NO CHANGE FROM PREVIOUS READING

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: May 4, 2020

ITEM: The Preserve, South of Raccoon River adjacent to SW Grand Prairie Parkway – Amend The Preserve Planned Unit Development (PUD) to establish development standards for residential estate lots and modify signage regulations – Raccoon River Land Company, LLC – ZC-004584-2019

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

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Raccoon River Land Company, LLC, is requesting approval of a 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 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 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) and Neighborhood Commercial (NC) designated areas. The rezoning involves an amendment to the existing Preserve PUD to allow for the proposed development of residential estate lots, adjust acreage of Medium-density and Neighborhood Commercial areas, and to modify the signage package for the development.

Previous Council Action:
Vote: 5-0 approval
Date: April 20, 2020
Resolution: Approve a Comprehensive Plan Land Use Map Amendment to designate Single Family (SF) and Medium Density Residential (MD) land use.

Vote: 5-0 approval
Date: April 20, 2020
Motion: Approval of the First Reading the Ordinance to amend the Preserve PUD to allow for residential estate development, adjust number of acres of Medium-density and Neighborhood Commercial and modify signage regulations.

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

Lead Staff Member: Brian Portz

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	JS
Agenda Acceptance	QA

PUBLICATION(S) (if applicable)

Published In	Des Moines Register Community Section	
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 - Proposed PUD Ordinance Amendment

Attachment 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, 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.

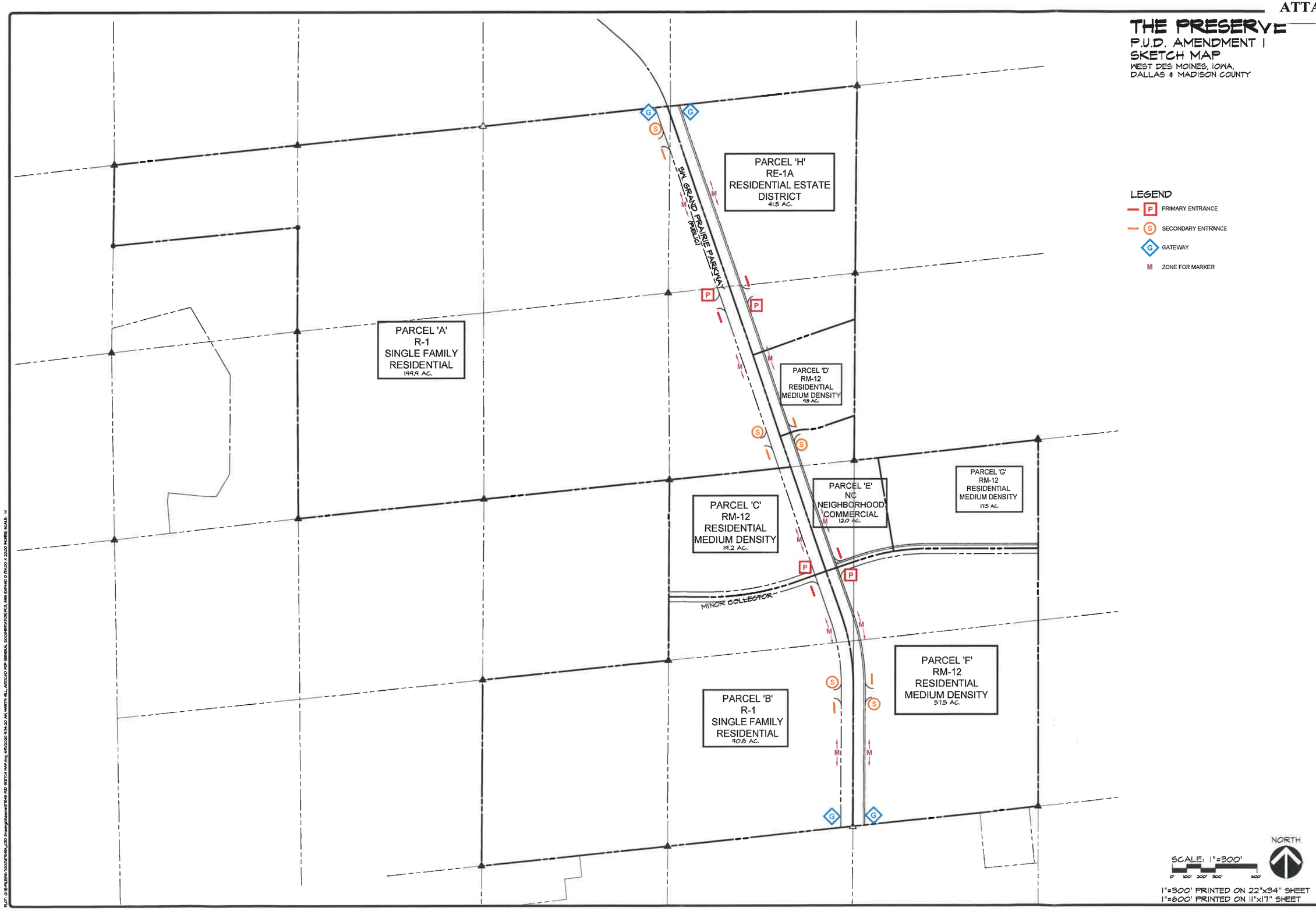
_____
Ryan T. Jacobson, City Clerk

ATTACHMENT A

THE PRESERVE

P.U.D. AMENDMENT 1
SKETCH MAP

WEST DES MOINES, IOWA,
DALLAS & MADISON COUNTY



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

DATE:	REVISIONS	COMMENTS
	1 01-22-2020	
	2 02-28-2020	
	3 03-04-2020	
	4 03-11-2020	
	5 04-02-2020	
	6 04-15-2020	

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

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

SHEET 01 OF 01

E-7848