

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: July 22, 2024

ITEM: West Grand Business Park, North and south sides of Grand Avenue between S. 60th Street and S. 88th Street – Amend the Comprehensive Plan Land Use Map to designate Multi-Use Medium land use and Amend the West Grand Business Park Planned Unit Development Ordinance to modify regulations for Parcels 3, 4, 5 & 6 within the PUD for entertainment, commercial and multi-family development – WDM Entertainment, LLC – CPAZC-006091-2023

Resolution: Approval of Comprehensive Plan Land Use Map Amendment and Resolution: Amendment to Planned Unit Development Ordinance

Background: The applicant, WDM Entertainment, LLC, and property owner, W & G McKinney Farms, LC, request approval of a Comprehensive Plan Land Use Map Amendment and an amendment to the West Grand Business Park Planned Unit Development for that ground generally located at the northeast corner of S. Jordan Creek Parkway and Grand Avenue, the south side Grand Avenue and immediately east of the MidAmerican Energy RecPlex, and the southeast corner of S. 88th Street and Grand Avenue. The amendments are being requested in anticipation of the development of entertainment uses, including a waterpark and convention center, hotels, retail establishments, restaurants, commercial, office and multi-family housing.

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

- Amend the Comprehensive Plan Land Use Map for Planned Unit Development Parcels 3 & 4 as shown on the included illustration to change from Office (OF) and Support Commercial (SC) to Multi-Use Medium (MUM) land use.
- Amend the Comprehensive Plan Land Use Map for Planned Unit Development Parcels 5 and 6 as shown on the included illustration to change from Business Park (BP) to Multi-Use Medium (MUM) land use.
- Amend the West Grand Business Park Planned Unit Development to:
 - Change Parcel 3 from Professional Commerce Park (PCP) to Community Commercial (CMC) and Residential High Density (RH-18) zoning for intended development of Multi-Family Residential and Commercial development.
 - Change Parcel 4 from Residential Medium Density (RM-12) to Professional Commerce Park (PCP) and Neighborhood Commercial (NC) zoning for intended development of entertainment and commercial uses.
 - Change Parcel 5 from Business Park (BP) to Community Commercial (CMC) zoning for intended development of commercial uses and additional parking for the RecPlex.
 - Modify development regulations for Parcels 3, 4, 5, & 6 to allow for the intended development of entertainment, residential and commercial uses.

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. Acreages are approximate and will be determined by the final layout of roadways and property boundaries.

Staff Review & Comment:

- **Financial Impact:** The financial impacts are still being evaluated by the city at this time and may not be conclusively known until a development agreement is approved for these properties. It is anticipated that there will be gap financial incentives provided through tax increment financing (TIF) and infrastructure improvements to the surrounding area.
- **Development Summary:** The overall intent of development of parcels 3 and 4, to be called Grand Experience is to create a destination for families and professionals. A waterpark with family entertainment and hotel, in combination with a conference/event venue with hotel will serve as the central feature of the development. The main development will be flanked on each side by commercial development, including restaurants, retail stores, and offices. Also included in the proposal is workforce housing which will provide employees for the many service industry facilities proposed. South of the main waterpark parcel and east of the RecPlex (parcel 5) will be an area designated for commercial development that will focus on the motoring public and patrons of the RecPlex entering and leaving the area and guests at the waterpark, hotels, and conference/event center by providing opportunities for quick service businesses situated along Grand Avenue such as fast-food restaurants, including with drive thrus. In addition, this parcel will serve as overflow parking for the RecPlex and overflow parking for the waterpark and conference/event venue. Parcel 6 can be developed under its existing Business Park zoning, or with the provision of a master plan for the entire parcel, additional residential, office, and commercial uses could be implemented. A subsequent PUD amendment to establish allowances, prohibitions, restrictions, and regulations for development of parcel 6 will need to be done before any commercial, office or residential development can occur.
- **Traffic Studies:** Individual traffic studies will be required as part of subdivision of the ground or site plan submittal, whichever comes first.
- **Digital Signs:** The developer of the Grand Experience would like to incorporate a digital message board sign within the water park/convention site (Parcel 4a). Digital signs are currently not permitted by the City Sign Code. If this development moves forward, the Sign Code is proposed to be amended to allow a Professional Commerce Park zoned parcel, that is a minimum of 50 acres, with a minimum of one-thousand feet (1,000') feet of frontage along a Major Arterial classified roadway to have one digital sign. The sign would match what the city already allows for interstate signs which are monolithic in design and allowed to be thirty feet (30') tall and twelve feet (12') in width. 100 square feet of copy for complex or business identification and an additional 100 square feet for a digital message board. The minimum dwell time for message change will be proposed to be no less than twenty (20) seconds. Assuming city approval of the PUD as proposed, the Grand Experience parcel would fit the parameters necessary to allow the sign.
- **Developer Responsibilities:** In conjunction with site development or platting of the lots, whichever occurs first, unless otherwise provided in a development agreement with the city, the developer will be responsible for construction and/or installation of all required public and private infrastructure improvements necessary to support development. The following items are known improvements; additional improvements may be required in response to development proposals:
 - Improvements to Grand Avenue, S Jordan Creek Parkway, S 60th Street and Booneville road to include widening, turn lanes and/or reconstruction to a paved roadway, sidewalks and streetlights.
 - Extension of utilities throughout each parcel.

- **Future Traffic Signals:** The proportionate share of the cost of future traffic signals, when warranted, at the intersection of S. Jordan Creek Parkway and Grand Avenue and at the intersection of S. 60th Street and Grand Avenue shall be the responsibility of the developer pursuant to the assessment policy of the city.
- **Parkland Dedication:** All residential development is subject to parkland dedication requirements per city code (Title 10, Chapter 1, Section 4). Once a final residential unit count is known, the parkland dedication requirements can be determined. Obligations and how they will be fulfilled will be determined at the time of Preliminary Plat/Site Plan review of any residential development.

Outstanding Issues: There are no outstanding issues.

