FEET TO A POINT OF TANGENCY; THENCE S84°18'31"E, 118.26 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 3; THENCE S00°00'22"E, 1816.50 FEET ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 3 TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 3; THENCE S83°41'27"W, 1914.56 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 3 TO THE POINT OF BEGINNING AND CONTAINING 57.5 ACRES MORE OR LESS.

LEGAL DESCRIPTION - PARCEL 'G'
UNZONED TO OS (OPEN SPACE AND AGRICULTURAL/OPEN SPACE)

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 71 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, MADISON COUNTY, IOWA, THENCE S00°00'22"E, 163.96 FEET ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3 TO A POINT; THENCE S84°18'31"W, 621.52 FEET TO A POINT; THENCE N00°00'22"W, 644.34 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 3; THENCE N83°54'47"E, 631.31 FEET ALONG THE NORTH LINE OF SAID SECTION 3 TO THE POINT OF BEGINNING AND CONTAINING 10.5 ACRES MORE OR LESS.

Civil Engineering Consultants, Inc.
2400 86th Street, Unit 12, Des Moines, Iowa 50322
515.276.4884 . Fax: 515.276.7084 . mail@cecclac.com



DATE	REVISIONS	COMMENTS
AUGUST 23, 2018	1	10-22-2018
	2	11-01-2018
	3	12-27-2018
	4	04-25-2019
	5	05-22-2019
	6	05-30-2019

DATE OF SURVEY, DEC. 26, 2018
DESIGNED BY: JPO & PC
DRAWN BY: NEH

THE PRESERVE
WEST DES MOINES, IOWA, DALLAS & MADISON COUNTY

P.U.D. REZONING SKETCH



6:01:15:00 PM 10/27/2018, All drawings are the property of Civil Engineering Consultants, Inc. and are not to be used for any other project without the written consent of Civil Engineering Consultants, Inc.

THE PRESERVE
P.U.D. REZONING SKETCH
WEST DES MOINES, IOWA,
DALLAS & MADISON COUNTY

CURVE DATA

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CH. BEARING
C1	0°08'44"	1100.00'	2.82'	1.41'	2.82'	S10°09'05"W
C2	1°12'29"	2000.00'	875.61'	541.08'	672.46'	S60°36'01"W
C3	1°16'52"	1525.00'	515.11'	294.09'	510.78'	S04°26'14"E
C4	1°04'18"	1500.00'	444.30'	251.48'	447.00'	S60°21'24"W

LEGEND

- P PRIMARY ENTRANCE
- S SECONDARY ENTRANCE
- G GATEWAY
- M ZONE FOR MARKER



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COMMENTS

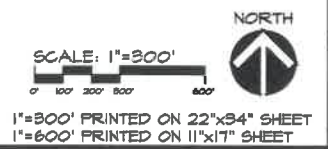
DATE	REVISIONS	COMMENTS
10-22-2016	1	08-23-2016
11-01-2016	2	
12-27-2016	3	
04-25-2019	4	
08-22-2019	5	JPO & PC
08-30-2019	6	MHI

DATE: AUGUST 23, 2016

DESIGNED BY: JPO & PC

DRAWN BY: MHI

THE PRESERVE
WEST DES MOINES, IOWA, DALLAS & MADISON COUNTY
P.U.D. REZONING SKETCH



Prepared by: B. Portz, 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.

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 "Unzoned" to **The Preserve** Planned Unit Development (PUD):

Legal Description

THE SOUTHWEST 1/4 SECTION 34, AND EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 33, AND THE NORTH 18 ACRES OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, ALL IN TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5th P.M., DALLAS COUNTY, IOWA, CONTAINING 253.8 ACRES MORE OR LESS.

AND

THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 3 AND THE NORTHEAST FRACTIONAL 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, AND THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 3, ALL IN TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5th P.M., MADISON COUNTY, IOWA, CONTAINING 194.0 ACRES MORE OR LESS.

