

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

MEETING DATE: March 8, 2021

ITEM: West Grand Business Park – Des Moines University, 8025 Grand Avenue – Amend the West Grand Business Park PUD, Parcel 8 to establish regulations for development of a college campus – Des Moines University Osteopathic Medical Center – ZC-004803-2020

ORDINANCE: Approval of Amendment to Planned Unit Development Ordinance

Background: Jonathan Martin with RDG Planning & Design, on behalf of the applicant and property owner, Des Moines University Osteopathic Medical Center (“Des Moines University”), request approval of a Rezoning to amend the West Grand Business Park Planned Unit Development (PUD), governing development of that ground located at 8025 Grand Avenue (PUD Parcel 8).

The proposed amendment will specify developer requirements and site regulations for the development of a college campus on the site. In addition, the amendment will detail allowances for site signage, including landscape signs, primary monument signs, secondary monument signs and directional (pedestrian) signs throughout the campus.

Staff Review & Comment:

- **Financial Impact:** Undetermined
- **Development Intent:** Des Moines University intends to create a cohesive, pedestrian oriented education campus with building and site design that complements the natural topography of the site while retaining and enhancing natural prairie landscaped areas within the site.
- **Key Development Aspects:**
 - **Landscaping:** The developers of Parcel 8 desire to create a campus with a naturalized landscape, reminiscent of native prairie landscape and oak savannah. This landscape will be characterized by native grasses and forbs with minimal intrusion of woody plants. To reach this goal of open prairie expanses, the PUD proposes to reduce the amount of open space required on the site from thirty-five percent (35%) of the Professional Commerce Park (PCP) zoning district to twenty-five percent (25%). The open space on the site will actually far exceed twenty-five percent (25%), but the number of trees and shrubs required will be based on the twenty-five percent (25%) which reduces the number of trees and shrubs to better accommodate the naturalized, native prairie landscape that is desired. Also, the PUD proposes to reduce the number of evergreen trees required on the site from thirty-five percent (35%) to twenty percent (20%) since evergreen trees are not a natural occurring and dominant plant within natural prairie landscapes.

Parking lot landscaping will be installed according to Title 9, Chapter 19 of the West Des Moines City Code, except that landscape pods may be omitted where adjacent linear islands run the length of a parking row. One tree will be planted in the linear island for every six (6) parking stalls. These trees shall be equally distributed along the length of the linear landscape islands. In addition, bio-retention swales will be installed within the linear landscape islands to assist with drainage of the parking area and serve as natural storm water management means.

- **Buffers:** The northeast corner of the site is Parcel 7, currently a single-family home. Existing trees will be maintained along the common property lines with Parcel 7, except that invasive

species may be removed as needed. If the adjacent residential property owner provides a written waiver, additional buffer plantings and berming will not be required.

