CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: April 20, 2020

ITEM: The Preserve, South of Raccoon River adjacent to SW Grand Prairie Parkway – Amend Comprehensive Plan Land Use Map to designate Single Family (SF) and Medium Density Residential (MD) land use and amend The Preserve Planned Unit Development (PUD) to establish development standards for the designated land uses and modify signage regulations – Raccoon River Land Company, LLC – CPA-004583-2019/ZC-004584-2019

Resolution: Approval of Comprehensive Plan Land Use Map Amendment
Ordinance: Approval of 1st Reading

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Raccoon River Land Company, LLC, is requesting approval of both a Comprehensive Plan Land Use Amendment and Rezoning for property located south of Raccoon River adjacent to the future extension of SW Grand Prairie Parkway. The applicant is proposing a large lot single family residential development (minimum lot size of 40,000 square feet) on a 41.5-acre parcel on the east side of SW Grand Prairie Parkway. The parcel is currently designated as Medium Density Residential (MD) on the Comprehensive Plan land use map and Residential Medium Density (RM-12) in The Preserve PUD. The amendment to the PUD will designate Residential Estate (RE-1A) on the 41.5-acre parcel and establish the development standards for the parcel. In addition, the applicant is proposing to change a 10.5-acre Agricultural/Open Space (OS) designated parcel and a 7.0-acre Neighborhood Commercial (NC) designated parcel to Medium Density Residential (MD) land use and Residential Medium Density (RM-12) zoning. With the change to Residential Medium Density zoning, the Neighborhood Commercial (NC) parcel will be reduced in size from the current 19.2 acres to 12 acres. The PUD already contains development standards that apply to Residential Medium Density (RM-12) designated areas.

Specifically, the following Comprehensive Plan Land Use and PUD changes are proposed:

- Amend the Comprehensive Plan Land Use Map for approximately 41.5 acres (Section 34 Township 78 North Range 26 West) to change from Medium Density Residential (MD) to Single Family (SF); and
- Amend the Comprehensive Plan Land Use Map for approximately 10.5 acres (Section 3 Township 77 North Range 26 West) to change from Agricultural/Open Space (OS) to Medium Density Residential (MD); and
- Amend the Comprehensive Plan Land Use Map for approximately 7.0 acres (Section 3 Township 77 North Range 26 West) to change from Neighborhood Commercial (NC) to Medium Density Residential (MD); and
- Amend The Preserve Planned Unit Development (PUD) which includes:
  - Changing the underlying zoning of approximately 41.5 acres (Section 34 Township 78 North Range 26 West) from Residential Medium Density (RM-12) to Residential Estate (RE-1A) zoning; and
  - Changing the underlying zoning of approximately 10.5 acres (Section 3 Township 77 North Range 26 West) from Agricultural/Open Space (OS) to Residential Medium Density Residential (RM-12); and
  - Changing the underlying zoning of approximately 7 acres (Section 3 Township 77 North Range 26 West) from Neighborhood Commercial (NC) to Residential Medium Density Residential (RM-12); and
  - Amending The Preserve PUD Sketch Map; and

- Modifying development regulations within the PUD for the proposed zoning changes and to modify signage provisions.

Plan and Zoning Commission Action:
Vote: 5-0 approval, with Commissioner Costa abstaining and Commissioner Drake absent.
Date: April 13, 2020
Motion: Adopt a resolution recommending the City Council approve the Comprehensive Plan Amendment and Rezoning request

Plan & Zoning Commission Discussion:
Staff provided the Plan & Zoning Commission with a memo regarding the revised traffic study for the site. The traffic study was received on the day of the Plan & Zoning Commission and therefore the applicant wasn't able to revise the concept street layout shown as "ghosted" on the PUD sketch map and the Rezoning Sketch map based on the recommendations of the traffic study. Staff requested that the "ghosted" streets shown on these maps be removed prior to the April 20th City Council meeting to consider this request. A condition of approval was included in the Plan & Zoning Commission memo presented at the meeting regarding the removal of the conceptual street layout and the applicant acknowledging that street layouts will need to comply with the April 10, 2020 The Preserve Comprehensive Plan Amendment and PUD Amendment traffic analysis and any future traffic analyses performed for the development of the site. The streets have been removed from the illustrations included for the City Council's review. Since the streets have been removed from the drawings, staff recommends that the following Plan & Zoning Commission condition of approval be removed.

- ~~The applicant removing the conceptual streets shown on the Rezoning Sketch and PUD Sketch Map prior to the April 20th City Council meeting. The applicant further acknowledges that street layouts will need to comply with the April 10, 2020 Preserve Comprehensive Plan Amendment and PUD Amendment traffic analysis, as well as any future traffic impact studies done in conjunction with preliminary plat submittals and any future CPA and PUD Amendments~~

OUTSTANDING ISSUES: There are no outstanding issues.
The following items of interest are noted in the attached Plan and Zoning Commission report (see Exhibit I):

- Applicant's Request
- History
- City Council Subcommittee - *Development & Planning: January 21, 2020*
- Staff Review and Comments
  - *Parcel G*
  - *Parcel H*
  - *Buffers*
  - *Signage*
  - *PUD Sketch Map*
- Comprehensive Plan Consistency
- Staff Recommendation and Conditions of Approval – Comprehensive Plan Amendment
- Staff Recommendation and Conditions of Approval – Rezoning
- Owner/Applicant/Applicant Representative Information

