CITY OF WEST DES MOINES PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: June 8, 2020

Item: Mills Landing, Southeast corner of South 60th Street and Mills Civic

Parkway – Approve a Comprehensive Plan Land Use Amendment, an amendment to an Area Development Pan, and establish the Zone Change Specific Plan (rezoning) for the intended development – Shree Ram

Development LLC

CPA-004167-2018/ACP-004166-2018/ZCSP-004354_2020

Requested Action: Recommend approval of a Comprehensive Plan Land Use Map amendment, an

Area Development Plan amendment, and adoption of the Zone Change Specific

Plan for Mills Crossing.

<u>Case Advisor</u>: Kara Tragesser, AICP

<u>Applicant's Request</u>: The applicant, Shree Ram Development LLC is requesting approval of the following for the property located at the southeast corner of South 60th Street and Mills Civic Parkway (Attachment D – Location Map). Details are provided below in the Staff Review section for each request:

- Amend the Comprehensive Plan Land Use Map for the property from Medium Density Residential, Low Density Residential and Support Commercial to Support Commercial land use and high density residential land use.
- Amend the Glennan Square South Area Development Plan for the 16.23 acre property to the Mills Landing Area Development plan which identifies two planning areas, one for high density residential development and the other for support commercial development
- Adoption of the Mills Landing Zone Change Specific Plan to regulate zoning and development standards for the property

<u>History</u>: The development area is comprised of Lots 5, 6, and 7 of Westview Country Estate Final Plat. Several inquiries into development of this property have been presented to the City over the years. In November of 2006, the City Council approved a Comprehensive Plan Land Use change to identify approximately 12 acres in the northwest corner of the site as Support Commercial (from a land use designation of Medium Density Residential), with the remaining property along the east and southern borders of the total property designated as Medium Density Residential, except for a small portion under the high power lines which remained as Low Density Residential. That development was named Glennan Square South. Also, in 2016, an Area Development Plan for Glennan Square South was approved.

On May 6, 2019, an amendment to the Comprehensive Plan Land Use Map and Area Development Plan was reviewed by the City Council to change the land use for all lots to Support Commercial and approve an Area Development Plan identifying one development parcel for the 16.23-acre site. Activity on the all Support Commercial site ceased when a new application was submitted for a Comprehensive Plan Land Use Map amendment and Area Development Plan to change the southern portion of the site for high density residential development with the balance of the site remaining for support commercial development. This is the proposal that is under consideration tonight.

A grading plan was approved in September 2017 to stockpile dirt and a grading plan was approved for rough grading of the property on March 19, 2019.

<u>City Council Subcommittee</u>: This project was presented to the Planning and Development City Council Subcommittee at on October 15, 2018 and January 7, 2019. The concept presented at the October 18th meeting included a convenience store, car wash, hotel, bank with drive-thru, and office/restaurant/retail buildings. The Subcommittee was not in favor of the car wash due to potential noise affecting nearby residential; the subcommittee also was not in favor of a vehicle lube business and other automobile related

uses. A revised concept was submitted in January 2019 that eliminated the car wash and convenience store. The Subcommittee was supportive of the revised concept.

On April 1, 2019, the Subcommittee was presented a concept for the property that included a high density residential development in approximately the southern half of the property. The Subcommittee spoke positively about the proposed residential component and supported the developer to continue talking with the neighbors.

<u>Staff Review and Comment</u>: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff notes the following:

Comprehensive Plan Land Use Map amendment (CPA): The current adopted land uses assigned to the parcels included in this project are approximately 6.4 acres of Medium Density Residential, 0.38 acres of Low Density Residential and approximately 9.53 acres of Support Commercial (see Attachment A, Exhibit B – Land Use Illustrations). The applicant requests a change to the land use map to designate approximately 6.5 acres of Support Commercial land use and approximately 9.3 acres of High Density Residential land use to accommodate a senior residential development.

Area Development Plan (ADP): The Area Development Plan is a plan that identifies planning units and major street patterns and accesses for a defined area. It is a conceptual master plan intended to encourage cohesive, unified development of a larger area. This ADP identifies two planning parcels to reflect the high density residential area and the support commercial area (see Attachment B, Exhibit B).

Zone Change Specific Plan (ZCSP): A Specific Plan is a Planned Unit Development (PUD) type of zoning ordinance for a specific area. The ZCSP outlines detailed development criteria such as density, allowed and prohibited land uses, setbacks, traffic allowances, parking requirements, buffering, architectural building components and unifying elements, building materials and color palette, and landscaping and pedestrian components such as streetscape design and pedestrian plazas. A typical specific plan area develops as one visually cohesive project with a complimentary architectural style and inter-related areas with vehicle and pedestrian connections between the various lots within the development. The provision of enhanced architecture, landscaping, pedestrian use areas and streetscaping is required of this development consistent with other specific plan developments (see Attachment C – Specific Plan Ordinance).

Of specific note is the parking ratio in the specific plan. The City Code provides for apartment uses, including senior living uses, to have 1.5 parking spaces for efficiency units, 1.75 parking spaces per 1-2 bedroom unit, 2 spaces per 3 bedroom unit, and 1 visitor space per ten units. The total parking spaces required based on city code for the proposed unit count is 248 spaces. The applicant proposes 1.0 parking space per unit; with 130 units, the number required would be 130 parking spaces. The City has an overlay district site plan in review for a senior living facility for the high-density residential area that indicates a provision of 149 spaces. The developer of the senior living building has supplied self-researched information from its other properties in various other locations which indicates parking usage below 1 space per unit at these other senior living buildings as the residents attracted to this type of senior living facility don't have cars. Staff notes that other senior living facilities, such as Aventura on Bishop Drive and the under-construction Grand Living senior housing have met the city code requirements without any reductions. Staff also notes that the overlay district guidelines and developments have the intent to reduce parking requirements with cross-parking agreements and non-standard parking ratios. development plans have been submitted for the commercial areas; however, there may be sufficient extra parking within the commercial areas to handle overflow, if needed, from a senior living facility. Staff has included in the specific plan a provision that a blanket cross parking agreement be put in the place to accommodate overflow parking for any parcel. Staff feels this will support the ratio for senior living uses, but not apartment uses.

<u>Comprehensive Plan Consistency</u>: 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 of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

<u>Town Center Overlay District Consistency</u>: The proposed project has been reviewed for consistency with the proposed Town Center Overlay District Guidelines. Based upon that review, a finding has been made that the proposed project is consistent with the Town Center Overlay District Guidelines in that the plan is consistent with the overall objective and intents of the Town Center Overlay District Guidelines.

<u>Amendment</u>: 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 recommending the City Council approve the amendment to the Comprehensive Plan Land Use Map, subject to the applicant meeting all City Code requirements.

<u>Staff Recommendation And Conditions Of Approval – Area Development Plan:</u> Based upon the preceding review and finding of consistency with the Town Center Overlay District Guidelines, Staff recommends the Plan and Zoning Commission adopt a resolution recommending the City Council approve the amendment to the Glennan Square South Area Development Plan in favor of the Mills Landing Area Development Plan, subject to the applicant meeting all City Code Requirements and the following:

1. The uses and building locations or sizes are not approved as part of the approval of the Area Development Plan but rather require the review and approval of separate Overlay District Site Plans.

<u>Staff Recommendation And Conditions Of Approval – Zone Change Specific Plan:</u> Based upon the preceding review and finding of consistency with the goals and policies of the Comprehensive Plan and the Town Center Overlay District Guidelines. Staff recommends the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Mills Landing Specific Plan, subject to the applicant meeting all City Code requirements.

<u>Noticing Information</u>: On May 30, 2020, notice for the June 8, 2020, Plan and Zoning Commission and June 15, 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 May 28, 2020.

Property Owner: Shree Ram Development LLC

265 62nd Court

West Des Moines IA 50266

Kalpech.patel@vkbmanagement.com

Applicant: Same

Applicant's Representatives:

Doug Mandernach Civil Design Advantage

3405 SE Crossroads Dr. Suite G

Grimes IA 50111 5115-369-4400

Dougm@cda-eng.com

ATTACHMENTS:

Attachment A - Plan and Zoning Commission Resolution - Comprehensive Plan Land Use

Map Amendment

Exhibit A - Conditions of Approval

Exhibit B - Illustrations

Attachment B - Plan and Zoning Commission Resolution – Area Development Plan

Exhibit A - Conditions of Approval

Exhibit B - Area Development Plan

Attachment C -Plan and Zoning Commission Resolution - Zone Change Specific Plan

Exhibit A

Conditions of Approval
Specific Plan ordinance and exhibits (the images are illustrative and Exhibit B

official copies will be kept by the City)

Location Map Attachment D -

RESOLUTION NO. PZC-029

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP TO CHANGE THE LAND USE DESIGNATION FROM SUPPORT COMMERCIAL, MEDIUM DENSITY RESIDENTIAL AND LOW DENSITY RESIDENTIAL TO SUPPORT COMMERCIAL AND HIGH DENSITY RESIDENTIAL LAND USE DESIGNATIONS

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Shree Ram Development LLC, has requested an amendment to the Comprehensive Plan Land Use Map to change the land use designations from approximately 6.4 acres of Medium Density Residential, 0.38 acres of Low Density Residential and approximately 9.53 acres of Support Commercial. The applicant requests a change to the land use map to designate approximately 6.5 acres of Support Commercial land use and approximately 9.3 acres of High Density Residential land use to accommodate a senior residential development; and

WHEREAS, studies and investigations were made and staff reports and recommendations were submitted which are made a part of this record and herein incorporated by reference; and

WHEREAS, on June 8, 2020, this Commission held a duly-noticed hearing to consider the application for approval of an amendment to the Comprehensive Plan Land Use Map.

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

<u>SECTION 1</u>. The findings, for approval, in the staff report as written or as amended orally at the Plan and Zoning Commission hearing of June 8, 2020, are adopted.

SECTION 2. The Comprehensive Plan Land Use Map Amendment as shown on Exhibit 'B' is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, including conditions added at the Hearing, 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 June 8, 2020.		
ATTES	Erica Andersen, Chair Plan and Zoning Commission T:		
	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_June 8, 2020, by the following vote:			
	AYES: NAYS: ABSTENTIONS: ABSENT:		

Exhibit A Conditions of Approval

ATTEST:

Recording Secretary

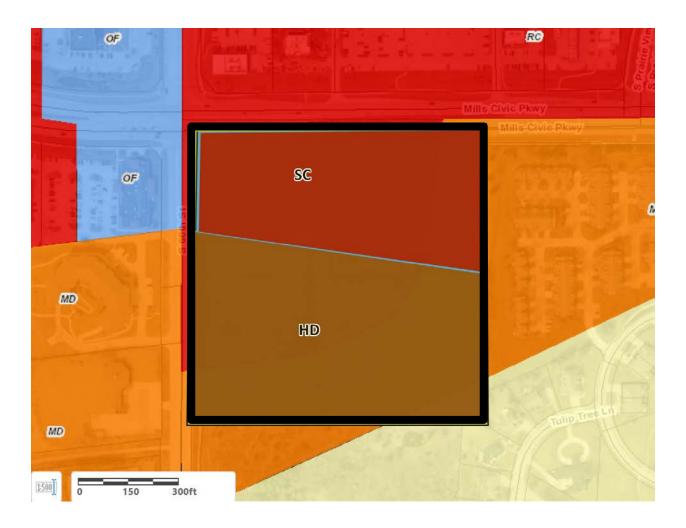
None

Exhibit B Comprehensive Plan Land Use Amendment

Existing land Use



Proposed Land Use



**Note: Land Use boundaries will follow platted lot lines according to the forthcoming preliminary plat.

The yellow outline is due to outlining the changed areas.

RESOLUTION NO. PZC-030

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE AREA DEVELOPMENT PLAN FOR MILLS LANDING

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Shree Ram Development LLC, has requested approval of an Area Development Plan for that 16.23 acre property at the southeast corner of S. 60th Street and Mills Civic Parkway; and

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which are made a part of this record and herein incorporated by reference; and

WHEREAS, on June 8, 2020, this Commission held a duly-noticed hearing to consider the application for approval of an Area Development Plan for Mills Landing.

