

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: December 27, 2022

ITEM: Woodhouse Planned Unit Development, 7220 Lake Drive - Establish the Woodhouse Planned Unit Development Ordinance to govern development of the PUD Parcel – Woodhouse Auto Group – ZC-005866-2022

RESOLUTION: Approval to Establishment of Planned Unit Development Ordinance

Background: Larry D. Smith with Avant Architects, Inc. on behalf of the applicant, Woodhouse Auto Family, with permission from the property owner, Earlham Savings Bank, request approval of a Rezoning to establish the Woodhouse Planned Unit Development (PUD), governing development of that ground located at 7220 Lake Drive. The applicant is proposing to develop an auto dealership on the property. The lot can be considered an infill lot and has been vacant since it was created in 1994.

Staff Review & Comment:

- **Development Intent:** The PUD intends to establish a framework for the development of Support Commercial land uses which are visually cohesive and operationally respectful of the surrounding built environment. This intent would apply to any development of the property.
- **Key Development Aspect:**
 - **Setbacks:** The current code setbacks for support commercial development are 100-foot front yard and 50 for rear and side yards. However, the setbacks at the time the lot was platted, was a 45-foot front yard and 25-foot rear and side yards. Also, since the lot was platted, a strip of land along the south edge of the lot was acquired for the interstate ramp right-of-way, reducing the depth of the lot. The proposed site concept indicates that not all components of the plan can fit in this infill lot with the current zoning setbacks, however they do fit if the platted setbacks are applied. After discussing the issues with the City's Legal Department, it was determined that because the parcels within this area were either developed under the original smaller setbacks, or have been developed under current Professional Commerce Park (PCP) zoning district which requires only 50' front, rear and side yard setbacks, the use of the originally platted setbacks would be consistent with the surrounding development and would not provide any benefit to this parcel that the others have not received. All other development regulations of the Support Commercial zoning district shall govern development of the parcel.
- **Traffic Analysis Findings:** The traffic analysis for this use at this location indicates that the proposed use is anticipated to generate less traffic than what was previously estimated with no additional loading on the planned roadway system. The site layout illustrates two accesses on Lake Drive are possible and the west driveway is shown at the minimum spacing necessary between the access to Earlham Savings Bank and this location. The east drive location is acceptable however, the drive is shown at a skew which will need to be corrected with the site plan to be perpendicular to Lake Drive.

Outstanding Issues: There are no outstanding issues

Planning and Zoning Commission Action:

Date: December 27, 2022

Vote:

Recommendation:

City Council Comprehensive Plan Amendment:

Date:

Vote:

City Council First Reading Rezoning:

Date:

Vote:

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

Lead Staff Member: Kara Tragesser

Approval Meeting Dates:

Planning and Zoning Commission	December 27, 2022
City Council: First Reading	
City Council: Second Reading	
City Council: Third Reading	

Staff Report Reviews:

