

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: May 28, 2024

ITEM: Valley West Mall, 1551 Valley West Drive – Amend Comprehensive Plan Land Use Map to designate Multi-Use High land use and Establish the Valley West Mall Planned Unit Development Ordinance to provide for the redevelopment of the property – Valley West Mall, LLC – CPAZC-006423-2024 (**deferred from May 13, 2024**)

RESOLUTION: Approval of Comprehensive Plan Land Use Map Amendment and Approve Ordinance Establishing a Planned Unit Development

Background: The project representative, Matthew Bader with Spinoso Real Estate Group, and Krista Freitag, Court Appointed Receiver for the property owner, Valley West Mall, LLC, request approval of a Comprehensive Plan Land Use Map Amendment and Rezoning Request on that ground located at 1551 Valley West Drive. The Comprehensive Plan Amendment and Rezoning are being requested to encourage acquisition and redevelopment of the mall property.

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

- Amend the Comprehensive Plan Land Use Map to change from Regional Commercial (RC) land use classification to Multi-Use High (MUH) land use classification.
- Rezone the subject property to establish the Valley West Mall Planned Unit Development (PUD) Ordinance.

Note: The assignment of Comprehensive Plan land use designation extends to the centerline of adjacent roads, while the zoning designation is confined to property lines.

Staff Review & Comment:

- **Financial Impact:** Undetermined. At this time, there is no site development Master Concept Plan, nor are any future tenants known for the development. It is fully anticipated that as part of the city review and approval of a Master Redevelopment Concept Master Plan that there very likely will be discussions regarding incentives from the city.
- **Development Intent:** This PUD is intended to provide for and encourage the redevelopment of the property with integration of high-density residential use(s) with a variety of commercial, office, and light industrial (no-exterior activities or impacts) land uses in a planned, cohesive and pedestrian-focused walkable development. Uses, activities and enriching elements that encourage both day and evening activity shall be incorporated in the master planning to enhance and define the development.

As noted above, there is no development/redevelopment plans at this time. The requested Comprehensive Plan and Zoning changes are being done to set the property up for future redevelopment and to demonstrate the city's willingness to allow for alternative uses within the site.

- **Zoning Designations:** Until such time that the PUD is amended in response to a city acceptable master redevelopment plan, the PUD provides that allowed uses and any site improvements

(such as restaurant patio additions) shall be governed under the currently designated Regional Commercial regulations. Per the PUD, the future redevelopment plan could incorporate uses allowed in the Residential High-Density (RH), Regional Commercial (RC), Office (OF) and Light Industrial (LI) (no exterior aspects or impacts) zoning districts.

- **Future Site Redevelopment:** As stated in the PUD, prior to any exterior modifications to the building, except signage for interior tenants' additions or changes; and any physical changes or additions to the site, except exterior patios associated with and directly attached to an interior tenant and necessary maintenance and repair of all exterior common areas, including, but not limited to, parking areas, sidewalks, landscaping, and common utilities; and/or subdivision of the property to create defined parcels/lots, a master redevelopment concept plan shall be submitted to and approved by the city. As part of the approval of the master plan, an update to this PUD ordinance shall be completed to detail the redevelopment intent, identify specific allowed and prohibited uses and densities of specific use areas, and establish regulations for redevelopment of the site, such as but not limited to, minimum required setbacks, parking to be provided, open space and landscape requirements, height allowances, etc., and establish an architectural theme and material and color palette to ensure visual cohesiveness amongst all areas within the Valley West Mall property.

Changes or addition of any tenant within the existing mall building may occur as desired in accordance with use allowances identified in Title 9, Chapter 6 of city code for the Regional Commercial (RC) zoning district.

- **Traffic Impact Study Results:** Because there is no proposed redevelopment plan, no Traffic Impact Study (TIS) was done as part of this Comprehensive Plan Amendment and PUD establishment request. In the future, as part of the review of the required master redevelopment concept plan, a TIS will be required. Said study will be completed by city staff with the costs for the study being the responsibility of the developer/property owner/applicant, unless otherwise provided for in a development agreement with the city.

Outstanding Issues: There are no outstanding issues.

