NO CHANGE FROM PREVIOUS READING

CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION

Meeting Date: May 3, 2021

ITEM: Wendy's PUD, 225 & 301 Grand Avenue - Establish the Wendy's Planned Unit Development Ordinance to govern development of a Wendy's restaurant – Wendy's West Maple, L.L.C. – ZC-004998-2021

ORDINANCE: Approval of Second Reading, Waive 3rd Reading and Adopt in Final Form an Ordinance to Establish a Planned Unit Development Ordinance

Background: Robin Ersfeldt with Watermark Engineering Resources, Ltd., on behalf of the applicant, King Enterprises, and property owners, Wendy's West Maple, L.L.C. and Rasmussen & Sons Bicycle Shop Inc., request approval of a Rezoning to establish the Wendy's Planned Unit Development (PUD), governing development of that ground located at 225 & 301 Grand Avenue. The applicant is proposing to establish the Wendy's PUD creating regulations for redevelopment of the site to construct a new Wendy's restaurant. the existing Rassy's Bike Shop building located at 301 Grand Avenue will be demolished due to the proposed widening of Grand Avenue between 1st Street and 4th Street. Wendy's will then be demolishing their existing restaurant and building a new restaurant on part of their existing site and the Rassy's site. In the near future, the site plan for Wendy's will be presented to the Plan and Zoning Commission and City Council for consideration.

Staff Review & Comment:

- *Financial Impact:* The City is executing a CIP project in this area for the widening of Grand Avenue and construction of internal roadways to accommodate vehicle movements. To accommodate the construction of one of these internal roadways, the City facilitated the relocation of Rassy's Bike Shop (now ERIK'S). This relocation allows for the shifting of Wendy's. The City is not providing direct financial incentives to Wendy's for construction of a new restaurant.

- *Development Intent:* The Wendy's PUD provides a framework for development reflective of the realities and constraints of redevelopment and to establish design standards to create a neighborhood identity that recognizes the area's original development history. The Wendy's PUD is located within the Grand Avenue Redevelopment Plan area. Redevelopment in this area is intended to create a special district within the City of West Des Moines known as the Val-Gate District.

- *Key Development Aspects: Due* to the smaller lot sizes in the Val-Gate redevelopment area, the PUD Ordinance proposes modifications to the typical standards for the Community Commercial Zoning District to accommodate redevelopment of properties. The following aspects have been modified:

  - Minimum lot size: The Community Commercial (CMC) zoning district requires a minimum lot size of 60,000 square feet. Without acquiring multiple parcels, it is not possible to meet the minimum required of code; therefore, the PUD requires no minimum lot size.

  - Setbacks: Due to the smaller lot size of this site and area as a whole, the setbacks from the adjacent rights of way (north, east, and south) are proposed to be reduced to 30' instead of the required 100'. Off street parking lot setbacks are proposed to be reduced as well from the required 15' from public street rights of way, specifically, the parking lot will be a minimum of 9' from the north, 1' from the east property line and 10' from the south property line.

- Open Space: For a Community Commercial (CMC) zoned property such as this, City Code requires a minimum of 25% of the site be dedicated to open/green space. The Wendy's PUD is to provide open space of not less than 15% of the site which will primarily be provided in a streetscape area along Grand Avenue consisting of landscape vegetation and pedestrian elements.
- Monument Sign: A 5' tall, up to 35 square foot monument sign is proposed on the site, which meets current code requirements. However, due to the compact nature of the site, a 5' setback from adjacent property lines is proposed instead of the current City Code requirement of a 10' setback.
- Parking: City Code requires 15 spaces per 1,000 square feet of gross floor area for a restaurant with a drive thru. The PUD Ordinance proposes 12 parking spaces per 1,000 gross square feet of building area. The PUD sketch indicates 34 parking spaces on the site, which will meet this requirement.