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

<u>SECTION 1</u>. The findings, for approval, in the staff report as written or as amended orally at the Plan and Zoning Commission hearing of June 8, 2020, are adopted.

SECTION 2. The Mills Landing Area Development Plan is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, including conditions added at the Hearing, 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 June 8, 2020.

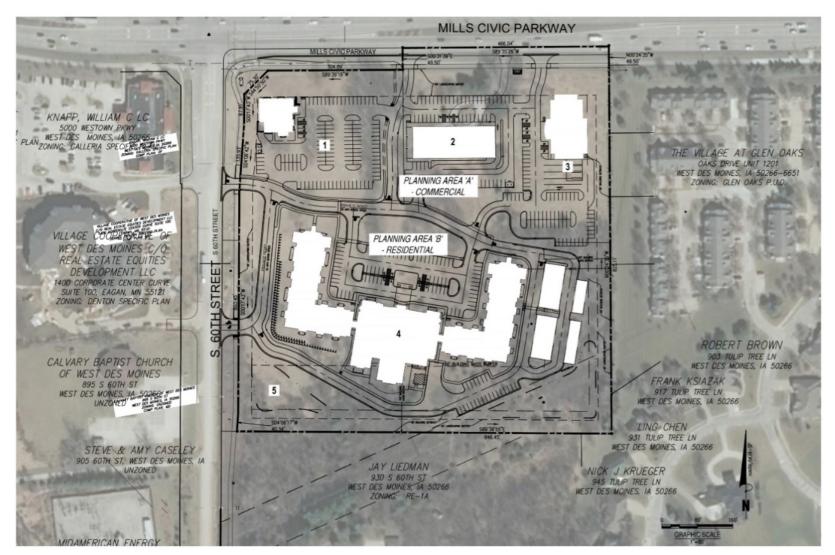
Recording Secretary

,						
	Erica Andersen, Chair					
	Plan and Zoning Commission					
ATTEST:						
Recording Secretary						
	I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning ssion of the City of West Des Moines, Iowa, at a regular meeting held on June 8, 2020, by the g vote:					
AYES: NAYS: ABSTENTIONS: ABSENT:						
ATTEST:						

Exhibit A Conditions of Approval

1.	The uses and building locations or sizes are not approved as part of the approval of the Area
	Development Plan but rather require the review and approval of separate Overlay District Site
	Plans.

Exhibit A **Area Development Plan**



OWNER/APPLICANT: SHREE RAM DEVELOPMENT LLC 265 62NO COURT MEST DES MOINES, IA 50266 CONTACT, MALPESH PAREL: 515–270–1111

ADDRESS: Parcel A: 700 S. 60TH STREET

Parcel B: 5900 MILLS CIVIC PARKWAY

Parcel C: 800 S. 60TH STREET

COMPREHENSIVE PLAN LAND USE: Existing: SUPPORT COMMERCIAL (SC) MEDIUM DENSITY RESIDENTIAL (MD) LOW DENSITY RESIDENTIAL (LD)

ZONING: Existing Zoning: RM-8 MEDIUM DENSITY AND RE-1A SINGLE FAMILY RESIDENTIA

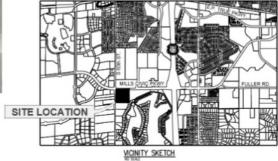
Proposed Zoning: MILLS LANDING SPECIFIC PLAN

Lot 2: Restaurant/Retail - 1.99 acres Multi-Tenant Use

Lot 4: Senior Housing - 8.32 acres

REQUIRED PARKLAND DEDICATION: 1.38AC. PROPOSED PARKLAND DEDICATION: 1.38 AC.

LEGAL DESCRIPTION:
Lot 5 and 5, except South 56th Street Right of Way
and except Miss Cult Parkway Right of Way and all of lot 7, all being
of West-View Country Extates regist, an official plat in the City of West
Des Mones, Poli Country, Iowa.



MILLS LANDING AREA DEVELOPMENT PLAN

WEST DES MOINES, IOWA OCTOBER 30, 2019



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REVISIONS OTY COMMENT RESPONSES OTY COMMENT RESPONSES



RESOLUTION NO. PZC-031

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE MILLS LANDING SPECIFIC PLAN

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Shree Ram Development LLC, has requested approval of a Zone Change Specific Plan for Mills Landing to be located at the southeast corner of S. 60th Street and Mills Civic Parkway; and

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which are made a part of this record and herein incorporated by reference; and

WHEREAS, on June 8, 2020, this Commission held a duly-noticed hearing to consider the application for approval of an Area Development Plan for Mills Landing.

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

<u>SECTION 1</u>. The findings, for approval, in the staff report as written or as amended orally at the Plan and Zoning Commission hearing of June 8, 2020, are adopted.

<u>SECTION 2</u>. The Mills Landing Specific Plan is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, including conditions added at the Hearing, 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 June 8, 2020.

Recording Secretary

Erica Andersen, Chair
Plan and Zoning Commission

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning
Commission of the City of West Des Moines, Iowa, at a regular meeting held on June 8, 2020, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Exhibit A Specific Plan

Prepared by: KTragesser, 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

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AN ORDINANCE AMENDING 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: <u>AMENDMENT</u>: Amend the Zoning Map of the City of West Des Moines, Iowa, from Residential Medium Density (RM-8) and Residential Estate (RE-1A) to **Mills Landing Specific Plan** of West Des Moines, Iowa:

Legal Description

LOTS 5 AND 6, EXCEPT SOUTH 60^{TH} STREET RIGHT OF WAY AND EXCEPT MILLS CIVIC PARKWAY RIGHT OF WAY AND ALL OF LOT 7, ALL BEING OF WESTVIEW COUNTRY ESTATES REPLAT, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA. PROPERTY CONTAINS 16.23 ACRES (707,175 S.F.) MORE OR LESS AND IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

SECTION 2. <u>INTENT</u>: To develop a residential and commercial development which compliments other development in the surrounding area by providing a framework for development standards that respect the adjacent single-family residential areas. The Specific Plan promotes the intent and the goals of the Town Center Overlay District.

SECTION 3. REQUIRED PLANS: The following plans shall be required as a part of the processing of any development application for any property within the Mills Landing Specific Plan:

- A. <u>Area Development Plan</u>: An Area Development Plan is a plan that identifies planning units, major circulation patterns, master storm water drainage and detention concepts, utilities, shared public spaces, land use assumptions and proposed densities. It is intended to be a tool used to promote the communication and cooperation between adjacent property owners and developers to ensure cohesive and unified development.
 - An Area Development Plan shall be reviewed by the Plan and Zoning Commission and approved by the City Council prior to, or in conjunction with, the review of the Specific Plan for any property within said specific plan area. No change to the Area Development Plan shall be made without approval of an amended plan from the appropriate reviewing bodies. Attached to this document (Exhibit I) or on file with the City Clerk is the City Council approved Area Development Plan for this property.
- B. <u>Specific Plan</u>: A Specific Plan identifies development intent for each planning unit indicated on the Area Development Plan or more specifically delineated on the Specific Plan Map. The Specific Plan shall conform to the general development intent identified in the approved Area Development Plan, as well as the Town Center Overlay District Guidelines. The Specific Plan shall be reviewed by the Plan and Zoning Commission and adopted by the City Council by Ordinance.

This document shall constitute the Specific Plan Ordinance for Mills Landing. Attached to and made a part of this ordinance is a Specific Plan Map that illustrates the overall site layout concept for Mills Landing (Exhibit II). This document and the associated exhibits (included or on file with the City Clerk) are intended to specify the components, parameters, and requirements to be adhered to and implemented to ensure the realization of Mills Landing development concept. 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, it is recognized that square footages of one (1) building may be shifted to another or increased to accommodate specific user's needs. These changes may be allowed with the appropriate City approvals if the shift does not have a negative impact on the traffic patterns for the building/area and the total number of vehicle trips does not exceed the total number of trips which has been allocated to the overall Mills Landing development. At the discretion of the Director of Development Services, changes to the layout of the development that are deemed to be 'major' changes shall require an amendment to the Specific Plan Map and/or Ordinance, whichever is applicable. Major amendments shall require the review and approval of the Plan and Zoning Commission and City Council.

Where the Specific Plan Map and Specific Plan Ordinance conflict, the Specific Plan Ordinance shall prevail.

C. <u>Development Applications (Overlay District Site Plans)</u>: Site Plans for all buildings and land area within the Mills Landing development must meet the intent of the approved Specific Plan. Site plans shall be submitted to the City of West Des Moines for review and approval prior to the development of any portion of the associated supporting lot. Site plans for permitted uses which comply (as determined by the Director of Development Services) with the design intent as set forth in this Specific Plan will be subject to administrative review and approval by the Director of Development Services. A one-week review and comment period by each and all-available members of the Plan and Zoning Commission and City Council shall precede the administrative approval.

If upon review, two (2) or more members of the City Council, Plan and Zoning Commission, or a combination thereof request such; or if the Director of Development Services deems the proposed site plan is not in compliance with the approved Specific Plan or is deemed controversial, the site plan will be processed through the traditional full site plan review and approval process. At the discretion of the Director of Development Services, an amendment to Mills Landing Specific Plan Ordinance may be required to bring consistency between the ordinance and site plan development proposed.

An overlay district site plan must be approved prior to the issuance of any building permit, including footing and foundation permits, for construction of any structure within the area proposed for development.

D. An agreement shall be established by the developer for the property encompassed by the Mills Landing development. This agreement shall identify requirements for the ongoing upkeep and maintenance of any privately-owned common grounds, structures, storm water detention, plaza areas in common ownership, signs, and any other specific development improvements required by the developer in this ordinance. Said agreements are hereby made a part of this specific plan ordinance by reference. These agreements shall be executed prior to the approval of each Overlay District Site Plan for any parcel within the development

In addition, a reciprocal Cross Access/Shared Parking Agreement shall be executed across all parcels included within the Mills Landing development in conjunction with the approval of the first overlay district site plan or final plat, whichever occurs first.

E. <u>Preliminary and Final Platting</u>: Platting for any PUD parcel shall be at the discretion of the developer. Platting, if needed for subdivision or right-of-way dedication, shall be done in accordance with the City's Subdivision Ordinance. Lots to be platted without public street frontage, in accordance with the City Code requirements, may be allowed provided the frontage requirements of the Code have been met

by an abutting or surrounding lot which is under common ownership under an owners' association, or a perpetual cross parking and access easement has been executed which provides for the unrestricted use and access of the drives and parking. Platted outlots are not buildable until such time that they are replatted through the City's Subdivision process; however, groundwork and construction of private roads may be commenced, prior to any such replatting, at the risk of the developer, and as set forth herein. Lot areas less than minimum square footage or acres required by code for the zoning districts specified in this ordinance, but no less than 50,000 square feet each, shall be considered acceptable if supported by reciprocal ingress/egress and parking easements and if approved by the appropriate approval body as part of an overlay district site plan, permitted conditional use permit or plat.

Unless otherwise specifically restricted by City Council action, groundwork and construction of private roads and utilities may be started, at the developer's risk, upon approval of a preliminary plat or overlay district site plan which includes the improvements approved by the City Council. Public street and utility construction may begin, at the risk of the developer, after approval of the preliminary plat or overlay district site plan which includes the improvements approved by the City Council and construction improvement plans approved by the City of West Des Moines.

Prior to approval of the final plat or first overlay district site plan, unless otherwise allowed by Council, the developer shall provide the appropriate agreements, sureties, and easements for all public rights-of-way and other public improvements (utilities, sidewalks, street lights, etc.) within and associated with the development.