Planning and Zoning Commission Action:

Date: May 28, 2024

Vote:

Recommendation:

City Council Comprehensive Plan Amendment:

Date:

Vote:

City Council Rezoning First Reading:

Date:

Vote:

Recommendation: Approve the Comprehensive Plan Land Use Map Amendment and Rezoning request to establish the Valley West Mall Planned Unit Development (PUD) Ordinance, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Lynne Twedt

Approval Meeting Dates:	
Planning and Zoning Commission	May 28, 2024
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 type="checkbox"/> Director	<input checked="" 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

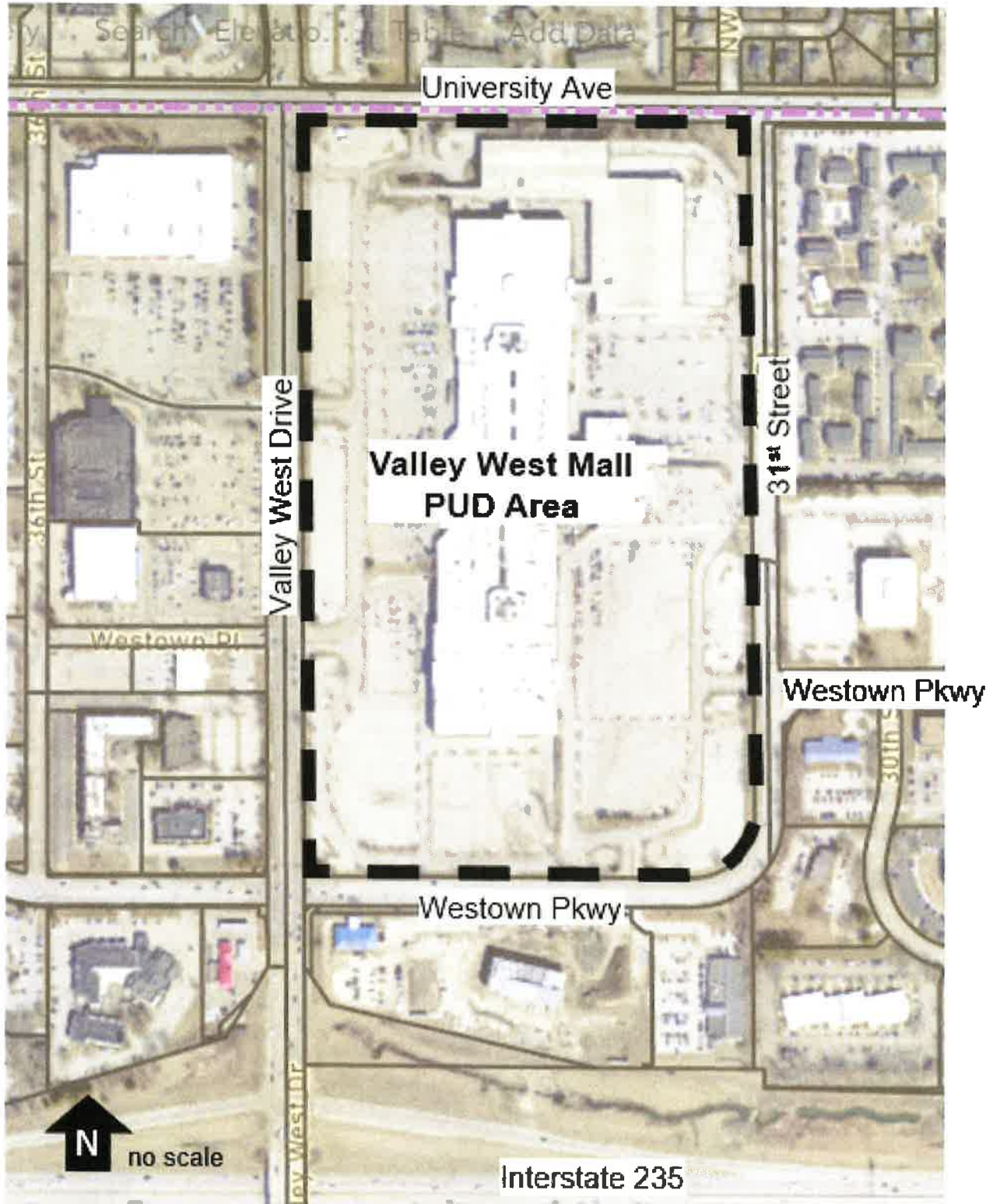
Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	5/3/24
Date(s) of Mailed Notices	4/30/24

