NO CHANGE FROM PREVIOUS READING

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: March 16, 2020

ITEM: Pavilion Park, Generally located 1,600 feet east of S. Grand Prairie Parkway and south of I-80 – Designate the property from "Unzoned" to Pavilion Park Planned Unit Development (PUD) – Pavilion Park, LC – ZC-004487-2019

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

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Pavilion Park, LC, is requesting approval of a rezoning of approximately 264 acres, generally located 1,600 feet east of S. Grand Prairie Parkway and South of I-80, from 'Unzoned' to Pavilion Park Planned Unit Development (PUD). The applicant is proposing a combination of commercial, office, single family residential, and multi-family residential development on the property. Access to the site will be an extension of EP True Parkway and Bridgewood Boulevard.

Previous Council Action:
Vote: 5-0 approval
Date: March 2, 2020
Motion: Approve a Comprehensive Plan Land Use Map Amendment to change approximately 138 acres to Mixed Use (MU), approximately 21 acres to Medium Density Residential (MD), approximately 77 acres to Single Family (SF) and approximately 30 acres to Office (OF).

Vote: 5-0 approval
Date: March 2, 2020
Motion: Approval of the First Reading the Ordinance to rezone the subject property to Pavilion Park PUD.

OUTSTANDING ISSUES: There are no outstanding issues.

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 Pavilion Park PUD Ordinance in final form, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Brian Portz BP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	JDS
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register Community Section	
Date(s) Published	January 31, 2020	
Letter sent to surrounding property owners	January 31, 2020	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	January 21, 2020 & February 3, 2020		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Proposed PUD Ordinance

Exhibit A - PUD Sketch Plan

EXHIBIT I

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 **Pavilion Park** Planned Unit Development (PUD):

Legal Description

THE WEST HALF OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN LYING SOUTH OF THE INTERSTATE 80 RIGHT OF WAY AND THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 10; EXCEPT WHISPER RIDGE PLAT 2, AN OFFICIAL PLAT;

AND

EXCEPT THE INTERSTATE 80 EXCESS AREA ON THE EAST SIDE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 10 AS SHOWN ON THE IOWA DEPARTMENT OF TRANSPORTATION GRAPHIC EXHIBIT PLAT 1 OF 2 WITH PROJECT NUMBER I-IG-80-3(12)121;

ALL IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND CONTAINING 264.63 ACRES MORE OR LESS.

SECTION 2. DEVELOPMENT INTENT: The Pavilion Park PUD intends to establish a framework for the integration of commercial, office and residential land uses in a cohesive and walkable development pattern that provides a variety of uses to accommodate resident's needs and activities with a built-in population to support businesses in the development. Enriching elements such as encouraging both day and evening activity, emphasizing recreational amenities and encouraging the preservation of natural areas shall be incorporated in the master planning to enhance and define the development.

SECTION 3. SKETCH PLAN: Attached hereto (or on file with the city) and made a part of this rezoning approval, for concept description and delineation is the Sketch Plan document for Pavilion Park 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. It should be recognized that the location of streets throughout the

development shall define the final parcel configuration and size. As part of Master Planning as required below, the final size and shape of the PUD parcels will be confirmed. Wherever conflict occurs between the written text in this document and the notations on the Sketch Plan, the written text shall prevail.

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

A. Master Plan: A general conceptual layout of the two major roadways within the Pavilion Park PUD is indicated on the PUD Sketch Plan Map and generally used to divide the ground included within the PUD into development parcels. It is acknowledged that a supporting network of roadways will be necessary to properly develop the PUD area. Prior to development of any portion of a PUD parcel, a detailed master plan of the entire PUD parcel shall be required. The master plan shall provide details for the coordination of the vehicle, bike and pedestrian transportation network, building architecture themes, locations and relationships, utility networks (storm, sanitary, water, and fiber), parking facilities, storm water management measures, open space and recreation areas, buffering, landscape and streetscape themes, and environmentally sensitive areas to be preserved within each parcel. The specifics of each master plan are intended to provide unity and continuity between the various developments within each PUD parcel and the overall PUD. Development of later master plans, as well as modifications to previously approved master plans, shall respect the elements established in the earlier master plan(s). The master plan for each parcel, and any later amendments necessary for on-going development, shall be reviewed and approved as a public hearing matter by the City Council, after receiving a recommendation from the Plan and Zoning Commission, prior to initial or on-going development. It is recognized that modifications and changes in building footprints and layout, including the combining of two (2) smaller buildings into one larger building, may be necessary in response to market demands and specific tenants. Additionally, unless otherwise specifically restricted within this ordinance, it is recognized that square footages of buildings may either be shifted from one building to another or increased or decreased to accommodate specific users' needs. Assuming adequate sanitary sewer and water infrastructure, these changes may be allowed if the shift does not drastically alter the master plan concept, traffic patterns or result in an increase to the total number of vehicle trips anticipated to be generated within the PUD parcel. At the discretion of the Director of Development Services, an amendment to an approved master plan may be required to bring consistency between the master plan and intended development.

