

**CITY OF WEST DES MOINES  
PLAN AND ZONING COMMISSION COMMUNICATION**

**Meeting Date:** June 8, 2020

**Item:** Village on Jordan Creek, located at the southwest corner of Jordan Creek Parkway and Ashworth Road (880, 910, 920, 970 Jordan Creek Parkway and 7450, 7520, 7550, 7580, 7630, 7660, 7710, 7750, 7760 Ashworth Road) – Amend Comprehensive Plan Land Use Map to designate Office (OF) land use and establish the Village on Jordan Creek Planned Unit Development – Czech Mate, LLC – CPA-004684-2020/ZC-004685-2020

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

**Case Advisor:** Karen Marren

**Applicant's Request:** The applicant, Czech Mate, LLC, is requesting approval of a Comprehensive Plan Land Use Amendment and Rezoning, with the establishment of a Planned Unit Development (PUD), for approximately 18.8 acres of land generally located at the southwest corner of Jordan Creek Parkway and Ashworth Road. The applicant has ownership of the south half of the PUD area and is also representing the single-family residential owners within the remaining land area of the PUD. Owner signatures have been provided for all residential property owners within the PUD boundaries except for three residential owners at the northwestern corner of the project area (7660, 7710, and 7750 Ashworth Road). The applicant has been in contact with the three owners and it was conveyed to staff that the owners have agreed with the terms of the PUD. Owner signatures will be provided to staff prior to the City Council public hearing on the request.

The applicant is proposing a 5 acre medium density residential active senior development at the southwestern corner of the site, maintaining the existing 1 acre single family residence, currently owned by Lutheran Church of Hope, on the west boundary of the PUD, with the remaining 12.8 acres as future office development. Access to the site will be via an extension of 76<sup>th</sup> Street north to Ashworth Road with a future private secondary right in/right out access to Jordan Creek Parkway.

Specifically, the following Land Use and Zoning changes are proposed with this request:

- Amend the Comprehensive Plan Land Use Map for approximately 12.8 acres along the north and east boundaries of the site adjacent to Ashworth Road and Jordan Creek Parkway to change from Medium Density Residential to Office (See Attachment A, Exhibit B); and
- The existing designation of the Comprehensive Plan Land Use Map of Residential Medium Density will remain for the approximately 5 acres of the site located at the southwest corner for the senior housing development and the approximately 1 acre parcel situated along the west property boundary for the existing single family detach home owned by Lutheran Church of Hope (See Attachment A, Exhibit B); and
- Establish the Village on Jordan Creek Planned Unit Development (PUD), which includes establishing the following underlying zoning designations (See Attachment B, Exhibit B):
  - Residential Medium Density (RM-8) on approximately 5 acres for the senior housing development; and
  - Residential Medium Density (RM-6) on approximately 1 acre for the existing Lutheran Church of Hope parcel; and
  - Office (OF) on the approximately 12.8 acres of remaining area of the PUD.

**History:** The property was annexed into the City in 2001 as a part of the Ashworth Road annexation which brought in approximately 200 acres of property along the north and south sides of Ashworth Road from 74<sup>th</sup>

Street (Jordan Creek Parkway) to 88<sup>th</sup> Street. The property is currently designated with the Land Use classification of Medium Density Residential but has remained Unzoned since the time of annexation into the city. The property is currently used for single family detached residential homes.

**City Council Subcommittee:** This item was presented to the Development & Planning City Council Subcommittee at their February 17, 2020 meeting to discuss land uses and access within the development. At that time the development was only for the south half of the current project area which is what is under the ownership control of Czech Mate, LLC. It was noted that a traffic study was in progress and pending final analysis based on buildout of the full 18.8 acres (current PUD area) to medium density and office, not just the parcel within the applicant's ownership. The subcommittee noted their concern for access through the single-family neighborhood to the south if 76<sup>th</sup> Street was not extended north to Ashworth Road. They also discussed the need for buffering along the west and south adjacent to the single-family neighborhoods. The subcommittee direction was to move forward with the project with a Master Plan for the whole 20 acres (including the independently owned residential lots along Ashworth Road to the north) and pending the analysis of the traffic study.

Once a completed application for the Comprehensive Plan Land Use Map amendment and Zoning request for a PUD was submitted, this item was also presented to the Development & Planning City Council Subcommittee on April 20, 2020 as an upcoming project to inform the Subcommittee members of the progress on the project and to inform them of the anticipated elements of the PUD for land use and street configuration.

**Staff Review and Comment:** This request was distributed to other City departments and other agencies for their review and comment. Staff would summarize the following key points of interest:

- ***Development Conditions:*** Based on the traffic study recommendations, the Village on Jordan Creek will be limited to a maximum of 5 acres of Medium Density Residential (RM) zoning for the proposed 33 unit active senior living facility located in Parcel B, one acre of Medium Density Residential (RM) consisting of the existing single family detached dwelling in Parcel E for Lutheran Church of Hope along the west boundary of the PUD and the remaining balance of the land area within the PUD designated as Office (OF) zoning with a maximum combined gross floor area of 134,000 square feet within Parcels A, C and D.
- ***Streets and Access:*** In conjunction with site development or platting of the lots, whichever occurs first, the developer will be responsible for construction and/or installation of all required public and private infrastructure improvements necessary to support development. The following items are addressed within the PUD:
  - **76<sup>th</sup> Street Extension:** The extension of 76<sup>th</sup> Street to Ashworth Road will be required for the development of the PUD. The time of such extension shall be as follows:
    - The extension of 76<sup>th</sup> Street from the south property line of the development to the north property line of the senior living parcel within the PUD shall be completed prior to occupancy of the Medium Density senior housing facility. In conjunction, to address concerns for traffic filtering back through the single-family neighborhoods to the south, the senior housing development, prior to occupancy, will be required to have a secondary private access connection to Jordan Creek Parkway.
    - The second phase of the 76<sup>th</sup> Street extension, from the north property line of senior housing development to the full connection with Ashworth Road, shall be completed prior to occupancy of any portion of the office development within the PUD, this allows for a phased extension of 76<sup>th</sup> Street to accommodate the existing and still independently owned single family properties along Ashworth Road until such time as the office development will need the access to Ashworth Road.
  - **Future Traffic Signals:** The cost of future traffic signals, when warranted, at internal drive connections to Ashworth Road and Jordan Creek Parkway shall be the responsibility of the developer pursuant to the assessment policy of the city.