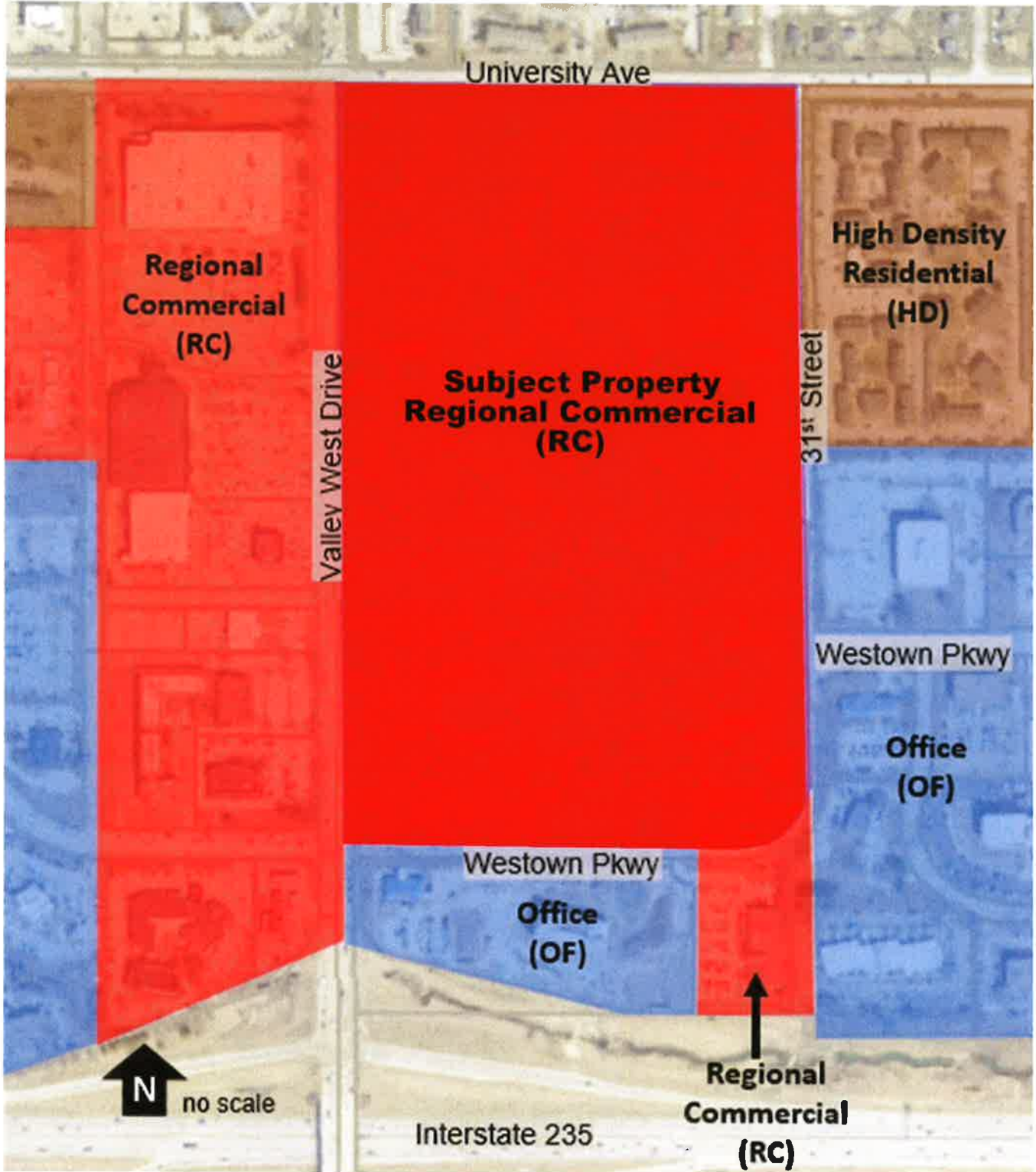
Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning			
Date Reviewed	5/6/24 as Upcoming Item			
Recommendation	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>	No Discussion <input checked="" type="checkbox"/>

Location Map



Land Use Map



A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
NO. PZC-24-020

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, Krista Freitag, Court Appointed Receiver for the property owner, Valley West Mall, LLC, requests approval of a Comprehensive Plan Land Use Map Amendment to change the land use designation of the property identified on the Comprehensive Plan Land Use change illustration included in the staff report as follows:

- Change from Regional Commercial (RC) land use classification to Multi-Use High (MUH) land use classification.