   With the exception of grading when done as part of City approved Grading Plans, prior to any site work occurring on a parcel, an amendment to the Pavilion Park PUD Ordinance shall be required along with review of a master plan for the PUD parcel to establish specific site development regulations, allowances and prohibitions to be applied to all development proposals within a subject PUD parcel.

B. Preliminary Plat and Final Plat: All ground within the PUD shall be platted in accordance with the City's Subdivision Ordinance and associated zoning regulations unless otherwise modified within this ordinance. Platted outlots intended for future private development must be re-platted through the preliminary and final plat process prior to physical development. Outlots intended to provide for public utilities, storm water management, or publicly owned or accessible park ground, greenways, or other recreational amenities are not required to be replatted prior to development. Outlots within a plat shall have the proposed use clearly designated on the plat document.

C. Development Applications (Site Plans): With the exception of individual single-family detached residential lots, site plans shall be submitted to the City of West Des Moines for review and approval prior to any physical site development. Site Plans must meet the intent of the approved master plans. At the discretion of the Director of Development Services, an amendment to the Pavilion Park PUD Ordinance and/or master plan may be required to bring consistency between the ordinance and/or master plan and the proposed site development.

   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 and final plat 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 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: 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 streets, public street rights of way, and general development shall adhere to the standards and design criteria set forth in the West Des Moines subdivision ordinances and the most current design standards adopted by the city of West Des Moines pertaining thereto unless otherwise stated within this ordinance.

2. General Conformance to Zoning Ordinance: Unless otherwise specified herein, the development of the Pavilion Park PUD shall comply with title 9, "Zoning", of the city code or any other applicable codes. To the extent that the provisions of this ordinance conflict with or are more restrictive than provisions provided elsewhere in the West Des Moines zoning ordinance, the provisions of this ordinance shall control.

3. 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 Pavilion Park PUD Sketch Plan Map and master plans. 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 City policies) and complies with the West Des Moines Subdivision Ordinance and the Des Moines Metropolitan Design Standards, as adopted by the City of West Des Moines, unless modified otherwise in this Ordinance. 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.

4. 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.

5. Sanitary Sewer: Any proposed change in approved land uses and/or 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(s).

6. Street Lighting: Unless otherwise provided for in a separate development agreement, the Developer shall be responsible for all costs associated with the installation of public and private street lights within or adjacent to any area proposed to be platted or included within a development.

7. Mailboxes: The Developer shall be responsible for installation of any required Cluster Box Units (CBUs) as per the local U.S. Postal Service Post Office.

8. The Pavilion Park development shall incorporate an internal pedestrian and bicycle trail and sidewalk system connecting various buildings, open space and recreation areas, public transit and to the City-wide trails and sidewalk system. Trails and sidewalks shall be required to provide corridors and pathways to link residential areas with commercial areas, other residential neighborhoods within the development and recreational amenities.

9. Sculptures/art shall be incorporated within non-residential developments. Potential locations for art and sculptures shall be identified at the time of master planning of each PUD parcel.

10. Interior site lighting and signage should be located, designed and directed in such a way as to mitigate impact on adjacent uses. Parking lot lights shall be limited to twenty-five feet (25') in height including the fixture base and be of a design in which there is not exposed bulbs. Shields may be required on fixtures located at the perimeter of parking lots and drive aisles adjacent to residential uses if views of the fixtures cannot be mitigated in another manner. Illuminated signage which is visible from residential dwellings shall be turned off one hour after business close until dawn.

SECTION 6. <u>LAND USE DESIGN CRITERIA</u>: 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 PUD parcels designated on the Sketch Plan:

A. Parcel A: The intent of development within this parcel is to provide for the intermixing of commercial and office uses with supporting high density residential to allow opportunities for employees to live in close proximity to work and provide patrons to support the businesses and encourage both day and night activity. It is intended that a strong pedestrian and bike network will be provided throughout the parcel, along with opportunities for transit routes and stops. All sites within the parcel shall be visually unified through the implementation of a cohesive building and landscaping design theme.