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, the Plan and Zoning Commission recommends the City Council approve the Comprehensive Plan Land Use Map amendment for approximately 41.5 acres from Medium Density Residential (MD) to Single Family (SF) and approximately 10.5 acres from Agricultural/Open Space (OS) and 7.0 acres from Neighborhood Commercial (NC) to Medium Density Residential (MD), all acres situated east of SW Grand Prairie Parkway, 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, the Plan and Zoning Commission recommends the City Council approve the rezoning request to amend The Preserve Planned Unit Development to designate Residential Estate (RE-1A) on approximately 41.5 acres and establish development regulations, designate Residential Medium Density (RM-12) zoning on approximately 17.5 acres and modify signage regulations, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Brian Portz, AICP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register	
Date(s) Published	April 4, 2020	
Letter sent to surrounding property owners		April 2, 2020

SUBCOMMITTEE REVIEW (if applicable)

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

ATTACHMENTS:

- Exhibit I - Plan and Zoning Commission Communication
  - Attachment A - Plan & Zoning Commission Resolution – Comprehensive Plan Amendment
    - Exhibit A Conditions of Approval
  - Attachment B - Plan and Zoning Commission Resolution – Rezoning
    - Exhibit A - Conditions of Approval
  - Attachment C - Location Map
  - Attachment D - The Preserve Rezoning Sketch
- Exhibit II - City Council Resolution – Comprehensive Plan Amendment
  - Attachment A - Conditions of Approval
  - Attachment B - Land Use Changes Map
- Exhibit III - The Preserve PUD Amendment Ordinance
  - Attachment A - The Preserve PUD Sketch Map

EXHIBIT I

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: April 13, 2020

Item: The Preserve, South of Raccoon River adjacent to the future extension of SW Grand Prairie Parkway – Amend Comprehensive Plan Land Use Map to designate Single Family (SF) and Medium Density Residential (MD) land use and amend The Preserve Planned Unit Development (PUD) to establish development standards for the designated land uses and modify signage regulations – Raccoon River Land Company, LLC – CPA-004583-2019/ZC-004584-2019

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

Case Advisor: Brian S. Portz, AICP

Applicant's Request: The applicant, Raccoon River Land Company, LLC, is requesting approval of both a Comprehensive Plan Land Use Amendment and Rezoning for property located south of Raccoon River adjacent to the future extension of SW Grand Prairie Parkway. The applicant is proposing large lot single family residential development (minimum lot size of 40,000 square feet) on a 41.5-acre parcel on the east side of SW Grand Prairie Parkway. The parcel is currently designated as Medium Density Residential (MD) on the Comprehensive Plan land use map and Residential Medium Density (RM-12) in The Preserve PUD. The amendment to the PUD will designate Residential Estate (RE-1A) on the 41.5-acre parcel and establish the development standards for the parcel. In addition, the applicant is proposing to change a 10.5-acre Agricultural/Open Space designated parcel and a 7.0-acre Neighborhood Commercial designated parcel (NC) to Medium Density Residential (MD) land use and Residential Medium Density (RM-12) zoning. With the change to Residential Medium Density zoning, the Neighborhood Commercial (NC) parcel will be reduced in size from the current 19.2 acres to 12 acres. The PUD already contains development standards that apply to Residential Medium Density (RM-12) designated areas.

Specifically, the following Comprehensive Plan Land Use and PUD changes are proposed:

- Amend the Comprehensive Plan Land Use Map for approximately 41.5 acres (Section 34 Township 78 North Range 26 West) to change from Medium Density Residential (MD) to Single Family (SF); and
- Amend the Comprehensive Plan Land Use Map for approximately 10.5 acres (Section 3 Township 77 North Range 26 West) to change from Agricultural/Open Space (OS) to Medium Density Residential (MD); and
- Amend the Comprehensive Plan Land Use Map for approximately 7.0 acres (Section 3 Township 77 North Range 26 West) to change from Neighborhood Commercial (NC) to Medium Density Residential (MD); and
- Amend The Preserve Planned Unit Development (PUD) which includes:
  - Changing the underlying zoning of approximately 41.5 acres (Section 34 Township 78 North Range 26 West) from Residential Medium Density Residential (RM-12) to Residential Estate (RE-1A) zoning; and
  - Changing the underlying zoning of approximately 10.5 acres (Section 3 Township 77 North Range 26 West) from Open Space (OS) to Residential Medium Density Residential (RM-12); and
  - Changing the underlying zoning of approximately 7 acres (Section 3 Township 77

North Range 26 West) from Neighborhood Commercial (NC) to Residential Medium Density Residential (RM-12); and
- Amending The Preserve PUD Sketch Map; and
- Modifying development regulations within the PUD for the proposed zoning changes and to modify signage provisions.

History: The property was annexed into the City in 2010 as a part of the Raccoon River annexation. The property has not been previously platted. In October 2019, land use amendments were approved and The Preserve Planned Unit Development was created for the development of the overall site.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on January 21, 2020 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:

- *Parcel G*: Parcel G on the PUD Sketch was proposed to be reserved for a future park and for a future water tower and therefore was designated as Agricultural/Open Space. Through discussions with the Parks & Recreation Department, a future park is now proposed on the west side of SW Grand Prairie Parkway, which is closer to a majority of the future residents that the park will serve. Parcel G will still be the site of a future water tower. Because there was no longer going to be a park within Parcel G, the applicant decided to increase the size of Parcel G to accommodate for medium density residential development. The increased size of Parcel G will reduce the size of the adjacent Parcel E to the west that is proposed as Neighborhood Commercial. Parcel G is now proposed to be 17.5 acres of Residential Medium Density (RM-12) zoning and Parcel E is proposed to be 12 acres of Neighborhood Commercial (NC) zoning.