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, (CPAZC-006423-2024) 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 May 28, 2024.

Tina Shaw, 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 May 28, 2024, by the following vote:

AYES:

NAYS:

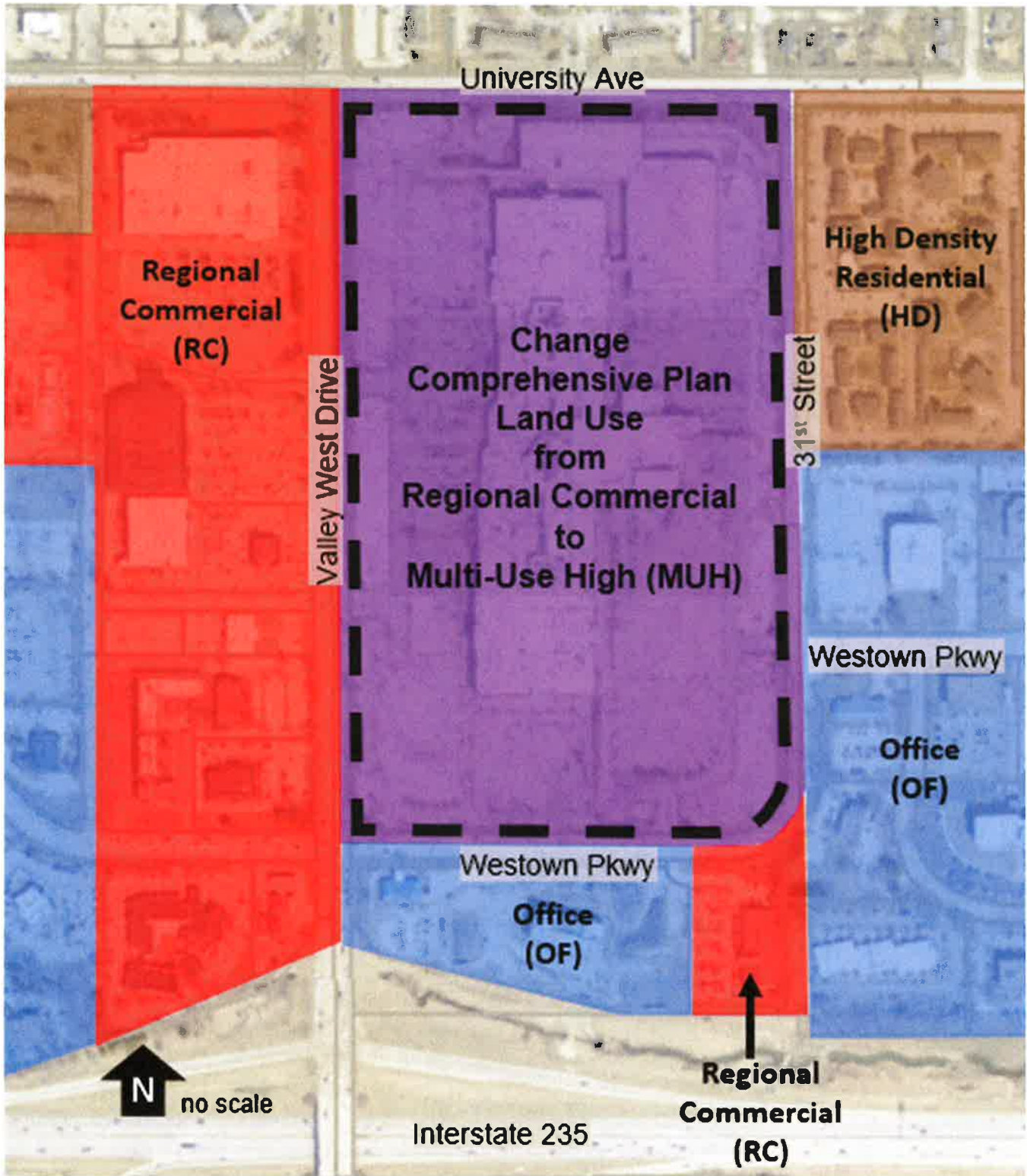
ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