- *Traffic Analysis Findings:* A traffic impact study was conducted in February 2021. Including this proposed Wendy's, this area of the Val-Gate development is expected to generate less traffic overall than previously planned and there is no additional loading onto the planned roadways. With the widening of Grand Avenue, several of the current driveways into businesses will be combined or eliminated to reduce the high number of conflict points and improve traffic flow/safety. To facilitate access to and movement between businesses, a backage road has been constructed connecting 1st Street to 4th Street. A north-south roadway will also be constructed by the City to connect Grand Avenue to this backage road. The Wendy's site is planned to have an eastern access onto this north/south internal street and a northern access onto the east/west internal street. Both accesses are expected to operate with acceptable levels of service. However, due to the short spacing on the north/south internal street between the east/west internal street and the eastern access, exiting drivers may have difficulty making a left-turn out of the driveway and immediately turning right onto the east/west internal street. Moving the driveway farther south on the north/south internal street may cause worse issues related to entering traffic spilling back onto Grand Avenue or issues related to the drive-thru queue spilling back onto the north/south internal street. Instead, moving this driveway to the east/west internal street should be considered. After discussing with the developer, the developer prefers to not change the proposed layout of the site.

Outstanding Issues: There are no outstanding issues.

Plan and Zoning Commission Action:

Date:	April 12, 2021
Vote:	7-0 for Approval
Recommendation:	Approve the Rezoning to establish the Wendy's Planned Unit Development

City Council First Reading:

Date:	April 19, 2021
Vote:	5-0 for Approval

Recommendation: Approve the Rezoning request to establish the Wendy's Planned Unit Development (PUD), subject to the applicant meeting all City Code requirements.

Lead Staff Member: **Brian Portz**

Approval Meeting Dates:

Plan and Zoning Commission	April 12, 2021
City Council: First Reading	April 19, 2021
City Council: Second Reading, Waive Third Reading & Adopt	May 3, 2021

Staff Report Reviews:

Plan & Zoning Commission	☒ Development Coordinator (or) ☒ Director	☒ Legal Department
City Council	☒ Director ☐ Appropriations/Finance	☒ Legal Department ☒ Agenda Acceptance

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	4/6/21
Date(s) of Mailed Notices	4/6/21

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	3/15/21
Recommendation	☒ Yes ☐ No ☐ Split

Location Map

A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-21-020

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, King Enterprises, and property owners, Wendy's West Maple, LLC and Rasmussen & Sons Bicycle Shop Inc., request approval of a Rezoning Request to establish the Wendy's Planned Unit Development (PUD) to allow for development of a Wendy's restaurant on property as legally defined in the Planned Unit Development Ordinance and indicated on the Location Map, both of which are 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 City Council approve the Rezoning Request to establish the Wendy's Planned Unit Development (PUD) (ZC-004998-2021), 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 April 12, 2021.

Erica Andersen
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 April 12, 2021, by the following vote:

AYES: Andersen, Conlin, Costa, Davis, Drake, Hatfield
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST: Jennifer Canaday
Recording Secretary

Prepared by: Brian Portz, City of West Des Moines Development Services Dept., PO Box 65320, West Des Moines, Iowa 50265-0320 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

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 PLANNED UNIT DEVLOPMENT (PUD), 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 Community Commercial (CMC) to Wendy's Planned Unit Development (PUD) Ordinance of West Des Moines, Iowa:

Legal Description

THE WEST 150.00 FEET OF LOT 6, EXCEPT THE EAST 64.00 FEET AND THE SOUTH 10.00 FEET THEREOF AND LOT 7, EXCEPT THE SOUTH 10.00 FEET THEREOF, McCURNIN PLACE, AN OFFICIAL PLAT, NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, CONTAINING: (33,073 SQUARE FEET) 0.76 ACRES, MORE OR LESS.

SUBJECT TO ALL EASEMENTS AND AGREEMENTS OF RECORD.

SECTION 2. INTENT:

The Wendy's 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 context of the area and create a neighborhood identity that recognizes the area's original development history.

The Wendy's 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 district within the City of West Des Moines known as the Val-Gate District. All development within that district must be in furtherance of the goals of the Grand Avenue Redevelopment Plan. The City of West

Des Moines Grand Avenue Redevelopment Plan and all appendices and exhibits, as amended, are hereby adopted and incorporated as part of the Wendy's PUD.