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

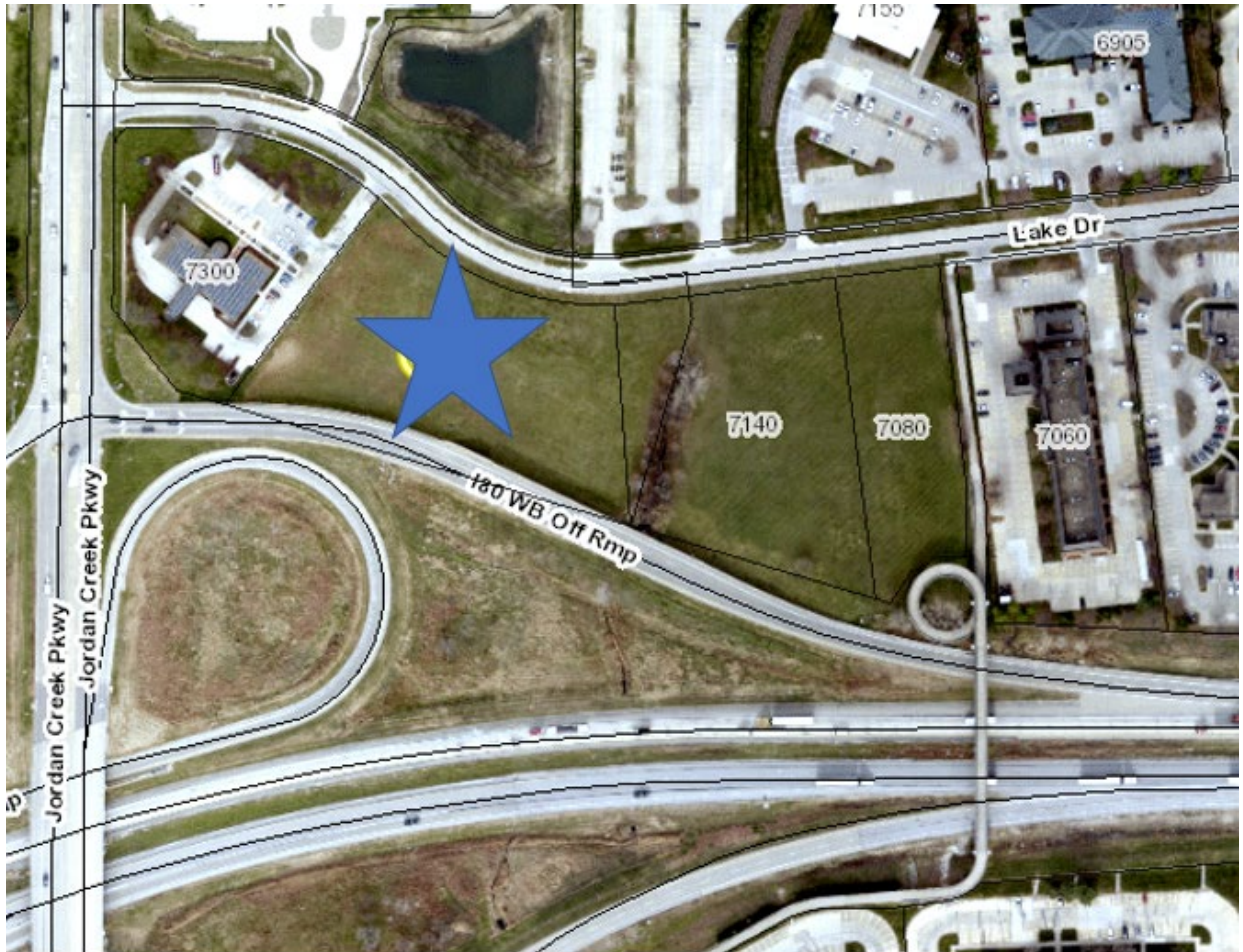
Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	12/16/22
Date(s) of Mailed Notices	12/15/22

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	11/21/22
Recommendation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

Location Map



A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
NO. PZC-22-117

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, Woodhouse Auto Family, applicant, with permission from the property owner, Earlham Savings Bank, requests approval of a Rezoning Request to establish the Woodhouse Planned Unit Development (PUD) to allow for development of an auto dealership 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 Planning and Zoning Commission of the City of West Des Moines recommends that City Council approve the Rezoning Request to establish the Woodhouse Planned Unit Development (PUD) (ZC-005866-2022), 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 December 27, 2022.

Jennifer Drake, Chair
Planning and Zoning Commission

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Planning and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on December 27, 2022, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

Prepared by: Kara Tragesser, City of West Des Moines Development Services Dept.,
PO Box 65320, West Des Moines, Iowa 50265-0320 515-222-3620
When Recorded, City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA
Return to 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 DEVELOPMENT (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 Support Commercial to Woodhouse Planned Unit Development (PUD) Ordinance of West Des Moines, Iowa:

Legal Description

Lot 2 Earlham Park Plat 1, an official plat now in and forming a part of the City of West Des Moines, Dallas County, Iowa

SECTION 2. INTENT: The PUD intends to establish a framework for the development of Support Commercial land uses which are visually cohesive and operationally respectful of the surrounding built environment. All development shall adhere to City Codes and regulations, except as provided herein. Where the PUD is silent, City Codes and regulations will be the standard.

SECTION 3. SKETCH PLAN: Attached hereto (or on file with the city) and made a part of the rezoning approval, for concept description and delineation is the Sketch Plan document for the PUD. The Sketch Plan is a graphic representation of the property included in the PUD delineating the approximate location and configuration of the development standards of the PUD Parcel 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: Prior to or in conjunction with development of any portion of the property covered by this PUD, the following plans may be required:

- A. Preliminary Plat and Final Plat: Any subdivisions of any ground within the PUD shall be platted in accordance with the City's Subdivision Ordinance and associated zoning regulations unless

otherwise modified within this ordinance. Outlots within a plat shall have the proposed use clearly designated on the plat documents. Platted outlots intended for future private development must be re-platted through the preliminary and final plat process prior to physical development. Outlots intended to provide for public utilities, or publicly owned or accessible park ground, greenways, or other recreational amenities (not include private recreation based for-profit businesses) are not required to be replatted prior to development.