   Unless provided otherwise in this ordinance, all general use regulations, performance standards and provisions set forth in title 9, "Zoning", of the City Code for the Regional Commercial (RC) District shall apply to any development within Parcel A, unless noted otherwise in this ordinance.

   1. Land Use: All Permitted (P) and Permitted Conditional (Pc) uses permissible within the Regional Commercial (RC) and Office (OF) districts shall be allowed with the approval of the appropriate review body. Additionally, High Density Residential (RH-18) use is permitted within the parcel. The amount of high density residential development shall comprise a minimum of fifteen percent (15%), but not to exceed twenty five percent (25%), of the developable ground within Parcels A and C, collectively. Developable ground shall be considered those areas of the site unencumbered by roadways (public or private), wetlands, creeks, or steep slopes that cannot be developed.

B. Parcel B: The intent of development within this parcel is to recognize and complement the existing use context of adjacent medium density developed ground and provide a transition to the more intense commercial and office use intended within ground to the west.

   All general use and bulk regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for the Office (OF) district shall apply to any development proposal within this parcel, unless noted otherwise in this ordinance.

   1. Land Use: All Permitted (P) and Permitted Conditional (Pc) uses permissible within the Regional Commercial (RC), Office (OF) and Residential Medium Density (RM-12) districts shall be allowed with the approval of the appropriate review body.

   2. Land Use Restriction: No Regional Commercial land uses (including buildings and parking lots) shall be permitted within one hundred fifty feet (150') of the eastern perimeter boundary of Parcel B.

   3. Buffers: A minimum thirty foot (30') landscape buffer with a minimum three foot (3') berm shall be required along the east property line of Parcel B. The required buffer shall be planted as set forth in

Title 9, Chapter 19 of the city code and shall be installed at the time of first development within the PUD parcel.

4. Building Massing: Office and residential uses within one hundred fifty feet (150') of the eastern property line of Parcel B shall be restricted to a maximum of two (2) stories in height. The length of building walls adjacent to and parallel to the east property line shall not exceed one hundred sixty feet (160') in length. There shall be no limitation on building square footage.

C. Parcel C: The intent of development within this parcel is to provide for the intermixing of commercial and office uses but with a higher proportion of office use than commercial use. The multi-family allowed within this area is not only to allow employees to live in close proximity to work and provide patrons to support the businesses and encourage both day and night activity, but also to serve as a transitional use to the single-family land use intended to the east. In addition to providing opportunities for transit routes and stops, it is intended that a strong pedestrian and bike network will be provided throughout the parcel, including pathway connections to the residential areas to the north, east and south. All commercial and office sites within the parcel shall be visually unified through the implementation of a cohesive building and landscaping design theme. Residential developments within the parcel shall be visually cohesive through the use of a similar color and material pallet; however, building design shall present more of a residential look and may differ from the commercial/office area.

Unless provided otherwise in this ordinance, all general use regulations, performance standards and provisions set forth in title 9, "Zoning", of the City Code for the Office (OF) District shall apply to any development within Parcel C, unless noted otherwise in this ordinance.

1. Land Use: All Permitted (P) and Permitted Conditional (Pc) uses permissible within the Regional Commercial (RC) and Office (OF) districts shall be allowed with the approval of the appropriate review body. Additionally, High Density Residential (RH-18) use is permitted within Parcel C. The amount of high density residential development shall comprise a minimum of fifteen percent (15%), but not to exceed twenty five percent (25%), of the developable ground within Parcels A and C, collectively. Developable ground shall be considered those areas of the site unencumbered by roadways (public or private), wetlands, creeks, or steep slopes that cannot be developed.

2. Land Use Restriction: No Regional Commercial land uses (including buildings and parking lots) shall be permitted within one hundred fifty feet (150') of the perimeter boundary of Parcel C which is adjacent to residential uses in another PUD parcel, including residential uses on the opposite of a street.

3. Building Massing: All buildings within one hundred fifty feet (150') of the property line of single family lots shall be a maximum of two (2) stories in height. Individual buildings along the boundary of Parcel C shall not exceed one hundred sixty feet (160') in length. The one hundred fifty foot (150') distance shall be measured from the property line of the single family lots, not from the perimeter boundary of Parcel C.