The Grand Avenue Redevelopment Plan identifies planning units, major street patterns, access and interconnection points, master stormwater drainage and detention concepts, utilities, shared public spaces, district streetscape and signage design, land use assumptions and proposed densities. 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 to ensure cohesive and unified redevelopment.

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 and building precedent images for Wendy's PUD. These drawings are a graphic representation of the property and proposed building 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 drawings, 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 Wendy's PUD:

A. Planned Unit Development: The planned unit development (PUD) identifies detailed development criteria for each planning unit indicated on the Grand Avenue Redevelopment Plan or more specifically delineated on the redevelopment plan map. 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 Wendy's. On file in the city and made a part of this ordinance is a sketch plan that illustrates the overall site layout concept (Exhibit I). This document and the referenced documents or exhibits (on file in the city) are intended to specify the components, parameters, and requirements to be adhered to and implemented in order to ensure the realization of the Wendy's PUD. 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 Major Modification to a Site Plan): Site plans for development within the Wendy's PUD must meet the intent of the approved PUD. Site plans shall be submitted to the City of West Des Moines for review and approval prior to the development of any portion of the 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 review process and receive final approval from the City Council following a recommendation from the Plan and Zoning

Commission. Approval by the Board of Adjustment for any use designated as a Permitted Conditional (Pc) use shall occur prior to approval of a subsequent site plan by the City Council following recommendation of the Plan and Zoning Commission. At the discretion of the Director of Development Services, an amendment to the Wendy's 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 Wendy's 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 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.

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

SECTION 7. PERMITTED USES:

All general use regulations and provisions set forth in title 9, "Zoning", of the city code for the Community Commercial district (CMC), shall apply to any development proposal for the Wendy's PUD ordinance, unless noted elsewhere within this ordinance.

A. Allowed Uses: Uses to be allowed in the Wendy's PUD shall be those uses identified as permitted or permitted conditional for the Community Commercial (CMC) district, except the following uses normally allowed in the Community Commercial (CMC) district shall be prohibited in the Wendy's PUD:

SIC 4522	Heliport/helistop.
SIC 4925	Mixed, manufactured, or liquefied petroleum gas production and/or distribution (except: production and manufacturing).
SIC 554	Gasoline service stations.
SIC 592	Liquor stores.
SIC 5999	Adult entertainment establishment.
SIC 75	Automotive repair, services, and parking.

SECTION 8. VEHICLE TRIP ALLOCATION:

As part of the traffic analysis completed by the City of West Des Moines, the Wendy's PUD has been allocated the following vehicle trips: one thousand two hundred seventeen (1,217) average daily trips (ADT); eighty four (84) P.M. peak hour trips; and one hundred four (104) A.M. peak hour trips. Alternate uses to the proposed planned development(s), if within the parameters of the

traffic analysis and approved as part of the Grand Avenue redevelopment plan and this PUD ordinance 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 that allocated above to this development. 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 redevelopment within the Wendy's 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 for the entire Grand Avenue redevelopment area which governs the overall stormwater management of the Val-Gate District has been prepared by and approved by the City of West Des Moines. Specific stormwater management plans which align with the master stormwater management plan will be required with the development of each site 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 and demonstrate compliance with the Grand Avenue East master stormwater management plan. The property owner of the Wendy's PUD shall be required to participate in the Grand Avenue East stormwater management facilities per their pro rata share of stormwater contribution for the Val-Gate District.

The property owner of the Wendy's PUD shall also be required to enter into a postconstruction stormwater management facility maintenance covenant and permanent easement agreement to guarantee future maintenance of stormwater facilities. Maintenance responsibilities for the Wendy's PUD shall be based upon their pro rata share stormwater contribution for the Grand Avenue East Storm Sewer Fee District.

SECTION 10. PUBLIC STREET RIGHT OF WAY DEDICATION:

In order to maintain the functional class of the city's roadway system as set forth in the comprehensive plan, the right of way necessary for Grand Avenue and the public access road on the east side of the site shall be dedicated to the city in fee title according to the associated agreement with the City. No construction may begin on the site until the associated right of way has been dedicated. In addition, the property owner shall provide at no cost to the city temporary easements necessary for the construction of public streets adjacent to the development.

