

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

Meeting Date: September 14, 2020

Item: Erik's Bikes PUD, 950 1st Street – Establish the Erik's Bikes Planned Unit Development – EBS Property Iowa, LLC – ZC-004771-2020

Requested Action: Recommend Approval of Rezoning

Case Advisor: Brian Portz, AICP *BP*

Applicant's Request: The applicant, EBS Property Iowa, LLC, d/b/a Erik's Bikes, is requesting approval of a rezoning request to establish the Erik's Bikes Planned Unit Development (PUD) for approximately 38,364 square feet located at 950 1st Street. The applicant is proposing to construct an Erik's Bike Shop building on the site. Erik's Bike Shop is moving from its current location at 301 Grand Avenue to this site because of the future widening of Grand Avenue. This will cause the need for removal of the existing Erik's building that is located within the expanded right-of-way of Grand Avenue.

History: The subject property was old right-of-way for Ashworth Road along with City owned property adjacent to the railroad tracks. The Ashworth Road right-of-way was vacated in 1971. A plat of survey was approved on May 18, 2020 to allow the transfer of ownership of the property to the applicant.

City Council Subcommittee: This item was presented to the Development & Planning City Council Subcommittee at their July 6, 2020 meeting as an informational item only. There was no discussion or disagreement with the proposed project. The proposed architecture of the Erik's Bikes building was also discussed by the Subcommittee on August 17, 2020 with staff indicating that the applicant was intending to design the building in the "Doo Wop" or "Googie" architectural style, which is one of three major styles of architecture allowed within the Val-Gate area. At the time, staff was still working with the applicant on the building design.

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:

- **Grand Avenue Redevelopment Plan (Val-Gate):** This property is located within what is known as the Val-Gate District which is an area identified for redevelopment. The intent of the Val-Gate area is to provide the opportunity for properties within the plan area to redevelop while creating a unique and identifiable district within the City. To achieve this, several contextual development standards/guidelines are encouraged during redevelopment. Due to the constraints and challenges of certain current zoning code requirements when doing infill development in the Val-Gate area, Planned Unit Developments (PUDs) are proposed which establish specific design standards that respond to the unique aspects of the site. This proposed PUD responds to the development intent and establishes regulations for the proposed Erik's Bikes PUD.
- **Site Access:** Access to the site will be via an east/west street south of Val Lanes and north of Casey's that will be constructed by the City. This street is proposed to be constructed as a part of the Grand Avenue widening project to provide alternative east/west accesses to the properties north of Grand Avenue. Access to the site from Ashworth Road will be via a shared access drive with Val Lanes. A cross access/parking easement has been prepared to allow for shared access and parking between Val Lanes and the proposed Erik's Bikes building.
- **Building Architecture:** Staff has been working with Erik's Bikes to develop architectural designs which capture the design intent of the Val-Gate District. The area within the Val-Gate District saw the majority of its original development in the 1950's. There are three major styles of architecture

related to this period of development (Mid-Century Modern, Roadside Architecture and “Doo Wop” or “Googie”).

To build on and reinforce the context of this area and create a neighborhood identity that recognizes its history, all buildings within the Grand Avenue Redevelopment Plan shall include elements of these architectural styles in their building design. The intent is not to create period reproductions of the 1950’s buildings, but to incorporate the forms and elements representative of the 1950’s building design within the design of new structures. As one architectural style may be more appropriate for different building types and functions, the Developer has the flexibility to select which architectural style would be the best fit for their development. The applicant has chosen Doo Wop/Googie architecture for this project.

Doo Wop/Googie designs typical of the mid-century era reflected a new focus of fun, space travel and flight with the use of bright colors, bold patterns and shapes that expressed movement. The applicant has proposed the following elements in their recognition of Doo Wop/Googie architectural style: the main building mass is clad with a bold large format checkerboard pattern and the two secondary building masses are clad in a bright red color. The larger secondary mass has a slanted side wall to convey movement and the entry canopy has a wraparound streamlined design, repeating the forms indicative of space travel and flight.