D. Parcel D: The intent of development within this parcel is to allow the opportunity for single-family detached dwellings thus providing for an additional type of living option than the multi-family provided within other PUD parcels. A strong network of pedestrian and bike pathway connections shall be provided to link residential areas with commercial areas, other residential neighborhoods within the development and recreational amenities.

All general use and bulk regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for the Residential Single Family (RS-5) district shall apply to any development proposal within this parcel, unless noted otherwise in this ordinance.

1. Front Yard Setbacks: Front yard setbacks within the RS-5 district may be reduced to twenty feet (20'), however, the front of garages shall be setback a minimum of twenty five feet (25') from the street right-of-way line or sidewalk edge, whichever is more interior to the private area of the lot to allow for vehicle parking without overhanging the sidewalk and impeding pedestrian movements. Open porches, as defined in City Code, with a minimum depth of 6 feet (6'), are allowed to encroach up to 8 feet (8') into the twenty foot (20') front yard setback.

2. For corner single family residential lots on which a buffer is located on the street side yard, the buffer and building setback line are permitted to overlap; however, the full buffer width needs to be provided even if the setback is less than the required buffer width. For double frontage lots, the required rear yard setback is in addition to the 30' buffer.

E. Parcel E: The intent of development within this parcel is to allow for multi-family attached or detached dwellings to provide additional types and locations of living options within the Pavilion Park development. A strong network of pedestrian and bike pathway connections shall be provided to link residential areas with commercial areas, other residential neighborhoods within the development and recreational amenities.

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 within this parcel, unless noted otherwise in this ordinance.

F. Parcel F: The intent of development within this parcel is to allow for additional office development opportunities along the major east-west roadway while respecting the existing single-family estate subdivision immediately to the south of the Pavilion Park development. It is intended that a strong pedestrian and bike network will be provided throughout the parcel, including pathway connections to commercial and residential areas within the development. All office development within the parcel shall be visually unified through the implementation of a cohesive building and landscaping design theme.

All general use and bulk regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for the Office (OF) district shall apply to any development proposal within this parcel, unless noted otherwise in this ordinance.

1. Buffers: Buffers as outlined below shall be installed at the time of first development within the parcel. Vegetation should be intentionally located within the buffer (generally meaning at the highest points) to achieve the greatest amount of mitigation of views of buildings and parking lots, including both vehicle and overhead lights, from the adjoining residential. Of the trees required, a minimum of 50% of the trees shall be coniferous to provide for year-round screening.
   A. Along South PUD Boundary: A minimum one hundred foot (100') landscape buffer shall be required along the south property line of Parcel F. Drive aisles or parking lots may be allowed to encroach into the one hundred foot (100') buffer a maximum of twenty feet (20') when it can be clearly demonstrated vehicle headlights and parking lot lighting is properly mitigated. Buffer vegetation shall be provided at a rate of three (3) overstory or evergreen trees, six (6) understory trees and 18 shrubs per thirty-five (35) linear feet of buffer.
   B. Along the Eastern PUD Boundary: A minimum thirty (30') landscape buffer shall be required along the eastern property line of Parcel F. No encroachment into the buffer shall be allowed. One overstory or evergreen tree, two (2) understory trees and six (6) shrubs shall be provided for every thirty-five (35) linear feet of buffer. Required evergreen plantings within the buffer shall be placed at the highest point of the buffer to provide for the most effective buffering.

2. Building Massing: Office uses within one hundred fifty feet (150') of the property line of adjacent single family residences to the south and east shall be a maximum of two (2) stories in height. The length of building walls adjacent to and parallel to the south and east property line of Parcel F shall not exceed one hundred sixty feet (160') in length. There shall be no limitation on building square footage.

G. Parcel G: The intent of development within in this parcel is to allow the opportunity for additional single-family detached dwellings options while respecting the existing single-family estate subdivision immediately to the south of the Pavilion Park development. It is intended that a range of single-family lot sizes will be provided from north to south across this parcel. Larger lots will be provided along the south boundary of the parcel, with a decrease in lot sizes as development moves north. A strong network of pedestrian and bike pathway connections shall be provided to link residential areas with commercial areas, other residential neighborhoods within the development and recreational amenities.

All general use and bulk regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for Residential Single Family (RS-12) shall apply to any development proposal within this parcel, unless noted otherwise in this ordinance.

1. Along the southern two-hundred feet (200') of Parcel G, the minimum lot size for residential lots shall be 15,000 square feet.

