MINOR CHANGE FROM PREVIOUS READING

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: December 2, 2019

ITEM: Dowling Catholic, 1400 Buffalo Road – Establish a Planned Unit Development (PUD) to provide a framework for continued development and expansion of a school campus while fitting within the context of the established neighborhood – Dowling Catholic High School – ZC-004523-2019

ORDINANCE: Approval of Second Reading, Waive Third and Adopt in Final Form

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant and property owner, Dowling Catholic College, represented by Tim West of Snyder and Associates Inc, is requesting approval of the establishment of a Planned Unit Development (PUD) for that property located at 1400 Buffalo Road. The applicant is seeking the PUD to bring single-family lots along 17th Street recently purchased by the school and the main campus under one set of regulations. The PUD establishes a framework for continued development and expansion of the campus in a way that will provide a stellar educational environment for students while fitting within the context of the established neighborhood. There are no immediate development plans.

Previous City Council Action:
Vote: 5-0 for approval
Date: November 18, 2019
Motion: Approval of the First Reading of the Ordinance.

City Council Discussion: Several property owners along 17th Street and Buffalo Road expressed concerns with potential development of the school property, specifically noting concerns with impacts from activities, headlights shining into properties, traffic volumes and that the minimum three foot (3') buffer stated in the PUD is inadequate. Staff indicated that the PUD gives the City more regulatory options to address buffering, setbacks and site development than does regulations applicable to the currently designated zoning districts. It was noted that development projects within the site are typically not public hearing items in which notification of the neighbors is required. The Council directed staff to notify the neighbors of any site plan development application submitted, including Minor Modification applications. Staff has added language to this effect in the PUD. Additionally, staff has added a flag to each of the Dowling properties within the City's planning and permitting software noting this requirement.

OUTSTANDING ISSUES: There are no outstanding issues. As indicated above, language indicating the notification of neighbors within three hundred seventy feet (370') of the PUD boundary of any development application submittal was added to Section 4B.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the City Council approve the second reading, waive the third reading and adopt the Dowling Catholic PUD Ordinance in final form, subject to the applicant meeting all City Code requirements.

Lead Staff Member: J. Bradley Munford

STAFF REVIEWS:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	*Des Moines Register*	
Date(s) Published	November 1, 2019	
Letter sent to surrounding property owners		October 30, 2019

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	October 21, 2019		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

Attachment A - Proposed PUD Ordinance

Exhibit A - Proposed PUD Sketch Plan

Prepared by: J. B. Munford, 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 #

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, by rezoning the following legally described property from Residential Estates (RE) and Residential Single Family (RS) to Dowling Catholic High School Planned Unit Development (PUD) of West Des Moines, Iowa:

Legal Description

LOTS 4 AND 6, GOLF AND COUNTRY CLUB, LYING NORTH OF INTERSTATE 235 EXCEPT:
- NORTH 35 FEET
- EXECUTIVE PLAZA PLAT 1
- BEGINNING AT THE NORTHWEST CORNER OF LOT 2, EXECUTIVE PLAZA PLAT 1, THENCE NORTH 212.3 FEET, WEST 20 FEET, NORTH 212.3 FEET, EAST 20 FEET TO THE POB. CONTAINING 1,678,759 S.F. (38.54 AC.) MORE OR LESS

AND

LOT 11, ASHWORTH, LYING NORTH OF INTERSTATE 235, EXCEPT THE NORTH 50 FEET. CONTAINING 907,985 S.F. (20.85 AC.) MORE OR LESS

AND

LOTS 36, 37, 38, 39 AND 40, GOLF AND COUNTRY CLUB PLAT 7. CONTAINING 96,649 S.F. (2.22 AC.) MORE OR LESS.

SECTION 2. SKETCH PLAN: Attached hereto and made a part of this rezoning approval is the Sketch Plan Document for the Dowling Catholic High School PUD marked Exhibit "A". Only one developable parcel is included within this PUD. The Sketch Plan reflects the development concept for the property. Where the PUD sketch plan and PUD language conflict, the PUD language shall prevail.

SECTION 3. DEVELOPMENT INTENT: The goal of the Dowling Catholic High School PUD is to establish a framework for continued development and expansion of the campus in a way that will provide a stellar educational environment for students while fitting within the context of the established neighborhood.

SECTION 4. REQUIRED PLANS:

A. Preliminary Plat/Final Plat: Unless a Lot-Tie Agreement is executed which permanently ties all existing lots associated with the school campus together into one (1) parcel, prior to or in conjunction with development of any portion of the property covered by this PUD, said area shall be replatted in accordance with the City's Subdivision Ordinance to establish one parcel for development.