SECTION 11. STREET DESIGN:

A. Public Streets:
   1. Grand Avenue shall be built as a four (4) lane roadway, with dedicated left turn lanes, measuring sixty-five feet (65') from back of curb to back of curb. Grand Avenue shall contain four (4) through lanes with dedicated left turn lanes at all major intersections. A dedicated right turn lane will be constructed for eastbound Grand Avenue traffic approaching 1st Street.
   2. Public Access Roads shall be constructed by the City on the north and east sides of the Wendy's PUD property.

SECTION 12. PARKING:

A. Off Street Parking:

1. Parking stall measurements and drive aisle widths shall conform to title 9, chapter 15 of the city code.
2. It is desired that all off street parking areas be aesthetically improved to reduce obtrusive characteristics that are inherent to their function. Parking lot screening shall be accomplished via streetscape landscaping and hardscaping in accordance with the Grand Avenue Redevelopment Plan and as described in this ordinance.

B. Parking Ratios: Parking shall be provided as specified in chapter 15 of the city's zoning code except as further provided herein:

1. Restaurants with a drive-through shall provide parking at a minimum of 12 parking spaces per 1,000 gross square feet of building space.

SECTION 13. DRIVE-THROUGH:

If, through the design review process, including a traffic analysis, it can be demonstrated that a drive-through does not cause traffic congestion, does not cause the Wendy's PUD to exceed its trip caps, does not interfere with pedestrian movements and can be designed to minimize their presence, a maximum of one drive-through may be permitted within the Wendy's PUD. The presence of drive-throughs shall be minimized through the incorporation of the drive-through into the building architecture rather than as an added on canopy component and the visual screening through the use of earth berming and vegetation placement. Said drive-through shall have a minimum stacking capacity of eleven (11) vehicles (five (5) of which shall be designated for the ordering station if it is separate from the pickup window) and shall not be permitted to interfere with traffic on any public street.

SECTION 14. PEDESTRIAN ELEMENTS:

The Wendy's PUD, in alignment with the Grand Avenue Redevelopment Plan, aims to encourage pedestrian movement and opportunities for pedestrian interaction through site furniture and benches for pedestrian use along Grand Avenue within an area of enhanced landscaping. 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 Wendy's PUD prior to issuance of a final occupancy permit for the first building within the Wendy's PUD.

SECTION 15. 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 developer of the Wendy's PUD shall provide open space and landscaping to meet the intent of the city's open space requirements while preserving the ability to reasonably redevelop land within the Wendy's PUD. Plaza and streetscape areas along with any areas associated with outdoor pedestrian use may be counted toward fulfilling the minimum open space requirement, however, no lot within the Wendy's PUD shall contain more than eighty five percent (85%) impervious surface. In addition:

1. Streetscape plantings directly adjacent to a parcel can be counted toward the open space planting requirements for that parcel.
2. A twenty (20) square foot mass planting of perennial flowers or ornamental grasses may be substituted for three (3) shrubs.
3. No substitution for required trees is allowed.
4. The incorporation of evergreen vegetation is encouraged to provide winter substance within the landscape.
5. Vegetation required as part of the open space may be placed into off street parking areas.

B. Streetscaping: A landscaped edge with hardscape elements or "streetscape" shall be provided along Grand Avenue. These streetscapes are intended to provide desired green to the city, reinforce a district identity, 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 plans and shall include vegetation, furniture, and precast stone wall screening elements as shown in the plan. This streetscape shall be provided along Grand Avenue. Parking areas shall be screened to a minimum height of three feet (3') by the streetscaping. In recognizing the unique design and context of the development, an additional easement along Grand Avenue shall be established to provide area for district streetscape and to maintain utility corridors. The developer shall provide the necessary easements at the time of site plan approval.

C. 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 is discouraged due to the potential conflict between trees and the need to access the lines for repair.