- B. Development Applications: Site plans for development within the PUD must meet the intent of the approved PUD. Site plans (new, Major Modifications and Minor Modifications) shall be submitted to the City of West Des Moines for review and approval prior to the development or modifications to any portion of the lot. New site plans and Major Modifications for permitted uses which comply (as determined by the Director of Development Services or designee) with the development 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 Planning and Zoning Commission. Minor Modifications to previously approved site plans may be approved administratively when said development is in accordance with Title 9 of the City Code. Approval by the Board of Adjustment for any use designated as a Permitted Conditional (Pc) use shall occur prior to final approval of a subsequent site plan by the City Council. At the discretion of the Director of Development Services, an amendment to the PUD may be required to bring consistency between the ordinance and site plan development proposed.

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

- A. General Conditions: The following general development criteria shall be integrated into and made a part of this planned unit development.
1. General Conformance to City Code: Unless otherwise specified herein, the development of the PUD shall comply with city code, including, but not limited to Title 9: Zoning, Title 10: Subdivision Regulations and Des Moines Metropolitan Design Standards or the more current design standards as adopted by the city. To the extent that the provisions of this ordinance conflict with or are more restrictive than provisions provided elsewhere in city code, the provisions of this ordinance shall prevail.
 2. Developer Responsibility: 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 execution of the planned unit development as provided and required by this Ordinance or city code and approved as part of plats and site plans. No occupancy permits, either temporary or permanent, shall be issued until all necessary infrastructure and improvements applicable to the area/lot or structure requesting occupancy are installed and public improvements 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.
 3. Flood Hazard: In all areas within a Base Flood (100 Year), or adjoining drainage ways, and detention ponding areas involving potential flood hazards, all buildings proposed to be located in a flood hazard area must be elevated and designed in accordance with the American Society of Civil Engineers publication ASCE 24 and no building shall be erected which has a minimum opening elevation (including top of window well) less than one foot (1') above the determined level of the Base Flood. In areas where historical high-water

levels are above the Flood Insurance Rate Map (FIRM) Base Flood Elevation or special conditions exist, the City may require a Design Flood Elevation be calculated and used as the Base Flood Elevation for determination of elevation requirements.

4. Buildings shall only be permitted within twenty-five (25) feet of any easement or property boundary of a major drainageway, storm water detention basin or pond if said location is approved as part of the development entitlement by the City Council and said building is structurally designed accordingly.
5. Sanitary Sewer: Any proposed change in approved land uses and/or densities for the PUD will require an analysis of the downstream sanitary sewer capacity to assure that adequate capacity is available for the proposed change(s).
6. Mailboxes: The Developer shall be responsible for installation of any required Cluster Box Units (CBUs) as per the local U.S. Postal Service Post Office. Locations of the CBUs shall be acceptable to the city to avoid traffic circulation impacts.
7. To allow and encourage pedestrian movement between parcels and to and from the development, an internal pedestrian sidewalk network connecting all lots, uses and buildings within the development, as well as connecting to adjacent sidewalk/trails shall be required.
8. Fire Access:
 - a) All internal drive aisles and parking lots shall permit the travel of the Fire Department's largest vehicle, including adequate accommodation of the vehicle's turning needs. Approval of unique design solutions to accommodate fire access may be granted by the City Council if, the solutions proposed are recommended by the West Des Moines Fire Department.
 - b) At the discretion of the City's Fire Marshal, "No Parking Fire Lane" areas may be established as necessary to ensure efficient movement and access of the fire trucks. Unless otherwise agreed upon, the developer of each site within the PUD shall be responsible for the procurement and erection of approved fire lane signage.
 - c) All access drives and drive aisles shall maintain a minimum of twenty (20) feet of clear pavement.
 - d) A minimum of fourteen (14) feet of vertical clearance over the travel portion of all vehicle travel ways shall be maintained at all times.
 - e) The developer or its designee of each site within the PUD shall be responsible for enforcement of no parking lanes and maintaining adequate clearance of structures and vegetation along and above all vehicle travel ways, regardless if public or private.
 - f) Adequate fire accesses as determined by the City's Fire Marshal shall be provided at all times to those areas under construction.
9. Street Lighting: Unless otherwise provided for in a separate development agreement, the Developer of each site within the PUD shall be responsible for all costs associated with the installation of public and private streetlights within or adjacent to any area included within the development at the time of final platting.
10. Interior site lighting should be located, designed and directed in such a way as to mitigate impact on adjacent uses.
 - a) As a part of the review of each site plan, a photometric plan must be submitted. During the review, the applicant must demonstrate how lighting will not adversely affect adjoining properties.