- **Density and Building Mass:** Current code addresses the density and mass of multifamily development projects adjacent to existing single-family residential development. The proposed senior housing project within this PUD exceeds the density increase (50%) allowed by code and cannot meet the strict requirements of the code for the required 150' mitigation buffer for the size and mass of the proposed building. Based on the building design and location of the proposed senior project, alternative measures have been incorporated into the PUD to try to mitigate the impact on the neighboring properties and allow for alternate methods for addressing the mitigation requirements. The following requirements have been included in the PUD:

  - The Lutheran Church of Hope property along the west boundary of the PUD has been included in this PUD and will allow for a separation width of sixty-five feet (65') to the single-family homes to the west. The Lutheran Church of Hope property has been limited in the PUD to remain a single-family home with the allowance for construction of additional detached accessory structures with a required 30' buffer and landscaping between the structure and the west property line. Should the use of the property be requested for change from a single family dwelling an amendment to the PUD would be required.
  - A buffer of 15' with a 6' high fence with understory and over story trees will be installed along the west parcel line of the senior living development to buffer the building from view to the west.
  - The senior living development has been limited to a maximum height of two stories to limit the impact of building height to the single-family homes to the west and south.
  - Setbacks have been increased along the south and west to push the senior living development as far north as possible away from the single-family homes to the south and west. This is in anticipation of future office development to the north reducing the need for a large side yard setback to the north.
  - A buffer of 40' with a 3-foot berm and landscaping will be provided on the office development at the northwest corner of the PUD to buffer from the single-family homes to the west when such area of the PUD develops for office uses.
  - A buffer of 40' with a 3-foot berm and landscaping will be provided on the full length of the south PUD boundary to buffer both the senior living and office developments to the single-family homes to the south.
  - The office development at the southeast corner of the PUD will also be limited to one story buildings immediately adjacent to the single-family homes to limit the impact of the building height from the single-family homes.
  
- **Platting and Site Plans:** Since no specific development is planned for this site other than the intended senior living development, the Village on Jordan Creek PUD requires that platting be at the discretion of the applicant for future development needs. Platting for the required extension of 76<sup>th</sup> Street and configuration of development lots will be required prior to site plan approval. Site plans will be submitted for each PUD parcel prior to any development within the PUD parcel. Each site plan will provide details for the coordination of the vehicle and pedestrian transportation network, building locations and architecture, utility networks (storm, sanitary, water, and fiber), parking facilities, storm water management measures, open space, and buffering and landscape. Site Plans will be reviewed by the Plan & Zoning Commission and City Council.
  
- **Traffic Study:** The traffic study indicates that there are no major issues with the proposed land use changes given the proposed extension of 76<sup>th</sup> Street that will traverse through the site and connect with Ashworth Road upon full buildout of the area. The traffic study for this action provides preliminary recommendations on street geometry and triggers for the proposed traffic light as 76<sup>th</sup> Street and Ashworth Road; however, more specific recommendations will be provided with future traffic studies when specific users have been identified for the site and as individual site plans are submitted for the senior living and office developments.

**Outstanding Issue:** The Comprehensive Plan states that the City should strongly discourage primary vehicular access for higher intensity development through lower intensity development, therefore, as part of the PUD staff indicated that the extension of 76<sup>th</sup> Street shall be provided prior to occupancy of any office

development within the PUD to allow for the vehicular traffic from any office development to not filter south through the residential neighborhood and instead access north to Ashworth Road. The applicant has requested that the extension of 76<sup>th</sup> Street not be required until such time as the residential properties along Ashworth Road are developed to office. This is a concern for staff because there is no long-term plan for the sale or development of the residential properties, so there is no anticipated date for when the 76<sup>th</sup> Street extension would occur. If the extension of 76<sup>th</sup> Street is not required and the office is developed on Parcel A and the senior living is developed on Parcel B, all vehicular access for both developments would only have full access from 76<sup>th</sup> Street to the south or a right in right out access to Jordan Creek Parkway through Parcel A.

**Comprehensive Plan Consistency:** The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

**Noticing Information:** On May 29, 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 26, 2020.

**Staff Recommendation And Conditions Of Approval – Comprehensive Plan Amendment:** Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, Staff recommends the Plan and Zoning Commission adopt a resolution to recommend the City Council approve the Comprehensive Plan Land Use Map amendment as illustrated in Exhibit A attached to the resolution which results in approximately 7.6 acres of Medium Density Residential (MD) and approximately 12.8 acres of Office (OF), subject to the applicant meeting all City Code requirements.

**Staff Recommendation And Conditions Of Approval – Rezoning:** Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, Staff recommends the Plan and Zoning Commission adopt a resolution to recommend the City Council approve the rezoning request to establish the Village on Jordan Creek Planned Unit Development with underlying zoning of Residential Medium Density (RM-8), Residential Medium Density (RM-6) and Office (OF), subject to the applicant meeting all City Code requirements.