SECTION 16. <u>SIGNAGE</u>:

All proposed exterior signage requires the review and approval of a sign permit by the City of West Des Moines. Signage shall be consistent with title 9, chapter 18 of the city code except as modified herein or within the Grand Avenue Redevelopment Plan. All signage must be consistent in design with the Grand Avenue Redevelopment Plan. The following signage may be allowed:

A. Business Identification Signs:
   1. One ground mounted monument sign shall be permitted for the Wendy's PUD. Said sign shall be limited in height to five feet (5') and sign area copy of thirty-five (35) square feet. Said sign shall be set back a minimum of five feet (5') from the right of way.
   2. This site shall be allowed one (1) square foot of wall signage per linear foot of building frontage along Grand Avenue. 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 one (1) square foot per the building façade's linear footage (i.e. a twenty feet (20') long building side is allowed up to twenty (20) square foot of signage). If the main entry to a building faces away from the street frontage, that wall area 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. Window Signs: Window graphics must be less than twenty-five percent (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 twenty-five percent (25%) allowed, they are counted toward the allowed building signage and would require a permit.

4. 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 and meets the intent of the Grand Avenue Redevelopment Plan to reflect typical 1950's design.
5. 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.

B. Menu Order Boards: Due to the size of the property and immediately adjacent roadways, it is recognized that the mitigation of all views of menu boards from outside of the property may not be possible. Efforts shall be made through menu order board placement, orientation and letter size to minimize the identification of Wendy's that is visible from beyond the property boundaries.

SECTION 17. <u>LIGHTING</u>: Consistent with the redevelopment plan, the Wendy's 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. Streetlights: The City shall pay the cost of streetlight installation adjacent to Grand Avenue as a part of the Grand Avenue widening project.
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 Wendy's 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 Grand Avenue 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 18. <u>ARCHITECTURE</u>:

Attached to the Grand Avenue Redevelopment Plan as Exhibit VI are illustrative examples of the architectural concepts which shall serve to guide architectural choices for all buildings within the Wendy's PUD. All buildings in the Wendy's PUD shall reinforce the aesthetic 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.

A. All buildings within the Wendy's PUD shall accommodate the following in building design:
   1. Form And Scale: Buildings should reinforce the aesthetic concept as depicted by the precedent images contained in the Grand Avenue redevelopment plan and this PUD. Buildings shall be designed to relate specifically to the pedestrian in scale and variety. The following techniques should be used to meet this objective:
      a. 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.
      b. Buildings shall be organized to create a logical balance and relationship with the site, open spaces and circulation.
      c. The building's design should meet context and site objectives such as providing gateways, creating linkages and framing or terminating views.
      d. Variation in building height, mass and roof forms shall be provided while still maintaining an overall building continuity.
      e. Shifts in building planes/facades and variation in exterior materials shall be incorporated to minimize long expanses of wall.
      f. Variation in materials, material modules, expressed joints, textures, colors and details should be used to break up the mass of the buildings.
      g. 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.
      h. Ground floor retail areas should provide the maximum possible glazing toward sidewalks to provide pedestrians with visual interest.
      i. 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.
      j. Efforts shall be made to locate the buildings close to the street with off street parking behind or to the side of the building.

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. However, the level of detail can be reduced on the facades not facing a street. Materials should be durable, economically maintained and of a quality that will maintain their appearance over a prolonged time.
   1. Primary building materials should include, but are not limited to, glass, steel, concrete, natural wood, stone, brick, architectural metals and composite materials acceptable to the City.
   2. The following materials shall not be used for cladding unless specifically approved by the city of West Des Moines:
      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.

SECTION 19. 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 ultimate right of way for line of parcels that abut a public street. Setbacks along boundaries that do not abut a street shall be measured from the lot boundary.
2. Building setbacks are to the main plane of the building excluding canopies and pedestrian arcades. Primary building setbacks shall be a minimum of thirty feet (30') from public street rights of way. For the purposes of the Wendy's PUD, Grand Avenue and the public access roads east and north of the PUD area are considered public street rights of way.
   a. Nothing herein, however, shall be construed as permitting the location of a building that will interfere with sidewalks, trails, plazas, or maintenance of utilities.
3. Dumpster enclosures shall be setback a minimum of seven feet (7') from the east, west and north property lines and shall meet the primary building setback of thirty feet (30') from Grand Avenue.