- **Signage:** Due to the size and proposed layout of the Parcel 8 site, the need to provide clear guidance to visitors of where to go for the various building entrances and parking areas on the site is critical. A Signage Plan has been developed identifying the regulations, design and placement locations for specific signs on the site. For the most part, the proposed signs will meet City sign code requirements, except that primary monument signs at the main entrance from Grand Avenue and from S 88th Street are proposed to be fourteen (14) feet in height instead of the maximum permitted seven (7) feet. The additional height is being allowed to accommodate for the difference in property elevation as it relates to the adjoining roadways. The copy on each sign shall not exceed thirty-five (35) square feet per side, which is consistent with current City sign code requirements.
- **Developer Responsibilities:**
 - **Road Improvements:**
 - **Booneville Road:** The developer of Parcel 8 is responsible for reconstructing 1 ½ lanes of Booneville Road adjacent to Parcel 8. Since half of a lane cannot be constructed, if the property owner on the opposite side of the roadway is unwilling to participate at the time of construction, the applicant will need to construct two (2) full lanes. That portion of Booneville Road from S 88th Street east to the proposed future access drive to Parcel 8 as indicated on the campus master plan (on file with the City) shall be installed at such time that a drive connection to Booneville Road is made, unless otherwise determined necessary sooner by an associated traffic study for improvements within Parcel 8. The balance of Booneville Road from the aforementioned access drive east along the frontage of Parcel 8 shall be installed at such time that the developer makes a secondary access connection to Booneville Road, or unless otherwise determined necessary sooner by an associated traffic study for improvements within Parcel 8.
 - **S Jordan Creek Parkway & S 88th Street:** The original PUD sketch plan intended for two north-south streets through this Parcel 8 to allow traffic from areas to the north to access Grand Ave. The layout of the campus did not accommodate these roadways which will force traffic to route to S 88th Street or S Jordan Creek Parkway in order to reach Grand Ave. Therefore, the developer shall be responsible for the addition of a traffic lane to both S 88th Street and S Jordan Creek Parkway at such time that it is determined warranted.
 - **Grand Ave:** The traffic impact study did not indicate the traffic to be generated from the phase 1 development plan warranted improvements necessary to Grand Ave. However, due to potential event activities secondary to the university that may occur within the site, as well as possible future building additions to the campus, the developer shall be responsible for their pro-rata share of additional lanes on Grand Avenue at such time that a traffic impact study indicates activities occurring within the campus or additional buildings impact traffic on existing Grand Avenue and therefore warrant expansion of the roadway.
 - **Water Main Installation:** Water main along Booneville Road shall be constructed from the existing stub at S. 88th Street east to the proposed future access to Parcel 8 from Booneville Road. This portion of the waterline shall be initiated with phase 1 building construction occurring within Parcel 8 and be completed and operational prior to issuance of a final occupancy permit for any building within phase 1. Unless otherwise provided, the remainder of the water main along Booneville Road east of the Booneville access drive and adjacent to Parcel 8 shall be required to be constructed by the Parcel 8 developer at such time that Booneville Road is reconstructed. A bond for this future work shall be submitted to West Des Moines Water Works by the developer of Parcel 8 before the issuance of any building water meter on Parcel 8.

- **Future Traffic Signals:** The PUD specifies cost of future traffic signals, when warranted, at twenty five percent (25%) of a fully operational traffic signal at the intersections of S. 88th Street and Booneville Road, S. 88th Street and Grand Avenue and S. Jordan Creek Parkway and Grand Avenue. Additionally, the Traffic Impact Study indicates that all three access points on Grand Avenue have the potential to meet signal warrants in the future. The developer will be responsible for fifty percent (50%) of a fully operational traffic signal at the full access intersections to the site from Grand Avenue at such time that traffic warrants.
- **Traffic Analysis Findings:** The current plan for development of the site as an education campus is anticipated to generate less traffic than previously estimated. With implementation of activities operating within the site, as well as addition of future buildings, subsequent traffic impact analysis will be required.
- **Condition(s) of Approval:**
 1. Prior to issuance of a water meter for any building within the site, the developer providing a bond to West Des Moines Water Works for watermain improvements along Booneville Road from the eastern boundary of Parcel 8, west to the future drive access.
 2. The developer providing all necessary easements and agreements required of site development prior to City Council approval and release of the associated Final Plat.

Outstanding Issues: There are no outstanding issues.

Recommendation: Approve the Rezoning request to amend the West Grand Business Park Planned Unit Development PUD for Parcel 8, subject to the applicant meeting all City Code requirements and the included conditions of approval.

Lead Staff Member: Brian Portz, AICP

Approval Meeting Dates:

Plan & Zoning Commission	March 8, 2021
City Council – First Reading	
City Council – Second Reading	
City Council – Third Reading	

Staff Report Reviews

Plan & Zoning Commission	<input checked="" type="checkbox"/> Development Coordinator	<input checked="" type="checkbox"/> Legal Department
City Council	<input type="checkbox"/> Director	<input type="checkbox"/> Legal Department
	<input type="checkbox"/> Appropriations/Finance	<input type="checkbox"/> Agenda Acceptance

Publications (if applicable)

Published In	Des Moines Register Community Section	
Date(s) Published	P&Z	February 12, 2021
	City Council	February 12, 2021
Date(s) of Mailed Notices	P&Z	February 10, 2021
	City Council	February 10, 2021