SECTION 4. CONDITIONS: Whereas, Title 9 of the West Des Moines City Code includes Chapter 9, PUD Planned Unit Development District and establishes certain regulations and guidelines pertaining to accompanying information required on plat and site plan documents. Now, therefore, the following conditions, restrictions, and regulations are adopted as part of this approval, to wit:

In addition to the Specific Plan Map, the following general development criteria shall be integrated into and made a part of this Specific Plan Ordinance:

- A. 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.
- B. General Conformance to Zoning Ordinance: Unless otherwise specified herein, the development of the Mills Landing Specific Plan shall comply with Title 9, Zoning, or any other applicable codes.
- C. Flood Hazard: In all areas within a 100-year frequency flood hazard zone, or adjoining drainageways, and detention ponding areas involving potential flood hazards, no building shall be erected that has a lowest floor, including basements, less that one foot (1') above the determining level of the 100-year frequency flood event, and no building shall be located within twenty-five feet (25') of any easement or property boundary of a major drainageway, storm water detention basin, or pond, unless said location is approved as part of a development entitlement by the City Council and said building is structurally designed accordingly.
- D. 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, buffers, and other improvements as required. 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 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.

E. The placement of public utility easements within buffer parks and landscape islands within parking areas is discouraged due to the potential conflict between trees and the need to access the lines for repair. Overstory and understory trees should be placed off utility lines a minimum distance equal to the 1:1 excavation trench necessary for the deepest utility. Adequate access for maintenance vehicles shall be provided into and through the easement areas.

SECTION 5. REQUIREMENTS: Unless provided otherwise in this Ordinance, all general use regulations, performance standards and provisions set forth in Title 9, Zoning, of the City Code shall apply to the development within the Mills Landing Specific Plan area. To the extent that the provisions of this Section conflict with or are more restrictive than similar provisions provided elsewhere in the West Des Moines Zoning Ordinance, the provisions of this Section shall control. The following land use design criteria, development standards, and landscaping regulations shall apply to all parcels within the Mills Landing Specific Plan area: In addition to the general criteria as stated previously, the following land use design criteria shall apply to the development areas designated on the specific plan. The following development standards and use regulations shall apply to the development parcels:

A. Land Use:

- For all lots or development parcels in Parcel A, all land uses as set forth in Title 9, Zoning, of the City Code for the Support Commercial (SC) District as permitted and permitted conditionally shall apply except as designated below:
 - a) Permitted Uses: All Permitted (P) uses allowed within the Support Commercial (SC) district except those that have been prohibited by this ordinance.
 - b) All Permitted Conditional (PC) uses allowed within the Support Commercial (SC) district except those that have been prohibited by this ordinance may be allowed with the approval of the appropriate review body.

A maximum of one restaurant or coffee shop drive through is allowed in Parcel A.

The following uses shall be prohibited within 500 feet of the east boundary of Parcel A:

SIC 58 Restaurant: Class 1 and 2 SIC 75 Automotive repair and services

SIC 701 Hotels

Other Uses that have noise or lighting components that could be disruptive to the adjacent residential as determined by the City may have requirements placed on operations or be prohibited.

c) Prohibited Uses: the following permitted and permitted conditional uses otherwise allowed in the Support Commercial (SC) District shall be prohibited:

	•
SIC 075	Animal Specialty Services, except grooming
SIC 4225	Self-service Storage Facility
SIC 489	Communications Services, NEC
SIC 4925	Mixed, Manufactured, or Liquefied Petroleum Gas Production and/or
	Distribution
SIC 4952	Sanitary Services, Sewerage Systems
SIC 4959	Sanitary Services, NEC
SIC 541	Convenience Stores with or without gasoline sales
SIC 55	Automotive Dealer and Service Stations
SIC 58	Bar/Restaurants, except Class 1 and Class 2 restaurants
SIC 592	Liquor Stores
SIC 596	Unattended Fuel Pumps
SIC 7215	Coin operated laundry and dry cleaning, except pick up and drop off only

dry cleaning establishments.

SIC 7699 Recreational Vehicle Repair Services
SIC 7699 Agricultural Equipment Repair Services
SIC 7699 Automotive repair services, miscellaneous

SIC 79 Event venues

SIC 82 Educational services, except tutoring

Storage of fleet vehicles

- d) Building Setbacks: Buildings in Parcel A shall be setback from the perimeter Specific Plan boundary, internal drive and lot lines as follows. The setback is measured from the property line to the primary vertical foundation wall of the primary structure.
 - i. North minimum of sixty feet (60') from Mills Civic Parkway to allow for the continuance of the 60 foot buffer coming from the east.
 - ii. East minimum of fifty feet (50') to provide room for a buffer adjacent to the residential in the Glen Oaks development.
 - iii. West minimum of 25 feet (25') along S. 60th Street.
 - iv. South minimum of 15 feet (15') along the internal main drive to allow for greenspace and plantings.
 - No setback is required from interior common lot lines within Parcel A, unless otherwise required by building separation regulations in adopted Building and Fire Codes.
- 2) For all lots in Parcel B, all land uses as set forth in Title 9, Zoning, of the City Code for the High Density Residential (HD) District as permitted and permitted conditionally shall apply. The maximum density for any parcel is 14 dwelling units per acre. The developer has indicated that the use for this parcel will be an age-restricted senior facility. Should the use change in any manner, including removal of age-restrictions, parking stall and traffic generation numbers will need to be checked to ensure there is adequate infrastructure.'
 - a) Parkland dedication is required for residential development. Parkland and greenway areas are part of the dedication based upon the number of dwelling units. At the time of the Overlay District Site Plan for each lot is reviewed, the need for parkland dedication will be determined.
 - b) Building Setback: Buildings in Parcel B shall be setback as follows. The setback shall be measured from the perimeter Parcel B boundary line, unless otherwise indicated, to the closest vertical wall of the primary structure.
 - i. North minimum of fifteen feet (15') setback along the internal drive to allow for greenspace and plantings.
 - ii. East minimum of fifty feet (50') setback adjacent to the residential in the Glen Oaks development. Additionally, as provided in City Code, structures over two stories, building length that exceeds one hundred and sixty feet (160'), and garage building lengths of one hundred feet (100') or more are not allowed in the 150' wide building mass transition area as measured from the perimeter Specific Plan boundary.
 - iii. South minimum of fifty feet (50') setback adjacent to the residential in the Glen Oaks development and the independent single-family residential. Additionally, as provided in City Code, structures over two stories, building length that exceeds one hundred and sixty feet (160'), and garage building lengths of one hundred feet (100') or more are not allowed in the 150' wide building mass transition area as measured from the perimeter Specific Plan boundary.
 - iv. West minimum twenty-five feet (25') setback adjacent to South 60th Street.
 - v. No setback (0') shall be required between interior common lot lines within Parcel B lots, unless otherwise required by building separation requirements in adopted Building and Fire Codes.

B. Building Height.

- 1) All non-residential buildings immediately adjacent to the east specific plan boundary shall be limited to two floors. All others shall abide by the maximum height restrictions of the Support Commercial (SC) district. With the exception of those immediately adjacent to the east boundary, an additional twelve feet (12') of height shall be allowed for each additional ten feet (10') of setback provided from the either the parcel boundary or property line.
- 2) For the Residential High Density (RH-18) district (Parcel B), within the building mass transition area of 150 feet measured from the south and east Specific Plan boundary, buildings or a portion of a building shall not exceed two stories. Outside of the 150' building mass transition area, buildings are permitted to exceed three stories, but shall be no more than forty-five (45) feet in height.

C. Parking Ratios:

- 1) Parking ratios for restaurants (sit-down and fast-food) shall provide within each platted lot a minimum of fifteen (15) spaces per one thousand (1,000) square feet of gross building or use square footage. For coffee shops, a minimum of ten (10) parking space per one thousand (1,000) square feet of gross building area or use square footages shall be provided. Food or drink related establishments with a drive-thru component shall provide eleven (11) queuing spaces per drive thru. Five (5) of the spaces shall be designated for the ordering station if it is separate from the pick-up window. All queuing spaces shall be out of the internal circulation drive and shall not impede traffic circulation within the site or immediately surrounding area.
- 2) Parking ratios for banks shall be three spaces (3) per one thousand (1,000) gross square feet, with three (3) queuing spaces per drive-thru lane. Queuing spaces shall not impede traffic circulation within the site or immediately surrounding area.
- 3) Parking for senior living uses will be required at a rate of 1.0 spaces per unit.
- 4) Parking ratios for other uses shall be governed by City Code, Title 9, Chapter 15- Parking.
- 5) If not already established as a blanket easement, developers of each Specific Plan parcel must provide a cross access parking and ingress/egress easement between the parcels..

D. Parking Design:

- 1) The location of parking and vehicle use areas along perimeter roadways and at major street intersections shall be discouraged. Parking and vehicle use areas should be located in areas away from the street and behind the building pad whenever possible.
- 2) Off-street parking areas shall be setback from the perimeter boundaries of the Mills Landing development as follows:
 - a) North minimum sixty feet (60')
 - b) East minimum thirty feet (30')
 - c) South minimum thirty feet (30')
 - d) West minimum fifteen feet (15')
 - e) There shall be no minimum parking lot setback between internal lot boundaries if lots are designed as one continuous parking field. Lots not designed as one shall provide a minimum of ten feet (10') between parking fields to allow for the placement of landscape vegetation.
- 3) Minimum parking stall measurements and drive aisle widths shall conform to City Code, Title 9, Chapter 15: Parking Regulations.
- 4) Parking lot landscaping shall conform to City Code, Title 9, Chapter 19: Landscaping, Section 8, Landscape Provisions, Paragraph 8, Off Street Parking Areas,
- 5) No portion of any parking lot or drive aisle associated with parking may be located within a required buffer or streetscape.
- E. <u>Vehicle Drive Through:</u> It is recognized that drive-throughs are a key component to the functionality of certain types of businesses due to their convenience. Walk-up or pedestrian ATMs with no vehicle access; and loading zones in which the patron exits their vehicle and load merchandise/materials themselves or enter/exit the main entry of a multi-family building shall be allowed as needed with the appropriate visual screening measures, subject to required site plan review and approval.

- 1) The incorporation of drive-up facilities may be limited by the type of use in association with the available vehicle trips allowed for the entire Mills Landing development. In all instances, the presence of the drive-ups shall be minimized through one or a combination of the following methods:
 - a) Integration of a canopy into the building architecture to eliminate the appearance as an added-on canopy component.
 - b) Situating the drive-thru or canopy between two buildings to limit the number of views thereof.
 - c) Opaque visual screening through implementation of vegetation, decorative walls, fencing, earthen berming, etc. to a height of a minimum of six feet (6') at installation.
- 2) Canopies: Drive thru canopies must be designed to incorporate the building's architecture through the use of similar building materials, roof design and color, including the application of brick or stone to canopy support columns. When possible, canopies should be designed as an extension of the building rather than an added-on element. Support columns shall be designed to be in proportion with the canopy size and height, and that dimension shall extend the full height of the support. Canopies designed such that vehicles pass under shall have a minimum 14 feet clearance under the canopy, unless a bypass lane with no canopy if provided. This is to allow emergency vehicle access to the building.
- F. <u>Buffers</u>: The provision of adequate buffering, berming and landscaping shall be thoroughly evaluated and approved as part of the overlay district site plan approval. Additional buffer and landscaping may be required at that time in response to additional details of the use, buildings, vehicle circulation patterns, parking, loading docks, mechanical equipment, etc. to be implemented.

Buffers shall be provided along the perimeter boundaries of the Specific Plan area as follows:

- a) North minimum sixty feet (60') from ultimate street right-of-way line of Mills Civic Parkway
- b) South minimum thirty feet (30') from property line
- c) West a minimum 25' streetscape required in lieu of buffer from property line of S. 60th Street
- d) East minimum thirty feet (30') from the property line
- e) No buffers between Parcel A and Parcel B lots shall be required except to mitigate undesirable site elements and views, such as parking areas.

Buffers shall be designed with a minimum three (3) feet berm and landscaping so as to serve as a visual continuation of existing buffers on adjacent properties including properties outside of the development and as a unifying element within the development. Buffers abutting streetscapes shall make a natural transition through the use of similar vegetation varieties and design in order to be visually cohesive. Buffers should be designed to achieve the maximum amount of screening of negative elements from the maximum number of viewpoints with vegetation layered to ensure adequate blockage of views and to create depth and a sense of naturalness. Care should be taken to ensure that 'thru-views' under tree canopies are adequately blocked.

The implementation of vegetation as follows shall be required:

Thirty Foot (30') Buffer adjacent to the existing single-family residential zoned areas with the following minimum planting requirements: One (1) overstory tree or upright evergreen, two (2) understory trees, and six (6) shrubs shall be provided per thirty-five (35) lineal feet of required buffer.