Per the Redevelopment Plan, all sides to each building are to receive high quality materials and finishes (360° architectural treatment). Products and materials used should be durable, economically maintained and of a quality that will maintain their appearance over a prolonged time. Primary building materials should include, but are not limited to glass, steel, concrete, natural wood, stone, brick, cement fiber or composite materials and architectural metals. The proposed design does meet the criteria noted above.

- **Streetscape:** The Grand Avenue Redevelopment Plan identifies the streetscape intent for the Val-Gate district and includes vegetation, furniture, and ornamental stone wall screening elements as illustrated in the Grand Avenue Redevelopment Plan. This streetscape is intended to provide desired green to the City, reinforce a district identity, provide visual screening of parking and other negative site elements, bring human scale to adjoining buildings and provide traffic calming benefits. This landscaped edge with hardscape elements or 'streetscape' will be provided along both 1st Street and Ashworth Road.

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 the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Noticing Information: On September 4, 2020, notice for the September 14, 2020, Plan and Zoning Commission and September 21, 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 September 3, 2020.

Staff Recommendation And Conditions Of Approval: 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 Erik’s Bikes Planned Unit Development with underlying zoning of Community Commercial (CMC), subject to the applicant meeting all City Code requirements.

Property Owners: EBS Property Iowa, LLC
9201 Penn Avenue, Suite 1
Bloomington, MN 55431
erik@erikbikeshop.com

Applicant's Representatives: Ben Peters
Appro Development
21476 Grenada Avenue
Lakeville, MN 55044
benp@approdevelopment.com

ATTACHMENTS:

- Attachment A - Location Map
- Attachment B - Plan and Zoning Commission Resolution – Rezoning
- Exhibit A - Conditions of Approval
- Attachment C - Erik's Bikes PUD Ordinance
- Exhibit A - PUD Sketch Map
- Exhibit B - Architectural Precedent Images

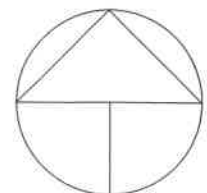


1 VICINITY PLAN
A1-7 1" = 300'-0"

ERIK'S BIKES
WEST DES MOINES, IA

6-25-2020

COMMERCIAL/
RETAIL



NORTH

RESOLUTION NO. PZC-20-061

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 REQUEST TO ESTABLISH THE ERIK'S BIKES PLANNED UNIT DEVELOPMENT

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the property owner EBS Property Iowa, LLC, has requested approval of a Rezoning Request for property located at 950 1st Street to amend the Zoning Map and establish the Erik's Bikes Planned Unit Development with underlying zoning of Community Commercial (CMC); 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 September 14, 2020, this Commission held a duly noticed hearing to consider the application for the Rezoning Request (ZC-004771-2020); 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 September 14, 2020, or as amended orally at the Plan and Zoning Commission hearing of September 14, 2020, are adopted.

SECTION 2. REZONING REQUEST (ZC-004771-2020) to establish the Erik's Bikes Planned Unit Development (PUD) is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated September 14, 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 September 14, 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 September 14, 2020, by the following vote:

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

ATTEST: _____
Recording Secretary

**Exhibit A:
Conditions of Approval**

No Conditions of Approval

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

ORDINANCE NO.

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

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

SECTION 1. AMENDMENT: Amend the Zoning Map of the City of West Des Moines, Iowa, to change the zoning of the following legally described property from Unzoned to **Erik's Bikes** Planned Unit Development (PUD):

LEGAL DESCRIPTION:

THE VACATED PART OF OLD ASHWORTH ROAD RIGHT-OF-WAY LYING EAST OF LOT 2, MCCURNIN PLACE, AND WEST OF A LINE WHICH IS 70 FEET WEST OF THE CENTER LINE OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M. IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, SUBJECT TO ALL EASEMENTS OF RECORD

AND

LOT 6, MURROWDALE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA.