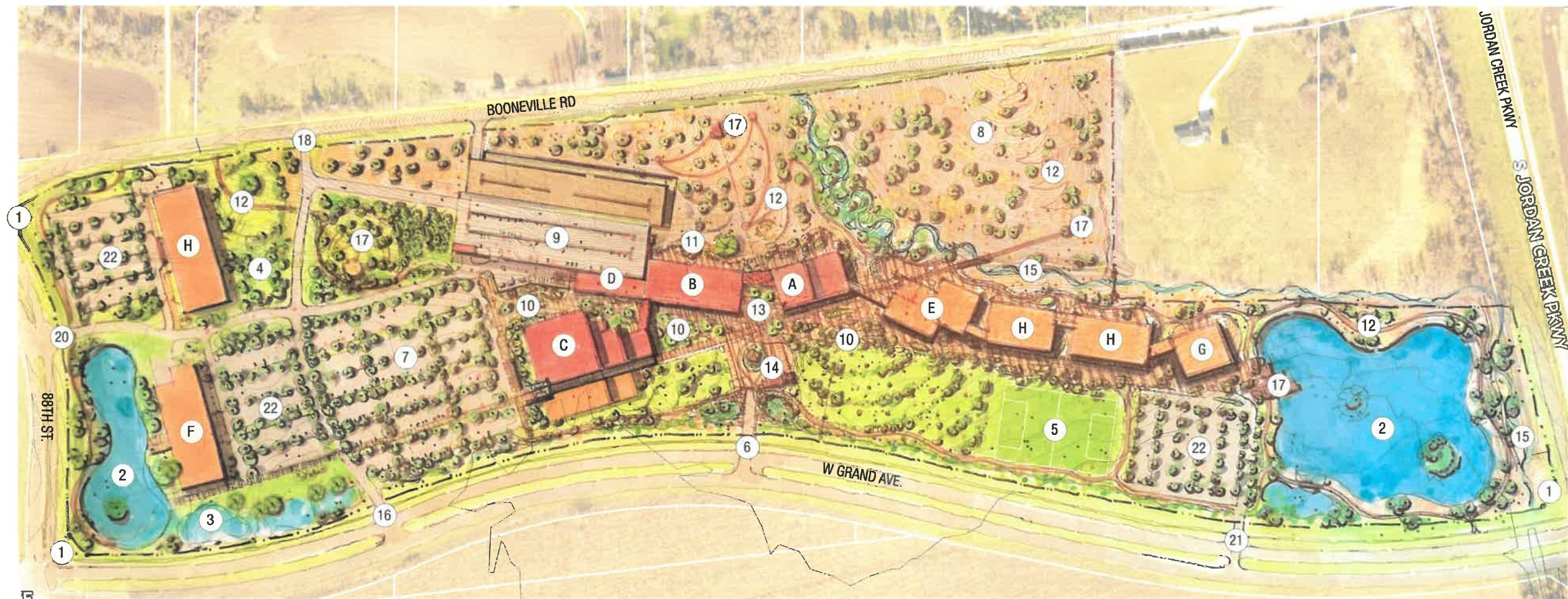
Subcommittee Review (if applicable)

Committee	Development & Planning		
Date Reviewed	February 15, 2021		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

Location Map



- | | | | |
|---|---|------------------------------------|--------------------------|
| (A) BUILDING A (CLASSROOM, OFFICE, LEARNING COMMONS) | (1) CAMPUS GATEWAY SIGN | (9) PARKING STRUCTURE (500 SPACES) | (17) DESTINATION NODE |
| (B) BUILDING B (CLASSROOM, SIM/SKILLS, WET LAB, RESEARCH LIBRARY) | (2) DETENTION POND | (10) CORE CAMPUS LANDSCAPE | (18) CAMPUS ENTRY C |
| (C) BUILDING C (WELLNESS AND CLINIC) | (3) BIORETENTION | (11) NORTH TERRACE LANDSCAPE | (20) CAMPUS ENTRY D |
| (D) BUILDING D (CAMPUS SUPPORT) | (4) LOW MAINTENANCE LANDSCAPE ZONE | (12) SIDEWALK & TRAILS | (21) CAMPUS ENTRY E |
| (E) BUILDING E (FUTURE CLASSROOM BUILDING) | (5) RECREATION FIELD | (13) KEY CAMPUS LANDSCAPE | (22) FUTURE PARKING AREA |
| (F) BUILDING F (FUTURE CLINIC) | (6) CAMPUS ENTRY A | (14) PARKING LOT B (25 SPACES) | |
| (G) BUILDING G (FUTURE CONFERENCE CENTER) | (7) PARKING LOT (575 SPACES) | (15) RIPARIAN RESTORATION ZONE | |
| (H) BUILDING H (FUTURE BUILDINGS) | (8) UPLAND OAK/SAVANNA RESTORED LANDSCAPE | (16) CAMPUS ENTRY B | |



Master Plan

APRIL 21, 2020

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-21-008**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owner, Des Moines University Osteopathic Medical Center, request approval of a Rezoning Request to amend the West Grand Business Park Planned Unit Development (PUD) to establish regulations for development of a college campus on Parcel 8 within the PUD as indicated on the Location Map included in the staff report; and

WHEREAS, the rezoning request complies with the applicable provisions of Iowa Code Chapter 414, the comprehensive plan and city code.

