NO CHANGE FROM PREVIOUS READING

CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION

Meeting Date: January 2, 2024

ITEM: Val Air Ballroom PUD, 301 Ashworth Road – Amend Comprehensive Plan Land Use Map to designate Multi Use Medium (MUM) and Establish the Val Air Ballroom Planned Unit Development Ordinance regulating development of an event venue & restaurant – VAB, LLC – CPA-005816-2022/ZC-005810-2022

ORDINANCE: Approval of Second Reading, Waiver of Third Reading and Adopt

Background: Doug Saltsgaver with Engineering Resource Group, Inc., on behalf of the applicant and property owner, VAB, LLC, request approval of a Comprehensive Plan Land Use Map Amendment and Rezoning Request to establish a new PUD Ordinance on that ground located at 301 Ashworth Road. The Comprehensive Plan Amendment and Rezoning are being requested in anticipation of the completion of a remodel of the existing Val Air Ballroom building on the site and formal establishment of an event venue. In conjunction with the event venue, a restaurant will be developed in the basement of the building. The Val Air Ballroom building has historically been used as an event venue/concert venue over the years, however, the underlying land use and zoning of the property didn't allow that use until recently. On November 20, 2023, the City Council approved an amendment to the City Zoning Ordinance to allow event venues within the Community Commercial (CMC) zoning district. The intent with this change was to better align the Community Commercial uses with the newly adopted land use categories within the Comprehensive Plan and to accommodate additional uses within the CMC district for undeveloped areas, as well as existing developed areas within the City to move forward with redevelopment.

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

- Amend the Comprehensive Plan Land Use Map for approximately 9 acres to change from Community Commercial (CMC) to Multi Use Medium (MUM) land use; and
- Establish the Val Air Ballroom Planned Unit Development (PUD) Ordinance within the 8.5 acre PUD parcel.

The acreage discrepancy between the proposed Comprehensive Plan Land Use Amendment and Planned Unit Development is due to the manner in which the districts are mapped and assigned. The land use designation extends to the centerline of adjacent roads, while the zoning designation is confined to the property lines. In this case resulting in a 0.5-acre discrepancy between the comprehensive plan amendment and the zoning acreages.

Staff Review & Comment:

- *Financial Impact:* The developer and City entered into a development agreement that provided a 10-year, 100% TIF on the improved value above base, with a cap of $1,182,250, with a minimum assessment agreement amount of $5,500,000, valid for 20-years. As part of the agreement, the Val Air is required to employ at least 14 full-time employees throughout the agreement life.

- *Development Intent:* The Val Air Ballroom PUD intends to provide a framework for development standards reflective of the realities and constraints of redevelopment and to establish design standards to reinforce the intent of the Grand Avenue Redevelopment Plan to respect the context of the area and create a neighborhood identity that recognizes the area's original development history.

- *Key Development Aspects:*

  - Grand Avenue Redevelopment Plan: The Val Air Ballroom PUD is located within the area identified for redevelopment by the Grand Avenue Redevelopment Plan. Redevelopment in this area is intended to create a special iconic district within the City of West Des Moines known as the Val-Gate District. All development within this district must be in furtherance of the goals of the Grand Avenue Redevelopment Plan. Although the façade of the building will be redone as part of this, the majority of the iconic architectural elements of the Val Air Ballroom are being kept.

  - Land Use: The land use of the property is proposed to be changed to the new Multi Use Medium (MUM) classification adopted as a part of the new Comprehensive Plan land use map. As new requests for land use changes come forward for developed areas of the city, the new land use designations will be used. The overall application of the new land use classifications to the developed portions of the city is anticipated to be brought forward in February and March of 2024, after a January 2024 outreach and comment time period.

  - Architecture: Included within the Grand Avenue Redevelopment Plan is indication of the architectural style and illustrative examples of the architectural concepts which shall serve to guide the design of all renovations of existing buildings or new buildings within the Val Air Ballroom PUD. All buildings in the PUD shall reinforce the concept depicted in the Grand Avenue Redevelopment Plan.

    Recognizing that the ballroom building has been listed on the National Register of Historic Places, all exterior modifications or building additions to the Val Air Ballroom shall be compatible with the historic character of the existing building or the midcentury era. Repair and/or replacement shall be of like kind or revert back to the original historic appearance, as directed by the State Historic Preservation Office (SHPO).