Comprehensive Plan Land Use Map Change Illustration



A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
NO. PZC-24-021

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, Krista Freitag, Court Appointed Receiver for the property owner, Valley West Mall, LLC, requests approval of a Rezoning Request to establish the Valley West Mall Planned Unit Development 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. Specifically, underlying zoning of Residential High-Density (RH), Regional Commercial (RC), Office (OF) and Light Industrial (LI) (no exterior activities or impacts) shall be allowed on the property as illustrated on the Sketch Plan attached to the Ordinance included in the staff report.

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, (CPAZC-006423-2024) 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 May 28, 2024.

Tina Shaw, 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 May 28, 2024, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

Prepared by: **Lynne Twedt**, 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, 2024, 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 Regional Commercial to Valley West Mall Planned Unit Development of West Des Moines, Iowa:

Legal Description

(WARRANTY DEED BOOK 14529, PAGE 411)

THE NORTH 80 ACRES OF THE WEST ONE-HALF OF THE NORTHWEST FRACTIONAL ONE-QUARTER OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, EXCEPT THE FOLLOWING:

THE EAST 40 FEET OF THE ABOVE DESCRIBED PARCEL;

THE 50 FEET ALONG THE WEST SIDE TAKEN BY THE CITY OF WEST DES MOINES FOR THE WIDENING OF 35TH STREET;

THAT PORTION LYING SOUTH AND EAST OF THE NORTH AND WEST LINE OF THE FOLLOWING DESCRIBED PARCEL:

AN 80 FOOT STRIP OF LAND CENTERED ON THE FOLLOWING DESCRIBED CENTER LINE:

BEGINNING AT A POINT 50 FEET EAST OF AND 942.8 FEET NORTH OF THE WEST ¼ CORNER OF SAID SECTION 4; THENCE EAST AT RIGHT ANGLES TO THE WEST SECTION LINE OF SAID SECTION 1,063.72 FEET; THENCE NORTHEASTERLY ALONG A 27°17' CURVE A DISTANCE OF 330.87 FEET TO THE INTERSECTION WITH THE QUARTER-QUARTER SECTION LINE AND THERE TERMINATING.

ALL SITUATED IN THE COUNTY OF POLK, STATE OF IOWA.

SECTION 1. DEVELOPMENT INTENT: This PUD is intended to provide for and encourage the redevelopment of the property with integration of high-density residential use(s) with a variety of commercial, office, and light industrial (no-exterior activities or impacts) land uses in a planned, cohesive and pedestrian-focused walkable development. Uses, activities and enriching elements that encourage both day and evening activity shall be incorporated in the master planning to enhance and define the development.

Prior to any exterior modifications to the building, except signage for interior tenants' additions or changes; and any physical changes or additions to the site, except exterior patios associated with and directly attached to an interior tenant and necessary maintenance and repair of all exterior common areas, including, but not limited to, parking areas, sidewalks, landscaping, and common utilities; and/or subdivision of the property to create defined parcels/lots, a master redevelopment concept plan shall be submitted to and approved by the city. As part of the approval of the master plan, an update to this PUD ordinance shall be completed to detail the redevelopment intent, identify specific allowed and prohibited uses and densities of specific use areas, and establish regulations for redevelopment of the site, such as but not limited to, minimum required setbacks, parking to be provided, open space and landscape requirements, height allowances, etc., and establish an architectural theme and material and color palette to ensure visual cohesiveness amongst all areas within the Valley West Mall property.

Changes or addition of any tenant within the existing mall building may occur as desired in accordance with use allowances identified in Title 9, Chapter 6 of city code for the Regional Commercial (RC) zoning district.

SECTION 2. SKETCH PLAN: Attached hereto as Exhibit "A" (or on file with the city) and made a part of this rezoning approval is the Valley West Mall PUD Sketch Plan. It is intended that in conjunction with creation of a master redevelopment concept plan for the property, additional PUD parcels will be warranted. At the time of master planning, an amendment to this PUD ordinance shall be completed to appropriately update the Valley West Mall PUD Sketch Plan.