Sixty Foot (60') Buffer adjacent to Mills Civic Parkway with the following minimum planting requirements: One (1) overstory tree or upright evergreen tree and three (3) shrubs shall be provided per thirty-five (35) linear feet of required buffer.

Vegetation substitution: Two (2) ornamental trees or one (1) evergreen tree may be substituted for one required overstory tree; however, no more than twenty-five percent (25%) of the required number of

overstory trees may be substituted. A twenty-five (25) square foot mass planting of perennials or ornamental grasses may be substituted for three (3) shrubs.

Landscape vegetation required within buffer areas is in addition to the landscape vegetation required of open space, parking areas, and that necessary to achieve adequate visual mitigation of undesirable site elements and views. At the southeast corner of the Specific Plan, additional screening vegetation will be required to buffer the homes within the Glen Oaks development from the activities in the development.

- 1. Ponds, lakes, wetlands, or other water features may be placed within the buffer areas, except for the buffer area along Mills Civic Parkway, if the following criteria are met:
 - a. Such water features constantly contain water at a level visible from adjoining properties and public streets.
 - b. Pond edge treatments are incorporated to enhance the attractiveness of the element (no 'wild overgrown pond edge' allowed); and
 - c. The appropriate water circulation and clarification measures are implemented, including water fountains or jets when implemented which project water high enough to be visible from adjoining properties and public streets.

Detention areas or ponds do not negate the requirements for landscaping. This means that topography and grade changes will accommodate the planting of overstory trees and that the level of water will be such that plantings near the water's edge will survive and thrive at that location.

- G. <u>Landscaping</u>: The landscaping requirements specified herein are intended to create an aesthetically pleasing development which enhances the appearance and character of the City of West Des Moines, while protecting the general health, safety and welfare of the citizens. Landscaping is required to address the following primary aspects or consequences of development:
 - 1) Open space protection and enhancement
 - 2) Mitigation of paving expanse associated with off-street parking
 - 3) Visual screening of undesirable views, activities and/or site elements, and
 - 4) Street side enhancement ('streetscapes')

At the time of overlay district site plan review for each Specific Plan parcel, landscaping shall be evaluated to ensure achievement of the standards stated within this specific plan ordinance. Additional vegetation beyond that required herein may be required to be implemented in response to additional details of the use, buildings, vehicle circulation patterns, parking, site layout, etc. Details regarding specific varieties, exact quantities, and the minimum size at time of planting shall be provided and approved as part of the site plan submittal for each Specific Plan parcel and shall meet the general guidelines in respect to the minimum plant size traditionally applied to development within the City.

- 1) Open Space: The intent of open space is to allow for a balance between natural areas and the built environment and to provide for the overall beautification and "greening" of the City.
 - a) A minimum of twenty five percent (25%) open space shall be provided within each individual platted lot or development area as identified on the Specific Plan Map.
 - b) Open space shall be considered all areas unencumbered by buildings or paved areas associated with parking, drive aisles, and loading docks or zones. Plaza areas, water features and structures such as gazebos, arbors, pergolas, etc. that are associated with outdoor pedestrian use areas, as well as designated and enhanced pedestrian walkways through and between areas within the development may be counted towards fulfilling the minimum open space requirement.
 - c) Vegetation at a rate of two (2) trees and three (3) shrubs per 3,000 square feet of required open space shall be provided within the parcel.
 - d) Vegetation substitution: No substitution of shrubs, grasses, or perennials will be allowed in lieu of trees. Substitution of shrubs with grasses or other perennials may occur with species being compatible in bulk, density, and which reach a minimum height of 3 feet. No more than 50 percent of the shrubs may be substituted in this manner.

e) Vegetation required as part of the open space may be placed into off-street parking areas, streetscapes or required buffers; however the open space vegetation is in addition to that which would be required of buffers or parking islands/pods and may not be counted towards fulfilling the minimum amount of vegetation required for these areas.

2) Off-Street Parking Areas:

- a) All off-street parking areas shall be screened through the use of a minimum three (3) foot berm and landscaping to screen their visibility from public street rights-of-way and adjoining property outside of the Mills Landing development. Landscape materials of an evergreen variety are encouraged for year-round screening.
- b) All off-street parking areas shall be aesthetically improved to reduce obtrusive characteristics that are inherent to their function. Multiple landscape islands combined with vegetation shall be incorporated to effectively eliminate a "sea of asphalt/concrete" and to provide shade thus decreasing heat reflection back into the environment. Landscape islands and/or pods shall be implemented in accordance with the following:
 - 1) Islands or open areas shall be located at the terminus end of all parking rows. Terminal islands shall measure at least ten feet (10') in width and shall match, at a minimum, the stall length.
 - 2) Linear parking islands that run the length of the parking row shall be implemented every six (6) rows of parking. Said linear islands shall measure a minimum of twenty feet (20') in width with pedestrian path included and shall be landscaped to provide 'green' within the parking lot. Landscape shall include an ornamental or overstory tree every 9 stalls along the length of the island.
 - 3) Landscaped islands shall be placed, at a minimum, every eighteen (18) stalls within a linear row of parking. Landscaped pods (tree diamonds) within a linear row of parking shall be evenly spaced between the islands; however, shall be spaced no farther than nine (9) parking stalls from another landscape pod or landscaped islands. At a minimum, islands shall match the dimensions of one (1) parking stall and pods shall measure a minimum of six (6) feet from back-of-curb to back-of-curb.
 - 4) In lieu of the implementation of pods between islands as required above, the width of all islands may be increased to no less than fifteen feet (15') in width and a tree in lieu of the pod will be placed in the grass area in front of the parking stall every 9 spaces if adjacent to open space.
- c) Landscape Vegetation shall be provided as follows:
 - 1) Two trees in each 9' by 34' island, if the island is widened an additional 15 feet as noted above, the vegetation will be increased by an additional 6 shrubs.
 - 2) One tree in each 9' by 17' island
 - 3) One tree in each landscape pod
 - 4) Additional shrubs, ground covers, grasses, and flowers may be provided in landscaped islands but is not required.

3) Visual Screening:

- a) Mechanical Equipment:
 - 1) Views from streets and adjoining properties of the negative aspects of development and land uses such as loading docks; heating, ventilation, or air conditioning (HVAC) units; meter banks, or similar electrical or mechanical appurtenances shall be adequately screened. Said screening shall be achieved through the use of architectural enclosures or landscaping consisting of evergreen material for year-round screening.
 - 2) All rooftop mechanical units shall be screened through architecturally incorporated opaque screen walls, raised parapet walls, penthouse feature, or other method approved through the site plan process that is consistent with the associated primary structure. Screening measures and materials shall be reviewed as part of the site plan review process.
 - 3) The exterior of any through-wall HVAC units (such as PTAC's) shall be finished with a color that is compatible with the surrounding building materials.

- b) Trash Enclosures: Trash receptacles and dumpsters shall be screened by the use of a permanent enclosure. Whenever possible, the enclosure should be designed as an attached extension to the primary structure rather than a free-standing structure and shall be located as far as possible away from adjacent residential areas. Enclosures shall be constructed of materials consistent with or complementary to the primary structure. Additionally, the enclosure should be landscaped to minimize the visual presence and impact of the structure on surrounding properties, businesses, and public streets.
- c) Loading Docks: Loading docks shall be screened from the adjacent property by the use of landscaping and evergreen materials or opaque fencing in combination with landscaping to soften the presence of the fence. The vegetation species shall be selected for its density and height.
- d) Site and vehicle headlight spillover into adjoining residential properties within and adjacent to the development is a primary concern. All vehicle headlight spillover beyond the property boundaries of a developed parcel shall be completely mitigated through the use of one or more of the following components: earthen berming, solid fencing, vegetative plantings, decorative free-standing walls or other measures deemed appropriate. Parking or drive thru lanes which are oriented such that the lights are directed toward the single-family residential uses adjacent to the site must have complete mitigation of light penetration past the Specific Plan boundary.
- 4) Streetscaping: A landscaped edge or 'streetscape' shall be provided along S. 60th Street. The streetscape is intended to provide desired green to the City, interest, comfort to pedestrians, visual softening of pavement expanses, bring human scale to adjoining buildings, minimize heat-reflection, and provide traffic calming benefits. The streetscape should have a noticeable pattern, design, or plant variety and should attempt to serve as a distinguishing or identifiable landmark for the development.
 - a) Unless otherwise required to be located differently due to presence of existing utilities and/or easements, Streetscaping shall be located within the first fifteen feet (15') parallel and adjacent to the public street right-of-way or back of curb of private streets and primary access drives.
 - b) Vegetation within streetscape areas shall be provided at a rate of one (1) tree and three (3) shrubs per thirty-five (35) lineal feet of streetscape. A twenty-five (25) square foot mass planting of perennials or ornamental grasses may be substituted for three (3) shrubs.
 - c) Vegetation required of streetscapes shall be in addition to vegetation required of parking and open space. Vegetation required as part of open space may be placed into streetscapes; however, the open space vegetation may not be counted towards fulfilling the minimum amount of vegetation required for the streetscape.
- H <u>Pedestrian Use Areas and Elements:</u> The Mills Landing development, in alignment with Town Center Overlay District Guidelines, aims to encourage pedestrian movement and opportunities for pedestrian interaction through a series of interconnected sidewalks and gathering areas. The attached Specific Plan Map indicates the locations and type of anticipated plaza areas and pedestrian corridors. Specific details and final materials and layouts for each of these plaza areas shall be submitted, reviewed, and approved as part of the overlay district site plan for the associated Specific Plan parcel.
 - 1) In addition to the plaza areas indicated on the specific plan map, the incorporation of plazas and pedestrian use areas shall be encouraged as part of each building/parcel development.
 - a) These areas shall encourage opportunities for interaction among pedestrians through the provision of seating opportunities (benches, chairs, tables, planter walls, etc.). Without compromising the design intent of the plazas, the developer is encouraged to maximize the number of furniture/seating opportunities throughout the development. Representations of the site amenities, including street furniture that will be provided throughout this development are included in the exhibit packet (attached or on file with the City Clerk). The street furniture is intended to serve as a unifying element throughout the development.
 - b) Open space plazas areas shall incorporate a variety of hardscape landscape materials (stone pavers, stamped concrete, field boulders, etc.) for visual interest and variety and shall

- implement landscape vegetation to soften, enhance, and delineate the areas. All plaza/pedestrian areas are required to incorporate 'green' through the incorporation of planter beds, containers, or raised planters.
- c) Appropriate lighting should be incorporated into the plaza areas and along pedestrian pathways for safety reasons and to extend the usability of the area into the evening hours. Such lighting may be provided by either pole mounted fixture or bollard style lighting.
- d) Plaza areas associated with establishments which serve alcoholic beverages shall comply with City Code, Chapter 3, Section 2.
- e) Unless provided prior to site development, the installation of these pedestrian elements shall occur in conjunction with the development of a Specific Plan parcel and shall be completed prior to issuance of a final occupancy permit.
- 2) Pedestrian Connections: The overall development shall integrate interconnected pedestrian walkways to allow and encourage pedestrian movement from one establishment to another within the Mills Landing development, as well as to perimeter public sidewalks.
 - a) Pedestrian pathways internal to the development and across parking areas and drive aisles shall be constructed with contrasting color, paving material or pavement patterns to the adjoining paving in order to provide a definable and highly visible crosswalk. Simply striping pedestrian crosswalks shall not meet the intent of this section. Pedestrian lighting and landscaping along the pathway is encouraged to provide a comfortable and safe feeling to the pedestrian.