B. Site Plan Development Applications: The site plan for development of the property within the Dowling Catholic High School PUD must meet the intent of the PUD. With the exception of grading done under a City approved Grading Permit, prior to any improvements occurring within the property, a site plan detailing the modifications to the site shall be submitted to the City for review and approval by the appropriate approval bodies. The Development Services Director, in accordance with city code, shall make the determination in respect to what level of site plan shall be required for each improvement project. All property owners within 370' of property contained within this PUD shall be sent a courtesy notification by mail of any development application submitted, including Minor Modification applications.

SECTION 5. CONDITIONS: Whereas, Title 9, Chapter 9, Planned Unit Development District of the City Code, establishes certain regulations and guidelines pertaining to accompanying information required on plat and site plan documents. In addition, the following conditions, restrictions, and regulations are adopted as part of this approval:

A. General Conditions: In addition to the PUD Sketch Plan Map, the following general development criteria shall be integrated into and made a part of this planned unit development.

1. General Conformance to Subdivision Ordinance: All subdivisions, public and private streets and street rights-of-way and general development shall adhere to the standards and design criteria set forth in the West Des Moines Subdivision Ordinance and/or established City policies pertaining thereto, unless otherwise stated within this Ordinance.

2. General Conformance to Zoning Ordinance: Unless otherwise specified herein, the development of the Dowling Catholic High School PUD shall comply with the provisions of the Title 9, "Zoning", of the city code or any other applicable codes.

3. 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.

4. Developer Responsibilities: The Developer, their successors and/or assigns, if any, shall pay all planning, engineering, and construction costs for the development of the planned unit development, as required by this Ordinance and approved site plans and the cost of all streets, alleys, storm sewers, sanitary sewers, drainageway improvements, detention basins, water mains, buffers and other improvements as required for rights-of-way or public easements within the Dowling Catholic High School PUD, unless otherwise approved by the City Council.

5. Public Street Improvements and Right-Of-Way Dedication: At time of subdivision platting of ground within the PUD or in conjunction with site development, whichever occurs first, the subdivider/developer shall be responsible for construction and/or installation of all required public and private infrastructure improvements necessary to support development in a manner that will assure that the infrastructure functions at an acceptable level of service and in accordance with all city ordinances.

6. 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.

7. Fire Access:
   a. All access drives, internal drive aisles and parking lots shall permit the travel of the Fire Department's largest vehicle, including adequate accommodation of the vehicle's turning needs. Approval of unique design solutions to accommodate fire access may be granted by the City Council if the solutions proposed are acceptable to and recommended for approval by the West Des Moines Fire Department.
   b. At the discretion of the City's Fire Marshal, "No Parking Fire Lane" areas may be established as necessary to ensure efficient movement and access of the fire trucks. The developer shall be responsible for the procurement and erection of approved fire lane signage.
   c. A minimum of fourteen feet (14') of vertical clearance over the travel portion of all vehicle travel ways shall be maintained at all times.
   d. The property owner or its designee shall be responsible for enforcement of no parking lanes and maintaining adequate clearance of structures and vegetation along and above all vehicle travel ways, regardless if public or private.
   e. Adequate fire accesses as determined by the City's Fire Marshal shall be provided at all times to those areas under construction.

8. Loading areas, undesirable building elements (transformers, HVAC equipment, electrical equipment, gas meters, etc.) and trash enclosures shall be screened in accordance with city code. Roof mounted HVAC screening shall be incorporated into the design of the building using raised parapets, screening walls, penthouse elements, or other acceptable solutions as identified during the review of the site plan. Wall mounted mechanical equipment, including meter banks shall be visually screened through architectural components, wing walls, free standing fencing, or evergreen landscaping that is of sufficient height at time of installation to effectively screen views of the equipment. Code requires trash receptacles and dumpsters shall be screened on all sides using a permanent enclosure, with gates for disposal truck access. The enclosure shall be comprised of materials consistent with the primary building materials (brick or stone) of the main building(s). The enclosure shall also be landscaped to minimize the presence of the enclosure and help anchor the element into the site.

9. Street Lighting: The Developer shall be responsible for all costs associated with the installation of public streetlights within or adjacent to any area proposed to be platted or developed.

SECTION 6. <u>REQUIREMENTS:</u> Unless provided otherwise in this ordinance, all general performance standards and provisions set forth in title 9, "Zoning", of the city code for the Residential Estates (RE) Zoning District shall apply to any development within the Dowling Catholic High School Planned Unit Development. To the extent that the provisions of this section conflict with or are more restrictive than similar provisions provided elsewhere in the West Des Moines zoning ordinance, the provisions of this section shall control.