- b) The lighting level at property lines not adjacent to an exterior roadway shall be less than one footcandle.
- c) All fixtures are to be downcast and of a cut-off variety to direct lighting to parking areas and pedestrian pathways and eliminate glare to neighboring properties. Bulbs shall not be exposed or extend down past the fixture. Care should be taken to ensure that adjoining properties are not looking up and into the bulbs of light fixtures. In addition to cut-off fixtures, particular attention shall be given to eliminate hot spots and light glare. To achieve this, additional measures may include, but are not limited to, lowering parking lot light levels after business hours, turning off lights not necessary for security purposes, the use of additional shields and use of landscaping for light screening/blockage.
- d) No wall packs without shields to direct light down or floodlighting are allowed, except that sconces or decorative architectural lighting shall be permitted.

11. Those businesses which have windows towards the adjacent hotels are not allowed nighttime interior lighting intended to draw attention to the business (e.g., neon/LED lighting which washes the building with light or a color) which is visible and obtrusive to the hotel guests. Limited-intensity nighttime interior lighting necessary for security shall be allowed.

B. **LAND USE DESIGN CRITERIA:** In addition to the general criteria as stated above, the following land use regulations, development standards, and design criteria shall apply to the development of all areas of the PUD. All general use regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for the Support Commercial (SC) district shall apply to development of all areas of the PUD, unless noted otherwise in this ordinance.

- 1. Allowed Uses: All uses identified in Title 9, Zoning, as either Permitted (P) or Permitted Conditional (PC) may be allowed with approval of the appropriate review body unless otherwise noted herein.
- 2. Development Standards:
 - a. Setbacks: The setbacks applied to the PUD are as follows:
 - i. Front Yard (Lake Drive frontage) setback of 45 feet
 - ii. Rear Yard (interstate frontage) setback of 25 feet.
 - iii. Side Yard setback of 25 feet.
 - b. Screening: Screening for purpose of mitigating negative views of site elements such as, but not limited to off-street parking of employee vehicles and vehicles being serviced/repaired (views of new and used vehicles for sale are not required to be screened), utility meters, mechanical equipment, overhead doors, trash enclosures, etc. shall be provided.
 - c. Parking:
 - i. The number of stalls to be provided for each use within the PUD shall comply with city code title 9, chapter 15, section 7.
 - ii. Parking lots shall be setback a minimum of fifteen (15) foot from the Lake Drive ultimate road right-of-way. A minimum five (5) foot setback shall be provided from all other perimeter property boundaries; however, a larger setback may be necessary to accommodate achievement of screening of site elements noted above.
 - iii. Parking stall dimension and drive aisle widths shall comply with city code title 9, chapter 15.

- iv. Parking lot landscape requirements, including the incorporation of landscape islands and landscape vegetation shall comply with city code title 9, chapter 19, except for defined auto sale areas as identified on the associated site plan.
- d. Uses with Drive-throughs and Service Bays: Unless all aspects of a drive-through or service bay (such as visibility of garage doors, lights, noise, etc.) can be completely negated, drive throughs and service bays shall only be allowed facing west or east on any parcel in the PUD. The presence of drive throughs and service bays shall be minimized through one or a combination of the following methods:
 - i. Integration of the drive thru or service into the building architecture in order to eliminate the appearance as an added-on canopy component.
 - ii. Situating the drive thru between two buildings in order to limit the number of views thereof.
 - iii. Opaque visual screening to a minimum height of six (6) feet. May be achieved through the use of earthen berming with vegetation, solid fencing, decorative walls, etc. Screening method shall provide for year-round visual mitigation of the drive throughs.

SECTION 6. ARCHITECTURE: The intent is to create building facades that are varied and articulated to provide visual interest and to establish a unique identity for the PUD. Each building shall include design elements, materials, complimentary colors and detailing to provide visual continuity with the neighboring built environment. The architectural design of any building within this development shall be acceptable to the City.

Final details of actual design, materials, colors and detailing will be provided at the time of individual site plan approvals. Once City approval is obtained on a particular building design, any alteration in design before, during or after construction must be reviewed and approved by the City's Development Services Department.