SECTION 2. DEVELOPMENT INTENT: The Erik's Bikes PUD intends to provide a framework for development standards reflective of the realities and constraints of redevelopment and to establish design standards to reinforce the intent of the Grand Avenue Redevelopment Plan to respect the context of the area and create a neighborhood identity that recognizes the area's original development history. The Erik's Bikes PUD is located within the area identified for redevelopment by the Grand Avenue Redevelopment Plan. Redevelopment in this area is intended to create a special iconic district within the city of West Des Moines known as the Val-Gate district. All development within this district must be in furtherance of the goals of the Grand Avenue Redevelopment Plan. The city of West Des Moines Val-Gate district Grand Avenue Redevelopment Plan and all appendices and exhibits, as amended, are hereby incorporated as part of the Erik's Bikes PUD.

The Grand Avenue Redevelopment Plan identifies major street patterns, access and interconnection points, district streetscape locations and typical design including signage and pedestrian elements. The intent of the redevelopment plan is to provide a tool that can be used to promote the communication and cooperation between adjacent property owners and developers within the overall district to create and ensure a cohesive and unified development.

Properties within the Grand Avenue Redevelopment Plan may be referred to as the Val-Gate district.

SECTION 3. SKETCH PLAN: Attached hereto (or on file with the city) and made a part of this rezoning approval, for concept description and delineation is the Sketch Plan document for Erik's Bikes PUD marked Exhibit "A". The Sketch Plan is a graphic representation of the property included in the PUD for the purpose of easier reference for the applicable regulations of this Ordinance. Wherever conflict occurs between the written text in this document and the notations on the Sketch Plan, the written text shall prevail.

SECTION 4. REQUIRED PLANS: The following plans shall be required as a part of the processing of any development application for any property within the Erik's Bikes PUD:

- A. **Planned Unit Development:** A planned unit development (PUD) identifies detailed development criteria for specific areas within the Grand Avenue Redevelopment Plan area. The planned unit development shall conform to the general development intent identified in the approved redevelopment plan. The planned unit development shall be reviewed by the Plan and Zoning Commission and adopted by the City Council by ordinance.

This document shall constitute the Planned Unit Development Ordinance for Erik's Bikes. On file in the city is a sketch plan that illustrates the overall site layout concept (exhibit A). This document and any referenced documents or exhibits (on file with the city clerk) are intended to specify the components, parameters, and requirements to be adhered to and implemented in order to ensure the realization of the Grand Avenue Redevelopment Plan. It is recognized that modifications and changes may be necessary due to changes in building footprints, site details, and response to market demand. 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 sketch plan and ordinance, if applicable. Major amendments shall require the review and approval of the Plan and Zoning Commission and City Council.

Where the sketch plan and PUD language conflict, the PUD language shall prevail.

- B. **Development Applications (Site Plans or Modifications to a Site Plan):** Site plans for development within the Erik's Bikes PUD must meet the intent of the approved PUD. A site plan for the development of the site shall be submitted to the City of West Des Moines for review and approval prior to the development of any portion of the lot. Site plans for permitted uses which comply (as determined by the Director of Development Services or designee) with the design intent as set forth in this PUD will be subject to review via the City's development review process and shall receive final approval from the City Council following a recommendation from the Plan and Zoning Commission. Site plans for uses identified as Permitted Conditional (PC) shall require approval from the Board of Adjustment. At the discretion of the Director of Development Services, an amendment to the Erik's Bikes PUD may be required to bring consistency between the ordinance and site plan development proposed.

SECTION 5. COMPLIANCE WITH CODE: Unless otherwise specified herein, the development of the Erik's Bikes PUD shall comply with the provisions of the West Des Moines city code.

SECTION 6. DEVELOPER RESPONSIBILITIES:

- A. 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 storm sewers, sanitary sewers, water mains and service lines, drainageway 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.
- B. The developer shall be responsible for the maintenance of the area encompassing the streetscape easement and related public right of way, including trash removal for the trash receptacles.