Planning and Zoning Commission Action:

Date: July 22, 2024

Vote:

Recommendation:

City Council First Reading:

Date:

Vote:

Recommendation: Approve the Comprehensive Plan Land Use Map Amendment and Amendment to the West Grand Business Park Planned Unit Development (PUD), subject to the applicant meeting all City Code requirements.

Lead Staff Member: Brian Portz

Approval Meeting Dates:

Planning and Zoning Commission	July 22, 2024
City Council: First Reading	March 7, 2024
City Council: Second Reading	March 7, 2024
City Council: Third Reading	March 7, 2024

Staff Report Reviews:

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

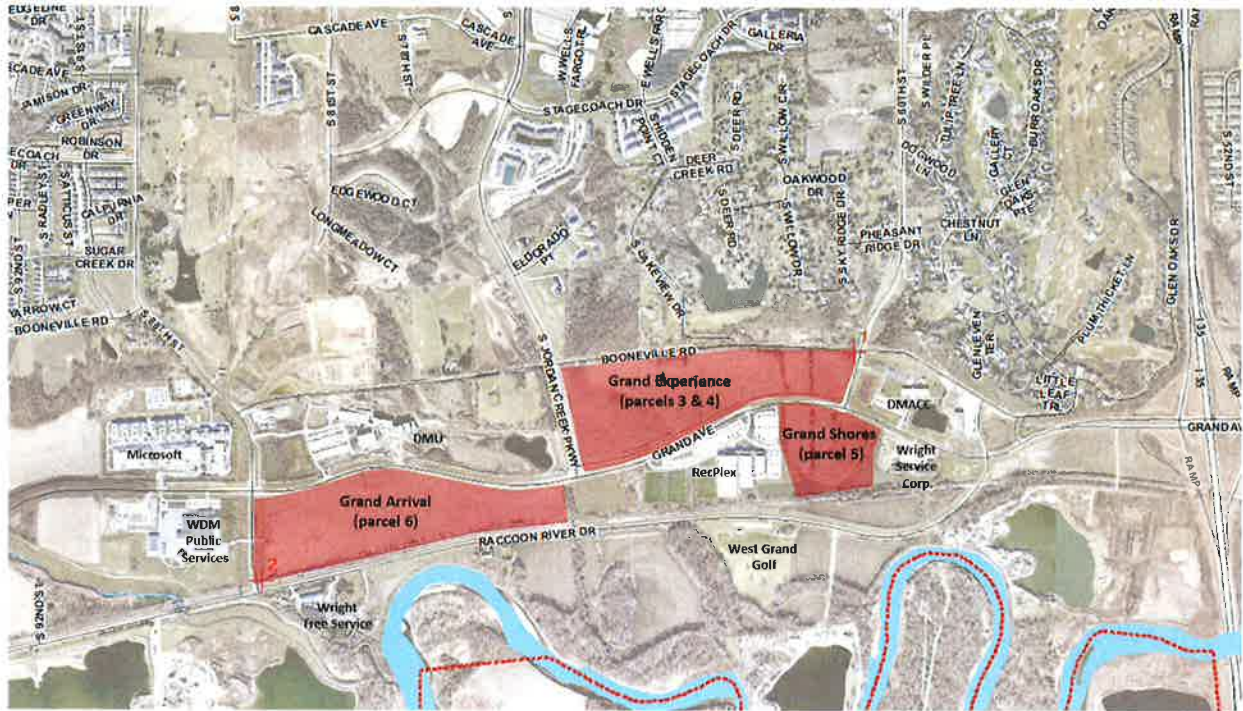
Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	7/17/24
Date(s) of Mailed Notices	7/17/24

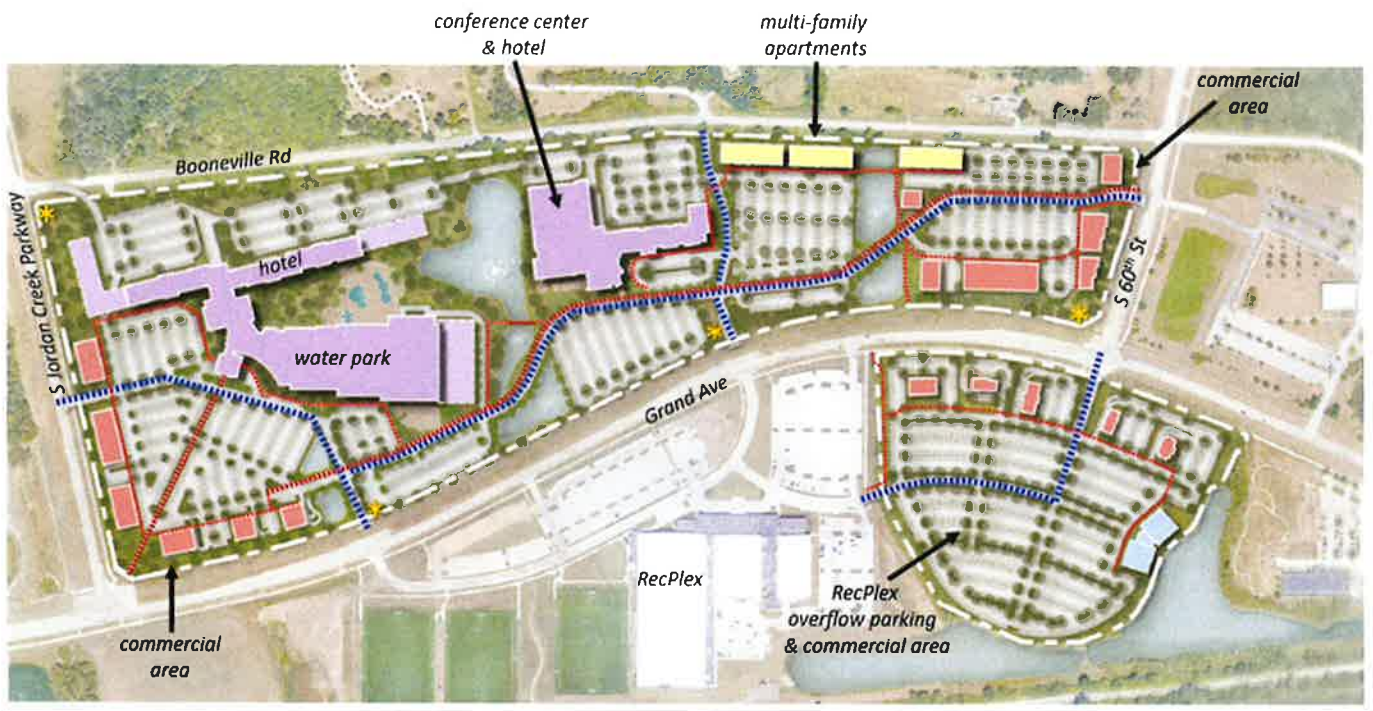
Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning			
Date Reviewed	Anticipated 8/5/24			
Recommendation	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>	No Discussion <input type="checkbox"/>