- *Parcel H*: Parcel H on the PUD Sketch is proposed to be created with this action. Parcel H will consist of a portion of original Parcel D that was originally approved as Residential Medium Density (RM-12). The applicant is now proposing Residential Estate (RE-1A) single family development for the north 41.5 acres of the original Parcel D. The south 9.5 acres of this parcel (new Parcel D) will remain as Residential Medium Density (RM-12) zoning.

- *Buffers*: The requirements for the 60' buffer along SW Grand Prairie Parkway are proposed to be modified with this PUD amendment, specifically addressing timing of the installation of the buffer vegetation and amenities (development branding signage and sculptures) within the buffer. As proposed, installation of the buffer vegetation and amenities shall occur prior to acceptance of public improvements associated with the adjacent final plat. If surety is posted for public improvements to allow for approval and recordation of the associated final plat before improvements are constructed and accepted (which allows for the sale of lots and construction of dwellings to commence), the buffer vegetation and amenities shall be installed prior to issuance of any occupancy permit, including temporary occupancy permit for any dwelling within the adjacent final plat.

- *Signage*: The signage section of the PUD Ordinance is proposed to be modified based on additional information provided for the proposed development signs, including illumination standards, timing of installation, types of signs proposed, and specifics on the size of signage copy for each sign.

- *PUD Sketch Map*: The PUD Sketch Map is proposed to be amended with this action to show the proposed zoning changes within the PUD.

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 April 4, 2020, notice for the April 13, 2020, Plan and Zoning Commission and April 20, 2020, 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 April 2, 2020.

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 approve the Comprehensive Plan Land Use Map amendment for approximately 41.5 acres from Medium Density Residential (MD) to Single Family (SF) and approximately 10.5 acres from Agricultural/Open Space (OS) and 7.0 acres from Neighborhood Commercial (NC) to Medium Density Residential (MD), 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 approve the rezoning request to amend The Preserve Planned Unit Development to designate Residential Estate (RE-1A) on approximately 41.5 acres and designate Residential Medium Density (RM-12) zoning on approximately 17.5 acres, all acres situated east of SW Grand Prairie Parkway, 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 & Zoning Commission Resolution – Comprehensive Plan Amendment
Exhibit A	- Conditions of Approval
Attachment B -	Plan and Zoning Commission Resolution – Rezoning
Exhibit A	- Conditions of Approval
Attachment C -	Location Map
Attachment D -	The Preserve Rezoning Sketch
Attachment E -	Proposed PUD Amendment
Exhibit A	- The Preserve PUD Sketch Map

ATTACHMENT A

RESOLUTION NO. PZC-20-011

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 TO ALLOW FOR SINGLE FAMILY (SF) AND MEDIUM DESITY RESIDENTIAL (MD) LAND USES

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 an amendment to the Comprehensive Plan Land Use Map (CPA-004583-2019) to change the land use designation of approximately 41.5 acres from Medium Density Residential (MD) to Single Family (SF) and approximately 10.5 acres from Agricultural/Open Space (OS) and 7.0 acres from Neighborhood Commercial (NC) and to Medium Density Residential (MD); 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 April 13, 2020, this Commission held a duly-noticed hearing to consider the application for Comprehensive Plan Amendment (CPA-004583-2019); 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 April 13, 2020, or as amended orally at the Plan and Zoning Commission hearing of April 13, 2020, are adopted.

SECTION 2. Comprehensive Plan Land Use Amendment (CPA-004583-2019) to change the land use designations on the subject property is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated April 13, 2020, including conditions added at the meeting, and attached hereto as Exhibit "A". 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 April 13, 2020.

Erica Andersen

Erica Andersen, Chairperson
Plan and Zoning Commission

ATTEST:

Jennifer Canaday

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 April 13, 2020, by the following vote:

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

ATTEST:

Jennifer Canaday

Recording Secretary

EXHIBIT A
Conditions of Approval

1. The applicant removing the conceptual streets shown on the Rezoning Sketch and PUD Sketch Map prior to the April 20th City Council meeting. The applicant further acknowledges that street layouts will need to comply with the April 10, 2020 Preserve Comprehensive Plan Amendment and PUD Amendment traffic analysis, as well as any future traffic impact studies done in conjunction with preliminary plat submittals and any future CPA and PUD Amendments

ATTACHMENT B

RESOLUTION NO. PZC-20-012

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE AMENDMENT TO THE PRESERVE PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED 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 south of Raccoon River adjacent to SW Grand Prairie Parkway to amend the Zoning Map from Residential Medium Density (RM-12) to Residential Estate (RE-1A) zoning on approximately 41.5 acres and from Neighborhood Commercial (NC) and Agricultural/Open Space (OS) to Residential Medium Density (RM-12) zoning on approximately 17.5 acres, all acres situated east of SW Grand Prairie Parkway; 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 April 13, 2020, this Commission held a duly-noticed hearing to consider the application for the Rezoning Request (ZC-004584-2019); 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 April 13, 2020, or as amended orally at the Plan and Zoning Commission hearing of April 13, 2020, are adopted.

SECTION 2. REZONING REQUEST (ZC-004584-2019) to designate Residential Estate (RE-1A) zoning and Residential Medium Density (RM-12) zoning is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated April 13, 2020, 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 April 13, 2020.