2. All lots within the PUD parcel shall provide a minimum of forty feet (40') of street frontage and a minimum lot width of seventy-five feet (75') as measured at the front building setback line.

3. For corner single family residential lots on which a buffer is located on the street side yard, the buffer and building setback line are permitted to overlap; however, the full buffer width needs to be provided even if the setback is less than the required buffer width. For double frontage lots, the required rear yard setback is in addition to the 30' buffer.

SECTION 7. <u>BUFFERS</u>: Buffering between zoning districts and differing uses internal within PUD parcels A, B and C shall not be required as set forth in Title 9, Chapter 19 of the city code. However, buffer widths and planting requirements as required per Title 9, Chapter 19 shall be provided along the perimeter of a PUD parcel, including PUD parcels A, B and C when a use adjacent to the PUD perimeter is different than the land use along the perimeter within an adjacent PUD parcel. The burden of provision of the buffer shall lie with the parcel that contains the more intense use.

Additionally, a minimum thirty-foot (30') wide buffer with landscape vegetation shall be provided along all major and minor arterials and major collector roadways within the Pavilion Park PUD development. Landscape vegetation shall be provided at a rate consistent with the vegetation requirements outlined in Title 9, Chapter 19 of the city code for a thirty-foot (30') buffer. Landscape vegetation shall be installed along the length of the roadway at the time of development of the first site within a PUD parcel adjacent to the roadway and prior to issuance of the first final occupancy permit for any structure within the respective parcel.

SECTION 8. <u>ARCHITECTURE</u>: 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 each parcel within the development. Although it is understood and preferred that not all buildings within a parcel are identical, each building will include design elements as well as common materials, complimentary colors and detailing to provide continuity amongst buildings and to unite all structures within a parcel into one project concept. The architectural design of any building within this development shall be acceptable to the City.

As part of the master plan for each parcel, conceptual architectural illustrations of the general building style and material options shall be provided. Final details of actual design, materials, colors and detailing will be provided at the time of individual site plan approvals. Once City approval is obtained on a particular building design, any alteration in design before or during construction must be reviewed and approved by the City's Development Services Department.

A. All buildings except single family dwellings within this development shall accommodate or incorporate the following in building design and materials:
   1. All sides to each building shall receive high quality materials, finishes, and details (360 degree architectural treatment). There are no "backs" to a building.
   2. Form and Scale: Building design shall consider the scale of the building and create a distinct and intended transition to the height, bulk, and scale of the building depending on the surrounding development. Building entries, front porches for residential uses, pedestrian areas, plazas and street level uses and functions should be designed to engage the pedestrian with the activities occurring within them and should be designed to be in the scale appropriate to the use and function of the space.
   3. Roof and Building Mounted Mechanical Equipment: Views of equipment from roadways and adjoining development sites shall be mitigated by screening incorporated into the design of the building through location and the use of equipment penthouse, parapets, screening walls, or other acceptable solutions as identified during the review of the site plan.
   4. Material Quality and Detail:
      a. The choice of materials and texture has great visual significance and can affect the long-term appearance of the city. Proper selection of exterior building material is directly related to the

durability of the building against weathering and damage from natural forces. Materials should be durable, economically maintained and of a quality that will maintain their appearance over a prolonged time. Natural materials such as brick and stone shall be used as the major cladding elements of the facade. Acceptable cladding for the balance of the building and trim materials will be determined with each parcel's master plan.

b. 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.

5. 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.
6. Outdoor Living Area: All commercial and office uses as well as dwelling units within multi-family buildings shall provide a defined public plaza or outdoor living space. Minimum usable area and design criteria will be determined with each parcel's master plan.

B. Architecture for Single Family Dwellings: The design of single family dwellings is intended to encourage a sense of place by providing building designs that engages residents with the street and neighborhood. Building design should reinforce this sense of community by establishing a unique identity. 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 space.

SECTION 9. SIGNAGE: All signage within the PUD shall be designed, constructed and maintained in accordance with the West Des Moines Sign Code. The zoning district designated for application of bulk regulations for each parcel shall govern signage allowances and design.

SECTION 10. PARKLAND DEDICATION: All residential developments shall abide by the City's Parkland Dedication regulations. Intended amenities and facilities to fulfill dedication requirements shall be identified as part of the first Master Plan for a PUD parcel. A Parkland Dedication Agreement, acceptable to the Parks and Recreation Department, detailing the specifics related to the Parkland Dedication requirements for each area developed as residential is required to be executed in conjunction with the associated final plat or site plan, whichever is approved first. At the time of final platting of land intended to fulfill park and greenway requirements, said land shall be deeded to the City.