  - Parking: The Val-Air is considered an event venue for the purposes of determining parking requirements. One (1) parking space per fifty (50) square feet of floor area of assembly space for patrons and staff is required to be provided. The current assembly areas within the building consist of 19,930 square feet resulting in 399 parking spaces required within the site. There are currently 429 parking spaces on the site. It is noted in the PUD that should a building expansion or other use occur that increases the assembly space, additional parking may be required. Additional parking may be provided on-site or through off-site parking agreements with surrounding businesses. For additional parking provided by written agreement with businesses located on the south side of Ashworth Road, unless otherwise agreed to be provided by the city, the developer shall be responsible for implementation of any pedestrian crossing identification and safety measures deemed necessary by the city, including but not limited to signage, pavement markings and electronic crossing signals.

    During events in the main ballroom of the building, a bar and grill to be located in the basement of the building, will only be open to patrons of the ballroom event venue, regardless of the size of that event. Since the bar and grill will not be open to the general public during events, additional parking requirements for the bar and grill will not be required. The restaurant may be open when an event is not occurring; there is ample parking for these situations.

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

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

The streetscape landscaping, wall stones, benches and trash receptacles will be installed with the reconstruction of Ashworth Road.

- *Traffic Analysis Findings:* A traffic analysis was not completed for this Comprehensive Plan Amendment and PUD establishment. Traffic studies may be required in conjunction with the incorporation of additional uses within the Val Air Ballroom PUD, other than an event venue and interior restaurant.

Outstanding Issues: There are no outstanding issues.

Planning and Zoning Commission Action:

Date:	December 11, 2023
Vote:	7-0 for approval
Recommendation:	Approve Comprehensive Plan Land Use Amendment

Planning and Zoning Commission Action:

Date:	December 11, 2023
Vote:	7-0 for approval
Recommendation:	Approve Ordinance Amendment

City Council Comprehensive Plan Amendment

Date:	December 18, 2023
Vote:	4-0 for approval, with Council Member Hardman absent

City Council First Reading:

Date:	December 18, 2023
Vote:	4-0 for approval, with Council Member Hardman absent

Recommendation: Approve the Comprehensive Plan Land Use Map Amendment and establishment of the Val Air Ballroom Planned Unit Development (PUD) Ordinance, subject to the applicant meeting all City Code requirements.

Lead Staff Member: **Brian Portz**

Approval Meeting Dates:

Planning and Zoning Commission	December 11, 2023
City Council: First Reading	December 18, 2023
City Council: Second Reading, Waive Third Reading and Adopt	January 2, 2024

Staff Report Reviews:

Planning & 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	12/1/23
Date(s) of Mailed Notices	12/1/23

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning			
Date Reviewed	11/21/22			
Recommendation	Yes ☒	No ☐	Split ☐	No Discussion ☐

Location Map

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
NO. PZC-23-062

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owner, VAB, LLC, request approval of a Comprehensive Plan Land Use Map Amendment to change the land use designation of the Planned Unit Development development parcel as shown on the Planned Unit Development Sketch Plan included in the staff report from Community Commercial (CMC) to Multi Use Medium (MUM).

WHEREAS, the comprehensive plan amendment complies with the applicable provisions of Iowa Code Chapter 414 and City Code.

NOW, THEREFORE, the Planning and Zoning Commission of the City of West Des Moines recommends that City Council approve the Comprehensive Plan Land Use Map Amendment, (CPA-005816-2022) 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 11, 2023.

Andrew Conlin, 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 11, 2023, by the following vote:

AYES: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:
Recording Secretary

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
NO. PZC-ZC-23-063

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owner, VAB, LLC, request approval of a Rezoning Request to establish the Val Air Ballroom Planned Unit Development (PUD) on property as legally defined in the Planned Unit Development (PUD) Ordinance and indicated on the Location Map, both of which are included in the staff report. Specifically, underlying zoning of Community Commercial (CMC) zoning shall be applied for development of an event venue and restaurant; 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, (ZC-005810-2022) 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 11, 2023.

Andrew Conlin, 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 11, 2023, by the following vote:

AYES: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:
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

23-12-18-08

RESOLUTION

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owner, VAB, LLC, request approval of a Comprehensive Plan Land Use Map Amendment to change the land use designation from Community Commercial (CMC) to Multi Use Medium (MUM) on the ground legally described in attached Exhibit 'B' and as indicated on the attached Comprehensive Plan Land Use Map Change Illustration; and

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

WHEREAS, the Comprehensive Plan Land Use Map Amendment complies with applicable provisions of Iowa Code Chapter 414 and City Code; and

WHEREAS, on December 11, 2023, the Planning and Zoning Commission did recommend to the City Council, by a 7-0 vote, approval of the Comprehensive Plan Land Use Map Amendment; and

WHEREAS, on this day this City Council held a duly noticed Public Hearing to consider the application for Comprehensive Plan Land Use Map Amendment.