I. Lighting:

- 1) Fixtures used within off-street parking areas shall be consistent with those illustrated in the exhibits packet (attached or on file with the City Clerk). The fixtures are intended to serve as a unifying element between parcels within the development.
- 2) Said fixtures greater than one hundred fifty feet (150') from the east and south property line of the Mills Landing lots shall not exceed twenty eight feet (28') in height as measured from the ground to the top of the light structure.
- 3) Said fixtures greater than one hundred feet (100') but less than one hundred fifty feet (150') from the east and south property line of Mills Landing shall not exceed twenty two feet (22') in height as measured from the ground to the top of the light structure.
- 4) Said fixtures less than one hundred feet (100') from the east and south property line of Mills Landing shall not exceed sixteen feet (16') in height.
- 5) The foot candle level at the Mills Landing South and East property line shall be zero (0). Proper shields shall be incorporated into the fixture to direct all light back to the North and West.
- 6) The foot candle level at all other property lines shall be less than one.
- 7) Said fixtures are to be downcast, cut-off variety to direct lighting to parking areas and pedestrian pathways and eliminate glare to neighboring properties. Bulbs shall not be exposed or extend down past the fixture. Care should be taken to ensure that adjoining single family homes are not looking up and into the bulbs of light fixtures.
- 8) No wall packs or floodlighting are allowed, except that sconces or decorative lighting shall be permitted. In addition to cut-off fixtures, particular attention shall be given to eliminate hot spots and light glare. To achieve this, additional measures may include, but are not limited to, lowering parking lot light levels after business hours, turning off lights not necessary for security purposes, and use of landscaping for light screening/blockage.
- 9) As a part of the review of each site plan, a photometric plan must be submitted. During the review, the applicant must demonstrate how lighting will not adversely affect adjoining properties.
- 10) Fixtures located one hundred fifty feet (150') or less from the east property line of the existing Glen Oaks residential lots shall be turned off no later than thirty (30) minutes after the closing of the last business, except those lights necessary for security purposes.
- 11) Canopy lighting used for drive ups must use a recessed or flush lighting fixture so that no part of the fixture is visible from the street and spill over and glare is mitigated.

SECTION 6. ARCHITECTURE: The intent is to create building façades throughout this development that are varied and articulated to provide visual interest to pedestrians and to establish a unique identity for

the development. The architectural design of any building within this development shall be acceptable to the City. The architecture shall attempt to express a creative presentation by careful attention to exterior building materials and details, use of fenestration, and change in building mass within the plane and roof design to lessen the plainness of appearance which can be characteristic of large commercial and multifamily buildings. Building design, materials, trim, detailing, and colors shall be identified in the specific plan and be utilized to provide continuity amongst buildings to unite all structures within the development into one project concept. All sides to each building shall receive high quality materials, finishes, and details (360° architectural treatment). There are no "backs" to a building. Materials should be durable, economically maintained and of a quality that will maintain their appearance over a prolonged time.

On file with the City are conceptual architectural illustrations of the general building style and material options. Once City approval is gained 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 within this development shall accommodate or incorporate the following in building design and materials:
 - 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.
 - 2) Buildings shall be organized to create a logical and identifiable relationship with the site and other buildings, open spaces, and pedestrian circulation paths.
 - 3) The use of building articulation and materials which break up the building mass into modules that respect a pedestrian scale and reflects proportions similar to other buildings within the development.
 - 4) The building's design should meet context and site objectives such as providing gateways, creating visual and physical linkages and framing or terminating views.
 - 5) Variation in building height, mass and roof forms shall be provided to create interest while still maintaining an overall building continuity. Roofs should not be designed as attention-getting devices related to the reinforcement of signage or as an identifiable corporate image.
 - 6) Entrances into buildings should be easily identified through the use of building design and detailing. Projected or recessed entryways, change in rooflines, addition of awnings or changes in building material are examples that can create this effect.
 - 7) Shifts in building planes/facades and variation in exterior materials shall be incorporated to minimize long expanses of wall. Long blank walls shall be prohibited.
 - 8) Variation in materials, material modules, expressed joints, textures, colors and details should be used to break up the mass of the buildings. Materials should change with the change in building planes.
 - 9) Trim and structural elements such as posts or columns shall be sized to the scale of the building.
 - 10) Whenever possible, ground floor tenant areas should provide the maximum possible glazing toward sidewalks to provide pedestrians with visual interest. Use of reflective glass or mirrored glass is discouraged. Efforts should be made to use clear glass on storefronts, windows and doors to promote the linkage of the interior and exterior of buildings.
 - 11) Natural, durable materials such as brick and stone shall be used as the major elements of the façade cladding (50% or greater), primarily on the lower stories of the building. Use of vinyl materials is prohibited.
 - a. Non-residential buildings may incorporate the following materials in addition to the materials noted above: architectural concrete masonry units (CMU) and architectural metal or composite panels (acceptable to the City.) All composite panel or metal cladding must have concealed fasteners. All exposed edges must have a fully finished edge or be terminated with trim. Trim for the panels should be finished with the same color as the panel. CMU's shall have integrated color rather than surface applied paint/staining and should generally have texture for interest; smooth CMU may be used in conjunction with texture for accent purposes. The use of EIFS or synthetic stucco shall be used in limited quantities and primarily as an accent or trim material; located only on the upper portions of

- the facades. EIFS or synthetic stucco may not comprise more that 20% of the cladding material.
- b. Residential buildings may incorporate the following materials in addition to the materials noted above: typical residential type materials such as: wood or composite materials resembling lap or vertical board siding and shingles. Smooth composite panel, EIFS or synthetic stucco may not comprise more that 20% of the cladding material. Vinyl siding may be used only with appropriately scaled trim and not as the majority cladding material. Asphaltic shingles shall be allowed, provided the shingle materials are of a heavier grade that produces a shake or shadowing effect and is consistent with the color and materials used for the development.
- B. Architectural design for multi-family buildings shall include:
 - 1) Building form and materials should provide unique treatment of the individual units, but still maintain the cohesive design of the development. Designs that are repetitive in form and material use should be avoided. Unit design should incorporate elements such as balconies, patios, and roof decks to reinforce the connection between the residents and the activities within the development. A minimum of eighty percent (80%) of the multi-family units within the development must provide a balcony or patio to provide a usable outdoor space of at least five feet (5') deep.
 - 2) The architectural details of detached garages should incorporate the materials and treatments of the dwelling, such as windows, doors, trim and materials on all sides of the garage. Garages within the first 150' of the Specific Plan area or visible from adjoining properties outside of the development should incorporate architecture details through the use of windows, doors and other façade detailing and roof variations to provide visual interest and break up otherwise blank walls. Garages shall be consist primarily of the same materials as the primary structure, including the incorporation of brick or stone.
 - 3) Building design should minimize the dominance of garage doors on the facade. Design options that can mitigate the appearance of garages are as follows:
 - a. Enhanced garage facade design such as the addition of engaged columns, secondary roof forms or decorative garage doors.
 - b. Limiting the detached garage building size to no more than one hundred feet (100') in length. In addition, for every eight (8) garage bays, there must be a total garage building separation of twenty feet (20').

SECTION 7. SIGNAGE. All proposed ground and exterior wall signage requires a sign permit issued by the City of West Des Moines through normal sign review procedures. Unless otherwise prescribed herein, signage shall abide by the standards and regulations as set forth in Title 9, Chapter 18: Signs. No lighted wall signage shall be allowed on any wall easily visible to adjacent residential zoned property.

SECTION 8. VEHICLE TRIP ALLOCATION. A traffic Impact Study (study) dated August 7, 2019, has been prepared for the Mills Landing development. Per the study, the Mills Landing development has been allocated 379 p.m. peak hour trips; 302 a.m. peak hour trips; and 4,003 ADT trips. Of these trips, 26 a.m. peak hour trips, 33 p.m. peak hour trips, and 497 ADT trips shall be allocated to Parcel B. 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 in conjunction with any parameters established in the study) will be subtracted from the total trips allocated to the development. Approval of this proposed Specific Plan 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 the anticipated traffic exceed the total trips allocated for the Mills Landing development prior to full build out, further development of platted lots may be limited or prohibited. Alternate uses to those planned within the study and approved as part of this Mills Landing Specific Plan Ordinance may be allowed, following completion of an amended traffic study analyzing the proposed alternative and appropriate city approval of an amendment to the to the respective specific plan ordinance and/or map, if necessary, if the existing uses and the proposed change(s) collectively do not exceed the total trips allocated to the development.

SECTION 9. STORM WATER MANAGEMENT PLAN. A Master Storm Water Management Plan for the entire development which governs the overall storm water management of the development shall be submitted to and approved by the City of West Des Moines as part of the Specific Plan approval along with the execution of a master storm water facility maintenance agreement and easement. Specific Storm Water Management Plans demonstrating compliance with the approved Mills Landing Master Storm Water Management Plan, on file with the City will be required with the development of each site plan. The Specific Storm Water Plans shall be prepared at the developer's expense, by a Professional Engineer licensed in the State of Iowa. All Specific Storm Water Management Plans shall comply with the City's applicable design standards for storm water management existing at the time each site plan is approved.

SECTION 10. PUBLIC UTILITIES AND EASEMENTS. The developer, its successors or assigns, if any, shall construct at its cost, dedicate to the City for general public use all public sanitary sewer mains, water mains, and storm sewers associated with the Mills Landing development as required by the City of West Des Moines' Subdivision Ordinance in accordance with applicable City design standards. All necessary easements to allow City access to public utilities for maintenance and repair purposes shall be executed prior to approval of an overlay district site plan for each PUD parcel, shall be executed as a blanket access agreement prior to the approval of the first overlay district site plan, or prior to the approval and recordation of the first final plat. Unless otherwise specified within a specific easement document, the City shall not be responsible for reimbursement, restoration and/or replacement of any improvements located within the public easements should the City be required to excavate the public utilities for normal City operations. 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 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.

SECTION 11. 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 Marshall, "No Parking Fire Lane" areas may be established as necessary to ensure efficient movement and access of the fire trucks. The developer of the Mills Landing 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 Marshall shall be provided at all times to those areas under construction.

SECTION 12. PUBLIC STREET LIGHTS. the developer shall enter into an agreement with MidAmerican Energy for the installation of public street lights along all public streets within and abutting the Specific Plan area in conjunction with the approval of the final plat.

SECTION 13. <u>INGRESS/EGRESS AGREEMENT</u>. A public access easement or easements in favor of the City of West Des Moines allowing unrestricted public access over and through the land within the Specific Plan area shall be executed prior to the approval of the first overlay district site plan or the recordation of the first final plat and in conjunction with the approval and recordation of any future plat(s).

SECTION 14. PUBLIC STREET IMPROVEMENTS. Improvements and modifications to adjoining public roads as identified within the traffic study shall be implemented and accepted by the City Council or the

developer may petition the City Council to provide surety in lieu of public improvement acceptance prior to approval and recordation of the first final plat or the first overlay district site plan, whichever occurs first. Dedication of permanent right-of-way to accommodate public road improvements shall be provided as necessary upon request. Temporary right-of-way required during the construction/installation shall be provided as necessary.

SECTION 15. <u>VIOLATIONS AND PENALTIES</u>. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in 1-4-1 of the City Code of the City of West Des Moines, lowa.