Location Map



Concept Plan – Parcels 3, 4 & 5



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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 CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2024, AND ORDINANCES #1373, #1812, #2299, #2359, #2360, #2446, #2460 AND #2462 PERTAINING TO PLANNED UNIT DEVELOPMENT DISTRICT REGULATIONS AND GUIDELINES.

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

SECTION 1. Amendment. 1373, #1812, #2299, #2359, #2360, #2446, #2460 and #2462, pertaining to the West Grand Business Park Planned Unit Development, Section 054-02, *Sketch Plan and Phasing Plan*, is hereby amended by replacing the PUD sketch plan with Exhibit A attached hereto.

SECTION 2. Amendment. 1373, #1812, #2299, #2359, #2360, #2446, #2460 and #2462, pertaining to the West Grand Business Park Planned Unit Development, Section 054-03, *General Conditions*, is hereby amended by inserting the text in bold italics. All other items in current adopted portion of code not reflected below shall remain as is.

5. ***Except for parcels, 3, 4, 5 and 6, no*** building shall be located closer than twenty-five feet (25') from the back of curb of a private street.

SECTION 3. Amendment. 1373, #1812, #2299, #2359, #2360, #2446, #2460 and #2462, pertaining to the West Grand Business Park Planned Unit Development, Section 054-05, *Land Use Design Criteria*, is hereby amended by deleting the highlighted strike-through text. All other items in current adopted portion of code not reflected below shall remain as is.

In addition to the general conditions and master plan requirements stated within this document, the following land use design criteria shall apply to the development areas designated by parcel on the sketch plan. The sketch plan document referred to in section 054-02 of this ordinance, delineates planning parcels, each denoted with a specific number, for application of specific standards of land use and development regulations. ~~(It should be noted that Parcels #10 and #12 were originally included in the plan but were later deleted and the remaining parcels were not renumbered. Parcel #10 has since been re-added onto the sketch plan.)~~ The City of West Des Moines has adopted the Standard Industrial Classification Manual (1987 edition) as prepared by the U.S. Office of Management and Budget, hereinafter referred to as SIC, as a method of classifying and defining specific permitted uses in a particular parcel.

The following development standards and use regulations shall apply to development within each of the individual parcels, or portion of a parcel, as applicable.

SECTION 4. Amendment. Ordinance #1373, #1812, #2299, #2359, #2360, #2446, #2460 and #2462, pertaining to the West Grand Business Park Planned Unit Development, Section 054-03, *Land Use Design Criteria*, Subsection C, *Parcel 3*, and Subsection E, *Parcels 5 and 6*, is hereby amended by deleting the section in its entirety and inserting the text in bold italics accordingly.

C Parcels 3, 4, 5 and 6:

1. All development within parcels 3, 4, 5 and 6 shall abide by city code unless otherwise specifically modified herein. In addition, the following development provisions, allowances, prohibitions, regulations and requirements, as well as any specific provisions provided for individual PUD Parcels stated herein shall apply to development within parcels 3, 4, 5, and 6. To the extent that the provisions of this ordinance conflict with provisions provided elsewhere in the West Des Moines zoning ordinance, the provisions of this ordinance shall control. In all situations, the more restrictive regulations shall be adhered to.

a. Parking:

1) The number of stalls to be provided for each use within each parcel shall comply with city code title 9, chapter 15, section 7. At the discretion of the Development Services Director, a less stringent parking calculation may be used provided the applicant can demonstrate a parking rate less than the above is adequate due to the type of potential use, shared uses or off-peak uses.

2) The number of queuing spaces for uses with a drive-through component shall comply with city code title 9, chapter 15, section 7. All queuing spaces shall be located out of internal circulation drives and shall not impede traffic circulation within the parcel, on internal PUD roadways or adjacent public streets. A drive-through may be prohibited within a PUD parcel if there is reason to believe that traffic generated from the use or queuing back-up may impact traffic circulation within the development or on adjoining public roadways.

3) Parking Lot Setbacks:

a) A minimum of fifty feet (50') from Grand Avenue, S Jordan Creek Parkway, S 60th Street, and S. 88th Street ultimate road right-of-way. Parking lots shall be setback a minimum of thirty feet (30') from the Booneville Road ultimate road right-of-way.

b) A minimum ten-foot (10') setback from defined pedestrian pathways and dedicated internal vehicle drives (no parking directly on the drive).

c) A minimum of five feet (5') from common interior lot/parcel boundaries unless designed as a shared parking lot and with an executed shared parking agreement.

d) No portion of any parking lot or drive aisle associated with parking may be located within the perimeter buffer.