TOTAL ACREAGE = 447.8 ACRES

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 Preserve 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. 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. Outlots intended for private development must be re-platted through the preliminary and final plat process in accordance with the associated zoning classifications prior to physical development

unless its purpose is to provide for public utilities or publicly owned or accessible park ground, greenways, or other recreational amenities. Outlots within a plat shall have the proposed use clearly designated on the plat document.

- B. **Development Applications (Site Plans):** Site plans shall be submitted to the City of West Des Moines for review and approval prior to the development of the Residential Medium Density (RM), Neighborhood Commercial (NC) and for parks, fire station and water utility structures within Agricultural/Open Space (OS) zoned properties within the PUD area. Site Plans for all phases of development within The Preserve PUD must meet the intent of the approved PUD sketch. At the discretion of the Director of Development Services, an amendment to The Preserve 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. 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 Base Flood (100 Year), or adjoining drainage ways, and detention ponding areas involving potential flood hazards, all buildings proposed to be located in a flood hazard area must be elevated and designed in accordance with the American Society of Civil Engineers publication ASCE 24 and 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 Base Flood. In areas where historical high water levels are above the Flood Insurance Rate Map (FIRM) Base Flood Elevation or special conditions exist, the City may require a Design Flood Elevation be calculated and used as the Base Flood Elevation for determination of elevation requirements. 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. 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 The Preserve 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. 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. 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.
4. 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.
5. 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 5. 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:

- A. Parcels A and B: All general use and bulk regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for the Single Family Residential (R-1) district shall apply to any development proposal for these parcels, unless noted otherwise in this ordinance.
 1. Buffers: A minimum sixty-foot (60') buffer park shall be required along SW Grand Prairie Parkway. Plans detailing the landscape vegetation and earthen berming within the buffer park shall be provided in accordance with the West Des Moines buffer ordinance at the time of preliminary platting. The equivalent of one overstory tree shall be required per thirty five (35) linear feet of the sixty foot (60') buffer. Evergreen trees or shrubs shall not be required within the buffer. Installation of the buffer amenities shall occur prior to issuance of a building permit for any dwelling on the last 25% of lots within the platted area or when the first building permit for a lot immediately adjacent to the buffer is issued, with completion of installation of amenities within the entire buffer associated with the plat occurring prior to issuance of any occupancy permit for a dwelling that is part of the last 25% or adjacent to the buffer. If the time of the year prevents installation of the vegetation, to receive an occupancy permit for a dwelling, surety shall be provided to the City at 1.5 times the cost of the vegetation and labor to install. In this instance, installation shall occur in the first planting season after the issuance of the occupancy permit and prior to June 15th. The City reserves the right to refuse issuance of additional building permits until the buffer amenities are installed to the City's satisfaction.
 2. Architecture: It is desired that building architecture through Parcels A and B should be varied and provide strong visual interest through the use of design, materials, and detailing. Side and rear building facades shall 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 shall incorporate a third material of brick or stone in a percentage that provides a strong visual presence. Masonry materials shall start and stop at an interior corner created by a change in wall plane or wrap corners a minimum of two (2) feet to give authenticity to the material. Materials, trim and details 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 visible from a street (public or private) or adjacent properties surrounding the development.
- B. Parcels C, D, and F: All general use and bulk regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for the Residential Medium Density (RM-12) district shall apply to any development proposal for these parcels, unless noted otherwise in this ordinance.
 1. Parcel F, as shown on the sketch plan, shall include approximately 5 acres to be reserved for development of a fire station. The property will be required to be platted at the time that any portion of the adjacent parcels are platted. The fire station land shall be conveyed to the City by warranty deed free and clear of any and all liens and encumbrances including, but not limited to, all judgments, attachments, mortgage liens, mechanics liens, and other liens.
 2. Buffers: A minimum sixty-foot (60') buffer park shall be required along both sides of SW Grand Prairie Parkway. Plans detailing the landscape vegetation and earthen berming within the buffer