**Applicant:** Czech Mate, LLC  
13598 Summit Avenue  
Clive, IA 50325  
danstanbrough@yahoo.com

**Applicant's Representatives:** Ed Arp  
Civil Engineering Consultants, Inc.  
2400 86<sup>th</sup> Street, #12  
Des Moines, IA 50322  
arp@ceclac.com

**Property Owners:** 880, 910, 920 Jordan Creek Parkway – Dan Stanbrough, Czech Mate, LLC  
970 Jordan Creek Parkway – Landon Luchtel, Stone Lake, LLC  
7450 Ashworth Road – Rick Stessman  
7520 Ashworth Road – Michael L. Glaza  
7550 Ashworth Road – Kevin Johnson  
7580 Ashworth Road – Dennis & Theresa Schaffer  
7630 Ashworth Road – Tom Zimmerman  
7660 Ashworth Road – Bill & Jody McCarthy – **Signature Pending**  
7710 Ashworth Road – James Underfer – **Signature Pending**



7750 Ashworth Road – Cecilee Lewis – **Signature Pending**  
7760 Ashworth Road – Lutheran Church of Hope

**ATTACHMENTS:**

- Attachment A - Plan and Zoning Commission Resolution – Comprehensive Plan Amendment
  - Exhibit A - Conditions of Approval
  - Exhibit B - Comprehensive Plan Land Use Map Amendment
- Attachment B - Plan and Zoning Commission Resolution – Rezoning
  - Exhibit A - Conditions of Approval
  - Exhibit B - Proposed Zoning Map Amendment
- Attachment C - Village on Jordan Creek PUD Ordinance
  - Exhibit A - PUD Sketch Map

**RESOLUTION NO. PZC-20-025**

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, IOWA, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP FOR OFFICE LAND USE**

**WHEREAS**, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Czech Mate, LLC, has requested approval of an amendment to the Comprehensive Plan Land Use Map (CPA-004684-2020) to change the land use designation of approximately 12.8 acres of Residential Medium Density (RM) to Office (OF) as depicted on the attached Exhibit "B".

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

**WHEREAS**, on June 8, 2020, this Commission held a duly noticed meeting to consider the application for Comprehensive Plan Amendment (CPA-004684-2020); and

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

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

SECTION 2. Comprehensive Plan Land Use Amendment (CPA-004684-2020) to change the land use designations on the subject property is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated June 8, 2020, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on June 8, 2020.

\_\_\_\_\_  
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:

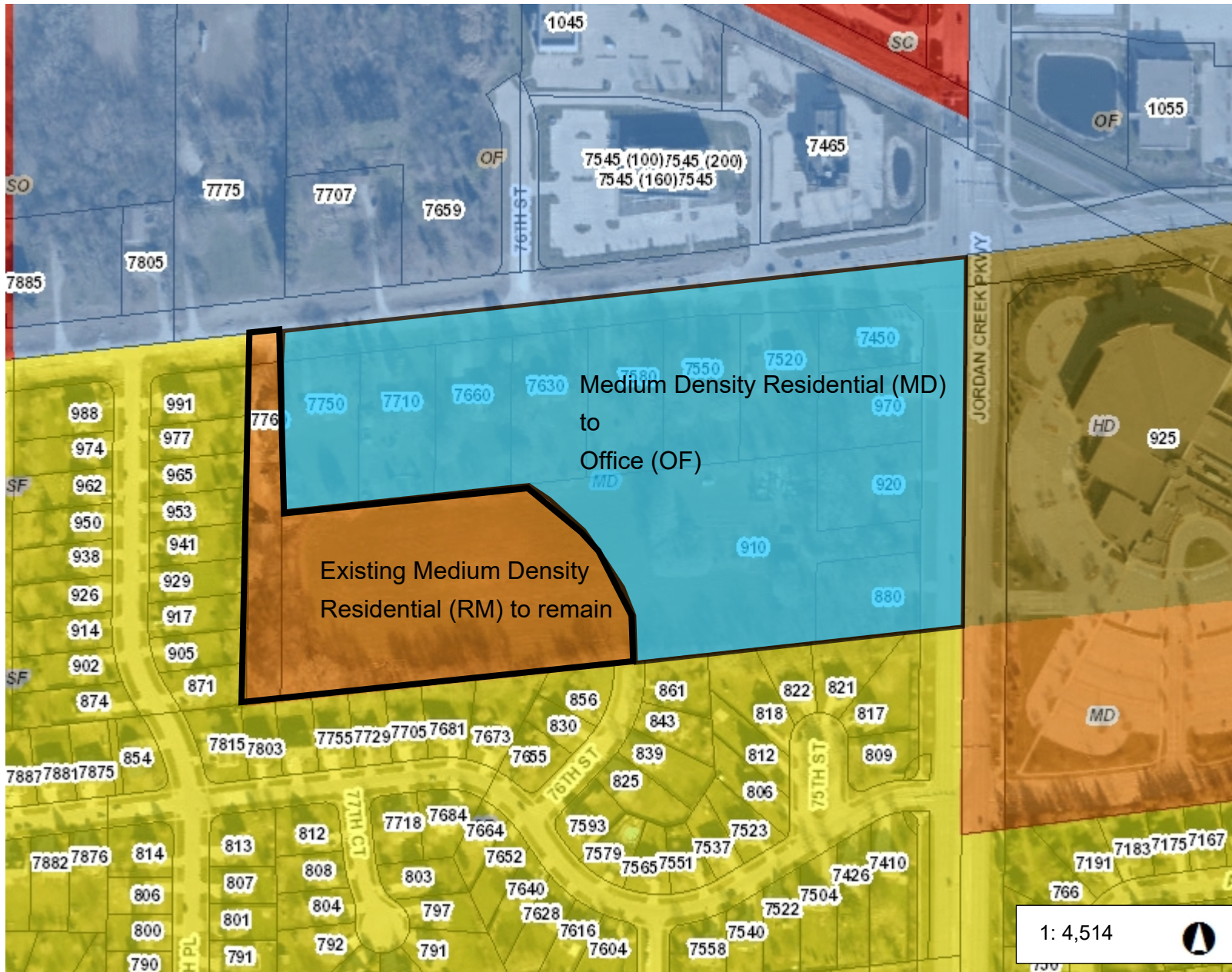
- AYES:
- NAYS:
- ABSTENTIONS:
- ABSENT:

ATTEST:

\_\_\_\_\_  
Recording Secretary

Exhibit A  
Conditions of Approval

No conditions of approval



- ### Legend
- Addresses**
- Comprehensive Plan Land Use**
- OS: Open Space
  - PG: Parks & Greenways
  - LD: Low Density Residential
  - SF: Single Family Residential
  - MD: Medium Density Residential
  - HD: High Density Residential
  - MF: Manufactured Homes
  - MU: Mixed Use
  - RC: Regional Commercial
  - TCC: Town Center Commercial
  - CMC: Community Commercial
  - SO: Support Office
  - NC: Neighborhood Commercial
  - SC: Support Commercial
  - HC: Highway Commercial
  - CVC: Convenience Commercial
  - VJ SC: Valley Junction Commercial
  - HBC: Historic Business
  - OF: Office
  - GI: General Industrial
  - LI: Light Industrial
  - BP: Business Park
  - WR: Warehouse/Retail

752.3 0 376.17 752.3 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City of West Des Moines, Iowa

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

**RESOLUTION NO. PZC-20-026**

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE REZONING TO ESTABLISH THE VILLAGE ON JORDAN CREEK PLANNED UNIT DEVELOPMENT ON GROUND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF JORDAN CREEK PARKWAY AND ASHWORTH ROAD**

**WHEREAS**, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Czech Mate, LLC, has requested approval of a Rezoning Request for property generally located at the southwest corner of Jordan Creek Parkway and Ashworth Road to amend the Zoning Map and establish the Village on Jordan Creek Planned Unit Development with approximately 5 acres of Residential Medium Density (RM-8) zoning, 1 acre of Residential Medium Density (RM-6) zoning, and 12.8 acres of Office (OF) zoning as depicted on the attached Exhibit "B"; and

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

**WHEREAS**, on June 8, 2020, this Commission held a duly noticed hearing to consider the application for the Rezoning Request (ZC-004685-2020); and

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

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

**SECTION 2.** REZONING REQUEST (ZC-004685-2020) to establish the Village on Jordan Creek Planned Unit Development (PUD) is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated June 8, 2020, including conditions added at the Hearing, and attached hereto as Exhibit "A", if any. Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

**PASSED AND ADOPTED** on June 8, 2020.

\_\_\_\_\_  
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: \_\_\_\_\_  
Recording Secretary

**Exhibit A: Conditions of Approval**

No Conditions of Approval





Prepared by: K.Marren, Development Services, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265  
Return To: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265  
Tax Statement: Not Applicable

**ORDINANCE #**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2019, BY AMENDING TITLE 9, ZONING, CHAPTER 9, PLANNED UNIT DEVELOPMENT DISTRICT, PERTAINING TO P.U.D. (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES.**

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

**SECTION 1. AMENDMENT:** Amend the Zoning Map of the City of West Des Moines, Iowa, by rezoning the following legally described property from Unzoned to **Village on Jordan Creek** Planned Unit Development (PUD) of West Des Moines, Iowa:

**Legal Description**

A PARCEL OF LAND IN THE NW1/4 NE1/4 & NE1/4 NE1/4 OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID SECTION 11; THENCE S00°43'20"W, 704.85 FEET ALONG THE EAST LINE OF SAID NE1/4 NE1/4 TO THE NE CORNER OF BARTLETT FARM PLAT 1, AN OFFICIAL PLAT RECORDED IN BOOK 1998, PAGE 10365 AT THE DALLAS COUNTY RECORDER'S OFFICE; THENCE S84°01'15"W, 83.07 FEET ALONG THE NORTH LINE OF SAID BARTLETT FARM PLAT 1 TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF JORDAN CREEK PARKWAY AS IT IS PRESENTLY ESTABLISHED AND RECORDED IN BOOK 2003, PAGE 13188 AT THE DALLAS COUNTY RECORDER'S OFFICE AND THE POINT OF BEGINNING; THENCE CONTINUING S84°01'15"W, 710.06 FEET ALONG SAID NORTH LINE OF BARTLETT FARM PLAT 1 TO THE NW CORNER OF SAID BARTLETT FARM PLAT 1, SAID NW CORNER ALSO BEING THE NE CORNER OF BARTLETT FARM PLAT 2, AN OFFICIAL PLAT RECORDED IN BOOK 2000, PAGE 2911 AT THE DALLAS COUNTY RECORDER'S OFFICE; THENCE S83°59'43"W, 515.19 FEET ALONG THE NORTH LINE OF SAID BARTLETT FARM PLAT 2 TO A POINT ON THE WEST LINE OF SAID NE1/4 NE1/4; THENCE S83°59'09"W, 66.45 FEET ALONG SAID NORTH LINE TO A POINT ON THE SE CORNER OF WESTBRIDGE, AN OFFICIAL PLAT RECORDED IN BOOK 1999, PAGE 13841 AT THE DALLAS COUNTY RECORDER'S OFFICE, SAID SE CORNER ALSO BEING ON THE SW CORNER OF THE EAST 66.00 FEET OF THE NORTH 705.8 FEET OF THE NW1/4 NE1/4 OF SAID SECTION 11; THENCE N00°39'47"E, 642.86 FEET ALONG THE WEST LINE OF SAID WESTBRIDGE, SAID WEST LINE ALSO BEING THE WEST LINE OF THE SAID EAST 66.00 FEET OF THE NORTH 705.8 FEET OF THE NW1/4 NE1/4, TO THE NE CORNER OF LOT 1 OF SAID WESTBRIDGE, SAID NE CORNER ALSO BEING THE SW CORNER OF ACQUISITION PLAT RECORDED IN BOOK 2017, PAGE 17213 AT THE DALLAS COUNTY RECORDER'S OFFICE AND LYING ON THE SOUTH RIGHT-OF-WAY LINE OF ASHWORTH ROAD AS IT IS PRESENTLY ESTABLISHED; THENCE N83°56'53"E, 789.25 FEET ALONG THE SOUTH LINE OF SAID ACQUISITION

PLAT AND SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE N87°43'27"E, 303.69 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE N83°56'53"E, 96.40 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE S47°39'34"E, 46.53 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID JORDAN CREEK PARKWAY; THENCE S00°43'20"W, 589.15 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING AND CONTAINING 18.81 ACRES MORE OR LESS.