- C. Developer's responsibilities include all obligations contained in this section as well as those responsibilities set forth in this ordinance.

SECTION 7. LAND USE: All general use regulations and provisions set forth in title 9, "Zoning", of the West Des Moines city code for the Community Commercial district (CMC), shall apply to any development proposal within the Erik's Bikes PUD area, unless noted elsewhere within this ordinance.

- A. Allowed Uses: Uses allowed for parcels within Erik's Bikes PUD shall be those uses identified as permitted or permitted conditional for the Community Commercial (CMC) district.
- B. Prohibited Uses: The following uses normally allowed in the Community Commercial (CMC) district shall be prohibited in the Erik's Bikes PUD:

SIC 4522	Helicopter/helistop
SIC 4925	Mixed, manufactured or liquefied petroleum gas production and/or distribution (except: production and manufacturing)
SIC 58	Eating and drinking places
SIC 592	Liquor stores
SIC 5999	Adult entertainment establishment
SIC 6099-9901	Functions related to deposit banking NEC: Check cashing agencies
SIC 6141	Personal credit institutions (a.k.a., delayed deposit lenders)
SIC 75	Automotive repair, services, and parking

- C. Drive-Throughs: No drive-throughs, regardless of type, shall be permitted within the Erik's Bikes PUD.

SECTION 8. VEHICLE TRIP ALLOCATION: The traffic study completed by the city of West Des Moines dated July 20, 2020 and approved for the Erik's Bikes PUD parcels estimates a total of 286 average daily trips (ADT); 7 A.M. peak; and 29 P.M. peak vehicle trips collectively for the development. These numbers constitute the number of total vehicle trips allocated to the Erik's Bikes PUD. The combination of tenants/uses within the PUD area cannot collectively generate vehicle trips which exceed that allocated as indicated.

Development of the PUD area and implementation of desired land uses will be limited by the available number of trips designated above for the Erik's Bikes PUD, as well as compliance with all applicable regulations within this ordinance or city code. The traffic to be generated must be less than or equal to that allocated. The traffic allocation indicated above shall be an entitlement to the PUD area. Traffic generation due to subsequent redevelopment, expansion or change of use shall not exceed the maximum traffic allocation stated previously. Alternate uses to that currently anticipated may be allowed, following completion of an amendment to the approved traffic study analyzing the proposed alternative and appropriate city approval if the existing uses and the proposed change(s) collectively do not exceed 286 average daily trips (ADT); 7 A.M. peak; and 29 P.M. peak vehicle trips allocated to this parcel.

Overall trips for the Val-Gate district must remain within the caps established for the Val-Gate district as a whole which were established as part of the Grand Avenue Redevelopment Plan traffic study. Future development within the Erik's Bikes PUD may be limited by available trips due to traffic generated elsewhere within the district.

SECTION 9. STORMWATER MANAGEMENT PLAN: A master stormwater management plan (MSWMP) for the entire Grand Avenue redevelopment area which governs the overall stormwater management of the Val-Gate district has been prepared by the City of West Des Moines. Specific stormwater management plans (SWMP) will be required with the submittal of each site development plan. The specific stormwater plans shall

be prepared at the developer's expense, by a professional engineer licensed in the state of Iowa. All specific stormwater management plans shall comply with the city's applicable design standards for stormwater management existing at the time each development (site plan) is approved. Said SWMP must demonstrate compliance with the Grand Avenue Redevelopment master stormwater management plan, if available, at the time of site plan approval.

The developer(s) of the Erik's Bikes PUD shall be required to participate in the Grand Avenue redevelopment stormwater management facilities per their pro rata share of stormwater contribution for the Val-Gate district.

SECTION 10. SITE ACCESS: Two permanent access drives to the Erik's Bikes PUD shall be allowed.