- e) ***Parking stall dimensions and drive aisle widths shall comply with city code title 9, chapter 15.***
 - f) ***If a PUD Parcel is subdivided into two (2) or more lots and shared parking between the lots is intended, the appropriate legal agreements or easements shall be established to allow for patron ingress/egress cross-access and shared parking. Said agreement and/or easement shall be executed in conjunction with the approval of the subdivision's final plat and prior to implementation of the parking.***
- b. Vehicle Drive-Up, Drive-Through and Canopies: The intent of this development is not to encourage the use of automobiles; however, it is recognized that drive-ups and drive-throughs are a key component to the functionality of certain types of businesses due to their convenience. If, through the design review process, including an updated traffic impact study, if necessary, it can be demonstrated that such uses do not cause traffic congestion, do not interfere with pedestrian movements, and can be designed to minimize their presence, a limited number of establishments with drive-throughs may be permitted within PUD Parcels 3a, 4b, 5 and 6. Walk-up or pedestrian ATMs with no vehicle access; and loading zones in which the patron exits their vehicle and load merchandise/materials themselves shall be allowed as needed with the appropriate visual screening measures, subject to required site plan review and approval.***
- 1) ***Drive-up and drive-through canopies, including canopies over gasoline fueling stations shall comply with city code title 9, chapter 10 unless otherwise provided herein.***
 - 2) ***The incorporation of drive-through establishments, especially food related businesses may be limited by the type of use in association with the available vehicle trips allowed for the development of Parcel 3 and 4 collectively, Parcel 5 or Parcel 6.***
 - 3) ***Gasoline canopies (fuel pumps) shall be situated along the side of the store or interior to the site so as to minimize the visible presence of the vehicle use element. Canopies shall not be located parallel with and adjacent to public streets; however, may be located adjacent to internal or private streets as long as measures such as earthen berming and landscaping are implemented to minimize the presence thereof. Canopies one hundred (100) linear feet or greater in length shall be designed to provide visual interest and break the straight-line appearance of the length of the canopy by utilizing changes in massing and materials.***
 - 4) ***In all instances, the presence of the drive-up or drive-through and queuing lanes shall be minimized through one or a combination of the following methods:***
 - a) ***Integration of the drive-up or drive-through into the building architecture in order to eliminate the appearance as an added-on canopy component.***
 - b) ***Situating the drive-up or drive-through between two (2) buildings to limit the number of views thereof.***

- c) **Decorative fencing**
 - d) **Opaque visual screening through implementation of earthen berms in combination with vegetation, decorative walls, fencing, etc. The necessary height of the berming will be determined from the elevation of the top of curb of an adjoining street.**
- 5) **Canopies must be designed to incorporate the building's architecture through the use of similar building materials, roof design, and earth-tone colors so as to blend with environment rather than draw attention to the element. The application of brick or stone over the entire height of canopy support columns is required for porte cochere (patron drop-off and pick-up canopies); all other canopy structures shall abide by minimum city code requirements. When possible, canopies should be designed as an extension of the building rather than an added-on element.**
- c. **Landscaping: The landscaping requirements specified herein are intended to create an aesthetically pleasing development which enhances the appearance and character of the City of West Des Moines, while protecting the general health, safety and welfare of the citizens.**

Landscaping is required to address the following primary aspects or consequences of development:

- **Open space protection and enhancement;**
- **Mitigation of paving expanses associated with off-street parking;**
- **Visual screening of undesirable views, activities and/or site elements; and**
- **Street side enhancement**

As part of site plan review, additional vegetation beyond that stated herein may be required to be implemented in response to additional details of the use, buildings, parking, site layout, etc.

- 1) **Open Space: The intent of open space is to allow for a balance between natural areas and the built environment and to provide for the overall beautification and "greening" of the city. Open space shall be considered all areas unencumbered by buildings or paved areas associated with parking, drive aisles, and loading docks or zones. Plaza areas, water features and structures such as gazebos, arbors, pergolas, etc., that are associated with outdoor pedestrian use areas, as well as designated and enhanced pedestrian walkways through and between parcels may be counted toward fulfilling the minimum open space requirement. Demarcated and enhanced areas for casual recreation and activity areas located along pedestrian pathways and in defined gathering areas may also be counted toward fulfilling the minimum open space requirement.**

In each PUD parcel or, on each lot if a PUD parcel is subdivided, a minimum of twenty five percent (25%) of the parcel or lot area shall be provided as

open space. Vegetation at a rate of two (2) trees and three (3) shrubs per three thousand (3,000) square feet of required open space shall be provided within each parcel or lot. Vegetation required as part of the open space may be placed into off-street parking areas or buffers; however, the open space vegetation is in addition to that which would be required of buffers or parking areas and may not be counted towards fulfilling the minimum amount of vegetation required for these areas.

2) *Parking Lot Landscaping: All parking lots shall include landscape areas through the incorporation of terminal landscape islands at the ends of each row of parking, landscape islands and tree pods within a linear row of parking, and linear islands (pedestrian pathways) between two parking rows.*

a) *All parking areas shall comply with city code title 9, chapter 19, for implementation of landscape islands and tree pods, except that landscape islands and tree pods between terminal islands within a single row of parking may be eliminated when terminal islands at least eighteen feet (18') in width are implemented at both ends of a parking row.*

b) *Parking lots which contain more than six (6) rows of parking shall provide at every sixth (6th) row a linear island perpendicular to the parking stalls and extending the full length of the parking row (between the terminal islands). The linear island shall be a minimum of sixteen feet (16') in width and provide a minimum 6' wide pedestrian pathway along with trees and shrubs adjacent to the walkway.*

c) *Landscape vegetation is required within all islands and pods. The minimum vegetation requirements for terminal islands shall be provided in accordance with city code; additional vegetation to make up for trees that otherwise would have been planted in islands and tree pods within a linear row shall be provided in the terminal islands to the greatest extent possible. Parking lot landscape vegetation shall be in addition to required open space and buffer vegetation.*

d) *Islands and tree pods within parking areas shall have ground cover of grass (i.e., sod), perennials, ornamental grasses or other acceptable living plant life specifically approved as part of the site plan review by the City. Inorganic mulch alone in the landscape islands shall not be considered acceptable ground cover.*

3) *Buffers, Streetscape and Visual Screening:*

a) *Buffers and Streetscape:*

(1) *A minimum fifty foot (50') wide perimeter buffer shall be provided along Grand Avenue, S Jordan Creek Parkway, S 60th Street, and S 88th Street. A minimum thirty-foot (30') buffer shall be provided along Booneville Road. These buffers are intended to provide green to the city while aiding in screening of negative site elements and auto-oriented elements of specific uses. Vehicle drives and parking may*

not encroach into the perimeter buffer. It is desired that undulating earthen berming be incorporated within the buffer as possible to provide visual interest, a more natural appearance and provide year-round mitigation of views of negative site elements and auto-oriented aspects of specific uses. The minimum amount of and type of landscape vegetation consistent with city code title 9, chapter 19 for a thirty foot (30') wide buffer shall be provided within the perimeter buffer.