NOW, THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends that the City Council approve the Rezoning Request to amend the West Grand Business Park Planned Unit Development (PUD) (ZC-004803-2020), subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on March 8, 2021.

Erica Andersen, Chair
Plan and Zoning Commission

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 March 8, 2021, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2019, AND ORDINANCES #1373, #1812, #2299, #2359, #2360 AND #2446 PERTAINING TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT REGULATIONS AND GUIDELINES, SPECIFICALLY PUD #54 WEST GRAND BUSINESS PARK

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

SECTION 1. AMENDMENT. Ordinance #1373, #1812, #2299, #2359, #2360 and #2446, pertaining to the **West Grand Business Park Planned Unit Development (PUD)**, Section 054-05: *Land Use Design Criteria*, Subsection F: *Parcel 8*; is hereby amended by deleting the highlighted strikethrough text and adding the following text in bold italics:

- F. Parcel 8: All general regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for the Professional Commerce Park (PCP) District shall apply to Parcel 8, however, a primary use of SIC 8221: Colleges, Universities and Professional Schools **and uses subordinate to or serving a purpose customarily incidental to a medical school** shall be the only uses allowed. ~~With the exception of grading when done as part of City approved Grading Plans, and installation of private utilities when done as part of a City approved phased site plan, prior to any additional site work occurring within Parcel 8, an amendment to the West Grand Business Park Planned Unit Development (PUD) Ordinance shall be required which provides a master plan for development of Parcel 8, identifies ancillary uses to SIC 8221 to be allowed and details specific site development regulations. Any and all site improvements done prior to City approval of the amendment to this PUD and a full site plan shall be at the owner's own risk.~~

~~Total signage allowed to be displayed on the property during construction shall be calculated based on sixty-four (64) square feet per property frontage on a public street. Multiple signs without sign separation and multiple locations of signage shall be allowed; however, no more than one hundred and twenty-eight (128) sf of signage shall be allowed in a single location. All signs greater than sixty-four (64) sf shall be located a minimum of fifty feet (50') from the ultimate street right-of-way line(s); signs less than sixty-four (64) sf shall be located a minimum of twenty feet (20') from the ultimate street right-of-way line(s). Illumination of the~~

~~signs shall be allowed by ground lights directed at the sign face with implementation of all measures possible to negate any light spillover beyond the face of the sign. Said signage shall not be erected on the property until such time that a phased or full site plan or subdivision plat for the property containing the sign has been approved by the City and development of the parcel upon which the sign is located is imminent. Said signage shall be allowed to remain until such time that the first occupancy permit, including temporary occupancy permits are issued for any building within the site.~~

1. Developer Requirements: Unless otherwise agreed upon by the City Council and/or the Board of Trustees for West Des Water Works, as applicable, the developer shall be responsible for the following improvements. The obligations of the developer identified herein shall not preclude the developer from entering into private agreements for shared construction responsibilities and/or financing with property owners/developers of ground on adjacent properties and or benefiting from the improvements.

a. Adjacent Street Improvements:

(1) Booneville Road: The developer will be responsible for 1½ lanes of reconstructing Booneville Road adjacent to Parcel 8. Since a half of lane cannot be constructed, if the property owner on the opposite side of the roadway is unwilling to participate at the time of construction, the applicant will need to construct two (2) full lanes.

(A) That portion of Booneville Road from S 88th Street east to the proposed future access drive to Parcel 8 as indicated on the campus master plan (on file with the City) shall be installed at such time that a drive connection from Parcel 8 to Booneville Road is made, unless otherwise determined to be necessary sooner by an associated traffic study for improvements within Parcel 8.

(B) Unless otherwise negated due to the relocation of Booneville Road from its current alignment, the balance of Booneville Road from the aforementioned access drive east along the frontage of Parcel 8 shall be installed at such time that the developer makes a secondary access connection from Parcel 8 to Booneville Road, or unless otherwise determined to be necessary sooner by an associated traffic study for improvements within Parcel 8.