D. Off Street Parking Lot Setbacks: Parking lots shall be set back a minimum of nine feet (9') from the adjacent property line north, one foot (1') from the east property line, and ten feet (10') from the Grand Avenue right of way.

SECTION 20. REPEALER: All ordinances or parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

SECTION 21. 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 22. 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 23. 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 24. 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 _____ 2021.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan Jacobson, City Clerk

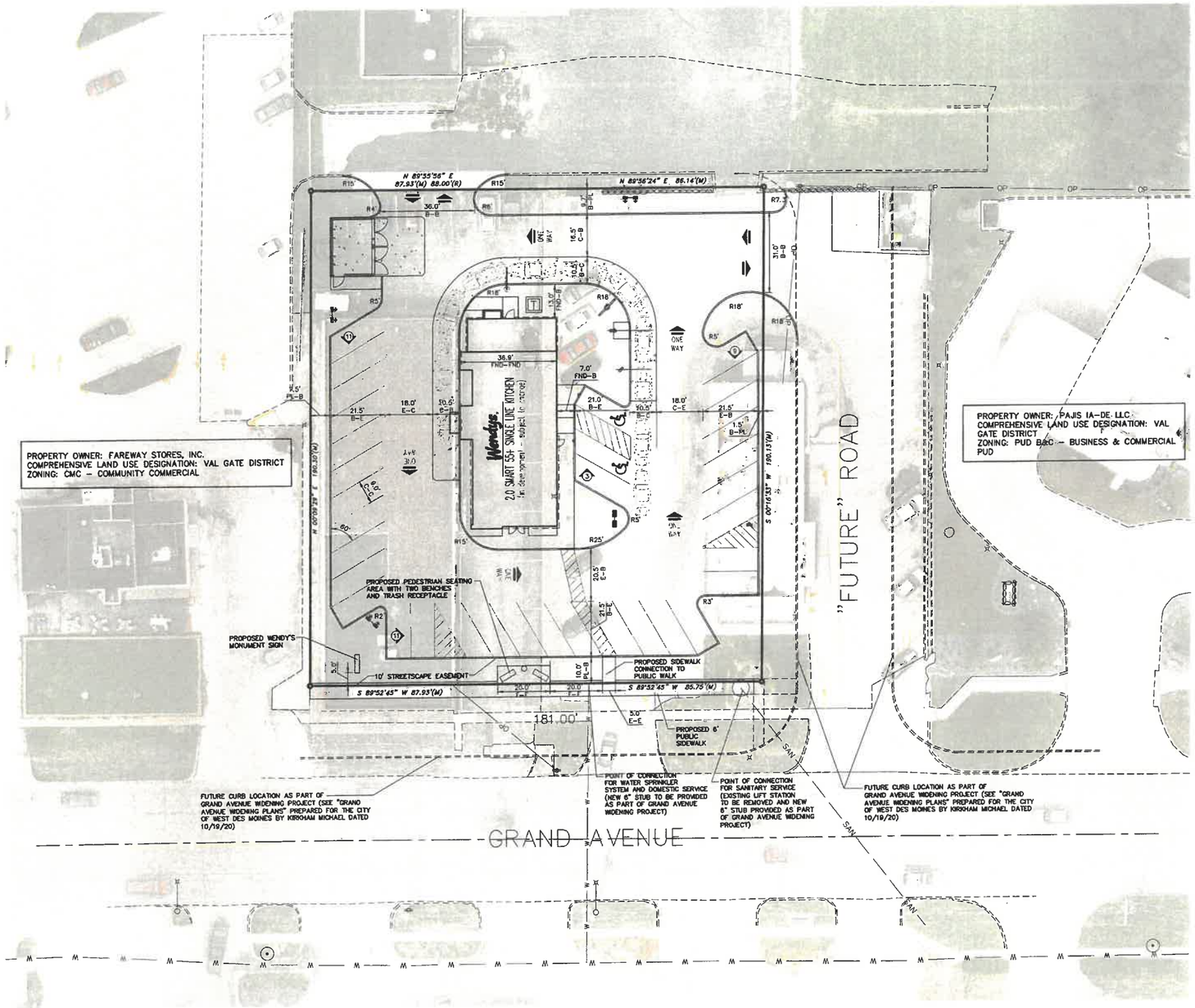
The foregoing Ordinance No. _____ was adopted by the City Council for the City of West Des Moines, Iowa, on _____, 2021, and was published in the Des Moines Register on _____ , 2021.