SECTION 16. 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 17. 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 18. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

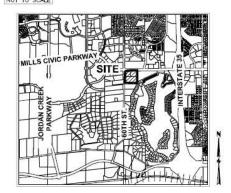
Steven K. Gaer, Mayor	_						
ATTEST:							
Ryan T. Jacobson City Clerk	_						
I certify that the foregoing was published	l as	Ordinance	No.	 on	the	_ day	of
Ryan T. Jacobson City Clerk	_						

MILLS LANDING SPECIFIC PLAN

WEST DES MOINES, IOWA

MAY 1, 2020

VICINITY MAP



WEST DES MOINES, IOWA

INDEX OF SHEETS

NO. DESCRIPTION

1 COVER SHEET

2 LANDSCAPE THEMES

3 ARCHITECTURAL THEMES

4-7 ARCHITECTURAL ELEVATIONS

8 SITE PLAN

9 UTILITY PLAN

10 GRADING PLAN

11 SIGN PLAN

12 BUFFER PLAN

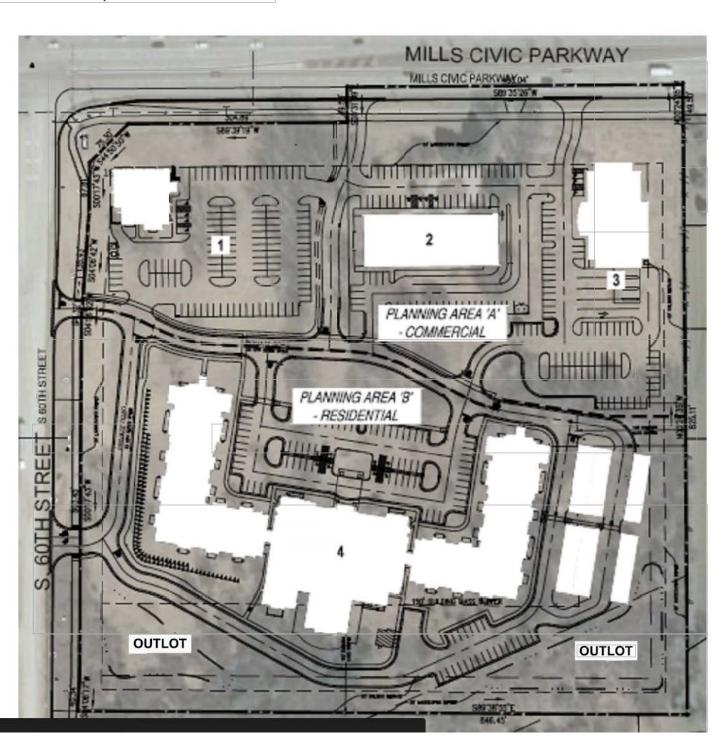
PLANNING UNITS

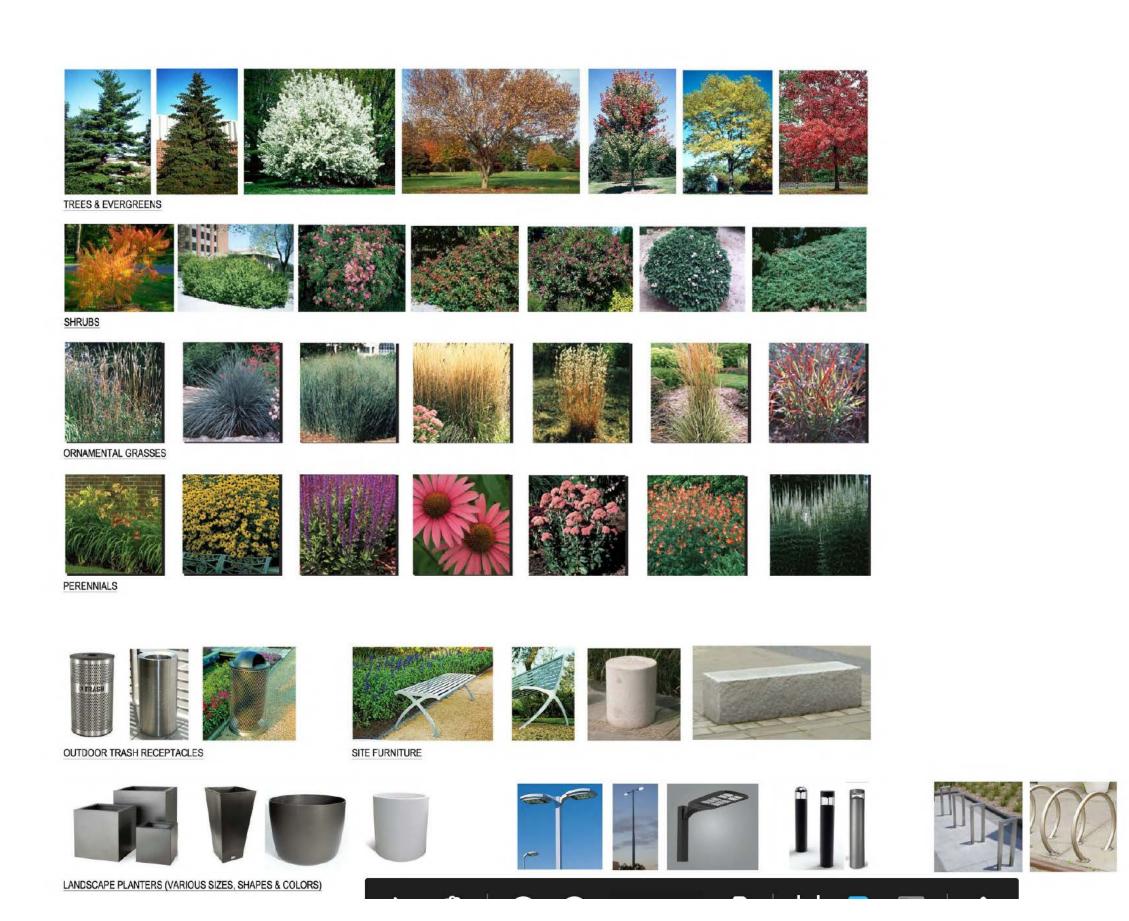
COMMERCIAL: LOTS 1-3 RESIDENTIAL: LOT 4

PROPERTY DESCRIPTION

LOTS 5 AND 6, EXCEPT SOUTH 60TH STREET RIGHT OF WAY AND EXCEPT MILLS CIVIL PARKWAY RIGHT OF WAY AND ALL OF LOT 7, ALL BEING OF WESTMEW COUNTRY ESTATES REPLAT, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA

PROPERTY CONTAINS 16.23 ACRES (707,175 S.F.) MORE OR LESS AND IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.





NON-MASONRY EXTERIOR FINISH OPTIONS



WOOD OR COMPOSITE PANELS (varying shapes, sizes, & colors)



METAL PANELS (varying shapes, sizes, & colors)



EIFS (fine texture; varying neutral colors)



FIBER CEMENT BOARD (fine texture varying neutral colors) Nichiha, James Hardie or sim. manufacturers

BRICK COLOR OPTIONS (OR SIM.)



ST. CLOUD WHITE



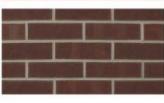
BOULDER GREY



BRADDOCK



HINSDALE/COLONIAL RED



MONET

CANOPY / AWNING COLCRS (OR SIM.)









BRONZE, DARK BRONZE, BLACK, CLEAR ANCDIZED







WHITE, SANDSTONE, GREY, CHARCOAL GREY

ACCENT COLOR(S)





DARK BLUE

STONE COLOR / PATTERN OPTIONS (OR SIM.)