NOW, THEREFORE, The City Council hereby approves the Comprehensive Plan Land Use Map Amendment (CPA-005816-2022) as shown on attached Comprehensive Plan Land Use Map Change Illustration, subject to compliance with all the conditions in the staff report, dated December 18, 2023, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation(s) of any such condition(s) shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on December 18, 2023.

Russ Trimble, Mayor

COUNCIL ACTION	YEAS	NAYS	ABST.	ABSENT
TREVILLYAN	✓			
HUDSON	✓			
LOOTS	✓			
HARDMAN				✓
MCKINNEY	✓			
MOTION BY	Trevillyan			
SECOND BY:	McKinney			
ROLL CALL #	23-518			

ATTEST:

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on December 18, 2023, by the indicated vote.

Exhibit A: Conditions of Approval

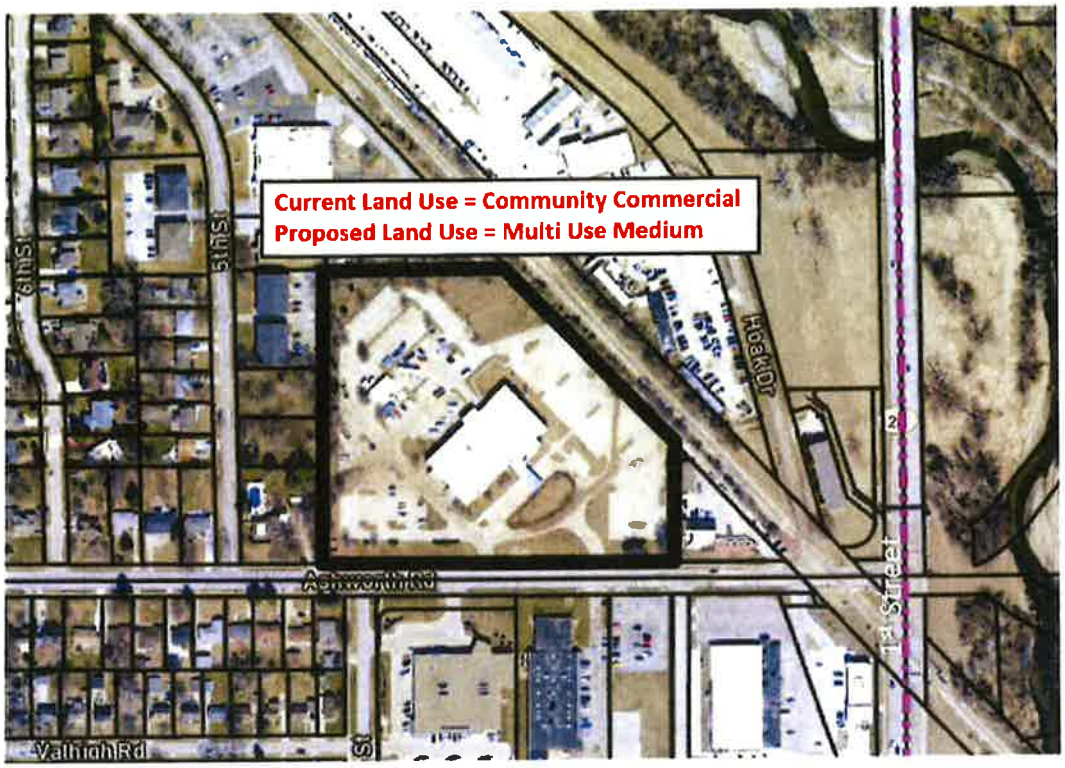
1. None

Exhibit B: Legal Description

LOT 169 IN CLEGG PARK PLAT 4, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, EXCEPTING THEREFROM THE FOLLOWING TRACT OF LAND: BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 169, THENCE WEST ON THE SOUTH LINE THEREOF, 230 FEET, THENCE NORTH AT RIGHT ANGLES TO SAID SOUTH LINE TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT, THENCE SOUTHEASTERLY ON SAID NORTHEASTERLY LINE TO BEGINNING.

CONTAINING 8.5 AC, 369,519 SF

Comprehensive Plan Land Use Map Change Illustration



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 **Val Air Ballroom** Planned Unit Development (PUD) of West Des Moines, Iowa:

Legal Description

Lot 169 in Clegg Park Plat 4, an official plat, now in and forming a part of the City of West Des Moines, Polk County, Iowa, excepting therefrom the following tract of land: beginning at the southeasterly corner of said Lot 169, thence west on the south line thereof, 230 feet, thence north at right angles to said south line to a point on the northeasterly line of said lot, then southeasterly on said northeasterly line to beginning.