SECTION 3. REQUIRED PLANS:

The following plans shall be required as a part of the processing of any development application for any property within the PUD:

- A. Master Redevelopment Concept Plan: Prior to development/redevelopment of any portion of the Valley West Mall property, a detailed master plan of the entire PUD parcel is required to be submitted to and be approved by the city.

The master plan shall provide general ideas and details for the coordination of vehicle, transit, bike and pedestrian transportation networks, uses and building locations and relationships, parking areas and/or facilities, storm water management areas and measures (e.g., detention pond, retention pond, under-ground storage, etc.), planned open space and/or recreation areas or elements, and streetscape or development unifying themes and elements. The specifics of the master plan are intended to demonstrate unity and continuity between the various areas within the overall PUD area. The master plan is intended to provide a good understanding of the intended redevelopment plan and opportunities; however, it is recognized that adjustments and changes in building locations, footprints and layout, including the combining of multiple smaller buildings into one larger building, may be necessary in response to market demands and specific tenants. Additionally, unless otherwise specifically restricted within this ordinance, it is recognized that building areas may either be shifted from one building to another or increased or decreased to accommodate specific users' needs. Assuming adequate sanitary sewer and water infrastructure, these changes may be allowed if the shift does not drastically alter the master plan intent, traffic patterns or result in an increase to

the total number of vehicle trips anticipated to be generated within the PUD parcel. At the discretion of the Director of Development Services, an amendment to an approved master plan may be required to bring consistency between the master plan and intended later development.

- B. Platting: Should it be desired that individual lots be created, the property shall be platted in accordance with the city's subdivision ordinance and compliant with associated zoning regulations unless otherwise modified within this ordinance. Lots without public street frontage may be allowed with the execution of appropriate cross access easements which provide for the unrestricted use and access of all vehicle drives across and through all property within the Valley West Mall property. Platted outlots intended for future private development must be re-platted through the preliminary and final plat process prior to physical development.
- C. Development Applications: With the exception of demolition and site grading when done as part of City approved Demolition Permit and Grading Plan(s), site plans shall be submitted to the City of West Des Moines for review and approval prior to any physical site development/redevelopment of any portion of the PUD property. If not previously completed as part of an amendment to this ordinance in response to the provision of the required master redevelopment concept plan, an amendment to the Valley West Mall PUD Ordinance will be required to bring consistency between the ordinance and the proposed site development. Subsequent to an ordinance amendment in conjunction with approval of the master redevelopment concept plan, at the discretion of the Development Services Director, an amendment to this ordinance, including an amendment to the PUD's Sketch Plan may be required to bring consistency between the PUD and specific intended site development.

SECTION 5. GENERAL REQUIREMENTS:

Unless otherwise specified herein, the development of the Valley West Mall PUD shall comply with the provisions of the city code.

Whereas, Title 9 of the City Code includes Chapter 9, Planned Unit Development district and establishes certain regulations and guidelines pertaining to accompanying information required on plat and site plan documents. Now, therefore, the following development criteria, conditions, restrictions, and regulations are adopted as part of this approval, to wit:

- A. General Conformance to Subdivision Ordinance: All subdivision, streets, street rights of way, infrastructure and general development shall adhere to the standards and design criteria set forth in the West Des Moines subdivision ordinances and the most current design standards adopted by the City of West Des Moines pertaining thereto unless otherwise stated within this ordinance.
- B. General Conformance to Zoning Ordinance: Unless otherwise specified herein, the development of the PUD shall comply with Title 9, "Zoning", of the city code or any other applicable codes. As previously indicated, in conjunction with the submittal and approval of the master redevelopment concept plan, this PUD will be amended to define the specifics of modified use and site development code provisions necessary to enable the implementation of the master plan concept.
- C. Improvements: Unless otherwise provided for in a City Council approved PUD development agreement, the developer, its successors and/or assigns, if any, shall pay all planning, engineering, and construction costs for the development of property within the PUD as required by this ordinance and approved master plan, plats and/or site plans.

No final occupancy permits 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.