GLACIER



SIERRA



CANYON BUFF



STEEL GREY



ARIZONA RED



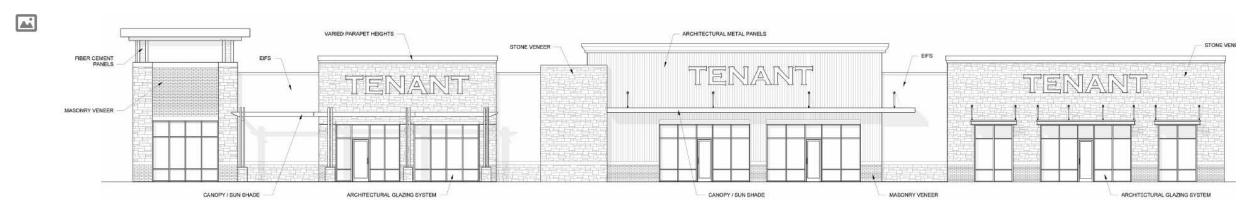
CREAM



ROMAN



GRAPHITE



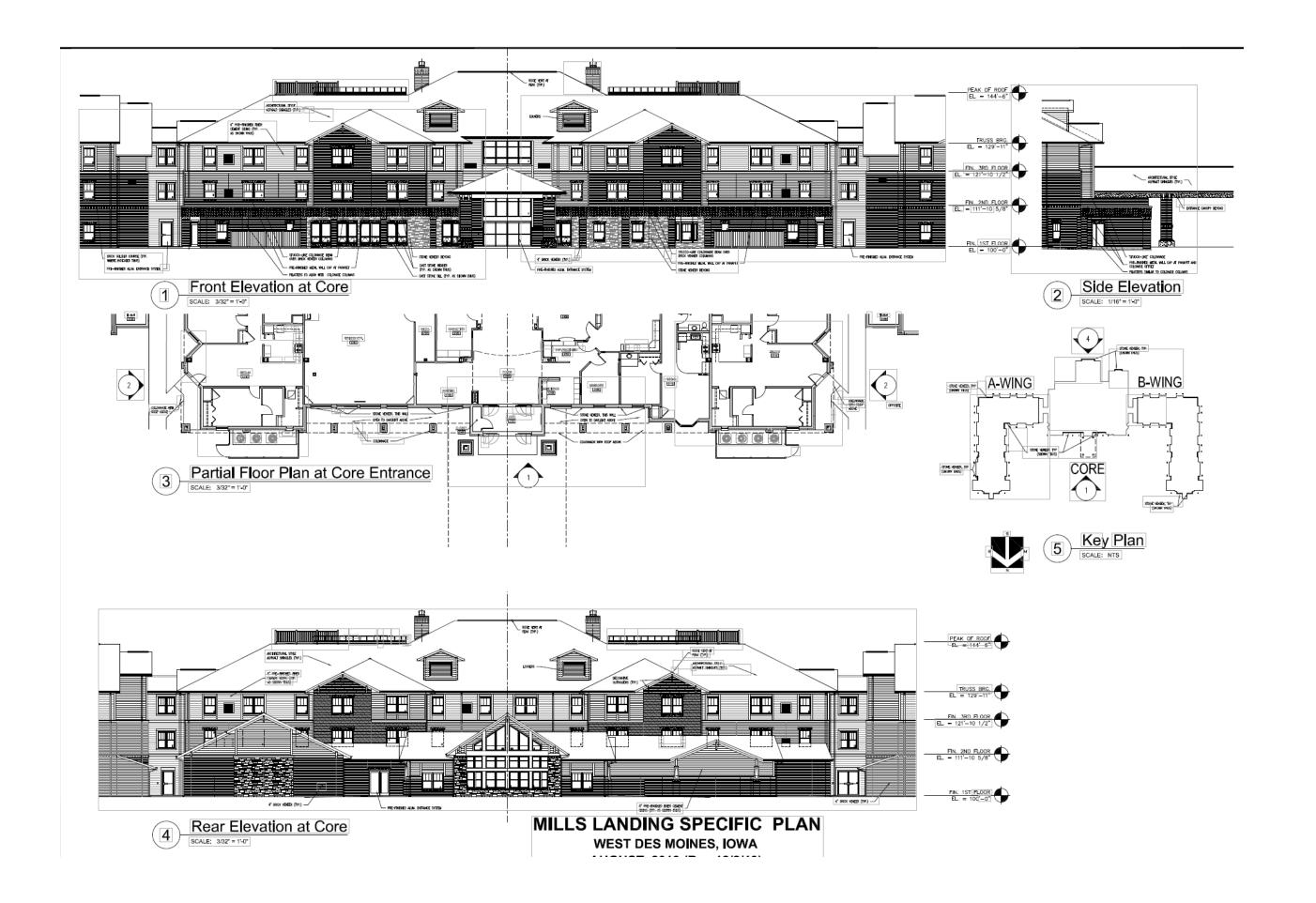
PROPOSED ARCHITECTURAL AESTHETIC - RETAIL BUILDING





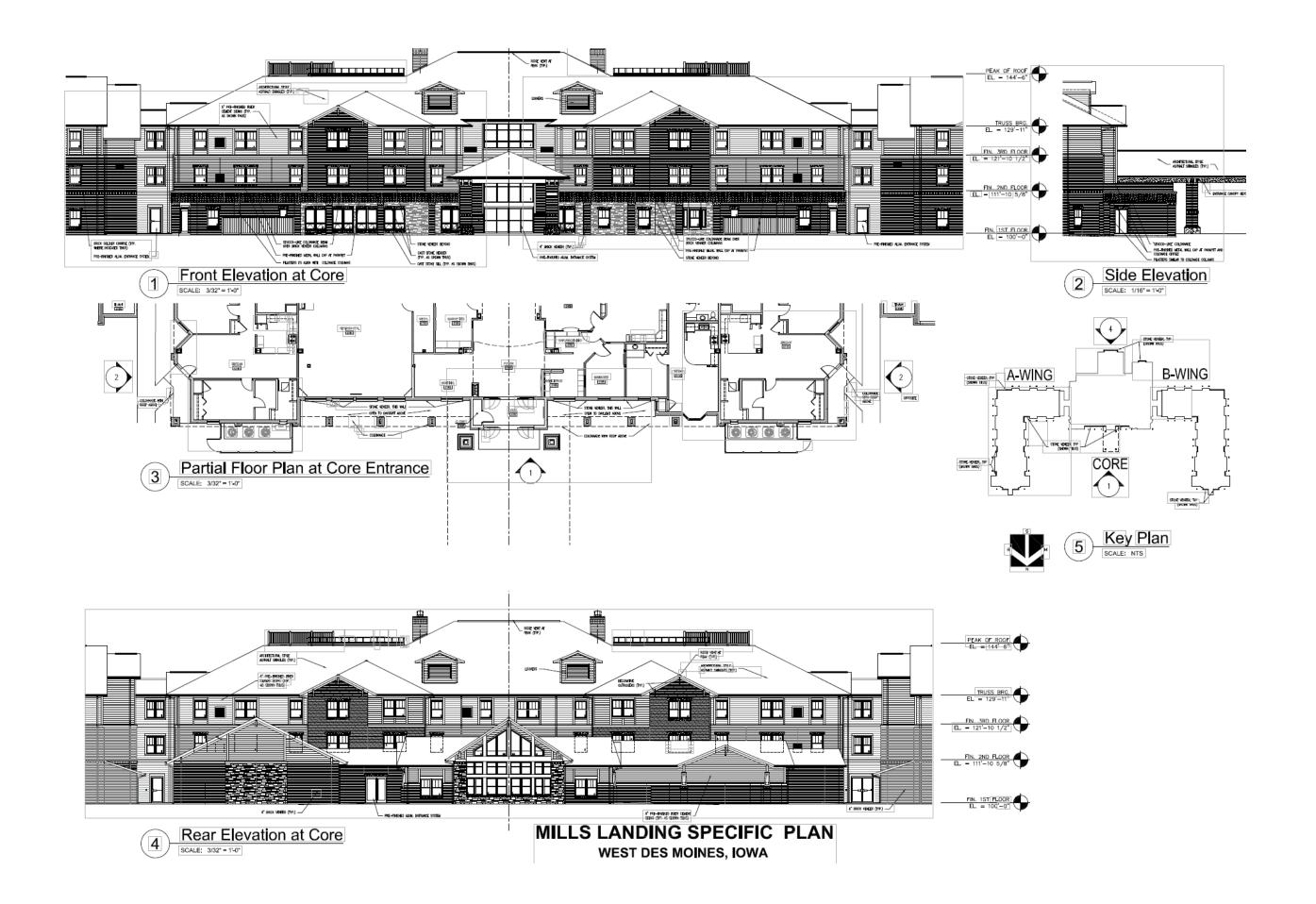


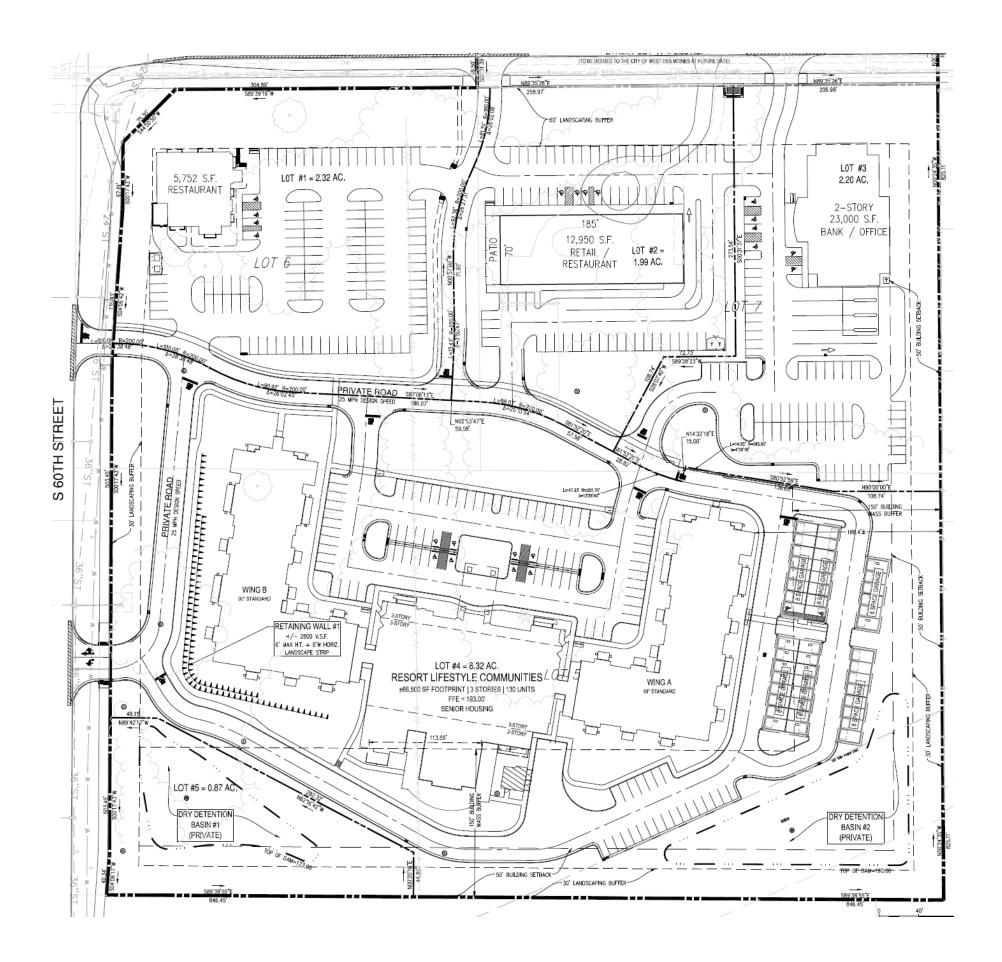
MILLS LANDING SPECIFIC PLAN

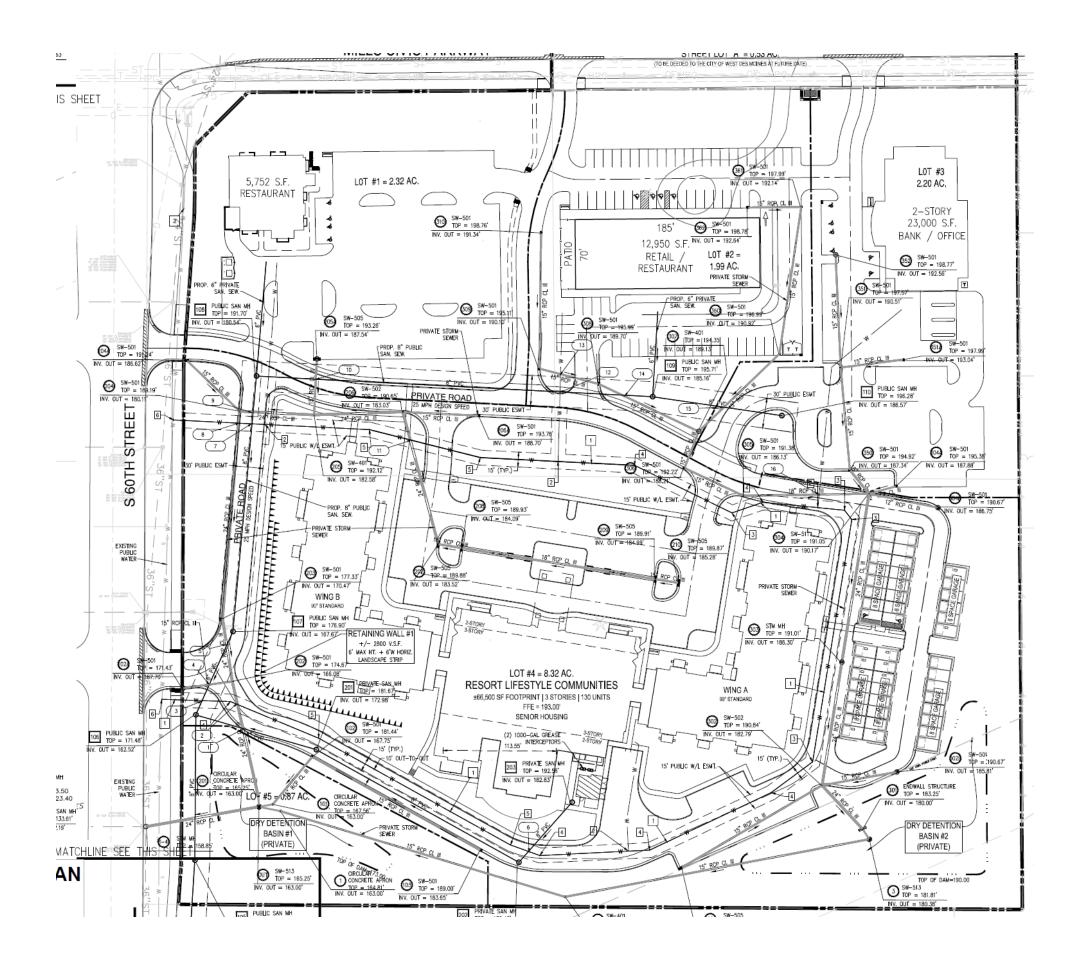


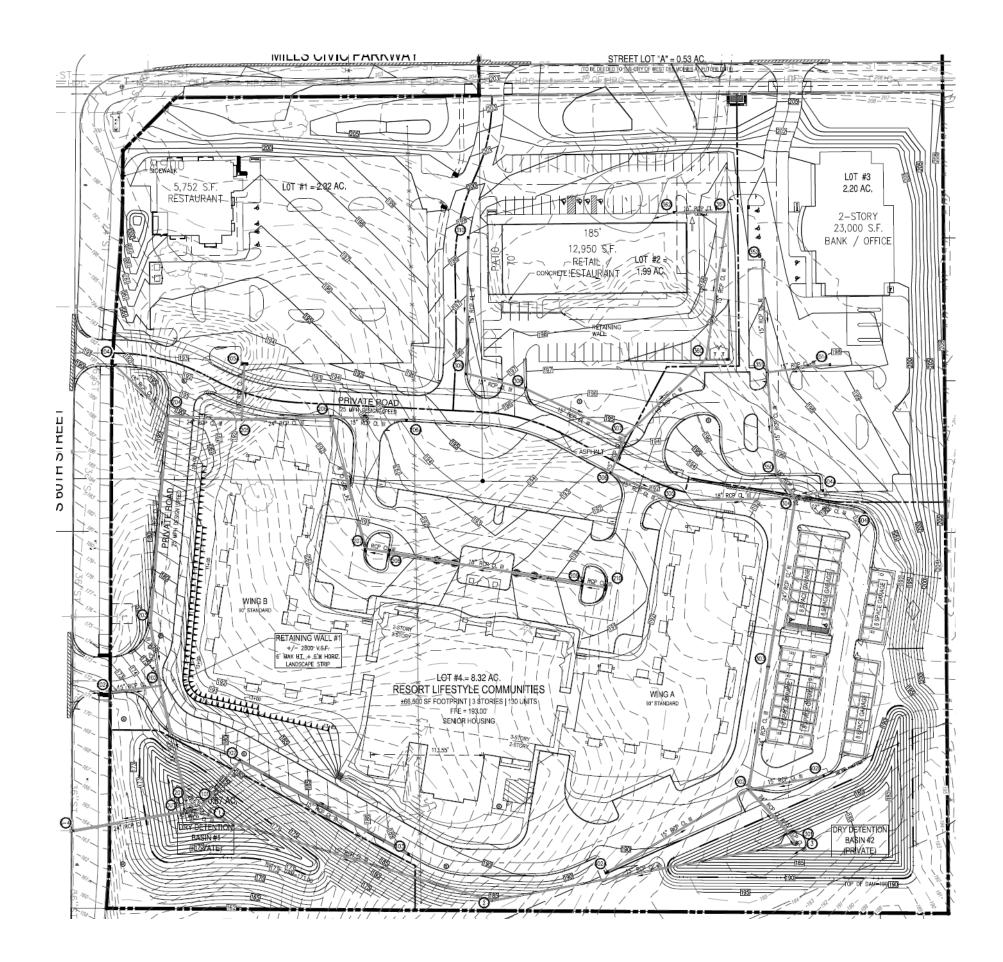


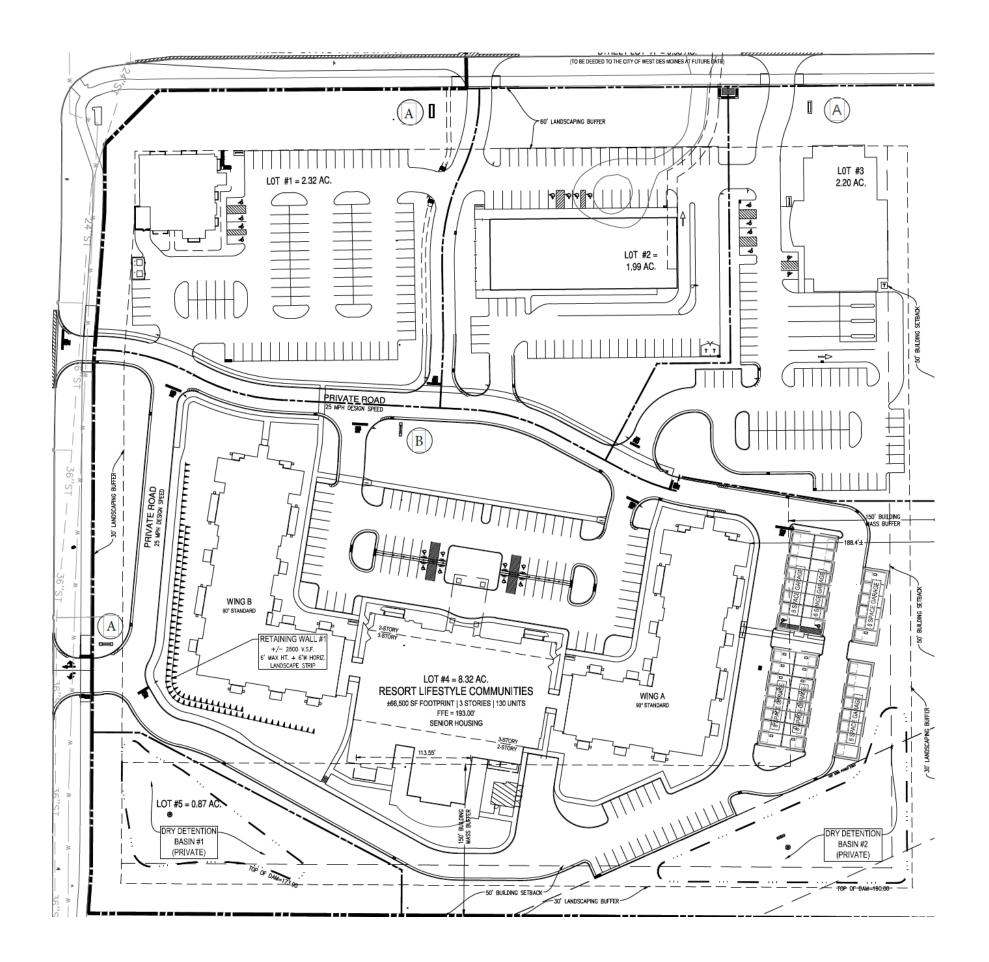
MILLS LANDING SPECIFIC PLAN

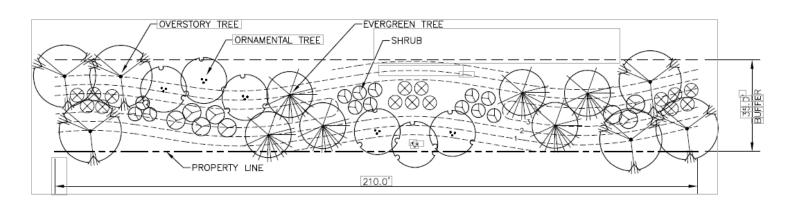












35' BUFFER REQUIREMENTS:

-1 OVERSTORY TREE, 2 ORNAMENTAL TREES & 6 SHRUBS PER 35

DUFT. OF BUFFER.

-(1) EVERGREEN TREE - (1) ORNAMENTAL TREE

-(3) ORNAMENTAL TREES, (2) EVERGREEN TREES & (7)

SHRUBS = (1) OVERSTORY TREE.

-(5) SHRUBS = (1) OVERSTORY TREE

- 3' MINIMUM EARTH BERM

PROVIDED: (FOR A TYPICAL 210' LN. FT. SECTION)

-8. OVERSTORY TREES, 6 ORNAMENTAL TREES, 6 EVERGREEN TREES
AND 36 SHRUBS



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- BUFFER PLANTINGS RESPONSIBILITY OF CURRENT DEVELOPER TO BE INSTALLED AT TIME OF OUTLOT DEVELOPMENT.
 FUTURE LOT DEVELOPER RESPONSIBLE FOR FUTURE INDIVIDUAL LOT LANDSCAPE.
- **PLANT SCHEDULE**

OVERSTORY TREES OVERSTORY TREES

QUERCUS PALUSTRIS

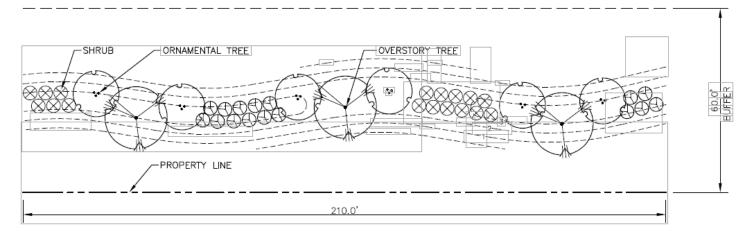
AUTUMN BILAZE MAPIE I ACER RUBRUM "AUTUMN BILAZE
SKYLNE HONEYLOCUST I GLEDITISIA TUCANITIAS" INFERMI
RED OAK

QUERCUS RUBRA

SHRUBS
MCHICAN YBURNUM
DWARF BURNING BUSH
DWARF SURNING BUSH
DWARF KOREAN LILAC
SYRINGA MEYER PALLEN
LEMON PRINCESS SPIREA SPIREA JAPPONCA 'LEM. PRINCESS'
SUNRIRE FORSYTHIA
IVORY HALO DODWOOD
LOCRNUS ALBA
LOCRNUS ALBA
KOREAN SPICE YBURNUM YBURNUM CARLESII

TYPICAL 30' LANDSCAPE BUFFER

EAST AND SOUTH PROPERTY BOUNDARY



60' BUFFER REQUIREMENTS:

- 1 OVERSTORY TREE & 3 SHRUBS PER 35 LN.FT. OF BUFFER.
-(1) EVERGREEN TREE = (1) OVERSTORY TREE
-(2) ORNAMENTAL TREES & (5) SHRUBS = (1) OVERSTORY TREE

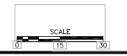
- 3' MINIMUM EARTH BERM

MIN. SIZE REQUIREMENTS:

DECIDUOUS OVERSTORY TREES
EVERGREEN TREES
SHRUBS

-2-2.5" CAL
=6".HEIGHT
=18"-24"

PROVIDED: (FOR A TYPICAL 210' LN. FT. SECTION) -3 OVERSTORY TREES, 6 ORNAMENTAL TREES AND 33 SHRUBS



NOTES

1. FUTURE LOT DEVELOPER RESPONSIBLE FOR FUTURE INDIVIDUAL LOT LANDSCAPE.