- (2) With the exception of situations in which the adjacent perimeter roadway travel lanes are more than three feet (3') higher than the perimeter buffer area, earthen berming shall be incorporated within the perimeter buffer to a minimum height of three feet (3'). Berming shall be higher as necessary to achieve visual screening of parking areas and auto-oriented aspects, mechanical equipment and meters, trash enclosures and negative site elements from Grand Avenue, S Jordan Creek Parkway, S 60th Street, S 88th Street and Booneville Road and properties outside of the PUD parcel. In situations in which the elevation difference between the adjoining roadway and perimeter buffer ground is such that earthen berming will serve no screening purpose, an alternate means, acceptable to the city to visually screen and mitigate views is required.*
- (3) A minimum ten-foot (10') streetscape shall be provided along all dedicated pedestrian pathways and internal vehicle drives (no direct access from drive into individual parking stalls, i.e., no head in parking off of the defined drive; however, access to individual rows of parking is allowed). The 10' interior streetscape along a pedestrian or vehicle pathway located immediately adjacent to the perimeter buffer may overlap the perimeter buffer.*
- (4) Additional vegetation above that required for the buffer and/or streetscape may be necessary to satisfactorily achieve visual screening of off-street parking areas and negative site elements.*
- (5) Vegetation required of buffers and streetscapes shall be in addition to required open space and parking lot vegetation.*

b) Visual Screening of Negative Site Elements:

- (1) Parking and Auto-Oriented Aspects: Ground level views from perimeter roadways, internal PUD drive aisles and adjacent properties within or outside of the development of off-street parking areas, auto-oriented aspects of specific uses (i.e., drive-thru windows, order boards, queuing, etc.) and service and loading areas shall be adequately screened.*
- (2) Mechanical Equipment and Meters:
 - (a) All ground and wall-mounted heating, ventilation, or air conditioning (HVAC) units, utility meters, or similar electrical or**

mechanical equipment shall be adequately screened from ground level views from Grand Avenue, S Jordan Creek Parkway, Booneville Road, S. 60th Street, S 88th Street and internal PUD drive aisles and adjacent properties within or outside of the development. Said screening shall be achieved using architectural enclosures, fencing and/or earthen berming in combination with landscaping consisting of predominately evergreen material for year-round screening.

(b) All rooftop mechanical units shall be screened from ground level views from Grand Avenue, S Jordan Creek Parkway, Booneville Road, S. 60th Street, S 88th Street, internal PUD drive aisles, and adjacent properties within or outside of the development. Special consideration shall be paid to mitigating views of roof-top mechanical equipment from properties 'up the hill' to the north. Said screening shall be achieved using architecturally incorporated opaque screen walls, raised parapet walls, penthouse features, or other opaque measure comprised of materials consistent with the associated primary structure.

(3) 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 shall be comprised of masonry materials which are visually cohesive with the colors and materials of the primary structure. Enclosure gates shall be constructed of a durable material, heavy gauge metal or composite materials, with appropriate framing, trim and finished edges to provide long term durability. The enclosure should be landscaped to minimize the visual presence and impact of the structure on surrounding properties, businesses, and internal and external roadways.

d. Signage: The regulations and provisions for signs as set forth in Title 9 of the City Code shall be followed for any signage within PUD Parcels 3, 4, 5, and 6.

1) Landscape Signs: Intended to be a creative or iconic sign incorporated into a more elaborate landscape feature such as a retaining wall, stacked stone wall, fountain or other water feature, etc. announcing the name of the development. These signs shall not exceed twelve feet (12') in height as measured from the top of curb of an adjoining roadway; however, in no case shall the structure upon which the development name signage is located exceed twenty feet (20') in height. Said signs shall be setback from the ultimate right of way of an adjacent street a distance equal to the height of the sign as measured from the ground immediately adjacent to the sign to the highest point of the structure. These signs shall be separated from another ground sign by at least one-hundred feet (100'). These signs shall abide by all other provisions in city code for a Landscape Sign not otherwise

modified herein. The number of allowed Landscape Signs shall be as follows:

- a) **Parcels 3 and 4 collectively: Up to three (3) Landscape Signs shall be allowed. One sign may be located along each Grand Avenue, S Jordan Creek Parkway, and S 60th Street, generally at the southeast, northwest and southwest corners of the collective site.**
 - b) **Parcel 5: One (1) Landscape Sign shall be allowed along Grand Avenue.**
 - c) **Parcel 6: Two (2) Landscape Signs shall be allowed, only when the full parcel is developed as a unique and cohesive, master planned mixed-use development consisting of residential, office, and commercial uses. If this parcel is developed under Business Park zoning, Landscape Signs as provided in this ordinance shall not be allowed and instead any landscape sign implemented shall abide by city code. One sign may be located along each Grand Avenue and S 88th Street, generally at the northeast and northwest corner of the parcel.**
- 2) **Access and Directional Signs: Signage located at decision points within a site to direct vehicles and pedestrians to specific activity areas and businesses. These signs shall not be legible from bordering perimeter roadways. Business name or logo shall be permitted on these signs up to a maximum of five inches (5") in height. There is no limit on the number of these signs that may be located within a site; however, all signs shall be consistent in design. These signs shall abide by all other provisions in city code for Access Identification and Directional Signs not otherwise modified herein.**
- 3) **Due to residential to the north, internally illuminated signs are prohibited on the north side of buildings along Booneville Road. Halo and externally illuminated wall signs may be allowed on the north façade of buildings along Booneville Road as long as the light intensity is such so as to not impact any residential to the north.**
- e. **Architecture: Architectural design for any building in PUD Parcels 3, 4, 5, and 6 shall be acceptable to the City. Building form and facades shall be varied and articulated to provide visual interest. Although it is understood and preferred that not all buildings within this development are identical, each building should have several elements that carry through an established design theme for the development, such as but not limited to materials, design elements, architectural details, roof forms, materials, and colors, etc. All facades shall receive high quality materials, finishes, and details (360-degree architectural treatment).**

Building materials should be durable, economically maintained and of a quality that will maintain their appearance over a prolonged time. No wood, synthetic stucco, non-architectural metal cladding, plain concrete block, or other similar materials shall constitute a portion of a building except as a trim material, unless

the City Council, after having received a recommendation from the Planning and Zoning Commission, determines said material, when used as a primary element, enhances the physical appearance of the building.