park shall be provided in accordance with the West Des Moines buffer ordinance at the time of site planning for adjacent medium-density parcels. The equivalent of one overstory tree shall be required per thirty five (35) linear feet of the sixty foot (60') buffer. Evergreen trees or shrubs shall not be required within the buffer. Installation of the buffer amenities shall occur prior to issuance of a building permit for any dwelling on the last 25% of lots within the area subject to the site plan or when the first building permit for a dwelling immediately adjacent to the buffer is issued, with completion of installation of amenities within the entire buffer associated with the plat or site plan occurring prior to issuance of any occupancy permit for a dwelling that is part of the last 25% or adjacent to the buffer. If the time of the year prevents installation of the vegetation, to receive an occupancy permit for a dwelling, surety shall be provided to the City at 1.5 times the cost of the vegetation and labor to install. In this instance, installation shall occur in the first planting season after the issuance of the occupancy permit and prior to June 15th. The City reserves the right to refuse issuance of additional building permits until the buffer amenities are installed to the City's satisfaction.

3. **Architecture:** The intent is to encourage a sense of place by allowing the imaginative and efficient utilization of land that engages residents with the street and neighborhood. Building design should reinforce a sense of community by establishing a unique identity within a cohesive design theme. This can be accomplished by careful attention to building massing and human scale, choice of exterior building materials, details and site orientation. Porches are encouraged to be made a part of the front façade of dwellings to provide a useable outdoor room and promote community connectedness.

The following shall apply to the different types of medium density dwellings proposed within The Preserve PUD:

- a. Building design for residential uses should use materials such as brick, stone, stucco, lap siding or shakes, decorative trim or similar combination of material which represents a variation of architectural styles or elements. Materials choices should be durable, substantial and of a quality that will maintain their appearance over a prolonged time. 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 trim.
- b. Long blank walls are prohibited. The building and unit plans shall be designed and organized to provide variety and interest on all sides of the building. If function dictates the need for a segment of blank wall, its appearance shall be mitigated with one or more of the following strategies:
 - i. Incorporating minor changes in building footprint and roof forms along with utilizing a variety of materials for visual interest and to break-up blank wall expanses.
 - ii. Including door or window openings or changes in materials that mimic openings in a number and size that is in proportion to the other building facades. Accent windows can be located high enough that they don't interfere with furniture placement or trigger security concerns, but add interest to the façade and provide natural light to the interior of the space.
 - iii. Building elements such as porches, arcades, awnings and accent lighting.
- c. Attached garages facing any street shall be designed to minimize their appearance. When the building contains more than 4 garage bays per facade, the garage doors shall be enhanced by the addition of engaged columns, secondary roof forms or decorative garage doors to mitigate the dominant appearance of the doors.
- d. Detached garages or accessory structures should be clad in the same materials and incorporate similar architectural details of the primary buildings with the use of roof forms, windows, doors and other facade detailing. Portions of accessory buildings visible from any street or adjacent property shall incorporate same level of detail as the primary buildings. Detached garages shall contain no more than eight (8) garage doors per façade.