**SECTION 2. SKETCH PLAN:** Attached hereto and made a part of this rezoning approval, for concept description and delineation is the Sketch Plan Document for the Village on Jordan Creek PUD marked Exhibit "A". The Sketch Plan is a graphic representation of the property included in the PUD delineating the approximate location and configuration of the Parcels for the purpose of easier reference for the applicable regulations of this Ordinance. Where the PUD sketch plan and PUD language conflict, the language shall prevail.

**SECTION 3. DEVELOPMENT INTENT:** The Village on Jordan Creek PUD intends to provide a framework for development standards reflective of the realities and constraints of redevelopment and to establish design standards for infill construction that are appropriate for the neighborhood. The Village on Jordan Creek PUD is located at the southwest corner of Jordan Creek Parkway and Ashworth Road. It is the goal of the developer to create a mixed office and residential development that expands the office choice in the area and provides a senior living opportunity which enhances the area by providing an additional choice in housing type, size and affordability for the neighborhood and the aging population of West Des Moines.

**SECTION 4. REQUIRED PLANS:**

- A. Preliminary Plat/Final Plat: Platting for any 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. As part of development, area shall be platted to define specific lots or lot-tied to combine existing lots in accordance with the City's Subdivision Ordinance to delineate the ground associated with each development area. If lot-tied, no building may be sold separately from another until the property is replatted through the City's Subdivision process.
- B. Site Plan Development Applications: Site plans for buildings within the Village on Jordan Creek PUD must meet the intent of the PUD. With the exception of grading done under a City approved grading Permit, prior to development of the respective PUD or platted parcel, site plans for development shall be submitted to the City for review through the development review process and approval by the appropriate approval body.
- C. Roads and Utilities: Unless otherwise specifically restricted by City Council action, ground work and construction of private roads and utilities may be started, at the developer's risk, upon approval of a preliminary plat by the City Council; however, changes necessary due to subsequent site plan review and approval shall be at the financial expense of the developer with no cost-share with or reimbursement from the city. Public street and utility construction may begin, at the risk of the developer, after approval of the preliminary plat which includes the improvements by the City Council and construction improvement plans by the City of West Des Moines.

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

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

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

1. The Village on Jordan Creek shall be limited to a maximum of 5 acres of Medium Density Residential zoning consisting of an active senior living facility located in Parcel B, one acre of Medium Density Residential zoning consisting of an existing single family detached dwelling and future detached accessory buildings in Parcel E, with the remaining land area within the PUD dedicated as Office zoning with a maximum combined gross floor area of 134,000 square feet within Parcels A, C and D.
2. General Conformance to Subdivision Ordinance: All subdivisions, public and private streets and street rights-of-way and general development shall adhere to the standards and design criteria set forth in the West Des Moines Subdivision Ordinance and/or established City policies pertaining thereto, unless otherwise stated within this Ordinance.
3. General Conformance to Zoning Ordinance: Unless otherwise specified herein, the development of the Village on Jordan Creek PUD shall comply with the provisions of the Title 9, "Zoning", of the city code or any other applicable codes.
4. Flood Hazard: In all areas within a 100-year frequency flood hazard zone, or adjoining drainage ways, and detention ponding areas involving potential flood hazards, no building shall be erected that has a lowest floor, including basements, less than 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 drainage way, 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.
5. Developer Responsibilities: The Developer, their successors and/or assigns, if any, shall pay all planning, engineering, and construction costs for the development of the planned unit development, as required by this Ordinance and approved site plans and the cost of all streets, storm sewers, sanitary sewers, drainage way improvements, detention basins, water mains, buffers and other improvements as required for rights-of-way or public easements within the Village on Jordan Creek PUD, unless otherwise approved by the City Council.
6. Public Street Improvements and Right-Of-Way Dedication: At time of subdivision platting of ground within the PUD or in conjunction with site development, whichever occurs first, the subdivider/developer shall be responsible for construction and/or installation of all required public and private infrastructure improvements necessary to support development in a manner that will assure that the infrastructure functions at an acceptable level of service and in accordance with all city ordinances.
  - a. 76<sup>th</sup> Street Extension: The extension of 76<sup>th</sup> Street to Ashworth Road will be required for the development of the Village on Jordan Creek PUD. The time of such extension shall be as follows:
    1. The extension of 76<sup>th</sup> Street from the south property line of the development to the north property line of Parcels A and B shall be completed prior to occupancy of the Medium Density senior housing facility proposed on parcel B. In conjunction with the senior housing development and prior to occupancy of such, a secondary private access connection to Jordan Creek Parkway must be completed for access of the facility.
    2. The second phase of the 76<sup>th</sup> Street extension, from the north property line of Parcel A & B to the full connection with Ashworth Road, shall be completed prior to occupancy of any portion of the office development within the PUD, including development of office in parcels A, C and/or D.
  - b. Unless otherwise amended by the City, the cost of future traffic signals at internal drive connections to Ashworth Road and Jordan Creek Parkway shall be the responsibility of the developer pursuant to the assessment policy of the city.
7. Sanitary Sewer: Any proposed change in approved land use densities (office or residential) for the PUD will require an analysis of the downstream sanitary sewer capacity to assure that adequate capacity is available for the proposed change in approved land use densities.