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

The Grand Avenue Redevelopment Plan identifies major street patterns, access and interconnection points, district streetscape locations and typical design including signage and

pedestrian elements. The intent of the redevelopment plan is to provide a tool that can be used to promote the communication and cooperation between adjacent property owners and developers within the overall district to create and ensure a cohesive and unified development.

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

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

SECTION 4. REQUIRED PLANS: The following plans shall be required as a part of the processing of any development application for any property within the Val Air Ballroom PUD:

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

   This document shall constitute the Planned Unit Development Ordinance for the Val Air Ballroom. On file in the city is a sketch plan that illustrates the overall site layout concept (Exhibit A). This document and any referenced documents or exhibits (on file with the city clerk) are intended to specify the components, parameters, and requirements to be adhered to and implemented in order to ensure the realization of the Grand Avenue Redevelopment Plan. It is recognized that modifications and changes may be necessary due to changes in building footprints, site details, and response to market demand. At the discretion of the Director of Development Services, changes to the layout of the development that are deemed to be "major" changes shall require an amendment to the sketch plan and ordinance, if applicable. Major amendments shall require the review of the Planning and Zoning Commission and approval by the City Council.

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

B. Development Applications (Site Plans or Modifications to a Site Plan): Site plans for development within the Val Air Ballroom PUD must meet the intent of the approved PUD. A Site Plan or Modifications to a Site Plan for the development of the site shall be submitted to the City of West Des Moines for review and approval prior to the development or modifications of any portion of the lot. Site plans or Major Modifications to a Site Plan for permitted uses which comply (as determined by the Director of Development Services or designee) with the design intent as set forth in this PUD will be subject to review via the City's development review process and shall receive final approval from the City Council following a recommendation from the Planning and Zoning Commission. Minor Modifications to an approved Site Plan will be subject to review via the City's development review process and shall be approved administratively if the site complies with all regulations provided in city code, or which do not further an existing deficiency to city code. A Minor Modification which does increase an existing deficiency shall be considered by the appropriate approval body. Uses identified as Permitted Conditional (PC) shall require approval from the Board of Adjustment

of the use prior to review and approval of any Site Plan or Modification to a Site Plan. At the discretion of the Director of Development Services, an amendment to the Val Air Ballroom PUD may be required to bring consistency between the ordinance and site plan development proposed.

SECTION 5. COMPLIANCE WITH CODE: Unless otherwise specified herein, the development of the Val Air Ballroom PUD shall comply with the provisions of the West Des Moines city code.

SECTION 6. DEVELOPER RESPONSIBILITIES:

A. Unless otherwise specifically approved by the City Council, the developer, its successors and/or assigns, if any, shall pay all planning, engineering, and construction costs for the development of the Planned Unit Development as required by this ordinance, and shall pay all costs related to approved site plans, which may include, but is not limited to, the cost of all storm sewers, sanitary sewers, water mains and service lines, drainageway improvements, detention basins, buffers, and other improvements as required. Nothing in this ordinance shall be construed to prevent the developer, its successors and/or assigns, if any, from entering into private agreement(s) as it/they may desire to share the cost of improvements.

B. The developer shall be responsible for the maintenance of the area encompassing the streetscape easement and related public right of way, including trash removal for the trash receptacles.

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

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

A. Allowed Uses: Uses allowed for parcels within Val Air Ballroom PUD shall be those uses identified as permitted or permitted conditional (with approval of the Board of Adjustment) for the Community Commercial (CMC) district, except Event Venue greater than 5,000 square feet shall be considered a permitted use.

B. Prohibited Uses: The following uses identified as permitted or permitted conditional in the Community Commercial (CMC) district shall be prohibited in the Val Air Ballroom PUD:

SIC 15, 16, & 17	Building construction, contractor and operative builders (offices only, no warehouse component)
SIC 4225	General Warehousing and storage
SIC 47	Transportation Services
SIC 5932-99	Used building materials (no outside storage)

C. Drive-Throughs: No drive-throughs, regardless of type, shall be permitted within the Val Air Ballroom PUD.

SECTION 8. 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 Community Commercial (CMC) district unless otherwise specifically approved by the City Council after a recommendation from the Planning and Zoning Commission that the additional height is necessary and appropriate to achieve an architectural intent consistent with the goals of the Grand Avenue Redevelopment Plan.