- e. Attached Multi-Family Building (Up To 4 Units): It is desired that building architecture through Parcels C, D and F should be varied and provide strong visual interest through the use of design, materials, and detailing. Side and rear building facades shall 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 shall incorporate a third material of brick or stone in a percentage that provides a strong visual presence. Masonry materials shall start and stop at an interior corner created by a change in wall plane or wrap corners a minimum of two (2) feet to give authenticity to the material. Materials, trim and details 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 visible from a street (public or private) or adjacent properties surrounding the development.
 - f. Attached Multi-Family Building (Greater than 4 Units): All facades of the building shall be treated with the same level of architectural style and detail (360 degree architecture). Variations in building form and design such as facade modulation and articulation (stepping back or extending forward a portion of the building) and changing the roof height and form by alternating dormers, stepped roofs, gables, or other roof elements - organized with the changes in plan shall be incorporated to lessen the plainness of appearance, mitigate the building mass and repetitive characteristic of large residential buildings. All building elevations shall incorporate a minimum of three material types. One primary material, one accent material, comprised of a different material type, color, or texture from the primary material and a third material comprised of brick or stone. Masonry materials shall be located principally on the base (lowest) story of the building and as the majority cladding of that story, and shall start and stop at an interior corner created by a change in wall plane or wrap corners a minimum of two (2) feet to give authenticity to the material. Variation in materials, material modules, and material heights along with expressed joints, textures, colors and details should be used to break up the mass of the buildings. The use of trim and detailing such as window and door trim, band boards, louvers, etc. shall be carried around all sides of the building and shall be appropriately sized to be noticeable and provide visual interest and detailing. Entrances into buildings should face the street and be easily identified through the use of building design and detailing. Door or window openings shall be incorporated on all sides of the building.
 - g. Outdoor Living Area: For horizontally attached multi-family buildings, all dwelling units within the building shall provide a defined outdoor living space (porch, deck or patio) with a minimum usable area of 100 square feet. For multi-family buildings with vertically attached units, all dwelling units within the building shall provide a defined outdoor living space (deck or patio) with a minimum usable area of 40 square feet and a minimum usable dimension of five (5) feet deep in either direction. Buildings greater than 4 units may provide area(s) of common defined outdoor living space (of an area equivalent or greater than the total required area of all units within the building) in lieu of outdoor living area for individual units. The common defined outdoor living space(s) must be adjacent or in close proximity to the building.
- C. Parcel E: All general use and bulk regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for the Neighborhood Commercial (NC) district shall apply to any development proposal for the parcel, unless noted otherwise in this ordinance.
- 1. Land Use: Uses permitted and permitted conditionally shall be allowed within Parcel E in accordance with the zoning ordinance for the Neighborhood Commercial (NC) district pursuant to title 9 of the City Code and with the approval of the appropriate review body.
 - 2. Parking: Parking for a planned commercial center constructed in parcel E shall be calculated according to subsection 9-15-7B, "Planned Commercial Center", of the city code or, if applicable, for single use commercial developments as required.
 - 3. Buffers: A minimum sixty-foot (60') buffer park shall be required along SW Grand Prairie Parkway. Plans detailing the landscape vegetation and earthen berming within the buffer park shall be

provided in accordance with the West Des Moines buffer ordinance at the time of site planning. The equivalent of one overstory tree shall be required per thirty five (35) linear feet of the sixty foot (60') buffer. Evergreen trees or shrubs shall not be required within the buffer. Installation of the buffer amenities shall occur prior to issuance of an occupancy permit, either temporary or final for any building/tenant space within the site planned area. If the time of the year prevents installation of the vegetation, to receive an occupancy permit for a building/tenant space, surety shall be provided to the City at 1.5 times the cost of the vegetation and labor to install. In this instance, installation shall occur in the first planting season after the issuance of the occupancy permit and prior to June 15th. The City reserves the right to refuse issuance of additional building permits until the buffer amenities are installed to the City's satisfaction.

The buffering of any negative element, such as parking and drop off drives, trash enclosure, heating, ventilation, and air conditioning equipment shall be screened from the public view and from adjacent residential properties using earthen berming and landscaping. Utility meters shall be screened from view through architectural means.

4. Architecture: The intent is to create building facades throughout this development that are varied and articulated to provide visual interest and to establish a unique identity for the development. Although it is understood and preferred that not all buildings within this development are identical, each building will include design elements such as similar building proportion and roof forms as well as common materials, colors and detailing to provide continuity amongst buildings and 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. The architectural design of any building within this development shall be acceptable to the City.