8. Fire Access:
  - a. All access drives, internal drive aisles and parking lots shall permit the travel of the Fire Department's largest vehicle, including adequate accommodation of the vehicle's turning needs. Approval of unique design solutions to accommodate fire access may be granted by the City Council if the solutions proposed are acceptable to and recommended for approval by the West Des Moines Fire Department.
  - b. At the discretion of the City's Fire Marshal, "No Parking Fire Lane" areas may be established as necessary to ensure efficient movement and access of the fire trucks. The developer shall be responsible for the procurement and erection of approved fire lane signage.
  - c. A minimum of fourteen feet (14') of vertical clearance over the travel portion of all vehicle travel ways shall be maintained at all times.
  - d. The property owner or its designee shall be responsible for enforcement of no parking lanes and maintaining adequate clearance of structures and vegetation along and above all vehicle travel ways, regardless if public or private.
  - e. Adequate fire accesses as determined by the City's Fire Marshal shall be provided at all times to those areas under construction.
  
9. Street Lighting: The Developer shall be responsible for all costs associated with the installation of public street lights within or adjacent to any area proposed to be platted or developed.
  
10. Mailboxes: The Developer shall be responsible for installation of any required Cluster Box Units (CBUs) as per the local U.S. Postal Service Post Office.

**SECTION 6. 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 for the Office (OF) or Medium Density Residential (MD) Zoning District based on the attached sketch plan shall apply to any development within the Village on Jordan Creek Planned Unit Development. To the extent that the provisions of this section conflict with or are more restrictive than similar provisions provided elsewhere in the West Des Moines zoning ordinance, the provisions of this section shall control. The following land use design criteria, development standards, and landscaping regulations shall apply to parcels within the Village on Jordan Creek Planned Unit Development:

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

1. Permitted Uses: All permitted (P) and permitted conditional (PC) uses within the office (OF) district shall be allowed with the approval of the appropriate review and approval body, except the following, which shall be prohibited:

a. Prohibited Uses: the following permitted and permitted conditional uses otherwise allowed in the Office (OF) District shall be prohibited:

SIC 347	Coating, engraving and allied services
SIC 4225	Self-Storage
SIC 472-473	Passenger and Freight Transportation
SIC 58	Eating and Drinking Paces
SIC 701	Hotels and Motels
SIC 7212	Garment pressing and agents for laundries and dry cleaners
SIC 726	Funeral Services
SIC 7299-02	Massage therapy establishments and steam bath services
SIC 79	Event Venues
SIC 7991	Physical fitness facilities
SIC 7997	Membership Sports & Recreation Clubs



SIC 4225	Self-Storage
SIC 472-473	Passenger and Freight Transportation
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2. **Building Height:** Building(s) within Parcel C located within 150 feet of the west property line shall be limited to one story in height. Outside of the 150', maximum building height shall not exceed 3 stories or 36 feet.

D. **Parcel E:** Parcel E shall be zoned to Medium Density Residential (RM-6) district and is intended to maintain the property as one single family detached dwelling with detached accessory buildings for storage of goods and materials utilized and owned by Lutheran Church of Hope. Any modifications to the use or development of the property shall require an amendment to the PUD.

1. **Building Setbacks:**

- a. **Primary Building:** The primary building shall maintain the existing setbacks on the north, west and east sides of the building. Building addition(s) may be permitted to the south of the existing structure to allow for the expansion of the existing use and structure.
- b. **Detached Accessory Structure:**
  1. West & South property line: Minimum of thirty feet (30')
  2. North & East property line: No minimum setback

2. **Building Size:** All new detached accessory structures shall be limited to a maximum wall length of one hundred feet (100'), with a maximum height of 2 stories. Landscaping and buffering shall be provided between the structure and the west property line abutting the single family uses to the west and shall be provided in accordance with Section 7 of this ordinance.

3. **Appearance:** The design of all new detached accessory structures shall be in keeping with the context of the area they are located in, with comparable architectural design, materials and details to the principal structure, including roof slope, overhangs, etc. Any metal cladding shall be prefinished and have the appearance of the materials used on the primary building. Galvanized metal is prohibited as the exterior finish material in residential zoning districts.

**SECTION 7. BUFFERS:** The provision of adequate buffering and landscaping shall be more thoroughly evaluated and approved as part of the site plan approval process. Additional buffer and landscaping may be required at that time in response to additional details of the use, buildings, parking, loading docks, mechanical equipment, etc. to be implemented.

A. Buffers shall be provided along the perimeter boundaries as follows:

1. Parcel A:
  - a. South: Minimum forty feet (40') from property line.
  - b. North, East and West: No buffers between internal PUD parcels shall be required except to mitigate undesirable site elements and views and to provide for desirable streetscapes.
2. Parcel B:
  - a. West – minimum fifteen feet (15') from property line
  - b. South – minimum forty feet (40') from property line.
  - c. North and East: No buffers required except to mitigate undesirable site elements and views and to provide for desirable streetscapes.
3. Parcel C:
  - a. West: Minimum forty feet (40') from property line

- b. North, South, and East: No buffers between internal PUD parcels shall be required except to mitigate undesirable site elements and views and to provide for desirable streetscapes.
  - 4. Parcel D: No buffers between internal PUD parcels shall be required except to mitigate undesirable site elements and views and to provide for desirable streetscapes.
  - 5. Parcel E: A minimum thirty feet (30') buffer along the west property line shall be provided adjacent to any new detached accessory structures developed after the adoption of the ordinance.
- B. The implementation of vegetation as indicated below shall be required. An earthen berm with a minimum height of three feet (3') shall be implemented along the south property line of parcels A and B and the west property lines of parcels C to enhance buffering and screening of otherwise negative site elements and to aid in ensuring year-round screening for abutting single family residential properties. A 6-foot solid privacy fence shall be provided within the 15' buffer along the west property line of parcel B. Buffers should be designed to achieve the maximum amount of screening 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.
  - 1. The minimum vegetation within required buffers shall be provided as follows. Buffers shall be so designed to serve as a visual continuation of existing adjacent buffers and/or as a unifying element within the development.
    - a. Forty Foot (40') Buffer:
      - i. One (1) overstory tree and two (2) ornamental or evergreen trees, and six (6) shrubs shall be provided per thirty-five (35) lineal feet of required buffer
    - b. Fifteen Foot (15') Buffer:
      - i. One (1) over story tree shall be provided per thirty-five (35) lineal feet of required buffer. No substitution of the number of over story trees shall be permitted.
  - 2. Vegetation substitution:
    - i. Two (2) ornamental trees, one (1) evergreen tree, or six (6) shrubs 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.
    - ii. A twenty-five (25) square foot mass planting of perennials or ornamental grasses may be substituted for three (3) shrubs.
  - 3. 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.