_____
Ryan T. Jacobson
City Clerk

Plans included are for illustrative purposes only.

Approve plans on file with the City.

WENDY'S PUD SKETCH



GENERAL NOTES:

1. THESE PLANS ARE BASED ON THE TOPOGRAPHI (SURVEY PROJECT #2102615 DATED 02/23/202 PREPARED BY:
KIRKHAM MICHAEL
4930 114TH STREET, URBANDALE, IA 50322
515-270-0848
2. PRIOR TO CONSTRUCTION, CONTRACTOR TO CONTACT THE DESIGN ENGINEER AND ARCHITECT TO VERIFY THAT THEY ARE WORKING FROM THE MOST CURRENT SET OF PLANS AND SPECIFICATIONS.

SITE DATA

LOT INFORMATION

LOT AREA	=	33,073 S.F. (0.76 AC.)
BUILDING AREA	=	2,584 S.F.

EX. COMP. LAND USE DESIGNATION = VAL GATE DISTRICT
EX. ZONING DESIGNATION = CMC – COMMUNITY COMMERCIAL
EX. LAND USE = CMC – COMMUNITY COMMERCIAL

PROP. COMP. LAND USE DESIGNATION = VAL GATE DISTRICT
PROP. ZONING DESIGNATION = CMC–COMMUNITY COMMERCIAL
PROP. LAND USE = CMC – COMMUNITY COMMERCIAL

ON SITE PARKING DATA

REGULAR SPACES	32
ADA ACCESSIBLE SPACES	2
TOTAL SPACES	34

LEGAL DESCRIPTION:

THE WEST 150.00 FEET OF LOT 6, EXCEPT THE EAST 64.00 FEET AND THE SOUTH 10.00 FEET THEREOF AND LOT 7, EXCEPT THE SOUTH 10.00 FEET THEREOF, McCURNIN PLACE, AN OFFICIAL PLAT, NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, CONTAINING: (33,073 SQUARE FEET) 0.76 ACRES, MORE OR LESS.

SUBJECT TO ALL EASEMENTS AND AGREEMENTS OF RECORD.

VICINITY MAP

20 0 10 20 40 80

WENDY'S PUD SKETCH

1 of 1

NO.	REVISIONS
1	REVISIONS PER CITY REVIEW COMMENTS
2	REVISIONS PER CITY REVIEW COMMENTS

Prepared For:

King Enterprises
50 W Douglas, Suite 1101
Freeport, IL 61032

WENDY'S - WEST DES MOINES, IA
225 Grand Avenue
West Des Moines, Iowa

Wendy's

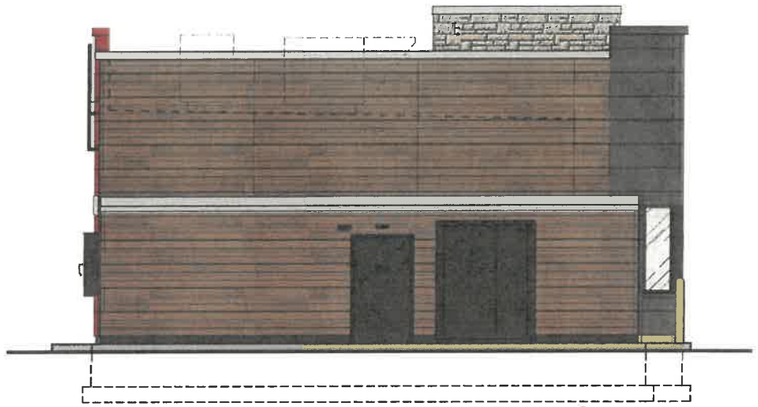
Prepared By:

Watermark Engineering Resources
watermark-engineering.com | 2631 Ginger Woods Pkwy | Aurora, IL 60502 | (630) 375-1800

CHECKED BY: J. MILLER
DESIGN BY: R. ERSFELDT
DRAWN BY: R. ERSFELDT
DATE: MARCH 3, 2021
SCALE: 1" = 20'
PROJECT NO.: 20-004

J:\dwgs\20jobs\20004\20004 – Revised PUD Plan.dwg, 20004 PUD PLAN

225 Grand Ave
West Des Moines, IA



NORTH ELEVATION (4)
1/4" = 1'-0"

SOUTH ELEVATION (3)
1/4" = 1'-0"

EAST ELEVATION (2)
1/4" = 1'-0"

WEST ELEVATION (1)
1/4" = 1'-0"

Red
Fiber Cement Cladding

Gray
Fiber Cement Cladding

Cedar
Fiber Cement Cladding

Silver
Metal Trim

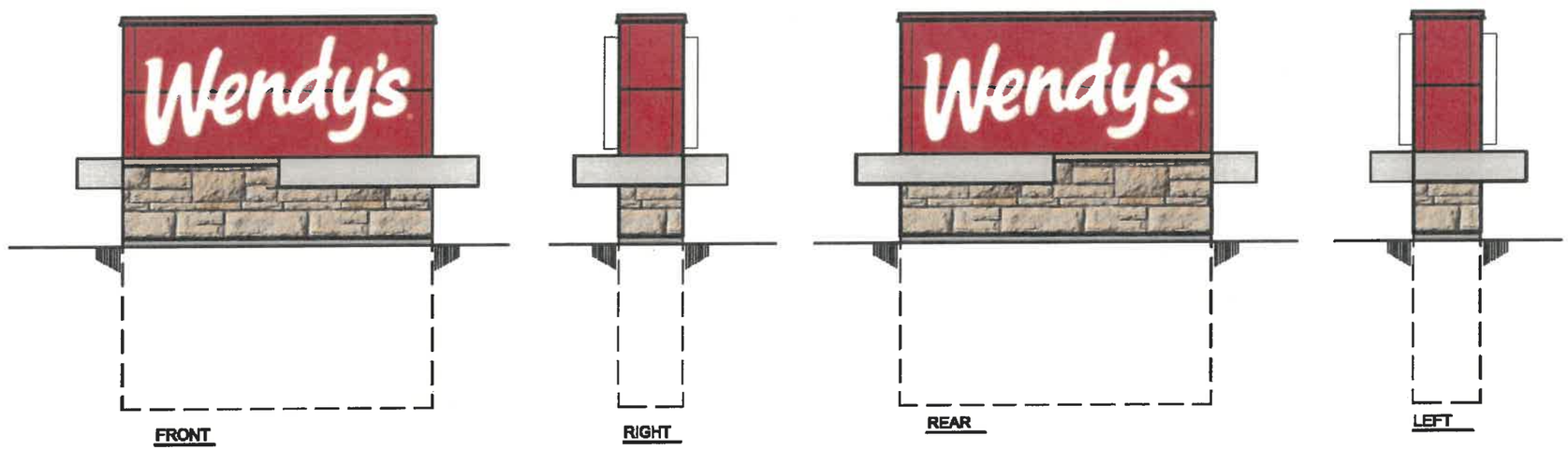
Dark Bronze
Storefront

Limestone
Stone Veneer

Wallin ▪ Gomez
ARCHITECTS LTD
711 S. Dearborn Street, Suite 606 | Chicago, Illinois 60605 | 312.427.4702

04.09.2021

225 Grand Ave
West Des Moines, IA



MONUMENT SIGN ELEVATION 1

1/4" = 1'-0"

Wallin ▪ Gomez
ARCHITECTS LTD
711 S. Dearborn Street, Suite 618 | Chicago, Illinois 60605 | 312.427.4702