Erica Andersen

Erica Andersen, Chairperson
Plan and Zoning Commission

ATTEST:
Jennifer Canaday

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 April 13, 2020, by the following vote:

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

ATTEST:

Jennifer Canaday

Recording Secretary

EXHIBIT A
Conditions of Approval

1. The applicant removing the conceptual streets shown on the Rezoning Sketch and PUD Sketch Map prior to the April 20th City Council meeting. The applicant further acknowledges that street layouts will need to comply with the April 10, 2020 Preserve Comprehensive Plan Amendment and PUD Amendment traffic analysis, as well as any future traffic impact studies done in conjunction with preliminary plat submittals and any future CPA and PUD Amendments

ATTACHMENT C

The Preserve CPA and PUD Amendment

2,873.5 0 1,436.75 2,873.5 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City of West Des Moines, Iowa

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-AMENDMENT 1

WEST DES MOINES, IOWA, DALLAS & MADISON COUNTY

ATTACHMENT D

VICINITY SKETCH
NO SCALE

NORTH

PROPERTY OWNER / APPLICANT:
RACCOON RIVER LAND CO, LLC
c/o KNAPP PROPERTIES
5000 WESTOWN PKWY SUITE 400
WEST DES MOINES, IA 50266-5921
CONTACT: AIMEE STAUDT
PH: 515-222-5225,
EMAIL: aimee.staudt@knappproperties.com

PROJECT MANAGER:
PAUL CLAUSEN, PE,
CIVIL ENGINEERING CONSULTANTS
2400 86TH STREET, #12
DES MOINES, IOWA 50322
515-276-4884 EXT. #217
CLAUSEN@CECIAC.COM

TOTAL LAND AREA:
447.8 ACRES

EXISTING ZONING (PARCEL G):
THE PRESERVE PUD WITH UNDERLYING ZONING OF
AGRICULTURAL / OPEN SPACE (OS).

PROPOSED ZONING (PARCEL G):
THE PRESERVE PUD WITH UNDERLYING ZONING OF
RESIDENTIAL MEDIUM DENSITY (RM-12).

EXISTING COMPREHENSIVE PLAN DESIGNATION (PARCEL G):
AGRICULTURAL / OPEN SPACE (OS).

PROPOSED COMPREHENSIVE PLAN DESIGNATIONS (PARCEL G):
RESIDENTIAL MEDIUM DENSITY (RM-12).

PROPOSED LAND USE DENSITIES:

SINGLE FAMILY RESIDENTIAL	R-1, 5.8 DU/AC. MAX.
MEDIUM DENSITY RESIDENTIAL	RM-12, 12 DU/AC. MAX.

EXISTING ZONING (PARCEL H):
THE PRESERVE PUD WITH UNDERLYING ZONING OF
RESIDENTIAL MEDIUM DENSITY (RM-12).

PROPOSED ZONING (PARCEL H):
THE PRESERVE PUD WITH UNDERLYING ZONING OF
RESIDENTIAL ESTATE (RE-1A)

EXISTING COMPREHENSIVE PLAN DESIGNATION (PARCEL H):
MEDIUM DENSITY RESIDENTIAL (MD)

PROPOSED COMPREHENSIVE PLAN DESIGNATIONS (PARCEL H):
SINGLE FAMILY RESIDENTIAL (SF)

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 - PARCEL 'D'
RM-12 (RESIDENTIAL MEDIUM DENSITY)

COMMENCING AS A POINT OF REFERENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE S00°17'19"W, 324.15 FEET ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34 TO THE POINT OF BEGINNING; THENCE CONTINUING S00°17'19"W, 671.64 FEET ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34 TO A POINT; THENCE S70°55'20"W, 242.54 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET AND A CHORD BEARING OF S80°45'20"W, AN ARC LENGTH OF 102.97 FEET TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 300.00 FEET AND A CHORD BEARING OF S80°45'20"W, AN ARC LENGTH OF 102.97 FEET TO A POINT OF TANGENCY; THENCE S70°55'20"W, 97.82 FEET TO A POINT; THENCE N19°04'40"W, 604.30 FEET TO A POINT; THENCE N70°55'20"E, 767.05 FEET TO THE POINT OF BEGINNING AND CONTAINING 9.5 ACRES MORE OR LESS.

LEGAL DESCRIPTION - PARCEL 'E'
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, IOWA, SAID SOUTH 1/4 CORNER ALSO BEING THE NORTH 1/4 CORNER OF SECTION 3, TOWNSHIP 77 NORTH, RANGE 26 WEST MADISON COUNTY, IOWA, THENCE N89°39'47"E, 169.50 FEET ALONG THE SOUTH LINE OF SAID SECTION 34, SAID SOUTH LINE ALSO BEING THE NORTH LINE OF SAID SECTION 3, TO A POINT; THENCE S04°25'30"E, 667.48 TO A POINT; THENCE WESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1500.00 FEET AND A CHORD BEARING OF S75°44'55"W, AN ARC LENGTH OF 252.71 FEET TO A POINT OF TANGENCY; THENCE S70°55'20"W, 235.87 FEET TO A POINT; THENCE N19°04'40"W, 1005.46 FEET TO A POINT; THENCE N70°55'20"E, 97.82 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET AND A CHORD BEARING OF N80°45'20"E, AN ARC LENGTH OF 102.97 FEET TO A POINT OF REVERSE CURVATURE; THENCE EASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 300.00 FEET AND A CHORD BEARING OF N80°45'20"E, AN ARC LENGTH OF 102.97 FEET TO A POINT OF TANGENCY; THENCE N70°55'20"E, 242.54 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE S00°17'19"W, 314.44 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 12.0 ACRES MORE OR LESS.

LEGAL DESCRIPTION - PARCEL 'G'
OS (AGRICULTURAL/OPEN SPACE) TO
RM-12 (RESIDENTIAL MEDIUM DENSITY)

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, MADISON COUNTY, IOWA, THENCE S00°00'22"E, 763.96 FEET ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3 TO A POINT; THENCE S89°59'38"W, 778.26 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 S85°17'04"W, AN ARC LENGTH OF 246.54 FEET TO A POINT; THENCE N04°25'30"W, 667.48 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 3; THENCE N89°39'47"E, 1134.93 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING AND CONTAINING 17.5 ACRES MORE OR LESS.