A. <u>Use</u>: The property is intended to be developed as an educational institution campus. Elementary and Secondary Schools (SIC 8211) and associated accessory uses and structures, such as, but not limited to administrative buildings, sports fields, parking lots and transportation related structures and fueling facilities shall be permitted (P) with the approval of the appropriate review and approval body.

   The current single-family use within lots adjacent to 17th Street acquired by the school shall be allowed to continue indefinitely if rental certificates and inspections in accordance with city code are maintained. The use of the dwelling structures for any use other than single-family shall be approved by the city and abide by all building and fire code requirements. Redevelopment of the property shall abide by provisions outlined herein.

B. Setbacks: Primary education buildings shall be setback a minimum of one-hundred feet (100') from all property boundaries. Structures for accessory uses shall be setback a minimum of fifty feet (50') from all boundaries except the north (Buffalo Road) which shall abide by primary building setbacks.

C. Buffering: A minimum thirty foot (30') wide buffer shall be provided on school property adjacent to 17th Street and Buffalo Road or the rear yard of a single-family lot along the east side of 17th Street. A minimum of one (1) overstory tree, two (2) understory or evergreen trees and six (6) shrubs shall be provided for every thirty-five (35) linear feet of buffer. Earthen berming shall not be required within the buffer. Said buffer shall be installed at such time that an improvement of some kind (such as construction of parking or building or implementation of athletic fields) is made to the area sharing a boundary with property adjacent to either 17th Street or Buffalo Road. Vision triangles at all intersecting vehicle and pedestrian pathways shall be maintained.

D. Off Street Parking & Loading Areas: Unless otherwise modified here within, all off-street parking and loading/service areas shall comply with title 9, chapter 15 of the city code.
   1. Off-street parking lots shall be setback a minimum of forty feet (40') from all boundaries unless part of a shared parking lot with an adjoining property.
   2. All off street parking and loading areas shall be sited and landscaped to screen visibility thereof from adjoining single-family dwellings on 17th Street and Buffalo Road not under the school's ownership.
   3. Through the use of earthen berming, landscape vegetation, solid fencing or a combination of these, parking areas shall be screened year-round to a minimum height of three feet (3') in order to prevent headlights from vehicles within parking areas from shining into adjacent residential properties. Access drives from off-street parking areas onto adjoining streets shall be located to prevent headlights from shining directly into a residential dwelling not under the school's ownership.

E. Lighting: With the exception of sports field lighting, all overhead light fixtures within the site, including along circulation drives and within parking lots shall be a downcast fixture design with no exposed bulbs. If deemed necessary, the appropriate shields shall be incorporated into the fixture to direct the light to the intended target within the school's property and eliminate visibility of the light itself from residential properties along both 17th Street and Buffalo Road. All building mounted lighting shall include shields to direct the light down and to the intended target. No unshielded wall packs shall be allowed without specific permission from the city.

SECTION 7. COMMUNICATION TOWERS: The following restrictions are established as they pertain to communication towers within the Dowling Catholic High School PUD.

A. No more than three (3) communication towers shall be permitted
B. The location of communication towers on the site shall be restricted to the area described as part of Lot 6, Golf and Country Club, south of Blue Creek, and north of the northerly right-of-way line of Interstate 235, as it presently exists.
C. No communication tower on the site shall exceed one hundred twenty (120) feet in height.
D. Each communication tower proposed on the site shall be subject to approval of a Permitted Conditional Use Permit by the West Des Moines City Council.

SECTION 8. STORM WATER MANAGEMENT: A Storm Water Management Plan may be required in conjunction with site development plans. The Storm Water Management Plan shall be prepared by a Professional Engineer licensed in the State of Iowa. 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 any development plan.

SECTION 9. REPEALER: All ordinances or parts of ordinances in conflict with the provisions 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 Title 1, Chapter 4, Section 1 of the City Code of the City of West Des Moines, Iowa.