A. Access Locations:

1. The northern entrance shall be a shared access with the property to the west with the execution of a private access easement.
2. The southern entrance to the PUD will also be a shared access with the property to the west. The drive shall be accessed from a new east/west road from an existing driveway from 1st Street. This access road shall be constructed by the City.

SECTION 11. PARKING:

A. Off Street Parking:

1. All off street parking areas shall be sited and landscaped to mitigate visibility thereof from street rights of way and pedestrian pathways. Parking areas shall be screened to a minimum height of three feet (3').
2. Parking stall measurements and drive aisle widths shall conform to title 9, chapter 15 of the city code.
3. It is desired that all off street parking areas be aesthetically improved to reduce obtrusive characteristics that are inherent to their function. Landscape islands and/or pods shall be implemented in accordance with title 9, chapter 19 of the city code of West Des Moines except that parking rows along a building face shall only be required to implement terminal islands at the end of parking rows and shall not be required to provide intermediate islands within a linear row of parking.

B. Parking Ratios: The minimum number of parking stalls provided shall be 3.5 parking spaces per 1,000 square feet of gross floor area of the primary building. A shared parking agreement will be utilized with the property to the west to provide a portion of the required parking.

C. Off Street Parking Lot Setbacks: Parking shall be set back so as to provide a minimum of ten feet (10') from the ultimate street right of way of 1st Street and Ashworth Road. No minimum setback shall be required along the west property line because of shared parking that will be utilized with the property to the west.

SECTION 12. PEDESTRIAN ELEMENTS: The Erik's Bikes PUD, in alignment with the Grand Avenue Redevelopment Plan, aims to encourage pedestrian movement and opportunities for pedestrian interaction through the implementation of multiple and connected pathways to and from parcels within the redevelopment area. In addition, to encourage pedestrian activity, site furniture and benches for pedestrian use shall be provided along public streets within an area of enhanced landscaping. One pedestrian area shall be provided for every two hundred linear feet (200') of frontage (streetscape). Each pedestrian area shall contain at a minimum two (2) benches and one trash receptacle. These pedestrian areas may be spaced along the frontage or grouped to create more of a larger plaza area. Development of these areas shall comply with the Grand Avenue Redevelopment Plan guidelines with details of the development of each area to be specified, reviewed, and approved at the time of site plan development. Unless otherwise specified, the installation of these pedestrian elements shall be by the developer of the Erik's Bikes PUD at the time of development. A public access easement will be required for the streetscape area at the time of site plan review to allow public use of the pedestrian elements.

SECTION 13. 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 minimum vegetation quantities specified within this ordinance will need to be provided. 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.

- A. **Open/Green Space:** Due to the nature of the intended redevelopment in respect to existing development pattern, uses, and densities, the amount and locations of open space and green space/vegetation within the redevelopment area will vary. As a general rule, the maximum amount of "green" (open lawn areas and vegetation) should be provided within a site. To allow the most flexibility in planning, the site shall attempt to provide a minimum of twenty five percent (25%) open space; however, the PUD area shall not contain less than fifteen percent (15%) open space or more than eighty five percent (85%) impervious surface. Plaza and streetscape areas along with any areas associated with outdoor pedestrian use may be counted toward fulfilling the minimum open space requirement. Plazas and outdoor pedestrian use areas to be counted toward fulfilling minimum open space requirements may be paved (impervious) as long as the paving is part of a planned hardscape and softscape enhancement of the plaza or pedestrian area.

A minimum of two (2) trees and three (3) shrubs shall be provided for every three thousand (3,000) square feet of required open space which shall be based on twenty five percent (25%) of the site regardless of the actual amount provided. Of the required trees, fifty percent (50%) shall be of an overstory or evergreen variety unless otherwise done for design intent and specifically approved by the appropriate reviewing body. No substitution for required trees is allowed; however, a twenty (20) square foot mass planting of perennial flowers or ornamental grasses may be substituted for three (3) shrubs. The incorporation of evergreen vegetation is encouraged to provide winter substance within the landscape. Vegetation required as part of the open space may be placed into off street parking areas, streetscape areas or required buffers but is in addition to vegetation required of streetscape areas.