All buildings within PUD Parcels 3, 4, 5, & 6 shall accommodate or incorporate the following in all building design in addition to parcel specific requirements as noted otherwise in this ordinance:

- 1) Corporate architecture shall be prohibited. Limited use of corporate building elements, colors in building materials or exterior accent lighting that are characteristic of the sponsors or building users may be allowed at the discretion of the Director of Development Services or the appropriate reviewing and approval body. Implementation of colors or lighting shall not be a visual distraction and shall be implemented as part of the overall architectural design for the building.***
- 2) Buildings shall be organized to create a logical and identifiable relationship with the site and other buildings within the parcel or development, open spaces, and pedestrian circulation paths.***
- 3) The use of building articulation and materials which break up the building mass into modules that respect and reflects proportions similar to other buildings within the area.***
- 4) The building's design should meet context and site objectives such as providing gateways, creating visual and physical linkages and framing or terminating views.***
- 5) 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.***
- 6) Fenestration (door and window openings) shall be sized to the scale of the building and detailed appropriately to the pedestrian theme. Use of repeating window patterns and details are encouraged to unify the design.***
- 7) Projections above the roof shall have the appearance of a three-dimensional element and the backside of any projection shall be finished with materials that complement the building and minimize its presence.***
- 8) 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.***
- 9) The use of building articulation shall be reinforced with variation in materials, material modules, expressed joints, textures, colors and details to break up the mass of the building. Materials should change with the change in building planes and be arranged to have the appearance of three-dimensional elements to the greatest extent possible.***

- 10) **Trim and structural elements such as posts or columns shall be sized to the scale of the building.**
- 11) **Any elevation that is facing a street should avoid the appearance of being the "back of the building". All sides of all buildings open to public view should be treated with the same level of architectural style and detail. The level of design and detail can be reduced on the facades not readily visible from streets and interior lots as long the same or similar materials and design elements are included on all facades.**
- 12) **Whenever possible and logical, the ground floor should provide the maximum possible glazing toward pedestrian areas (walks, plaza spaces) to provide pedestrians with visual interest. Use of reflective glass or mirrored glass is discouraged to promote the linkage of the interior and exterior of the building.**
- 13) **To eliminate visual clutter, bollards for the site should be painted a neutral, yet contrasting, color to be compatible with the building facades or the structure they are adjacent to.**
- 14) **Lighting may be incorporated into the design of the buildings; however, light fixtures shall be of a cutoff type to eliminate glare and spillover lighting beyond the property line. Architectural lighting or accent lighting may be incorporated into the building design when used to highlight and enhance the architecture of the building. Accent lighting shall be mounted in a way to eliminate direct view of the light source and shall be arranged to minimize glare and light spill beyond the building. Lighting may not be used as an attention getting element or for advertising purposes unless provided as part of the allowed signage for the building. Lighting levels and colors may not change moment to moment and shall be consistent in illumination.**

2. Parcels 3 and 4:

The Grand Experience proposes to create a destination for families and professionals. Capitalizing on the adjacent Mid-American Energy Company RecPlex, the Grand Experience will provide leisure recreation, dining, shopping and gathering opportunities for residents and visitors, along with multi-family dwelling options targeted to workforce housing. A waterpark with family entertainment and hotel, in combination with a conference/event venue with hotel will serve as the central feature of the approximate 87-acre development. A series of ponds interspersed through the development highlight the natural environment and provide opportunities for enhanced pedestrian and landscape amenities while providing for green storm water storage and treatment. A defined and enhanced system of walking trails along a variety of routes will provide connections between all areas within the larger PUD parcels. Bridges and intentional trail-side amenity pieces and activities will enhance the pedestrian experience and encourage people to linger, explore and experience the development.

a. **Parcel 3:**

The intent of development within parcel 3 is to provide for the intermixing of commercial and office uses while providing housing opportunities for employees of the businesses within the parcel and area. The commercial in this area will serve as an expansion of the commercial intended along Grand Avenue in PUD Parcel 5. The type of commercial within this area should aim to provide for both day and evening activities, opportunities to eat and socialize and may include auto oriented businesses. The incorporation of drive-thrus restaurants in limited numbers and locations may be allowed, however, design measures shall be implemented to minimize the presence of automobile focused elements such as order boards and drive-thru vehicle queuing. Multi-family housing will allow employees to live in close proximity to work while also providing patrons to support the businesses. All buildings within the parcel shall be complimentary in design elements and visually unified through the implementation of similar colors and materials; however, the multi-family building design may present more of a residential look. In addition to providing opportunities for transit routes and stops, it is intended that a strong pedestrian network throughout parcel 3 and dedicated and enhanced connections to Parcel 4, the RecPlex and to the perimeter public sidewalk and trail system will be provided.