All buildings within this development shall accommodate or incorporate the following in building design and materials:

- a. Form and Scale: Buildings shall be designed to relate specifically to the pedestrian in scale and respond to the residential context of its surroundings. The following techniques shall be used to meet this objective.
 - i. Buildings shall be organized to create a logical balance and relationship within the site, open spaces and circulation. The design of buildings shall meet context and site objectives such as providing gateways, creating linkages and framing or terminating views.
 - ii. Variation in building height, mass and roof forms shall be provided while still maintaining an overall building continuity. Shifts in building planes/facades and variation in exterior materials shall be incorporated to minimize long expanses of wall.
 - iii. Entrances into buildings shall 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.
 - iv. Ground floor areas shall provide the maximum possible glazing toward pedestrian areas to provide visual interest and to promote the linkage of the interior and exterior of buildings.
 - v. Fenestration (door and window openings) and trim and structural elements (such as posts or columns) shall be sized to the scale of the building and be compatible with the chosen architectural style.
 - vi. A building's roof form and related details/materials are an integral part of the architectural design aesthetic. Roofs shall not be designed as attention-getting devices related to the reinforcement of signage or as an identifiable corporate image.
 - vii. Views of roof and building mounted mechanical equipment shall mitigate by screening incorporated into the design of the building through location and the use of parapets, screening walls, or other acceptable solutions as identified during the review of the site plan.

- b. Material Quality and Detail:
 - i. Natural materials such as brick and stone shall be used as the major cladding elements of the facade. Architectural precast concrete, composite or metal panel acceptable to the City may be incorporated in the design up to 40% of the cladding area.
 - 1. 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.
 - 2. All composite or metal panel systems must have finished edges and concealed fasteners. Trim or channels must be the same color as the panels.
 - 3. The use of EIFS or synthetic stucco shall be used in moderation and primarily used as a minor cladding or trim material. Use of EIFS is limited to areas of the building seven feet (8') above grade and higher.
 - 4. The use of non-architectural metal and vinyl cladding materials is prohibited.
 - ii. Variation in materials, material modules, expressed joints, textures, colors and details shall be used to break up the mass of the buildings. Changes in materials shall 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.
- c. 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.

- B. Parcel G: All general use and bulk regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for the Agricultural/Open Space (OS) district shall apply to any development proposal for the property, unless noted otherwise in this ordinance.

Parcel G, as shown on the sketch plan, shall include approximately 5.3 acres to be reserved for development of a water tower and 5.2 acres reserved for development of a neighborhood park. The water tower and park shall be the only allowed uses within Parcel G. Each area shall be required to be platted at the time that any portion of the adjacent parcels are platted. The water tower/park land shall be conveyed to the City by warranty deed, free and clear of any and all liens and encumbrances including, but not limited to, all judgments, attachments, mortgage liens, mechanics liens, and other liens.

SECTION 5. SIGNAGE: The following signage regulations and design criteria shall apply to the development of all properties designated on the Sketch Plan:

A. Development Entrance Signs:

1. Primary Entrance Signs (labeled as 'P' on the PUD sketch map): Primary Entrance signs shall include the "Preserve" logo, shall not exceed seven feet (7') in height and the maximum size of the sign copy shall not exceed twelve (12) square feet. The signs shall be allowed at all corners of intersecting streets with SW Grand Prairie Parkway and shall be setback a minimum of fifteen feet (15') from the ultimate street right-of-way line. Primary Entrance signs shall be externally illuminated and/or halo lighted and may be located within the 60' buffer along SW Grand Prairie Parkway. At the time of platting, an easement shall be recorded for the sign(s) and acceptable documentation, as determined by the City, that outlines the responsibility and strategy for the long term maintenance of the sign and removal, or repair at such time that the sign is no longer desired or being maintained appropriately.
2. Secondary Entrance Signs (labeled as 'S' on the PUD sketch map): Secondary Entrance signs shall include the "Preserve" logo, shall not exceed six feet (6') in height and the maximum size of the sign copy area shall not exceed nine (9) square feet. The signs shall be allowed at all corners of intersecting streets with SW Grand Prairie Parkway and shall be setback a minimum of ten feet