- D. Traffic Impact Study: As part of the review of the required master redevelopment concept plan, a Traffic Impact Study (TIS) will be required. Said study will be completed by city staff with the costs for the study being the responsibility of the developer/property owner/applicant. Unless otherwise modified by the City Council, site development shall comply with recommendations stated within the TIS, including but not limited to, access drive locations and spacing, implementation of turn-lanes and other traffic management measures, minimum throat distances of access drives, and traffic signalization.
- E. Internal Pedestrian Connections: To allow and encourage pedestrian movement between uses and areas within the development, as well as pedestrian from other areas within the University Avenue corridor, an internal pedestrian sidewalk network connecting all lots, uses and buildings within the development, as well as connecting to public trail(s) and/or sidewalk(s) adjacent to bordering roadways shall be required. For safety, pedestrian pathways shall be physically separated from vehicular drives. To enhance pedestrian comfort and extend use into the evening hours, amenities such as trees, lighting, benches, trash receptacles and other pedestrian amenities shall be incorporated along the pedestrian pathways.
- F. Fire Access:
1. All access drives, 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.
 2. 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. The developer shall be responsible for the procurement and erection of approved fire lane signage.
 3. A minimum of fourteen feet (14') of vertical clearance over the travel portion of all vehicle travel ways shall be maintained at all times.
 4. The property owner or its designee shall be responsible for enforcement of designated no parking lanes and maintaining adequate clearance of structures and vegetation along and above all vehicle travel ways regardless of whether public or private.
 5. Adequate fire accesses as determined by the City's Fire Marshal shall be provided at all times to those areas under construction.
- G. Visual Screening of Negative Site Elements:
1. Trash receptacles and dumpsters shall be screened by the use of a permanent enclosure. Enclosures shall be constructed consistent with city code title 9, chapter 10 and when possible, be designed as an extension of the primary structure versus a stand-alone structure. The enclosure should be landscaped to minimize the visual presence and impact of the structure on surrounding properties, businesses, and internal and external roadways.
 2. All heating, ventilation, or air conditioning (HVAC) units, utility meters, or similar electrical or mechanical equipment shall be adequately screened from ground level views from adjacent roadways, internal PUD drive aisles and adjacent properties within or outside of the development. Said screening shall be achieved through the use of architectural enclosures, fencing and/or earthen berming in combination with landscaping consisting of predominately evergreen material for year-round screening. Screening via earthen berming and vegetation shall be of sufficient height to screen the equipment day one.

3. All rooftop mechanical units shall be screened from ground level views from adjacent roadways, I-235, internal PUD drive aisles and adjacent properties within or outside of the development. Said screening shall be achieved through the use of architecturally incorporated opaque screen walls, raised parapet walls, penthouse features, or other opaque measure comprised of materials consistent with the associated primary structure.
4. Buildings shall not be located or designed to expose loading docks, overhead doors or the rear of buildings to public streets and or residential within the development unless appropriately screened from view.
5. Ground level views from adjacent public roadways, internal PUD drive aisles and adjacent properties within or outside of the development of off-street parking areas and service and loading areas shall be adequately screened. Said screening shall be achieved through the use of free-standing decorative walls or earthen berming to a minimum height of three feet (3') in combination with landscaping, preferably evergreen material for year-round screening.

SECTION 6. SITE DESIGN AND LAND USE CRITERIA:

In addition to the general conditions as stated herein the PUD, the following criteria shall apply to the area designated on the PUD Sketch Plan:

- A. Site Development: Unless provided otherwise in this ordinance, all bulk regulations, performance standards and provisions set forth in title 9, "Zoning", of the City Code for the Regional Commercial (RC) District shall apply to any development proposal within this parcel.
- B. Land Use:
 1. Prior to Approval of Master Plan: Until such time that a master redevelopment concept plan is submitted and approved by the city, uses within the existing mall building shall only be those allowed under Regional Commercial (RC) zoning. As previously provided, no new exterior development or redevelopment may occur unless otherwise provided for here within.
 2. Land Use Subsequent to Approval of Master Plan: All Permitted (P) and Permitted Conditional (Pc) uses set forth in Title 9, "Zoning" of the city code for the Regional Commercial (RC), Office (OF), Light Industrial (LI) and Residential High Density (RH) zoning districts, shall be allowed with the approval of the appropriate review body. (As part of the PUD amendment required in conjunction with the master redevelopment concept plan approval, specific uses may be prohibited is deemed inappropriate or inconsistent with the intended redevelopment plan. Additionally, the number of auto-oriented or focused businesses, such as drive-thru restaurants and banks, car wash, auto repair, etc., will be limited: the number to be allowed shall be determined as part of the master plan process.)