LEGAL DESCRIPTION - PARCEL 'H'
RM-12 (RESIDENTIAL MEDIUM DENSITY) TO
RE-1A (RESIDENTIAL ESTATE)

A PARCEL OF LAND IN THE SW1/4 OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEIGINNING AT THE CENTER OF SAID SECTION 34; THENCE S00°27'37"W, 1315.33 FEET ALONG THE EAST LINE OF THE NE1/4 OF SAID SW1/4 TO THE SE CORNER OF SAID NE 1/4 OF THE SW1/4; THENCE S00°17'19"W, 324.15 FEET ALONG THE EAST LINE OF THE SE1/4 OF SAID SW1/4 TO A POINT; THENCE S70°55'20"W, 767.05 FEET TO A POINT; THENCE N19°04'40"W, 1846.02 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°04'05"W, AN ARC LENGTH OF 2.82 FEET TO A POINT ON THE NORTH LINE OF SAID SW1/4; THENCE N89°55'16"E, 1344.10 FEET ALONG THE NORTH LINE OF SAID SW1/4 TO THE POINT OF BEGINNING AND CONTAINING 41.5 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@ceciac.com

REVISIONS		COMMENTS
1	01-22-2020	
2	02-28-2020	
3	03-04-2020	
4	03-19-2020	
5	04-03-2020	
6	04-15-2020	

DATE: DECEMBER 30, 2019
DATE OF SURVEY: DEC. 26, 2018
DESIGNED BY: PC
DRAWN BY: MEH

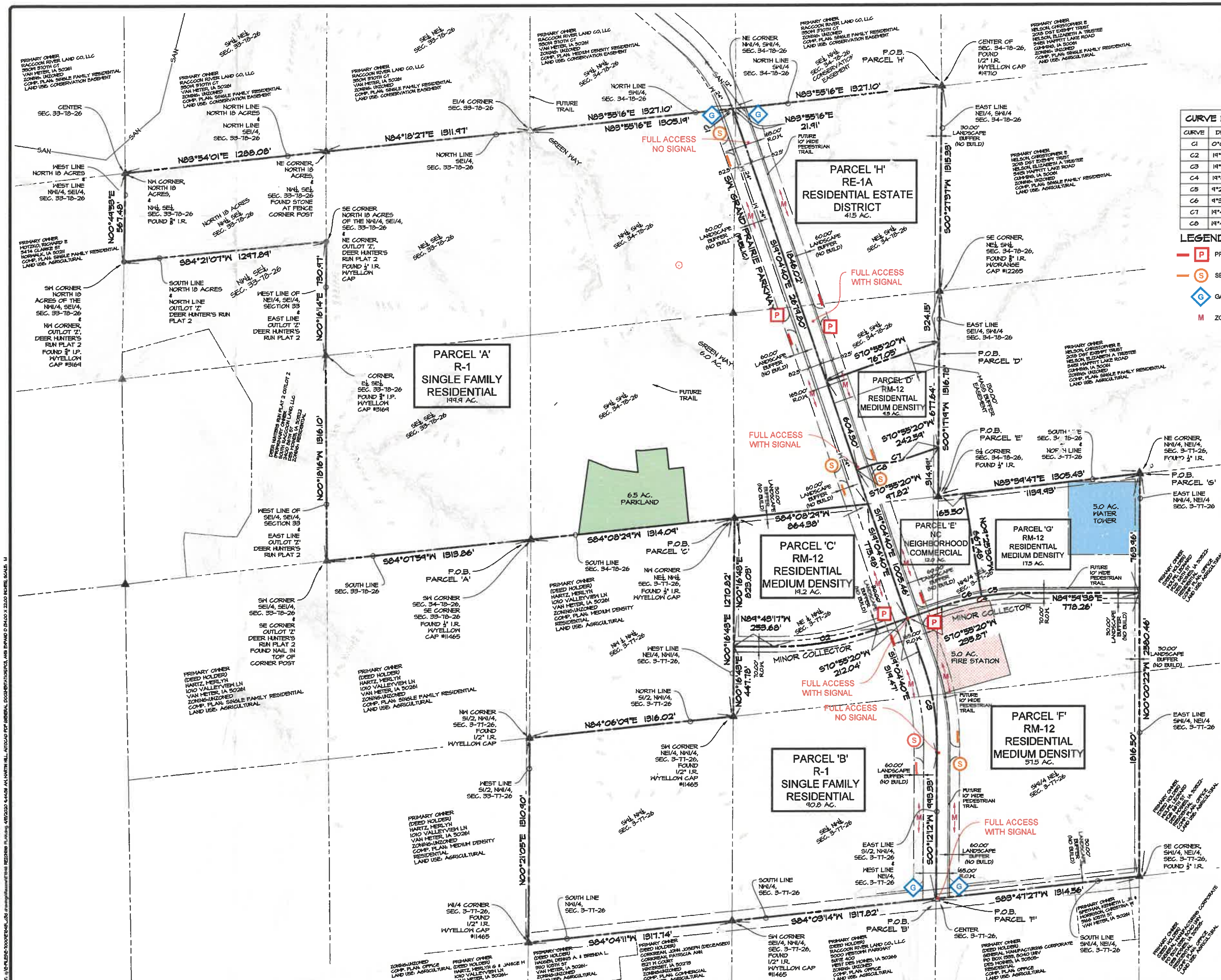
THE PRESERVE
WEST DES MOINES, IOWA, DALLAS & MADISON COUNTY

P.U.D. REZONING SKETCH-AMENDMENT 1

SHEET 01 OF 02

E-7848

THE PRESERVE
P.U.D. REZONING SKETCH-AMENDMENT 1
WEST DES MOINES, IOWA,
DALLAS & MADISON COUNTY



1"=300' PRINTED ON 22"x34" SHEET
1"=600' PRINTED ON 11"x17" SHEET

CURVE DATA

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CH. BEARING
C1	0°08'44"	1100.00'	2.82'	1.41'	2.82'	S19°09'05"E
C2	19°21'23"	2000.00'	675.67'	341.08'	672.46'	S80°36'01"W
C3	19°16'52"	1525.00'	513.19'	259.05'	510.78'	S09°26'14"E
C4	19°04'18"	1500.00'	499.30'	251.98'	497.00'	S80°27'29"W
C5	9°25'08"	1500.00'	246.59'	123.57'	246.31'	N85°17'04"E
C6	9°39'10"	1500.00'	252.71'	126.65'	252.41'	N75°44'55"E
C7	19°40'00"	300.00'	102.97'	52.00'	102.47'	S80°45'20"W
C8	19°40'00"	300.00'	102.97'	52.00'	102.47'	S80°45'20"W

LEGEND

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

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THE PRESERVE
WEST DES MOINES, IOWA, DALLAS & MADISON COUNTY
P.U.D. REZONING SKETCH-AMENDMENT 1

SHEET 02 OF 02
E-7848

EXHIBIT II

Prepared by: B. Portz, City of West Des Moines Development Services, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620; When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING THE PRESERVE COMPREHENSIVE PLAN AMENDMENT (CPA-004583-2019) TO ESTABLISH SINGLE FAMILY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL LAND USES.

WHEREAS, pursuant to the provisions of Title 9, Zoning, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Raccoon River Land Company, LLC, has requested approval for The Preserve Comprehensive Plan Amendment (CPA-004583-2019) for that property located south of Raccoon River and east of SW Grand Prairie Parkway; 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 April 13, 2020, the Plan and Zoning Commission did recommend to the City Council approval of the The Preserve Comprehensive Plan Amendment (CPA-004583-2019); and

WHEREAS, on, April 20, 2020, this City Council held a duly noticed Hearing to consider the application for The Preserve Comprehensive Plan Amendment (CPA-004583-2019).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, stated in the staff report, dated April 20, 2020, or as amended orally at the City Council meeting of April 20, 2020, are adopted.

SECTION 2. COMPREHENSIVE PLAN AMENDMENT (CPA-004583-2019) to change the land use designations for a portion of the Preserve development is approved, subject to compliance with all the conditions in the staff report, dated April 20, 2020, including conditions added at the meeting, and attached hereto as Attachment "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on April 20, 2020.