1) Parcel 3a: All general use regulations, performance standards and provisions set forth in Title 9, Zoning, for the Community Commercial (CMC) zoning district, shall apply to any development proposal for all property within Parcel 3a as shown on the sketch plan for the West Grand Business Park PUD, unless modified otherwise within this Ordinance.

a) Land Use: All Permitted (P) and Permitted Conditional (Pc) uses set forth in Title 9, "Zoning" of the city code for the Community Commercial (CMC) zoning district, shall be allowed with the approval of the appropriate review body, except as follows:

(1) The following shall be prohibited:

(a) All uses in the following Standard Industrial Classification Divisions

i. "A" – Agricultural, Forestry & Fishing, except Animal Specialty Services, Grooming and Boarding (SIC 0752) with no outdoor runs shall be allowed.

ii. "C" – Construction

iii. "D" – Manufacturing

iv. "E" – Transportation, Communication and Public Utilities, except typical infrastructure equipment and service lines

v. "J" – Public Administration

(b) Automotive Dealers and Service Stations (SIC 55)

(c) Furniture, Home Furnishings and Equipment Stores (SIC 57)

- (d) **Outdoor storage or display component(s) associated with any use within Division G: Retail Trade (Major Groups 52 through 59) - does not include outdoor patios associated with Major Group 58: Eating and Drinking Places**
- (e) **Distribution of medical cannabidiol as part of a licensed medical cannabidiol manufacturer (SIC 591)**
- (f) **Used Merchandise Stores (SIC 593)**
- (g) **Automotive Repair, Services and Parking, (SIC 75), including Car Washes (SIC 7542)**
- (h) **Miscellaneous Repair Services, NEC (SIC 76)**
- (2) **The following operational restrictions shall apply:**
 - (a) **No more than four (4) businesses with a drive-up or drive-through component(s) shall be allowed within area 3a. Of the four (4) allowed, no more than three (3) shall be for restaurant establishments.**
 - (b) **Convenience Store (SIC 541) if open before 6:00 a.m. and/or past 11:00 p.m. may not be located at the southwest corner of S 60th Street and Booneville Road.**
 - (c) **Outdoor patios of any use within 150' of a residential dwelling or hotel room shall close no later than midnight.**
- b) **Bulk Regulations: The bulk regulations and setbacks of the Community Commercial District (CMC) shall apply to any development in Parcel 3a, unless modified otherwise herein.**

Minimum lot area	60,000 square feet; however, no minimum lot size shall be required if ingress/egress cross-access and shared parking agreements are executed
Minimum primary and accessory building(s) setback from Booneville Road, S 60th Street & Grand Avenue	100 feet; however, if no parking is located between the building and the adjacent street, the setback may be reduced to 50 feet. A single drive-through lane may be located between the building and road but may not encroach into the perimeter buffer.
Minimum primary and accessory building(s) setback for interior parcels/lots (no boundary	50 feet unless if abutting similar district, then 25'

adjacent to Booneville Road, S 60th Street or Grand Avenue)	
Building Separation (multiple buildings on one parcel/lot)	As required by Building and Fire codes
Minimum lot width	50 feet
Maximum building height	36 feet with an additional 12 feet of height allowed for each additional 10 feet of setback

c) **Signage: The regulations and provisions for signs as set forth in Title 9 of the City Code for the Community Commercial (CMC) zoning district shall be followed for any signage within Parcel 3a.**

(1) Monument Signs: Monument signs shall be allowed in accordance with city code except that said signs shall be located at a minimum twenty-foot (20') setback from the ultimate street right-of-way of the perimeter roadway. The sign shall not exceed seven feet (7') in height with copy on each sign not to exceed sixty-four (64) square feet per side. Tenant identification on the sign shall be limited to tenants located within the PUD parcel upon which the sign is located. A tenant may only be identified on one (1) sign.

d) **Architecture: The architectural intent for this parcel is to establish a unique and high-quality identity for the mixed use commercial and office development area while still providing design continuity with the surrounding parcels within the overall development PUD.**

(1) Natural, durable materials such as brick and stone shall be used as a primary cladding material of the building façades, primarily on the lower stories of the building, along sidewalks, and adjacent to pedestrian use areas. Secondary building materials may include, but are not limited to, clear glazing, architectural metal panel or composite rain screen systems, or similar durable architectural panel systems of an architectural grade (acceptable to the City) with concealed fasteners. All exposed edges of cladding materials must have a fully finished edge or be terminated with trim. Trim for the panels should be finished with the same color as the panel. The use of EIFS or synthetic stucco shall be used in limited quantities and primarily as an accent or trim material and located only on the upper portions of the facades.

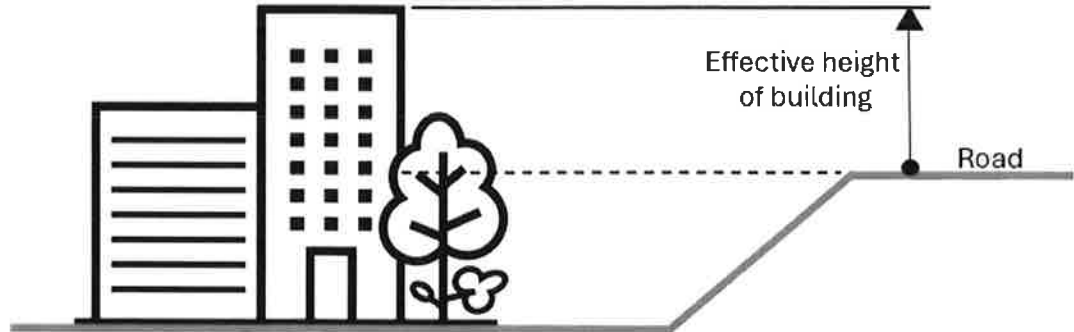
(2) No wood, synthetic stucco, non-architectural metal cladding, plain concrete block, or other similar materials shall constitute a portion of a building except as a trim material, unless the City Council, after having received a recommendation from the Planning and Zoning

Commission, determines said material, when used as a primary element, enhances the physical appearance of the building.