SECTION 7. ARCHITECTURE: The intent is to create building facades throughout this development that are varied and articulated to provide visual interest and to establish a unique identity for the development. Each building shall include design elements as well as common materials, complimentary colors and detailing to provide continuity amongst buildings and to unite all structures within the development into one project concept.

The architecture shall express a creative presentation by careful attention to exterior building materials and details, use of fenestration, and change in building mass within the plan and roof design to lessen the plainness of appearance which can be characteristic of large commercial and multi-family residential buildings. The choice of materials and texture has great visual significance and can affect the long-term appearance of the city. Materials should be durable, economically maintained and of a quality that will maintain their appearance over a prolonged time. Proper selection of exterior building material is directly related to the durability of the building against weathering and damage from natural forces.

Buildings shall be organized to create a logical and identifiable relationship with the site and other buildings, open spaces, pedestrian and vehicle circulation. Site and building design should provide a visual demarcation of the public vs. service areas to provide intuitive wayfinding for visitors to the development.

Multiple buildings on a single parcel shall be permitted provided that the buildings on the site are consistent or compatible in architectural design and use of materials and organized utilizing a compatible planned open space, landscape plan, and parking plan to serve and maintain a unified concept.

All buildings within this development shall accommodate or incorporate the following in building design and materials:

- A. All sides to each building shall receive high quality materials, finishes, and details (360-degree architectural treatment). There are no "backs" to a building.
- B. No standard corporate building design without modifications shall be implemented. Limited use of architectural elements characteristic of prototypical architecture may be allowed at the discretion of the appropriate reviewing and approval body. Implementation of these architectural elements shall be minimized and whenever possible modified to give a unique image to the establishment.
- C. Entrances into buildings should be easily identified using building design and detailing. Projected or recessed entryways, change in rooflines, addition of awnings or changes in building material are examples that can create this effect.
- D. Variation in building height, mass and roof forms shall be provided to create interest while still maintaining an overall building continuity. Roofs should not be designed as attention getting devices related to the reinforcement of signage or as an identifiable corporate image. Wall planes shall not be increased in height for the sole purpose of signage placement.
- E. The use of building articulation and materials which break up the building mass into modules that respect a human scale and reflects proportions similar to other buildings within the development.
- F. Variation in materials, material modules, expressed joints, textures, colors and details should 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 3-dimensional elements.
- G. Shifts in building planes/facades and variation in exterior materials shall be incorporated to minimize long expanses of wall.
- H. Efforts should be made to use clear glass on windows and doors and to define public entries for occupied spaces to promote the linkage of the interior and exterior of buildings and provide natural light.
- I. Hard materials such as brick, stone, architectural concrete, or concrete masonry units are desired as the major elements of the building facades. Architectural metal, EIFS or synthetic stucco and composite materials acceptable to the city may be incorporated as minor elements in the design. Use of vinyl materials is discouraged.
- J. Trim and structural elements such as posts or columns shall be sized to the scale of the building.

SECTION 9. STORM WATER MANAGEMENT PLAN:

A Master Storm Water Management Plan (SWMP) shall be required in conjunction with the Preliminary Plat or first Site Plan if not subdividing the property. Individual Storm Water Management Plans consistent with the Master SWMP will be required with the site plan for each lot or PUD Parcel.

The Developer will have said Storm Water Management Plans prepared by a Professional Engineer licensed in the State of Iowa. The storm water management plan shall comply with the City's applicable design standards for storm water management existing at the time each plat or site plan is approved.

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.

SECTION 10. REPEALER: All ordinances or parts of ordinances in conflict with the provision 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 1-4-1 of the City Code of the City of West Des Moines, Iowa.

SECTION 13. OTHER REMEDIES: In addition to the provisions set out in Section 13 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 after its passage, approval and publication as provided by law.

Passed and approved by the City Council on

Russ Trimble, Mayor

ATTEST:

Ryan 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.

Planned Unit Development Sketch Plan