SECTION 12. 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 13. 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

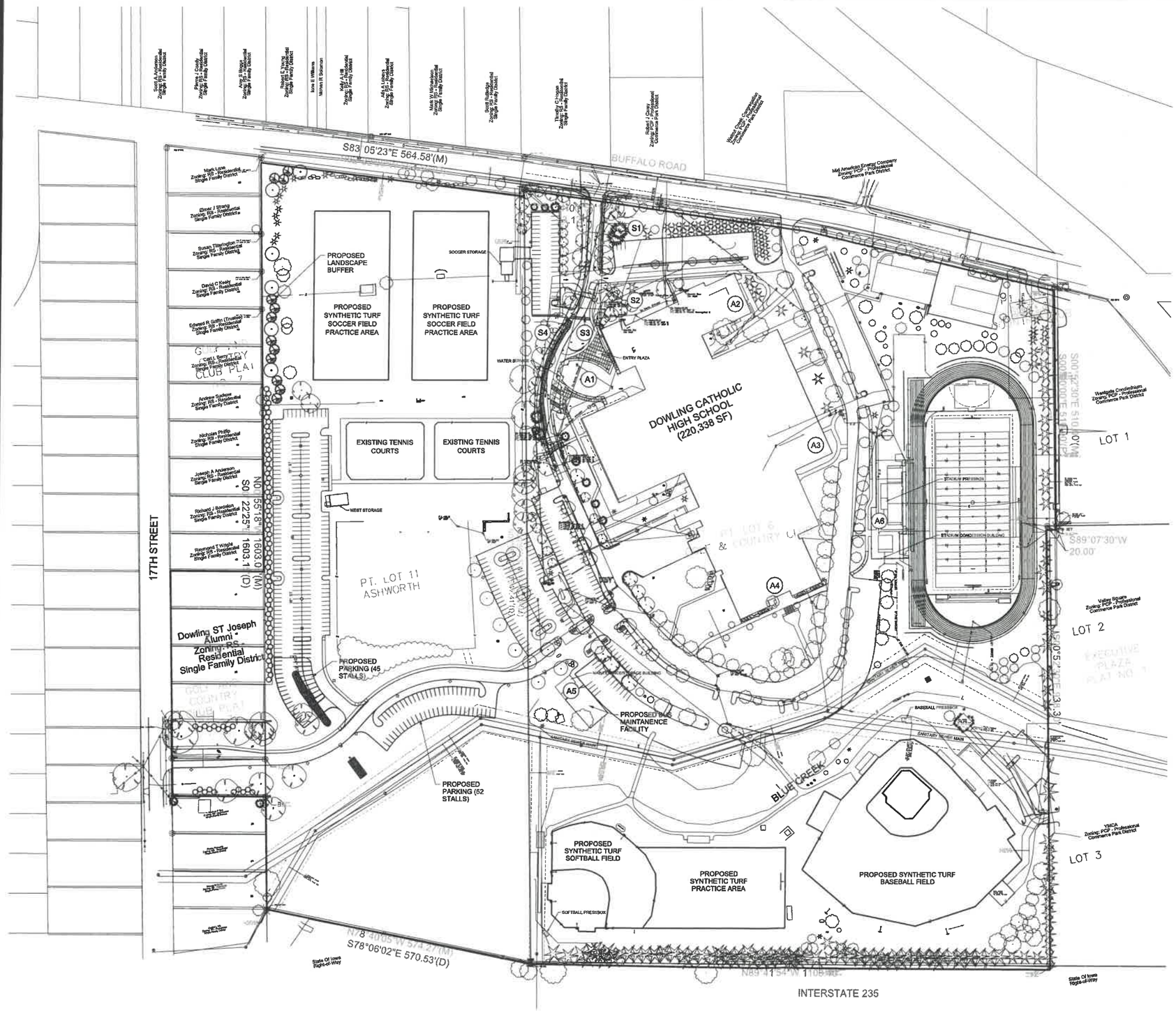
ATTEST:

_____
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



VICINITY MAP 1"=1000'

ADDRESS

1400 BUFFALO ROAD, WEST DES MOINES, IA 50265

OWNER/APPLICANT

DOWLING COLLEGE/DOWLING CATHOLIC HIGH SCHOOL
1400 BUFFALO ROAD
WEST DES MOINES, IA 50265
DR. DAN RYAN
PHONE: (515)-222-1040

LEGAL DESCRIPTION

LOTS 4 AND 6, GOLF AND COUNTRY CLUB, LYING NORTH OF INTERSTATE 235 EXCEPT:
- NORTH 35 FEET
- EXECUTIVE PLAZA PLAT 1
- BEGINNING AT THE NORTHWEST CORNER OF LOT 2, EXECUTIVE PLAZA PLAT 1, THENCE NORTH 212.3 FEET, WEST 20 FEET, NORTH 212.3 FEET, EAST 20 FEET TO THE POB

CONTAINING 1,678,759 S.F. (38.54 AC.) MORE OR LESS
AND
LOT 11, ASHWORTH, LYING NORTH OF INTERSTATE 235, EXCEPT THE NORTH 50 FEET
CONTAINING 907,985 S.F. (20.85 AC.) MORE OR LESS
AND
LOTS 36, 37, 38, 39 AND 40, GOLF AND COUNTRY CLUB PLAT 7
CONTAINING 96,649 S.F. (2.22 AC.) MORE OR LESS.