(C) In order to maintain the functional class of the City's roadway system as set forth in the comprehensive plan, one half (½) of the right of way necessary for Booneville Road (a Major Collector) shall be dedicated to the City in fee title, when requested by the City. Additionally, as needed, the developer shall provide at no cost to the City temporary easements necessary for the construction of roadways adjacent to the development.

(2) S Jordan Creek Parkway and S 88th Street: Since the proposed development of Parcel 8 will result in the removal of the two north/south streets through the parcel as shown in the traffic study dated September 22, 1997 and Exhibit C of Ordinance No. 1373, the developer shall be required to execute an Agreement and Waiver acknowledging and

- agreeing to the payment of its pro-rata share of the addition of one lane to S Jordan Creek Parkway and one lane to S 88th Street.*
- (3) Grand Avenue:** *Developer requirements for the widening of Grand Avenue will be based on a traffic impact study indicating the need for additional capacity on Grand Avenue due to events occurring at Des Moines University or the construction of additional buildings in the future.*
- b. Water main Installation:**
- (1)** *A twelve-inch (12") water main along Booneville Road shall be constructed from the existing stub at S. 88th Street east to the proposed future access to Parcel 8 from Booneville Road. Construction of this portion of the water main shall be initiated with phase 1 building construction occurring within Parcel 8 and shall be completed and operational prior to issuance of a final occupancy permit for any building within phase 1.*
- (2)** *Unless otherwise provided, the remainder of the required water main along existing Booneville Road east of the Booneville access drive and adjacent to Parcel 8 shall be required to be constructed at such time that existing Booneville Road is reconstructed. A bond for this future work shall be submitted to West Des Moines Water Works by the developer of Parcel 8 before the issuance of any building water meter within Parcel 8.*
- c. Traffic Signals:** *Developer will be required to execute an agreement acknowledging and agreeing to the payment of twenty five percent (25%) of a fully operational traffic signal at the intersections of S 88th Street and Booneville Road, S. 88th Street and Grand Avenue and S Jordan Creek Parkway and Grand Avenue at such time that traffic warrants. Additionally, the developer shall execute an agreement acknowledging and agreeing to the payment of fifty percent (50%) of a fully operational traffic signal at the full access intersections to the site from Grand Avenue at such time that traffic warrants.*
- d. Streetlights:** *The developer of Parcel 8 shall be responsible for the cost of all streetlights required along Grand Avenue, S 88th Street, and S Jordan Creek Parkway adjacent to Parcel 8. Additionally, the developer shall be responsible for streetlights along Booneville Road at such time that portions of existing Booneville Road is improved.*
- e. Public sidewalks, or trail if applicable, shall be constructed along all public roadways adjacent to the property by the developer. With the exception of Booneville Road, unless otherwise deferred by the City Council, said sidewalks/trails shall be installed in conjunction with Phase 1 development within the site. Sidewalk/trail shall be implemented adjacent to Booneville Road at such time that a portion of existing Booneville Road is improved. Unless otherwise agreed upon by the City, the installation of public trails shall be constructed under the terms of a 60/40 Trail Agreement.**
- f. A signed Storm Water Management Facility Maintenance Agreement, along with required as-built drawings and certifications of the detention facilities, shall be submitted by the developer of Parcel 8 prior to issuance of the first final occupancy permit for any building within the site.**
- 2. Architecture:** *Architecture and use of materials for the construction of any building within Parcel 8 shall be principally brick exterior veneer with compatible coloring*

and size for all buildings within the parcel. No wood, masonite, visible asphaltic exterior wall material, metal and plastic siding, non-architectural sheet metal, concrete block, decorative concrete block, or other similar materials shall constitute a portion of any building except as a trim material, unless the City Council of West Des Moines, after having received a recommendation from the Plan and Zoning Commission of West Des Moines, determines said material when used as a primary element, enhances the physical appearance, or provides continuity desired to unite all structures within the parcel together into one project concept. All sides of any building shall be compatible in design and use of materials.

Multiple use of a site by more than one building shall be permitted provided that the multiple buildings on the site are consistent in architectural design and use of materials and organized utilizing a compatible planned open space, landscape plan, and parking plan to serve and maintain a unified master plan concept.