PLANT SCHEDULE

OVERSTORY TREES
PIN OAK OUERCUS PALUSTRIS
AUTUMN BLAZE MAPIE ACER RUBRUM "AUTUMN BLAZE"
SKYUNE HONEYLOCUST | QLEDISIA RICANIAS "NERMIS"
RED OAK | QUERCUS RUBRA

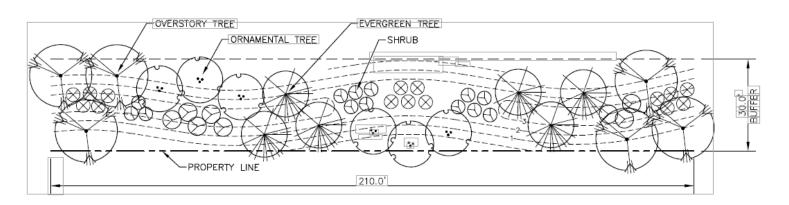
ORNAMENTAL TREES PRAIRIE FIRE CRAB MALUS X 'PRAIRE FIRE'
SPRING SNOW CRAB MALUS X 'SPRING SNOW'
MTCH HAZEL HAMAMELIS VIRGINIANA WHITE PINE PINUS STROBUS
COLORADO BLUE SPRUCE PICEA PUNGENS
DOUGLAS FIR PSEUDOTSGA MENZIESI SHRUBS

SHRUBS

MOHICAN VIBURNUM
WIBURNUM LANTANA "MOHICAN"
DWARF BURNNG BUSH
DWARF KOREAN LILAC
DWANGKOSS SPIREA
SPIREA S

TYPICAL 60' LANDSCAPE BUFFER

MILLS CIVIC PARKWAY



30' BUFFER REQUIREMENTS:

- 1. OVERSTORY TREE, 2 ORNAMENTAL TREES & 6 SHRUBS PER 35

| DN.F.L. OF BUFFER. |
- (1) EVEROREEN TREE - (1) ORNAMENTAL TREE
- (3) ORNAMENTAL TREES, (2) EVERGREEN TREES & (7)
SHRUBS = (1) OVERSTORY TREE.
- (5) SHRUBS = (1) OVERSTORY TREE

- 3' MINIMUM EARTH BERM

MIN. SIZE REQUIREMENTS:

DECIDIOUS OVERSTORY TREES

DECIDIOUS OVERSTORY TREES

-3-3.5" CAL

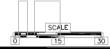
6" HIGHT

-2-2.5" CAL

-6" -24" =18"-24"

PROVIDED: (FOR A TYPICAL 210' LN. FT. SECTION)

-6 OVERSTORY TREES, 6 ORNAMENTAL TREES, 6 EVERGREEN TREES AND 36 SHRUBS



NOTES

- BUFFER PLANTINGS RESPONSIBILITY OF CURRENT DEVELOPER TO BE INSTALLED AT TIME OF OUTLOT DEVELOPMENT.
 FUTURE LOT DEVELOPER RESPONSIBLE FOR FUTURE INDIVIDUAL LOT LANDSCAPE.

PLANT SCHEDULE

OVERSTORY TREES FIN OAK | QUERCUS PALUSTRS
AITTIBUN RIAZE MAPIF | ACER RUBRUM "AUTUMN BLAZE"
SKYLINE HONEYLOCUST | GLEDIISIA IRICANIHAS "INFERMIS
RED OAK | QUERCUS RUBRA

ORNAMENTAL TREES
PRAISE FIRE CRAB MALUS X 'PRAIRE FIRE'
SPRING SNOW CRAB MALUS X 'SPRING SNOW'
WITCH HAZEL HAMMELIS VIRGINIANA

EVERGREEN TREES
WHITE PINE PINUS STROBUS
COLORADO BLUE SPRUCE PICEA PUNGENS
DOUGLAS FIR PSEUDU ISGA MENZIESI SHRUBS SHRUBS
MOHICAN VIBURNUM VIBURNUM LANTANA 'MCHICAN'
DWARF BURNING BUSH EQUINYMOUS ALATA 'COUPACTA'
DWARF KORCAN LLAC SYBINGA MEYER 'PALBIN'
LEMON PRINCESS SPEEA SPEEA JAPONICA LEM PRINCESS'
SUNRISE FORSYTHIA FORSYTHIA X INTERMEDIA 'SUNRISE'
IVORY HALO DOOMOOD CORNIS ALBA
DARTIS RED SPIECA J. SPIECA X BUMADA
KORCAN SPICE VIBURNUM VIBURNUM CARLESII

TYPICAL 30' LANDSCAPE BUFFER

S. 60TH STREET

Attachment D Location Map