C. Building Setbacks:

1. Unless otherwise specifically stated, setbacks shall be measured from the property line or ultimate street right of way line, whichever is more restrictive.
2. Building setbacks are to the main plane of the building excluding canopies and pedestrian arcades.
   a. Buildings shall be set back a minimum of thirty feet (30') from Ashworth Road, twenty feet (20') from side property lines and thirty-five feet (35') from rear property lines.
   b. Nothing herein, however, shall be construed as permitting the location of a building that will interfere with pedestrian or vehicle visibility at an intersection, sidewalks, trails, plazas, or maintenance of utilities.
3. Dumpster enclosures shall be located no closer to Ashworth Road than the front plane of the primary building and a minimum of five feet (5') from all other parcel boundaries. Dumpsters should be opaquely screened from visibility from Ashworth Road. Whenever possible, dumpsters should be located and designed as an extension of the primary building. Freestanding dumpster enclosures should be located and landscaped to blend with the landscape and minimize their presence.

SECTION 9. VEHICLE TRIP ALLOCATION: Traffic studies may be required in conjunction with the incorporation of new additional or expansion of existing uses within the Val Air Ballroom PUD.

SECTION 10. STORMWATER MANAGEMENT PLAN: A master stormwater management plan (MSWMP) for the entire Grand Avenue redevelopment area which governs the overall stormwater management of the Val-Gate district has been prepared by the City of West Des Moines. Specific stormwater management plans (SWMP) will be required with the submittal of each site development plan. The specific stormwater plans shall be prepared at the developer's expense, by a professional engineer licensed in the state of Iowa. All specific stormwater management plans shall comply with the city's applicable design standards for stormwater management existing at the time each development (site plan) is approved. Said SWMP must demonstrate compliance with the Grand Avenue Redevelopment master stormwater management plan, if available, at the time of site plan approval.

SECTION 11. SITE ACCESS: Two permanent access drives to the Val Air Ballroom PUD shall be provided.

A. Access Locations:

1. There are two existing access locations to the site that shall remain unless the site is completely redeveloped in the future. The access locations will be reviewed at that time.
2. At the time of redevelopment of the property to the east of the Val Air Ballroom PUD, a connection shall be made to the Val Air Ballroom site via an existing private ingress/egress easement (Book 12138, Page 875).

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. Parking Ratios:
   a. *Event Venue*: The Val-Air is considered an event venue for the purposes of determining parking requirements. One (1) parking space per fifty (50) square feet of floor area of assembly space for patrons and staff is required to be provided. The current assembly areas within the building consist of 19,930 square feet resulting in 399 parking spaces required within the site. There are currently 429 parking spaces on the site. Should a building expansion or other use occur that increases the assembly space, additional parking may be required. Additional parking may be provided on-site or through off-site parking agreements with surrounding businesses. For additional parking provided by written agreement with businesses located on the south side of Ashworth Road, unless otherwise agreed to be provided by the city, the developer shall be responsible for implementation of any pedestrian crossing identification and safety measures deemed necessary by the city, including but not limited to signage, pavement markings and electronic crossing signals.
   b. *Bar & Grill*: During events in the main ballroom of the building, the bar and grill located in the basement of the building shall only be open to patrons of the ballroom event venue, regardless of the size of that event. Since the bar and grill will not be open to the general public during events, additional parking requirements for the bar and grill will not be required.
3. Off Street Parking Lot Setbacks: Parking shall be set back so as to provide a minimum of ten feet (10') from the ultimate street right of way of Ashworth Road, thirty-foot (30') setback along the west and north property lines and a ten-foot (10') setback along the northeast and east property lines.

SECTION 13. PEDESTRIAN ELEMENTS: The Val Air Ballroom PUD, in alignment with the Grand Avenue Redevelopment Plan, aims to encourage pedestrian movement and opportunities for pedestrian interaction through the implementation of multiple and connected pathways to and from parcels within the redevelopment area. In addition, to encourage pedestrian activity, site furniture and benches for pedestrian use shall be provided along public streets within an area of enhanced landscaping. One pedestrian area shall be provided for every two hundred linear feet (200') of frontage (streetscape). Each pedestrian area shall contain at a minimum two (2) benches and one trash receptacle. These pedestrian areas may be spaced along the frontage or grouped to create a larger plaza area. Development of these areas shall comply with the Grand Avenue Redevelopment Plan guidelines with details of the development of each area to be specified, reviewed, and approved at the time of site plan development. Unless otherwise specified within an agreement with the city, the installation of these pedestrian elements shall be by the developer of the Val Air Ballroom PUD at the time of development. A public access easement will be required for the streetscape area at the time of installation to allow public use of the pedestrian elements.