**SECTION 8. LIGHTING:** Fixtures used within off-street parking areas and wall mounted fixtures are intended to serve as a unifying element between parcels within the development.

- A. All fixtures within the PUD 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 residences are not looking up and into the bulbs of light fixtures, which may require shields on the fixtures or other means of shielding glare.
- B. No wall packs or floodlighting are allowed.
- C. 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.
- D. 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.
- E. Fixtures located 150 feet or less from the property line of the existing single-family residential lots to the south and west shall not exceed sixteen feet (16') in height.
- F. The foot candle level at all property lines abutting single family residential properties shall be less than one (1).

**SECTION 9: ARCHITECTURE:** The intent is to create building façades throughout this development that are 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 office and multi-family buildings. Building design, materials, trim, detailing, and colors shall provide continuity 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.

The first site plan approved for development within the PUD shall set the design theme for the overall PUD. Elements such as materials, colors, and architecture details from that point forward shall be similarly applied throughout the remaining developments within the PUD to maintain a consistent design theme throughout the PUD. Once site plan approval is gained on a particular building design, any alteration in design, materials or colors, must be reviewed and approved by the City’s Development Services Department prior to changes being implemented.

A. All buildings within this development shall accommodate or incorporate the following design approaches:

1. 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 residential scale and reflects proportions similar to other buildings within the area.
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. Projections above the roof shall have the appearance of a three-dimensional element.
7. 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.
8. 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.
9. 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.
10. Trim and structural elements such as posts or columns shall be sized to the scale of the building.
11. Whenever possible, ground floor commercial tenant areas should provide the maximum possible glazing toward sidewalks to provide pedestrians with visual interest. Use of reflective glass or mirrored glass is prohibited. Efforts should be made to use clear glass on storefronts, windows and doors to promote the linkage of the interior and exterior of buildings.
12. Architectural design for multi-family units shall include:
  - a. Unit design should incorporate elements such as balconies and patios 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 porch/patio with a minimum usable area of forty (40) square feet and a minimum usable dimension of five feet (5') deep in either direction. In lieu of outdoor living area for individual units, area(s) of common defined and enhanced outdoor living space can be provided.

- b. Should covered parking be pursued, 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. For parking incorporated within the primary building, the design should place the garage doors on a non-street side façade and on facades not facing the single-family residential development to the west and south. Screening or design elements will be required to minimize the dominance of garage doors on the facade.
13. Natural, durable materials such as brick and stone shall be used as the major elements of the façade cladding (40% or greater), primarily on the lower stories of the building. Use of vinyl materials is prohibited.
- a. 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 than 20% of the cladding material.

**SECTION 10. LANDSCAPING:** Landscaping must be provided in accordance with City Code unless otherwise modified within this ordinance. 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 and shall meet the general guidelines in respect to the minimum plant sizes traditionally applied to development within the City. The provision of additional vegetation above the minimum amount required may be necessary to fulfill the intent (i.e., visual mitigation/screening) of the required landscaping.

Once site plan approval is gained on a particular parcel, any alteration to that shown on the approved site plan must be reviewed and approved by the City's Development Services Department prior to the changes being implemented.

**SECTION 11. SIGNAGE REGULATION:** Signage restrictions shall be imposed to limit and reduce the negative impacts of sign clutter. Signage within each PUD parcel shall comply with all provisions of Title 9, Chapter 18 for the identified zoning district for each parcel.

- A. All Signs: Signs located within 300' of and facing a residential property will be limited to exterior lit signs or halo lighting and will be required to have a timer to shut off at 11:00 PM or within one hour of close of the business, if open after 11:00 PM. Signs may be turned back on at 5:00 AM for uses that are closed during the night.
- B. Wall signage for a tenant in a multi-tenant building shall be located on the wall area of the tenant's location within the building.

**SECTION 12. STORM WATER MANAGEMENT:** Specific Storm Water Management Plans will be required with the development of each parcel, demonstrating compliance with the approved Village on Jordan Creek PUD Master Storm Water Management Plan, on file with the city. The Developer will have said specific Storm Water Management Plans prepared by a Professional Engineer licensed in the State of Iowa, in conjunction with the submittal of a specific development proposals for a parcel within the PUD. All specific Storm Water Management Plans shall comply with the City's current design standards for storm water management. The method of storm water management and the storm water conveyance system shall be determined prior to City approval of any development within any portion of the property within the Village on Jordan Creek PUD.

At time of platting or development, ownership and responsibility for all storm water detention areas and private storm water detention outlet structures will need to be established.

**SECTION 13. TRAFFIC STUDY:** A Traffic Impact Study (Traffic Report) dated March 13, 2020, has been prepared by the City of West Des Moines for the Village on Jordan Creek PUD. The Traffic Report caps the traffic generated from all ground within this PUD at 1,565 average daily trips, with 212 AM peak hour trips and 169 PM peak hour trips. Prior to, or in conjunction with site plan submittal of any parcel, or portion of a parcel, the Developer shall have the traffic report reviewed by the City's traffic consultant to ensure that the provisions and assumptions of the original traffic report are still valid and applicable.

**SECTION 14. REPEALER:** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 15. 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 16. VIOLATIONS AND PENALTIES:** Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Section 1-4-1 of the City Code of the City of West Des Moines, Iowa.