(10') from the ultimate street right-of-way line. Secondary Entrance signs shall be externally illuminated and/or halo lighted and may be located within the 60' buffer along SW Grand Prairie Parkway. At the time of platting, an easement shall be recorded for the sign(s) and acceptable documentation, as determined by the City, that outlines the responsibility and strategy for the long term maintenance of the sign and removal, or repair at such time that the sign is no longer desired or being maintained appropriately.

3. Gateway Signs (labeled as 'G' on the PUD sketch map): Gateway signs shall include the "Preserve" logo, shall not exceed eight feet (8') in height and the maximum sign copy shall not exceed three (3) square feet. A sign shall be allowed on each side of SW Grand Prairie Parkway at both the north and south ends of the development and shall be setback a minimum of ten feet (10') from the ultimate street right-of-way line. Gateway signs shall be externally illuminated and/or halo lighted and may be located within the 60' buffer along SW Grand Prairie Parkway. At the time of platting, an easement shall be recorded for the sign(s) and acceptable documentation, as determined by the City, that outlines the responsibility and strategy for the long term maintenance of the sign and removal, or repair at such time that the sign is no longer desired or being maintained appropriately.
 4. Boundary Markers: Labeled as 'M' on the PUD sketch map, boundary Markers shall include the "Preserve" logo, shall not exceed eight feet (8') in height and the maximum size of the sign (from ground to top of sign) shall not exceed fourteen (14) square feet. Boundary markers shall be setback a minimum of ten feet (10') from the ultimate street right-of-way line. Boundary Markers shall be internally illuminated and/or halo lighted and may be located within the 60' buffer along SW Grand Prairie Parkway. At the time of platting, an easement shall be recorded for the sign(s) and acceptable documentation, as determined by the City, that outlines the responsibility and strategy for the long term maintenance of the sign and removal, or repair at such time that the sign is no longer desired or being maintained appropriately.
- B. Non-Development Monument Signs: Monument signs for individual properties within the development that are not part of the Preserve development sign package (i.e. multifamily residential and non-residential properties within The Preserve PUD) shall comply with current City sign code, however, the signs are required to incorporate The Preserve logo, including the identified development colors and materials. A non-development monument sign may exceed the maximum height allowed by the City sign code by 1 foot (1') if The Preserve name or logo is added onto the top of the sign. Signs associated with medium density development shall not be in addition to Primary or Secondary Entrance signs: one or the other may be implemented at entrances off of SW Grand Prairie Parkway. Signs associated with medium density development which take primary access off of a roadway other than SW Grand Prairie Parkway shall be allowed signage in accordance with city code. It is strongly encouraged, but not required that tenant identification on multi-tenant commercial signs be of the same font style, size and color. Non-development monument signs shall be located no closer than one hundred feet (100') from Primary Entrance Signs or Secondary Entrance Signs.
- C. Wall Signs: Building wall signage for medium density and commercial properties shall comply with current City sign code.

SECTION 6. 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 Parks 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 preliminary plat for the PUD area. At the time of final platting of land directly adjacent to the proposed park and greenway locations, the parcels shall be deeded to the City.

SECTION 7. 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 such as buffer parks, storm water detention facilities, greenbelts, plazas and other common space, as outlined in the association documents and any other specific development improvements noted as their responsibility in this ordinance.

SECTION 8. STORM WATER MANAGEMENT: A Storm Water Management Plan will be required with each preliminary plat for ground within the PUD area. 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 final 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. The letter and as-built plans will be required prior to the issuance of a final occupancy permit for the first dwelling on property which is served by a particular detention facility. 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 9. REPEALER: All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

SECTION 10. 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 11. VIOLATIONS AND PENALTIES. Any person who violates the provisions 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 12. 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