- 3. Bulk Regulations: The bulk regulations and setbacks of the Professional Commerce Park District shall apply to any development in Parcel 8, unless modified otherwise herein.**

Minimum lot area	60,000 square feet. Lot areas less than 60,000 square feet shall be considered acceptable if supported by reciprocal ingress/egress and parking easements and if approved by the appropriate approval body as part of a plat. Multiple buildings may be allowed on a single lot with appropriate master planning of the site and approval by the City.
Minimum front yard setback (Grand Avenue, S. 88th Street, S. Jordan Creek Parkway)	50 feet
Minimum rear yard setback (Booneville Road)	50 feet (25 feet if abutting similar district)
Minimum side yard setback (adjacent to the property on the far northeast corner of Parcel 8)	50 feet (25 feet if abutting similar district)
Minimum lot width	150 feet
Maximum building height	60 feet: an additional 12 feet of building height is allowed with every additional 10 feet of building setback

- 4. Parking: Off-street parking areas shall adhere to the minimum requirements as provided in Title 9, Chapter 15 of the West Des Moines City Code.**
- 5. Landscaping: The developers of Parcel 8 desire to create a campus with a naturalized planting, reminiscent of native prairie landscape and oak savannah. This landscape will be characterized by native grasses and forbs with minimal intrusion of woody plants.**

- a. **Open Space Required:** *On each lot there shall be provided open space area equal to at least twenty-five percent (25%) of the total lot area. Open space shall be considered to be all areas unencumbered by buildings or paved areas associated with parking, drive aisles, and loading docks or zones. Plaza areas, water features and structures such as gazebos, arbors, pergolas, etc., that are associated with outdoor pedestrian use areas, as well as designated and enhanced pedestrian walkways through and between areas within the development may be counted towards fulfilling the minimum open space requirement. Open space areas shall be landscaped and well maintained with lawn grass, trees, shrubbery or prairie grasses and flowers. Open space vegetation shall be provided within PUD parcel 8 at a rate of two (2) trees and three (3) shrubs per three thousand (3,000) square feet of required open space based on twenty-five percent (25%) of a lot. Of the open space required vegetation, twenty percent (20%) of all trees required shall be evergreen in nature.*
 - b. **Off-Street Parking Areas:** *Parking lot landscaping shall be installed according to Title 9, Chapter 19 of the West Des Moines City Code, except that landscape pods may be omitted where linear islands run the length of a parking row between every other bay of parking, provided that one tree is planted in the linear island for every six (6) parking stalls. These trees shall be equally distributed along the length of the linear landscape islands. Landscaped islands within the parking area shall include a tree as required by City Code and have ground cover of grass (i.e., sod), shrubs or other acceptable living plant life, unless an alternate ground cover is specifically approved as part of the site plan review by the City. Inorganic mulches in the landscape islands shall not be considered acceptable.*
 - c. **Buffers:** *Existing trees shall be maintained along the common property lines with Parcel 7, except that invasive species may be removed as needed. If the adjacent residential property owner provides a written waiver stipulating that they are in agreement with not requiring a buffer along the common property lines, a buffer shall not be required. If the adjoining property owner does not sign off on waiving the buffer, the developer shall provide a typical thirty foot (30') wide buffer with vegetation per code; however, earthen berming shall not be required. Existing vegetation that is not on the City's prohibited species list may be counted towards fulfilling the minimum vegetation requirements. The buffer shall be installed prior to issuance of first occupancy permit for any building within the campus.*
 - d. **Landscape vegetation requirements for one purpose or area (for example, buffers) are in addition to landscape vegetation required for another purpose or area (open space, parking lot landscaping, etc.).** *While the implementation of evergreen trees is desired for winter visual interest, due to the intent to replicate a native prairie appearance within the site, the total number of evergreen trees required within the site shall be reduced to twenty percent (20%) of all overstory trees required (sum of open space, buffer and off-street parking).*
6. **Signage:** *The need to provide clear guidance to students, staff and visitors of where to go for the various activities possible within the site is critical. A Signage Plan has been developed identifying the regulations, design and placement locations for the following: Landscape signs, Monument Signs, Directional Signs and Project*

Construction Signs. Any signage not otherwise detailed in the Signage Plan on file with the City, shall comply with regulations for the Professional Commerce Park District stated within Title 9, Chapter 18 of the West Des Moines City Code.