SECTION 11. VEHICLE TRIP ALLOCATIONS: A Traffic Impact Study (study) dated February 24, 2020, has been prepared for the Pavilion Park development. Per the study, the development has been allocated 4,878 P.M. peak hour trips; 3,410 A. M. peak hour trips; and 53,635 Average Daily Trips (ADT). As development proposals are approved the number of vehicle trips generated by the proposed development (based upon the number of square feet of a proposed specific use or residential dwellings in conjunction with any parameters established in the study) will be subtracted from the total trips allocated to the development. Approval of this PUD does not constitute a guarantee that the proposed plan can be implemented. Development of all parcels and implementation of desired land uses, including specific high traffic generating tenants, will be limited by the available number of trips.

Should anticipated traffic exceed the total trips allocated for the Pavilion Park development prior to full build out, further development of parcels may be limited or prohibited. Alternate uses to those planned within the study and approved as part of this PUD ordinance may be allowed, following completion of an amended traffic study analyzing the proposed alternative and appropriate City approval of an amendment to the respective PUD ordinance PUD Sketch map and/or PUD Parcel Master Plan, if necessary, if the existing uses and the proposed change(s) collectively do not exceed the total trips allocated to the development.

SECTION 12. STORM WATER MANAGEMENT: A Master Storm Water Management Plan shall be required in conjunction with the initial master planning for each PUD parcel. Individual Storm Water Management Plans consistent with the Master 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 Plans prepared by a Professional Engineer licensed in the State of Iowa. The Storm Water Management Plans 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. Upon installation of storm water management facilities, the property owner will be responsible to provide as-built drawings and a letter certifying the detention facility was constructed in in conformance with the approved Storm Water Management Plan. The letter and as-built plans will be required prior to the issuance of a final occupancy permit for the first building or residential 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 13. MASTER PROPERTY OWNERS ASSOCIATION: If deemed necessary, proper action shall be taken to establish a property owners association. The property owners association shall be responsible for the ongoing upkeep and maintenance of any private infrastructure, common grounds such as buffer parks, storm water detention facilities, greenbelts, plazas and other common space, and any other specific development improvements noted as their responsibility in this ordinance or otherwise determined as part of the platting or site plan process.

SECTION 14. FIRE ACCESS:

A. All 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 recommended by the West Des Moines Fire Department.
B. At the discretion of the City's Fire Marshal, "No Parking Fire Lane" areas may be established as necessary to ensure efficient movement and access of the fire trucks. Unless otherwise agreed upon, the developer of the Pavilion Park development shall be responsible for the procurement and erection of approved fire lane signage.
C. All access drives and drive aisles shall maintain a minimum of twenty feet (20') of clear pavement.
D. A minimum of fourteen feet (14') of vertical clearance over the travel portion shall be maintained at all times over all vehicle travel ways.
E. The developer or its designee shall be responsible for enforcement of no parking lanes and maintaining adequate clearance of structures and vegetation along and above all vehicle travel ways regardless if public or private.
F. Adequate fire accesses as determined by the City's Fire Marshal shall be provided at all times to those areas under construction.

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

SECTION 16. SAVINGS CLAUSE: If any section, provision, sentence, clause, phrase or part of the Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

SECTION 17. VIOLATIONS AND PENALTIES. Any person who violates the 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 18. OTHER REMEDIES. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

SECTION 19. EFFECTIVE DATE: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council on this _____ day of _____ 2020.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ____ day of _____ 2020.

_____
Ryan T. Jacobson, City Clerk

EXHIBIT A

REVISIONS	DATE
4TH SUBMITTAL	01/27/20
3RD SUBMITTAL	11/25/19
2ND SUBMITTAL	10/24/19
1ST SUBMITTAL	08/16/19

3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410
ENGINEER: EKO
EI: JWM
CIVIL DESIGN ADVANTAGE

PAVILION PARK
PUD SKETCH PLAN
WEST DES MOINES, IOWA

2/2

1904.210

FILE: N:\2019\1904210\DWG\1904210-PUD REZONING EXHIBIT.DWG
PLOT DATE: 1/27/20
PLOTTED BY: ERIK BERGLUND
DATE PLOTTED: 2/10/2020 2:22 PM
TAB: PL
COMMENTS:
ERIC