SECTION 14. LANDSCAPING: Landscaping must be provided with any Major Modification or Site Plan in accordance with city code unless otherwise modified within this ordinance. Landscaping shall be provided as part of a Minor Modification for the subject area of the modification site plan. Details regarding specific varieties, exact quantities, and the minimum size at time of planting shall be provided and approved as part of any site plan submittal and shall

meet the general guidelines in respect to the minimum plant sizes traditionally applied to development within the city. The minimum vegetation quantities specified within this ordinance will need to be provided. The provision of additional vegetation above the minimum amount required may be necessary to fulfill the intent (i.e., visual mitigation/screening) of the required landscaping.

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

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

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

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

   Streetscape landscaping shall be placed within the streetscape easement on the private property. Landscape vegetation and amenities such as pedestrian benches and ornamental wall stones shall be implemented within the streetscape area to provide screening of off-street parking areas to a minimum height of three feet (3'). To aid in achieving this, a minimum of two (2) trees and ten (10) shrubs shall be required for every fifty linear feet (50') of streetscape distance. Of the required number of trees, a minimum

of one-half ($^1/_2$) must be overstory in nature. No substitution of shrubs for required trees shall be allowed. Additionally, three (3) "ornamental wall stones" as illustrated in the Grand Avenue Redevelopment Plan shall be provided for every one hundred linear feet (100') of streetscape. It is recommended that the stones be clustered in groups of at least three (3) stones amongst and between groups of shrubs to provide mass and screening rather than be equally spaced along the streetscape length.

The streetscape landscaping, wall stones, benches and trash receptacles will be installed with the reconstruction of Ashworth Road.

C. Screening Of Negative Site Elements: Electrical transformers, trash dumpsters, service areas and loading docks, heating, ventilation, air conditioning, generators, utility meters, and other mechanical equipment which are located on, beside or adjacent to any building or development shall be visually screened from views from adjacent roadways, pedestrian paths, and adjoining properties. Any structures to enclose or otherwise screen negative site elements which is attached to the building shall be reviewed and approved by the State Historic Preservation Office prior to their installation.

D. Vegetation Placement: Understory trees are an acceptable replacement for overstory trees and upright evergreen trees within public utility easements. The presence of utility easements shall not provide a basis for noncompliance with landscaping provisions found within this ordinance and within any applicable codes. The placement of public utility easements within streetscapes and buffer parks is discouraged due to the potential conflict between trees and the need to access the lines for repair.

SECTION 15. <u>SIGNAGE</u>: All signage shall follow the precedent images contained in the Grand Avenue Redevelopment Plan and shall comply with title 9, chapter 18 of the city code except as modified herein or within the Grand Avenue Redevelopment Plan. Recognizing that the ballroom building has been listed on the National Register of Historic Places, new signage for the Val Air Ballroom shall be compatible with the site's historic character by using design, materials, and technology of the mid-century era (Googie style). All modifications to existing signage or repair and/or replacement shall be of like kind or revert back to the original historic appearance if not replacing original material. It is strongly recommended that any alterations to the existing signage follow guidance provided by the State Historic Preservation Office. Sign design and construction not typically allowed by code may be permitted by the Director of Development Services if it is deemed to carry and reinforce the design intent of the Val-Gate district. Allowance of alternate design and construction measures shall only be allowed if there is no other code compliant manner in which to create the sign. The use of LED illumination for signage emulating "neon style" lighting and relevant to the architectural theme of the district may be allowed with the approval of the State Historic Preservation Office. The following additional modifications to title 9, chapter 18 of the city code are hereby made:

A. Business Identification Signs:

1. Business identification signs, including wall, ground monument, roof, and projecting signs shall be consistent with and reinforce the design intent of the redevelopment plan.
2. For existing iconic signage, or any proposed signage that is found to reflect the intent of the redevelopment plan, this site shall be allowed one and one half (1 ½) square foot of wall signage per linear foot of the building wall that contains the main entrance to the building. The allowed signage may be divided into multiple signs as long as the total amount of sign area earned, based upon the formula above, is not exceeded. Wall signage may project above the roof line of the structure/wall of which it is attached. If the proposed signage is not found to reflect the intent of the redevelopment plan guidelines, the allowed

wall signage shall be permitted at one (1) square foot of wall signage per linear foot of the building wall that contains the main entrance to the building.