- a. **Landscape Signs:** Up to three (3) Landscape signs, located and sized according to city code, shall be allowed generally at the southeast, northwest and southwest corners of the site. These signs shall only identify DMU.
- b. **Monument Signs:** Signage intended to identify Des Moines University and direct patrons as they enter the site to specific locations within the campus shall be allowed consistent with regulations for a monument sign as provided in Title 9, Chapter 18 of the West Des Moines City Code, with the following exceptions:
 - i. A maximum of two (2) primary monument signs shall be allowed; one (1) at the main entrance off of Grand Avenue and one (1) off of S 88th Street, both at a minimum twenty foot (20') setback from the ultimate street right-of-way. Each sign shall be allowed up to a maximum of fourteen feet (14') in height to accommodate for the difference in property elevation as it relates to the adjoining roadways. The copy on each sign shall not exceed thirty-five (35) square feet per side.
 - ii. One (1) secondary monument sign shall be allowed at each other vehicle entrance, current and future. Said signs shall be allowed up to a maximum of seven feet (7') in height at a minimum twenty-foot (20') setback from the ultimate street right-of-way. The copy on each sign shall not exceed thirty-five (35) square feet per side.
- c. **Pedestrian Signs:** Signage to direct pedestrians within the site shall be consistent with City Code for Directional Signs. These signs shall be located interior to the site (not legible from bordering perimeter roadways) as desired. Logos shall be permitted on directional signs up to a maximum of five inches (5") in height.
- d. **Project Construction Signs:** Total signage allowed to be displayed on the property during construction shall be calculated based on sixty-four (64) square feet per property frontage on a public street. Multiple signs without sign separation and multiple locations of signage shall be allowed; however, no more than one hundred twenty-eight (128) square feet of signage shall be allowed in a single location. All signs greater than sixty-four (64) square feet shall be located a minimum of fifty feet (50') from the ultimate street right-of-way lines; signs less than sixty-four (64) square feet shall comply with sign code regulations. Illumination of the signs shall be allowed by ground lights directed at the sign face with implementation of all measures possible to negate any light spillover beyond the face of the sign. Said signage shall not be erected on the property until such time that a phased or full site plan or subdivision plat for the property containing the sign has been approved by the City and development of the parcel upon which the sign is located is imminent. Said signage shall be allowed to remain until such time that the first occupancy permit, including temporary occupancy permits are issued for any building within the site.

SECTION 2. AMENDMENT. Ordinance #1373, #1812, #2299, #2359, #2360 and #2446, pertaining to the **West Grand Business Park Planned Unit Development (PUD)**, Section 054-

06: *Signage Regulation*; is hereby amended by adding the following text in bold italics:

All signage within the PUD shall be designed, constructed and maintained in accordance with the West Des Moines Sign Code, ***unless otherwise outlined in each parcel's regulations within the Land Use Design Criteria section.***

SECTION 3. AMENDMENT. Ordinance #1373, #1812, #2299, #2359, #2360 and #2446, pertaining to the **West Grand Business Park Planned Unit Development (PUD)**, Section 054-12: *Public Improvements and Special Assessments*; Subsection B, *Public Streets*; is hereby amended by deleting the highlighted strikethrough text and adding the following text in bold italics. All other portions of this section not shown below shall remain as currently provided in the adopted ordinance.

B. Public Streets: Owners adjacent to streets shall be responsible for the following:

1. ~~No more than the costs necessary for constructing a thirty one foot (31') back to back street to the appropriate thickness with six inch (6") curb and gutter (or providing its equivalent cost should the City determine a larger than thirty one foot (31') back to back street is necessary) when and wherever there is a public street to be constructed within the West Grand Business Park. However, no costs are to be assessed or borne for the paving for existing Booneville Road west of 60th Street as it is anticipated that existing Booneville Road, west of 60th, is to be closed with the realignment of Grand Avenue~~ ***The proportional share of reconstructing Booneville Road up to the cost of constructing a thirty-one foot (31') back-to-back street to the appropriate thickness with six inch (6") curb and gutter at the general locations shown in the traffic study dated September 22, 1997 and Exhibit C of Ordinance No. 1373; and***

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

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

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

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

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

Passed and approved by the City Council on the ___ day of _____, 2021.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ___ day of _____, 2021.

Ryan T. Jacobson
City Clerk