_____
Steven K. Gaer
Mayor

ATTEST:

_____
Ryan Jacobson
City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on April 20, 2020, by the following vote:

ATTEST:

_____
Ryan Jacobson
City Clerk

Attachment A
Conditions of Approval

No conditions of approval

Attachment B

Legend

Corporate Limits

2,431.1 0 1,215.54 2,431.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City of West Des Moines, Iowa

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

EXHIBIT III

Prepared by: B. Portz, Development Services, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265, 515-222-3620
When Recorded, Return To: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO.

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2019 AND ORDINANCE #2383 PERTAINING TO P.U.D. (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

SECTION 1. AMENDMENT: Ordinance #2383 pertaining to **The Preserve PUD**, complete ordinance; is hereby amended by replacing the PUD sketch plan with Attachment A.

SECTION 2. AMENDMENT: Ordinance #2383 pertaining to **The Preserve PUD**, Section 5: *Land Use Design Criteria*; is hereby amended by inserting the bold, italicized text and deleting the highlighted strikethrough text:

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***, but may be installed if desired***.

   Installation of the buffer vegetation and amenities (development branding signage and sculptures) shall occur prior to ***acceptance of public improvements associated with the adjacent final plat. If surety is posted for public improvements to allow for approval and recordation of the associated final plat before improvements are constructed and accepted (which allows for the sale of lots and construction of dwellings to commence), the buffer vegetation and amenities shall be installed prior to issuance of any occupancy permit, including temporary occupancy permit for any dwelling within the adjacent final plat.*** ~~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. Completion of installation of vegetation and amenities within the entire buffer associated with the plat shall occur prior to issuance of any occupancy permit for a dwelling that is part of the last 25% of lots or adjacent to the buffer.~~ If the time of the year prevents installation of the buffer vegetation ***and amenities***, to receive an occupancy permit for a***ny*** 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 ***possible*** planting season ~~after the issuance of the occupancy permit~~ and prior to June 15th. ***No additional occupancy permits, including temporary occupancy permits shall be issued after June 15th until such time that the buffer vegetation and amenities have been installed to the satisfaction of the City.*** ~~The City reserves the right to refuse issuance of additional building permits until the buffer vegetation and amenities are installed to the City's satisfaction~~.

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 ***according to the terms of the Raccoon River Land Development Agreement*** ~~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~~. ***At the time of site plan review of the fire station, the City shall be required to install the sixty-foot (60') buffer park and earthen berming along SW Grand Prairie Parkway as required below.***

2. 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***, but may be installed if desired***.