3. Ground monument signs shall be allowed in accordance with city code with the following exception:
   a. The main sign structure shall not exceed thirty-five (35) square feet and five feet (5') in height at a 10' setback, or sixty-four (64) square feet and seven-foot (7') in height at a twenty-foot (20') setback. Up to an additional one foot (1') of height shall be allowed for columns or other architectural elements. Changeable copy in compliance with Sign Code regulations and appropriate for the era as depicted in the Grand Avenue Redevelopment Plan (no electronic message boards) shall be allowed up to seventy five percent (75%) of the sign face.

SECTION 16. <u>LIGHTING</u>: Consistent with the redevelopment plan, the Val Air Ballroom PUD shall incorporate a variety of light fixtures ranging from parking lot lights and roadway fixtures to pedestrian pathway lights, as applicable. 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 that is changed in the future 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.

If changes are made to the existing parking lot exterior lighting, including a change to LED, a photometric plan must be submitted for review. 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: Unless otherwise provided, the developer of the Val Air Ballroom PUD shall pay the cost of streetlight installation adjacent to Ashworth Road as needed.

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 Val Air Ballroom PUD.

C. Building Lighting: No wall packs or floodlighting without shields to direct the light to its intended target are allowed. In addition to cut off fixtures, particular attention shall be given to eliminate hot spots and light glare. Architectural accent lighting in keeping with the design intent of the Val-Gate District Redevelopment Plan may be allowed if approved as part of the architectural design.

D. Pedestrian Pathways: Bollard or pole lighting may be implemented along pedestrian pathways. Pole lights shall not exceed fourteen feet (14') as measured from the ground to the top of the light fixture.

SECTION 17. <u>ARCHITECTURE</u>: Included within the Grand Avenue Redevelopment Plan is indication of the architectural style and illustrative examples of the architectural concepts which shall serve to guide the design of all renovations of existing buildings or new buildings within Val

Air Ballroom PUD. All buildings in the PUD shall reinforce the concept depicted in the Grand Avenue Redevelopment Plan. Specific architecture for all buildings shall be evaluated as part of the site plan review and approval process.

Recognizing that the ballroom building has been listed on the National Register of Historic Places, all exterior modifications or building additions to the Val Air Ballroom shall be compatible with the historic character of the existing building or the midcentury era. Repair and/or replacement shall be of like kind or revert back to the original historic appearance, as directed by the State Historic Preservation Office. It is strongly recommended that any alterations or additions follow The Secretary of the Interior's Standards for Rehabilitation by the National Park Service.

All buildings within the Val Air Ballroom PUD shall accommodate the following in building design:

A. Form And Scale: Buildings should reinforce the aesthetic concept as depicted by the precedent images contained in the Grand Avenue Redevelopment Plan. Buildings shall be designed to relate specifically to the pedestrian in scale and variety. The following techniques should be used to meet this objective:
   1. Corporate architecture shall be prohibited except as permissible by the Grand Avenue Redevelopment Plan in that it reinforces the iconic imagery desired for the Val-Gate district.
   2. Buildings shall be organized to create a logical balance and relationship with the site, open spaces and circulation.
   3. The building's design should meet context and site objectives such as providing gateways, creating linkages and framing or terminating views.
   4. Variation in building height, mass and roof forms shall be provided while still maintaining an overall building continuity.
   5. Shifts in building planes/facades and variation in exterior materials shall be incorporated to minimize long expanses of wall.
   6. Variation in materials, material modules, expressed joints, textures, colors and details should be used to break up the mass of the buildings.
   7. Variation in horizontal planes through the use of materials, color and projecting forms should be implemented to signify an entry and/or protect the pedestrian.
   8. Ground floor retail areas should provide the maximum possible glazing toward sidewalks to provide pedestrians with visual interest.
   9. A building's roof form and related details/materials are an integral part of the architectural design aesthetic. Roofs should not be designed as attention getting devices related to the reinforcement of signage or as an identifiable corporate image unless said identification is in keeping with the Grand Avenue Redevelopment Plan aesthetic.

B. Material Quality And Detail: All sides to each building are to receive high quality materials and finishes (360 degree architectural treatment). There are no "backs" to a building. Materials should be durable, economically maintained and of a quality that will maintain their appearance over a prolonged time.
   1. Primary building materials shall include glass, steel or metal siding, architectural precast concrete, composite materials, stone and brick. The use of natural wood and architectural metals shall be used in moderation and cannot be the predominate building material. Composite or metal panels shall use concealed fasteners and have finished edges. Concrete products shall have integrated color rather than surface applied paint or stain.