- B. **Streetscaping:** A landscaped edge with hardscape elements or "streetscape" shall be provided along 1st Street and Ashworth Road. These streetscapes are intended to provide desired green to the city, reinforce a district identity, provide visual screening of parking and other negative site elements, bring human scale to adjoining buildings and provide traffic calming benefits. The streetscape shall be accomplished in accordance with the Grand Avenue Redevelopment Plan streetscaping intent and shall include vegetation, furniture, and ornamental stone wall screening elements as illustrated in the Redevelopment plan. Monument signs and pedestrian elements such as patios and walkways may encroach into the streetscape area; however, no buildings or off-street parking may encroach.

A minimum ten-foot (10') streetscape easement shall be provided parallel with 1st Street and Ashworth Road to provide area for district streetscape, signage and to maintain utility corridors. The developer shall provide the necessary easement at the time of final plat.

Streetscape landscaping shall be placed within the streetscape easement on the private property. Landscape vegetation and amenities such as pedestrian benches and ornamental wall stones shall be implemented within the streetscape area to provide screening of off-street parking areas to a minimum height of three feet (3'). To aid in achieving this, a minimum of two (2) trees and ten (10) shrubs shall be required for every fifty (50) linear feet of streetscape distance. Of the required number of trees, a minimum of one-half (1/2) must be overstory in nature. No substitution of shrubs for required trees shall be allowed. Additionally, three (3) "ornamental wall stones" as illustrated in the Grand Avenue Redevelopment Plan shall be provided for every one hundred linear feet (100') of streetscape. It is recommended that the stones be clustered in groups of at least three (3) stones amongst and between groups of shrubs to provide mass and screening rather than be equally spaced along the streetscape length.

- C. **Screening Of Negative Site Elements:** Electrical transformers, trash dumpsters, service areas and loading docks, heating, ventilation, air conditioning, generators, utility meters, and other mechanical equipment which is located on, beside or adjacent to any building or development shall be visually screened from views from adjacent roadways, pedestrian paths, and adjoining properties.
- D. **Vegetation Placement:** Understory trees are an acceptable replacement for overstory trees and upright evergreen trees within public utility easements. The presence of utility easements shall not provide a basis for noncompliance with landscaping provisions found within this ordinance and within any applicable

codes. The placement of public utility easements within streetscapes and buffer parks is discouraged due to the potential conflict between trees and the need to access the lines for repair.

SECTION 14. SIGNAGE: All proposed exterior signage or interior signage that is primarily placed to be viewed from outside of the building requires the review and approval of a sign permit by the City of West Des Moines. All signage shall follow the architectural theme of the Grand Avenue Redevelopment Plan and shall comply with title 9, chapter 18 of the city code except as modified herein or within the Grand Avenue Redevelopment Plan. Sign design and construction not typically allowed by code may be permitted by the sign administrator if it is deemed to carry and reinforce the design intent of the Val-Gate district. Allowance of alternate design and construction measures shall only be allowed if there is no other code compliant manner in which to create the sign. The use of LED illumination for signage emulating "neon style" lighting and relevant to the architectural theme of the district may be allowed with the approval of the Development Services Director or their designee. The following additional modifications to title 9, chapter 18 of the city code are hereby made:

A. Business Identification Signs:

1. Business identification signs, including wall, ground monument, roof, and projecting signs shall be consistent with and reinforce the design intent of the redevelopment plan.
2. This site shall be allowed one (1) square foot of wall signage per linear foot of building frontage along 1st Street and Ashworth Road. The allowed signage may be divided into multiple signs as long as the total amount of sign area earned, based upon the formulas above, is not exceeded. Wall signs shall not exceed 1 square foot per the building façade's linear footage (i.e. a 20' foot long building side is allowed up to 20 sf of signage). If the front of a building faces away from the street frontage, that wall area for the front of the building would earn signage at a rate of one-half (1/2) square foot of sign area per linear footage of said wall.
3. A projecting sign shall be permitted as wall signage up to a maximum of thirty-five (35) square feet of the allowed wall signage for a building. Said sign shall be allowed to extend above the building roof no more than one-half (1/2) the height of the sign.
4. Ground monument signs shall be allowed in accordance with city code for the CMC district with the following exception:
 - a. The main sign structure shall not exceed thirty-five (35) square feet and five feet (5') in height. Up to an additional one foot (1') of height shall be allowed for columns or other architectural elements.
5. Window Signs: Window graphics must be less than 25% of the glazed surface on the windows on the same wall to be allowed as window signage, Window signage is not counted towards allowed building signage and no permit is required. If window graphics exceed the 25% allowed, they are counted toward the allowed building signage and would require a permit.
6. Illuminated banding (led) may be allowed on the primary structure, canopy and/or monument signs if it is approved as part of the architectural design.
7. All signs: Lighted signs will be required to have a timer to shut off the sign illumination, as required in the City Sign Code, between 11:00 PM and 5:00 AM unless the business is open later than 11:00 PM, then the signs shall be shut off within one hour of closing.

SECTION 15. LIGHTING: Consistent with the redevelopment plan, the Erik's Bikes PUD shall incorporate a variety of light fixtures ranging from parking lot lights and roadway fixtures to pedestrian pathway lights. Lighting shall be IDA dark sky compliant unless otherwise approved by the City of West Des Moines. Included within section 6 of the Grand Avenue Redevelopment Plan are design specifications and requirements along with sketches and images of the intended lighting series. All lighting within the PUD area shall abide by these standards and be consistent in character to that illustrated in the Grand Avenue Redevelopment Plan and the Val-Gate district's iconic design intent.

As a part of the review of the site plan, a photometric plan must be submitted. During the review, the applicant must demonstrate how lighting will not adversely affect adjoining properties or patrons utilizing the public street system. Special care must be given to ensure excess light does not spill onto properties adjacent to, but not part of, the Val-Gate district.

The following general guidelines shall be in addition to the specific regulations stated within the Grand Avenue Redevelopment Plan regulations:

- A. **Street Lights:** The developer of the Erik's Bikes PUD shall pay the cost of streetlight installation adjacent to 1st Street and Ashworth Road as needed prior to approval of the associated Erik's Bikes site plan.
- B. **Parking Luminaries:** Fixtures shall be of a design to direct light downward and shall not have bulbs which are exposed and extend below the frame of the light fixture. Said fixtures shall not exceed twenty-five feet (25') in height as measured from the ground to the top of the light structure. Fixtures used shall be consistent throughout the Erik's Bikes PUD.
- C. **Building Lighting:** No wall packs, or floodlighting without shields to direct the light to its intended target are allowed. In addition to cut off fixtures, particular attention shall be given to eliminate hot spots and light glare. Architectural accent lighting in keeping with the design intent of the Val-Gate district Redevelopment Plan may be allowed if approved as part of the architectural design.
- D. **Pedestrian Pathways:** Bollard or pole lighting may be implemented along pedestrian pathways. Pole lights shall not exceed fourteen feet (14') as measured from the ground to the top of the light fixture.

SECTION 16. ARCHITECTURE: Included within the Grand Avenue Redevelopment Plan is indication of the architectural style and illustrative examples of the architectural concepts which shall serve to guide the design of all buildings within Erik's Bikes PUD. All buildings in the PUD shall reinforce the concept depicted in the Grand Avenue Redevelopment Plan. Specific architecture for all buildings shall be evaluated as part of the site plan review and approval process.