TOTAL PROPERTY AREA:

2,747,043 SF (63.06 AC)

ZONING

RE: RESIDENTIAL ESTATE DISTRICT (1400 BUFFALO ROAD)
RS: RESIDENTIAL SINGLE FAMILY DISTRICT (1449, 1501, 1509, 1515, 1525, AND 1529 17TH STREET)

LAND USE

LOW-DENSITY RESIDENTIAL

PARKING

MAX EVENT

EMPLOYEE = 1 STALL/EMPLOYEE = 125 EMPLOYEES =	125 STALLS
STUDENT = 1 STALL/2.5 STUDENTS = 1380/2.5 =	552 STALLS
AUDITORIUM = 1 STALL/8 AUDITORIUM SEATS= 2606-1380(STUDENTS)/8 =	154 STALLS
CHAPEL = 1 STALL/8 SEATS = 425/8 =	54 STALLS
TOTAL =	885 STALLS (REQUIRED)
	945 STALLS (PROVIDED)

OPEN SPACE

TOTAL PROPERTY AREA:	2,747,043 SF
TOTAL IMPERVIOUS AREA:	- 838,660 SF
OPEN SPACE PROVIDED:	1,908,383 SF
25% OPEN SPACE REQUIRED:	654,690 SF
OPEN SPACE PROVIDED %:	69.47% OPEN SPACE
TOTAL EXISTING:	1,873,778 SF

0 100 FEET

N

MARK	REVISION	DAT

Engineer: EDC | Checked By: TLW | Scale: 1"=1
Technician: STT | Date: 10/09/19 | Field Bk: F
Project No: 1190127 | Sheet 1

WEST DES MOINES, IOWA

2727 S.W. SNYDER BLVD.
ANKENY, IOWA 50023
515-964-2020 | www.snyder-associates.com

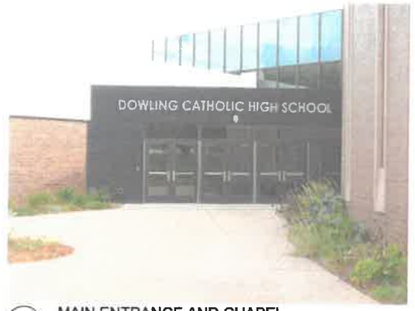
DOWLING CATHOLIC HIGH SCHOOL

PUD SKETCH PLAN

SNYDER & ASSOCIATES, INC.

SNYDER & ASSOCIATES

Project No: 1190127
Sheet 1



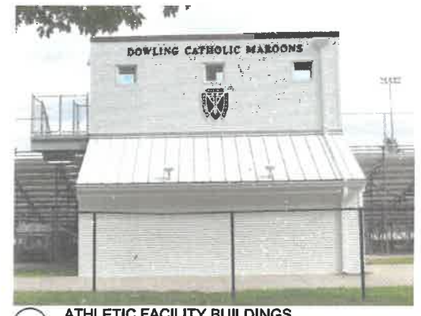
A1 MAIN ENTRANCE AND CHAPEL

A2 DROP OFF AREA (NE CORNER)

A3 SE ENTRY AREA

A4 SOUTH ENTRY

A5 MAINTENANCE SHOP AREA



A6 ATHLETIC FACILITY BUILDINGS

S1 MAIN ENTRY SIGN

S2 WAYFINDING SIGNAGE

S3 STREET MONUMENT SIGN

S4 WAYFINDING SIGNAGE

MARK	REVISION	DATE	BY

Engineer: EDC | Checked By: TLW | Scale: 1"= N/A
Technician: STT | Date: 10/09/19 | Field Bk: Pg:
Project No: 1190127 | Sheet 3

DOWLING CATHOLIC HIGH SCHOOL

EXISTING ARCHITECTURAL COMPONENTS

WEST DES MOINES, IOWA

SNYDER & ASSOCIATES, INC.
2727 S.W. SNYDER BLVD.
ANKENY, IOWA 50023
515-964-2020 | www.snyder-associates.com

SNYDER & ASSOCIATES

Project No: 1190127
Sheet 3