2. The following materials shall not be used for cladding unless specifically approved by the city of West Des Moines as part of the architectural elevations:
   a. EIFS or synthetic stucco.
   b. Concrete masonry units.
   c. Tilt up precast concrete systems that are structural in appearance.
   d. Materials that are intended for interior use.
3. Changes in materials should occur at either inside corners or where a detail is drawn to specifically accommodate a transition. Stone and brick materials should wrap corners several feet in order to provide authenticity to the materials.

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

SECTION 19. SAVINGS CLAUSE: If any section, provision, sentence, clause, phrase or part of the Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

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

SECTION 21. OTHER REMEDIES: In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

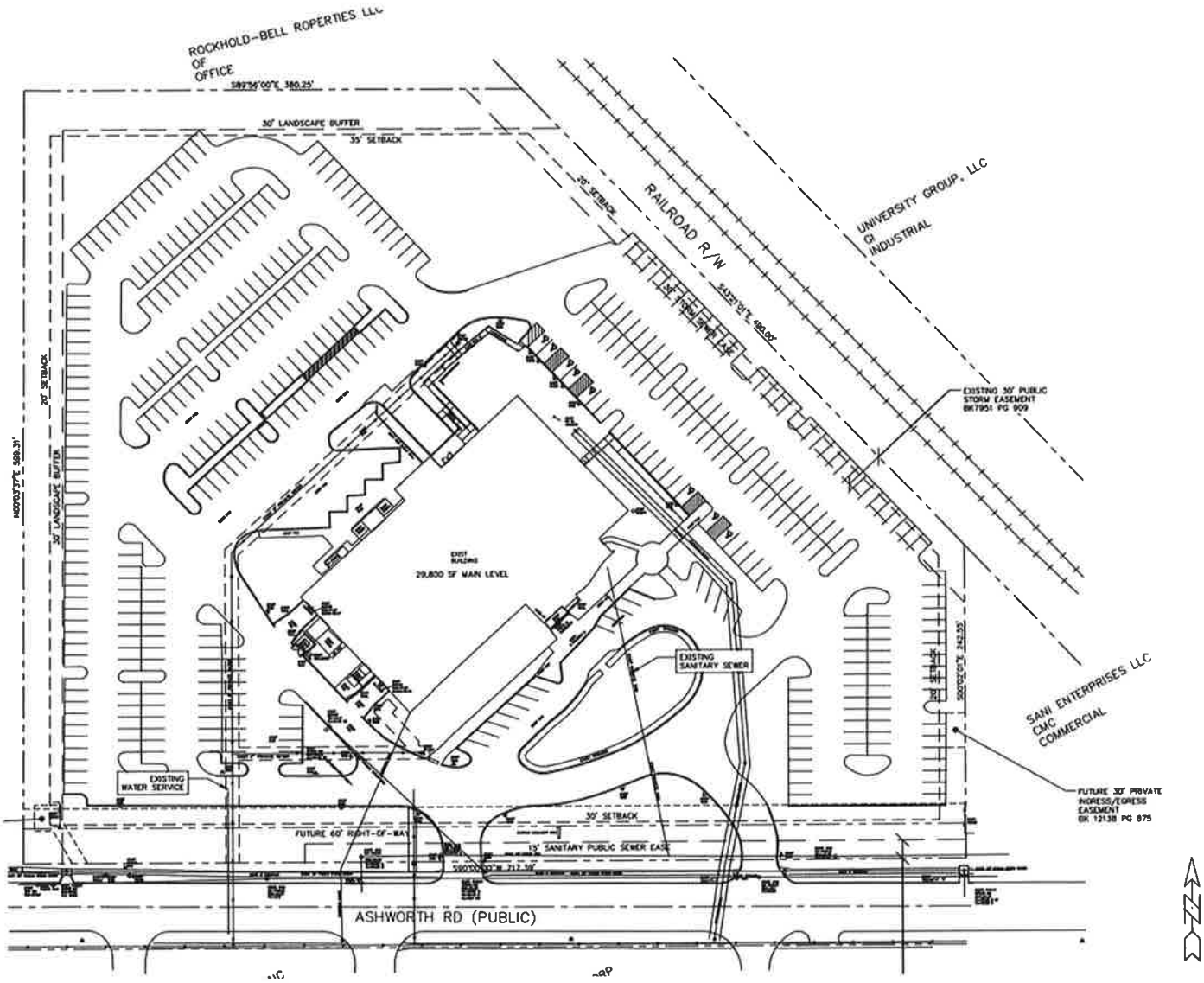
SECTION 22. EFFECTIVE DATE: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council on this _____ day of _____ 2024.

_____
Presiding Officer

ATTEST:

_____
Ryan T. Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2024, and was published in the Des Moines Register on _____ , 2024.

PUD Sketch Plan