- A. All buildings within this development shall accommodate or incorporate the following in building design and materials:
- B. All sides to each building shall receive high quality materials, finishes, and details (360 degree architectural treatment) and shall be architecturally treated to produce an aesthetically pleasing facade which is of a design compatible with surrounding buildings. There are no "backs" to a building.
- C. Form and Scale: Building design shall consider the scale of the building and create a distinct and intended transition to the height, bulk, and scale of the building depending on the surrounding development. Building entries, entries for residential uses, pedestrian areas, plazas and street level uses and functions should be designed to engage the pedestrian with the activities occurring within them and should be designed to be in the scale appropriate to the use and function of the space.
- D. Roof and Building Mounted Mechanical Equipment: Views of all mechanical and meter equipment from roadways, adjacent PUD parcels and adjoining property outside of the PUD area shall be mitigated by screening incorporated into the design of the building through location and the use of equipment penthouse, parapets, screening walls, or other acceptable solutions as identified during the review of the site plan. Views of equipment placed on the ground shall be mitigated accordingly through architectural elements or landscape vegetation.
- E. Material Quality and Detail:
 - 1. The choice of materials and texture has great visual significance and can affect the long-term appearance of the city. Proper selection of exterior building material is directly related

to the durability of the building against weathering and damage from natural forces. Materials should be durable, economically maintained and of a quality that will maintain their appearance over a prolonged time. Natural materials such as brick and stone shall be used as the major cladding elements of the facade. Acceptable cladding for the balance of the building and trim materials will be determined with the review of each site plan.

2. Variation in materials, material modules, expressed joints, textures, colors and details shall be used to break up the mass of the buildings. Changes in materials shall be aligned with changes in plan or roof form to emphasize these changes in building mass and shall have the appearance of three (3)-dimensional elements.
3. Building Lighting: Building lighting shall be downcast and night sky compliant. Any use of neon, LED, or colored lighting shall be in a channel which directs the light down and washes the building façade instead of exposed lighting which is directed outward. The color shall be consistent with the other colors used on the building and shall be acceptable to the City.

SECTION 7. SIGNAGE. All signage within the PUD shall be designed, constructed and maintained in accordance with the West Des Moines Sign Code. The zoning district designated for application of bulk regulations for each parcel shall govern signage allowances and design.

SECTION 8. VEHICLE TRIP ALLOCATIONS. A Traffic Impact Study (study) dated October 18, 2022, has been prepared for the PUD. Per the study, the development has been allocated 167 P.M. peak hour trips; 152 A.M. peak hour trips; and 1,955 Average Daily Trips (ADT). As development proposals are approved, the number of vehicle trips generated by the proposed development will be subtracted from the total trips allocated to the development. Approval of this PUD does not constitute a guarantee that the proposed plan can be implemented. Development of all parcels and implementation of desired land uses, including specific high traffic generating tenants, will be limited by the available number of trips.

Should anticipated traffic exceed the total trips allocated for the PUD prior to full build out, further development of parcels may be limited or prohibited. Alternate uses to those planned within the study and approved as part of this PUD ordinance may be allowed, following completion of an amended traffic study analyzing the proposed alternative and appropriate City approval of an amendment to the respective PUD ordinance and/or PUD Sketch map, if necessary, if the existing uses and the proposed change(s) collectively do not exceed the total trips allocated to the development.

SECTION 9. STORM WATER MANAGEMENT. Individual Storm Water Management Plans will be required with each preliminary plat or site plan for ground within the PUD. The Developer will have said Storm Water Management Plans prepared by a Professional Engineer licensed in the State of Iowa. The Storm Water Management Plans shall comply with the City's current design standards for storm water management. The method of storm water management and the storm water conveyance system shall be determined prior to City approval of a preliminary plat or site plan.

At time of final platting of a developable parcel or site plan if development is not known at the time of platting, ownership and responsibility for all storm water detention areas and private storm water detention outlet structures will need to be established through the execution of a Storm Water Facility Maintenance Agreement prepared by the City with information provided by the developer. This agreement essentially provides that the property owner will maintain and repair

their storm water facilities. If they fail to do so, the city will make repairs or perform maintenance and assess all costs back to the property owner.

Upon installation of storm water management facilities, the property owner will be responsible to provide as-built drawings and a letter certifying the detention facility was constructed in conformance with the approved Storm Water Management Plan. The letter and as-built plans will be required prior to the issuance of a final occupancy permit for the first building or residential dwelling on property which is served by a particular detention facility. Both the letter and as-builts will need to be signed and sealed in accordance with Chapter 6, 193C-6.1(542B) of the Iowa Code.

SECTION 10. REPEALER. All ordinances of parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 11. SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase or part of this 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 12. 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 13. OTHER REMEDIES. In addition to the provisions set out in 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 14. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved by the City Council on January 17, 2023.

Russ Trimble, 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 _____, 2023, and was published in the Des Moines Register on _____, 2023

PUD Sketch Plan
Woodhouse Planned Unit Development
January 2023