**SECTION 17. 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 18. 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

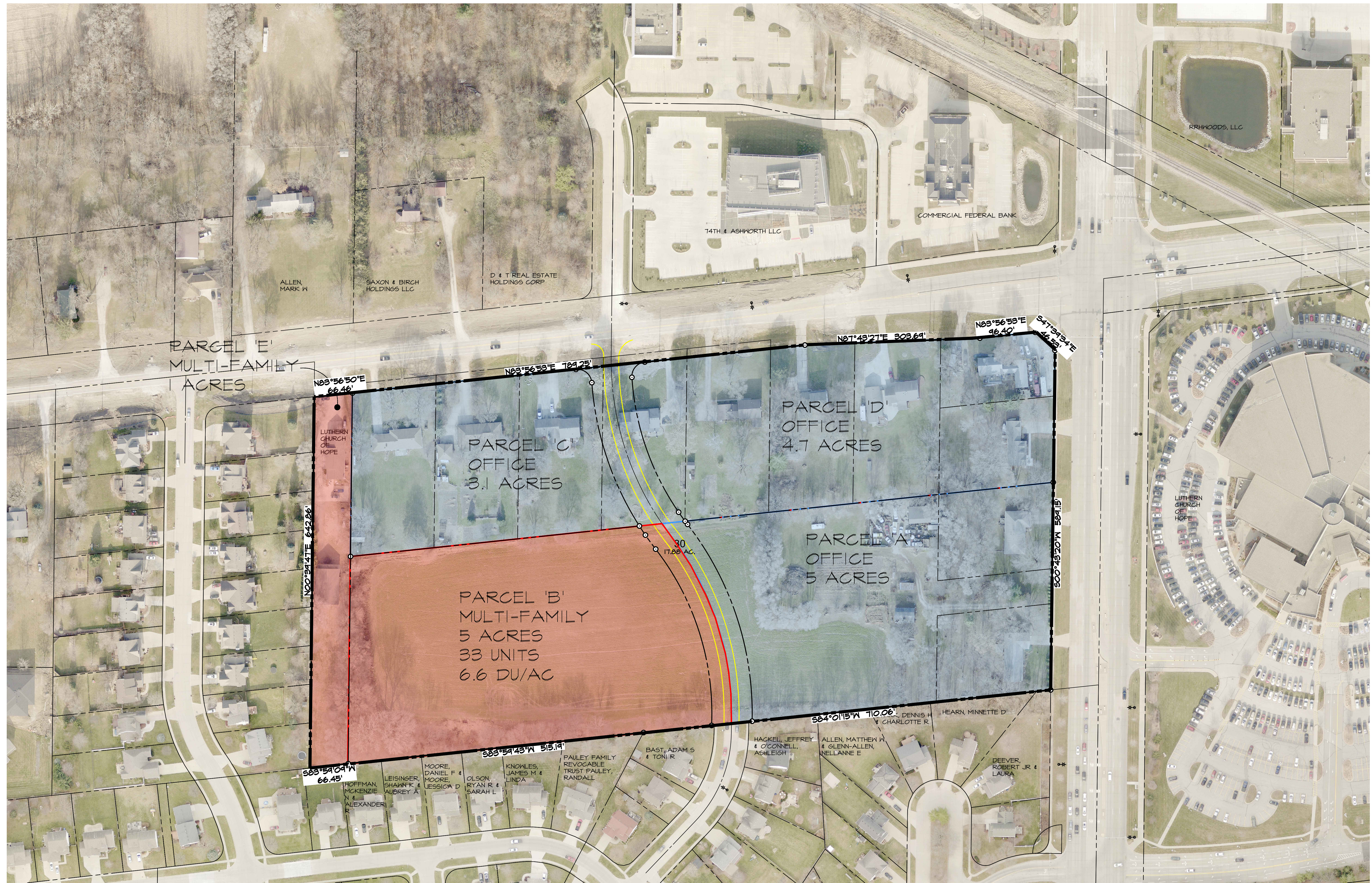
**ATTEST:**

\_\_\_\_\_  
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





PARCEL 'E'  
MULTI-FAMILY  
1 ACRES

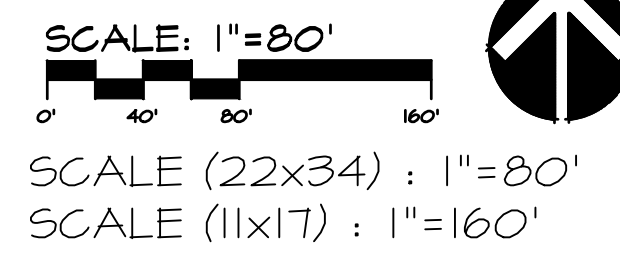
PARCEL 'C'  
OFFICE  
3.1 ACRES

PARCEL 'D'  
OFFICE  
4.7 ACRES

PARCEL 'A'  
OFFICE  
5 ACRES

PARCEL 'B'  
MULTI-FAMILY  
5 ACRES  
33 UNITS  
6.6 DU/AC

ADJACENT PROPERTIES LIST



THE VILLAGE ON JORDAN CREEK P.U.D.  
ASHNORTH RD. & JORDAN CREEK PKWY, WEST DES MOINES, IA

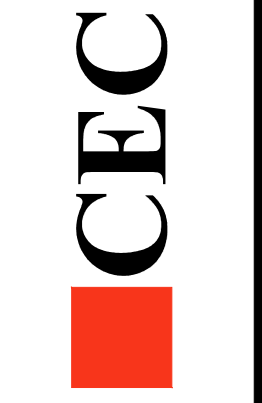
NEIGHBORHOOD PLAN

SHEET  
**3**  
OF 3  
A1844

DATE:	REVISIONS	COMMENTS
09-20-2020	1	
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	3	
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	5	
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DATE OF SURVEY:	MM/
DESIGNED BY:	MMH
DRAWN BY:	MMH



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

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