   Installation of the buffer vegetation and amenities (development branding signage and sculptures) shall occur prior to ***acceptance of public improvements associated with the adjacent final plat. If surety is posted for public improvements to allow for approval and recordation of the associated final plat before improvements are constructed and accepted (which allows for the sale of lots and construction of dwellings to commence), the buffer vegetation and amenities shall be installed prior to issuance of any occupancy permit, including temporary occupancy permit for any dwelling or non-residential building within the adjacent final plat.*** ~~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. Completion of installation of vegetation and amenities within the entire buffer associated with the plat shall occur prior to issuance of any occupancy permit for a dwelling that is part of the last 25% of lots or adjacent to the buffer.~~ If the time of the year prevents installation of the buffer vegetation ***and***

amenities, to receive an occupancy permit for a***ny*** dwelling ***or non-residential building***, 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 ***possible*** planting season ~~after the issuance of the occupancy permit~~ and prior to June 15th. ***No additional occupancy permits, including temporary occupancy permits shall be issued after June 15th until such time that the buffer vegetation and amenities have been installed to the satisfaction of the City.*** ~~The City reserves the right to refuse issuance of additional building permits until the buffer vegetation and amenities are installed to the City's satisfaction.~~

.

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 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***, but may be installed if desired***.

   Installation of the buffer vegetation and amenities (development branding signage and sculptures) shall occur prior to ***acceptance of public improvements associated with the adjacent final plat. If surety is posted for public improvements to allow for approval and recordation of the associated final plat before improvements are constructed and accepted (which allows for the sale of lots and construction of dwellings to commence), the buffer vegetation and amenities shall be installed prior to issuance of any occupancy permit, including temporary occupancy permit for any building within the adjacent final plat.*** ~~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. Completion of installation of vegetation and amenities within the entire buffer associated with the plat shall occur prior to issuance of any occupancy permit for a dwelling that is part of the last 25% of lots or adjacent to the buffer.~~ If the time of the year prevents installation of the buffer vegetation ***and amenities***, to receive an occupancy permit for a ~~dwelling~~ ***building within the parcel***, 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 ***possible*** planting season ~~after the issuance of the occupancy permit~~ and prior to June 15th. ***No additional occupancy permits, including temporary occupancy permits shall be issued after June 15th until such time that the buffer vegetation and amenities have been installed to the***

satisfaction of the City. ~~The City reserves the right to refuse issuance of additional building permits until the buffer vegetation and amenities are installed to the City's satisfaction.~~

D. 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)~~ ***Residential Medium Density (RM-12)*** 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 ***five (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~~ ***Parcel G*** 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 ***according to the terms of the Raccoon River Land Development Agreement*** ~~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~~.

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

1. Storm Water: Individual lots within Parcel H shall capture and treat the water quality volume in accordance with the Iowa Stormwater Management Manual through design and installation of Best Management Practices (BMPs). Supporting calculations and construction details are required to be submitted in conjunction with the building permit for the dwelling structure on each lot and shall be approved by the City prior to issuance of a building permit, including footing and foundation permits, for the respective lot.

2. 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 and shrubs shall not be required within the buffer but may be installed if desired.

Installation of the buffer vegetation and amenities (development branding signage and sculptures) shall occur prior to acceptance of public improvements associated with the adjacent final plat. If surety is posted for public improvements to allow for approval and recordation of the associated final plat before improvements are constructed and accepted (which allows for the sale of lots and construction of dwellings to commence), the buffer vegetation and amenities shall be installed prior to issuance of any occupancy permit, including temporary occupancy permit for any dwelling within the adjacent final plat. If the time of the year prevents installation of the buffer vegetation and amenities, to receive an occupancy permit for any 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 possible planting season and prior to June

15th. No additional occupancy permits, including temporary occupancy permits shall be issued after June 15th until such time that the buffer vegetation and amenities have been installed to the satisfaction of the City.

3. ***Architecture: It is desired that building architecture through Parcel H 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 to parcel H within or outside of The Preserves development.***

4. ***Fire Sprinklering: Homes within Parcel H that are eight thousand (8,000) square feet or larger (including garages and any structure within twenty feet (20') of the dwelling) must be fire sprinklered according to the West Des Moines fire code. Homes on Lots 2, 3, 4, 5, 6, 7, 8 & 9 of The Preserve Estates Plat 1 shall be fire sprinklered regardless of size of the dwelling structure as the homes on those lots will be greater than seven hundred fifty feet (750') from SW Grand Prairie Parkway. The distance from SW Grand Prairie Parkway to the dwelling structure shall be determined by the City Fire Marshal.***

SECTION 3. <u>AMENDMENT</u>: Ordinance #2383 pertaining to **The Preserve PUD**, Section 6: *Signage*; is hereby amended by replacing in its entirety with the following bolded italicized text:

A. ***Development Entrance Signs: These are signs that are being allowed within the development to establish and define the project's overall signage character in terms of color, material, lighting, and to be unifying features that define the development with through the use of a cohesive theme.***

   1. ***Illumination: Since these signs will be located within several possible zoning districts within the development (residential and commercial), for consistency these signs shall be allowed to be externally illuminated, halo lighted, or they may be internally illuminated if the light intensity is muted through the use of materials and/or face applied vinyl consistent with the development colors as depicted in The Preserve Signage and Identity Package on file with the City.***

   2. ***Timing of Installation: These sign elements shall be installed at the time of final platting of the property on which the sign(s) will be placed and may be located within the buffers along SW Grand Prairie Parkway. At the time of final platting, an easement shall be recorded for the corresponding placement of the sign(s) along with acceptable documentation, as determined by the City that outlines maintenance, repair and removal responsibilities for the signs.***

3. ***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 twenty-four (24) square feet. If a proposed primary entrance sign meets the criteria of a landscape sign as permitted according to the current City sign code, the sign may be increased to eight feet (8') in height. The Primary Entrance 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 of all adjacent roads. The signs may be located within the buffer along SW Grand Prairie Parkway.***

4. ***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 fourteen (14) square feet. If a proposed secondary entrance sign meets the criteria of a landscape sign as permitted according to the current City sign code, the sign may be increased to eight feet (8') in height. The Secondary Entrance 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. The signs may be located within the buffer along SW Grand Prairie Parkway.***

5. ***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 eleven (11) square feet. A Gateway 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. The signs may be located within the buffer along SW Grand Prairie Parkway.***

6. ***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 area 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 and may be located within the buffer park area along SW Grand Prairie Parkway.***

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. Signs associated with residential 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 residential development which take primary access off of a roadway other than SW Grand Prairie Parkway shall be allowed signage in accordance with city code. All non-development monument signs are required to incorporate The Preserve logo, including the identified development colors and materials. To accommodate The Preserve name or logo to be added to the top of the sign, an additional one foot (1') of height and eight (8) square feet of sign area shall be permitted in addition to what would normally be allowed by the City sign 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.