All buildings within the Erik's Bikes PUD shall accommodate the following in building design:

- A. **Form And Scale:** Buildings should reinforce the aesthetic concept as depicted by the precedent images contained in the Grand Avenue Redevelopment Plan. Buildings shall be designed to relate specifically to the pedestrian in scale and variety. The following techniques should be used to meet this objective:
 - 1. Corporate architecture shall be prohibited except as permissible by the Grand Avenue Redevelopment Plan in that it reinforces the iconic imagery desired for the Val-Gate district.
 - 2. Buildings shall be organized to create a logical balance and relationship with the site, open spaces and circulation.
 - 3. The building's design should meet context and site objectives such as providing gateways, creating linkages and framing or terminating views.
 - 4. Variation in building height, mass and roof forms shall be provided while still maintaining an overall building continuity.
 - 5. Shifts in building planes/facades and variation in exterior materials shall be incorporated to minimize long expanses of wall.
 - 6. Variation in materials, material modules, expressed joints, textures, colors and details should be used to break up the mass of the buildings.
 - 7. Variation in horizontal planes through the use of materials, color and projecting forms should be implemented to signify an entry and/or protect the pedestrian.
 - 8. Ground floor retail areas should provide the maximum possible glazing toward sidewalks to provide pedestrians with visual interest.
 - 9. A building's roof form and related details/materials are an integral part of the architectural design aesthetic. Roofs should not be designed as attention getting devices related to the reinforcement of signage or as an identifiable corporate image unless said identification is in keeping with the Grand Avenue Redevelopment Plan aesthetic.
- B. **Material Quality And Detail:** All sides to each building are to receive high quality materials and finishes (360 degree 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.
 - 1. Primary building materials shall include glass, steel, architectural precast concrete, composite materials, stone and brick. The use of natural wood and architectural metals shall be used in moderation and cannot be the predominate building material. Composite or metal panels shall use concealed fasteners and have finished edges. Concrete products shall have integrated color rather than surface applied paint or stain.
 - 2. The following materials shall not be used for cladding unless specifically approved by the city of West Des Moines as part of the architectural elevations:

- a. EIFS or synthetic stucco.
 - b. Concrete masonry units.
 - c. Tilt up precast concrete systems that are structural in appearance.
 - d. Materials that are intended for interior use.
3. Changes in materials should occur at either inside corners or where a detail is drawn to specifically accommodate a transition. Stone and brick materials should wrap corners several feet in order to provide authenticity to the materials.

SECTION 17. BULK REGULATIONS:

- A. Lot Size: No minimum lot size shall be required.
- B. Building Height: The height of a building shall conform to the limits prescribed by the zoning code for the CMC district unless otherwise specifically approved by the City Council after a recommendation from the Plan and Zoning Commission that the additional height is necessary and appropriate to achieve an architectural intent consistent with the goals of the Grand Avenue Redevelopment Plan.
- C. Building Setbacks:
1. Unless otherwise specifically stated, setbacks shall be measured from the property line or ultimate street right of way line, whichever is more restrictive.
 2. Building setbacks are to the main plane of the building excluding canopies and pedestrian arcades. It is encouraged that buildings should be pushed forward to locate adjacent to public and private streets and that parking should be located to the rear of buildings. Therefore:
 - a. Buildings shall be set back a minimum of ten feet (10') from public streets and from rear and side property lines.
 - b. Nothing herein, however, shall be construed as permitting the location of a building that will interfere with pedestrian or vehicle visibility at an intersection, sidewalks, trails, plazas, or maintenance of utilities.
 3. Dumpster enclosures shall be located no closer than fifteen feet (15') from 1st Street and Ashworth Road and a minimum of five feet (5') from all other parcel boundaries. Dumpsters should be opaquely screened from visibility from 1st Street and Ashworth Road. Whenever possible, dumpsters should be located and designed as an extension of the primary building. Freestanding dumpster enclosures should be located and landscaped to blend with the landscape and minimize their presence.

SECTION 18. REPEALER: All ordinances or parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

SECTION 19. 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 20. VIOLATIONS AND PENALTIES. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Title 1, Chapter 4, Section 1 of the City Code of the City of West Des Moines, Iowa.

SECTION 21. 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 22. 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