D. Neighborhood Signs: Neighborhood signs as depicted in The Preserve Signage and Identity Package shall comply with the regulations for Residential Subdivision Signs within the current City sign code.

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

SECTION 5. SAVINGS CLAUSE: If any section, provision, sentence, clause, phrase or part of the Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

SECTION 6. VIOLATIONS AND PENALTIES. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Title 1, Chapter 4, Section 1 of the City Code of the City of West Des Moines, Iowa.

SECTION 7. OTHER REMEDIES. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

SECTION 8. EFFECTIVE DATE: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

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

_____
Steven K. Gaer, Mayor

ATTEST:

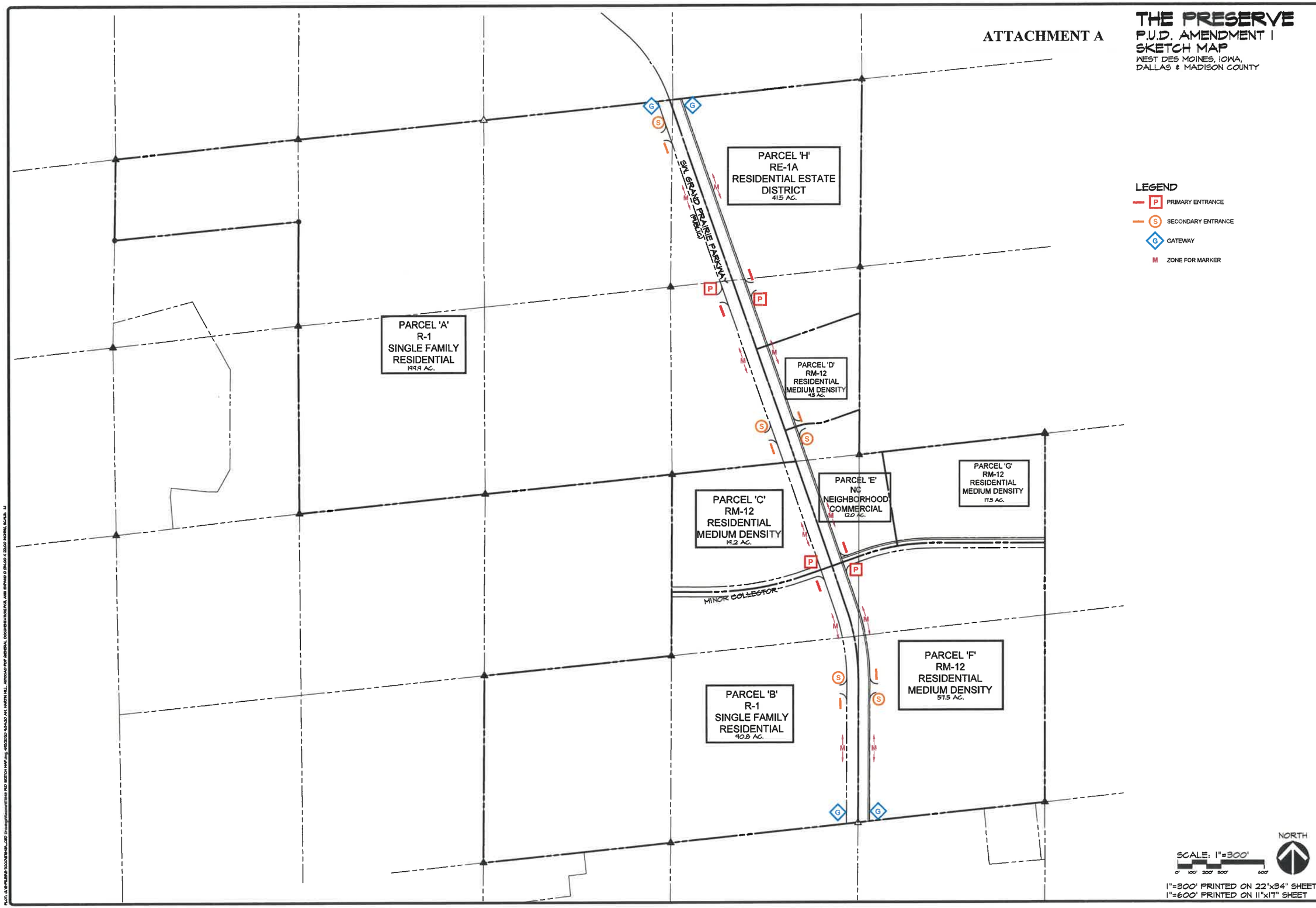
_____
Ryan T. Jacobson, City Clerk

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

_____
Ryan T. Jacobson, City Clerk

ATTACHMENT A

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



CEC
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THE PRESERVE
WEST DES MOINES, IOWA, DALLAS & MADISON COUNTY
P.U.D. AMENDMENT I - SKETCH MAP

SHEET 01 OF 01

E-7848