- 2) **Parcel 3b: All general use regulations, performance standards and provisions set forth in Title 9, Zoning, for the Residential High-Density (RH-18) zoning district shall apply to any development proposal for all property within Parcel 3b as shown on the sketch plan for the West Grand Business Park PUD, unless modified otherwise within this Ordinance.**
- a) **Land Use: Residential dwellings shall be the only allowed use within this parcel. All other non-residential uses otherwise allowed per city code in the Residential High-Density District shall be prohibited.**
- b) **Bulk Regulations: The bulk regulations and setbacks of the Residential High-Density District shall apply to any development in Parcel 3b, unless modified otherwise within this ordinance.**

Minimum lot area	2 acres: however, no minimum lot size shall be required if ingress/egress cross-access and shared parking agreements are executed
Minimum primary and accessory building(s) setback from Booneville Road & S 60th Street	60 feet
Minimum primary and accessory building(s) setback for interior parcels/lots (no boundary adjacent to Booneville Road or S 60th Street)	35 feet
Building separation between multiple buildings located on one parcel/lot	As required by Building and Fire codes
Minimum lot width	150 feet
Maximum building height	40 feet with an additional 12 feet of height allowed for each additional 10 feet of setback. Buildings adjacent to Booneville Road -- The effective height of the building shall be determined by a measurement from the grade of the closest adjoining roadway at a ninety-degree (90°) angle from the building (see following illustration). The effective height shall not

exceed 40' without providing the appropriate amount of additional setback.



- c) Parking Number Required:**
- (1) If Low to Moderate Income (LMI) housing:**
 - (a) 1 space per unit per 1 bedroom apartment**
 - (b) 1.5 stalls per unit per 2-bedroom apartment**
 - (2) If market-rate housing:**
 - (a) 1.5 spaces per unit per efficiency apartment**
 - (b) 1.75 spaces per unit per 1- and 2-bedroom apartment**
 - (c) 2 spaces per unit per 3+ bedroom apartment**
 - (3) Workforce housing shall only be allowed at the above parking rates if a parking field for a commercial lot/parcel is located within 150' of the entry to an apartment building and a shared parking agreement has been executed allowing for residential overflow parking to occur within the lot/parcel.**
 - (4) For both workforce housing and market rate housing, one (1) visitor parking space shall be provided per every ten (10) units.**
- d) Signage: The regulations and provisions for signs as set forth in Title 9 of the City Code for the Residential High Density (RH) zoning district shall be followed for any signage.**
- e) Architecture: In addition to the previously stated design criteria, the following shall apply specifically to multi- family residential developments:**
- (1) For developments which have multiple buildings, while still being visually cohesive, each building should have its own distinguishing character. This may be achieved with changes in materials, color, window type and size and scale.**

- (2) Unit design should incorporate elements such as balconies and patios to reinforce the connection between the residents and the activities within the development.**
- (a) A minimum of eighty percent (80%) of the multi-family units within the development must provide a balcony or porch/patio with a minimum usable area of forty (40) square feet and a minimum usable dimension of five feet (5') deep in either direction. In lieu of outdoor living area for individual units, area(s) of common defined and enhanced outdoor living space can be provided in an equivalent collective size.**
- (3) Should covered parking be pursued, the architectural details of detached garages should incorporate the materials and treatments of the dwelling, such as windows, doors, trim and materials on all sides of the garage. For parking incorporated within the primary building, the design should place the garage doors on a non-street side façade. Screening or design elements will be required to minimize the dominance of garage doors on the facade.**
- (4) Multi-family buildings and any accessory structures are encouraged to use materials such as brick or natural stone as the primary building materials for the structure. Architectural metal panel or composite rain screen systems, or similar durable architectural panel systems with concealed fasteners can be provided as secondary building materials. All exposed edges of cladding materials must have a fully finished edge or be terminated with trim. Trim for panels should be finished with the same color as the panel. Decorative molding and cornice treatments, appropriate residential trim, or similar combination of material(s) which represents a variation of residential architectural styles or elements should be provided for visual interest.**

b. Parcel 4:

This parcel will serve as the focal point for the Grand Experience development and a destination for residents and visitors. This parcel is the anchor of Parcels 3 and 4 and will be comprised of a water park and associated hotel and a separate conference/event center with hotel. The buildings will be developed around a central pond and natural areas to create an aesthetically pleasing open space for individuals to experience while providing green stormwater management opportunities. This area shall be designed with walkability at its core including enhanced pedestrian walkways, seating areas, and gathering spaces. All buildings within this area shall be visually cohesive through design, materials, and colors and, as much as possible, shall be integrated with the natural topography of the parcel.

The commercial node within this parcel is to provide commercial services to patrons of the water park, hotels, conference center, the RecPlex and neighboring Des Moines University students and staff. Unlike the commercial in PUD Parcel 3, this commercial shall be predominately pedestrian oriented with minimal or no auto-oriented businesses and drive-throughs. In addition to providing opportunities for transit routes and stops, it is intended that a strong pedestrian network will be provided throughout the parcel, including significant pathway connections to the various uses in Parcel 4a and to the east. Buildings within this parcel shall take design, materials and color clues from the water park building to create visual unity and appear as an extension of the water park use/site.

1) Parcel 4a: All general use regulations, performance standards and provisions set forth in Title 9, Zoning, for the Professional Commerce Park (PCP) zoning district, shall apply to any development proposal for all property within Parcel 4a as shown on the sketch plan for the West Grand Business Park PUD.

a) Land Use: All Permitted (P) and Permitted Conditional (Pc) uses set forth in Title 9, "Zoning" of the city code for the Professional Commerce Park (PCP) and Community Commercial (CMC) zoning districts, shall be allowed with the approval of the appropriate review body, except as follows:

(1) All uses otherwise allowed in the PCP and CMC zoning district shall be prohibited except the following which shall be considered Permitted ("P") by right unless a traffic impact study determines implementation of said use will negatively affect the adjacent public streets:

(a) Water park

(b) Conference/Event Venue

(c) Hotel

(d) Eating and Drinking Places (SIC 58)

(e) Family Amusement center integrated into the water park facility

(f) Amusement and Recreational Services (SIC 79)

(2) The following operational restrictions shall apply:

(a) No drive-up or drive-through associated with any use shall be allowed; however, canopied patron drop-off/pick-up areas (porte cochere) shall be allowed as desired.

(b) Outdoor patios associated with any use shall close no later than midnight when within 150' of the following:

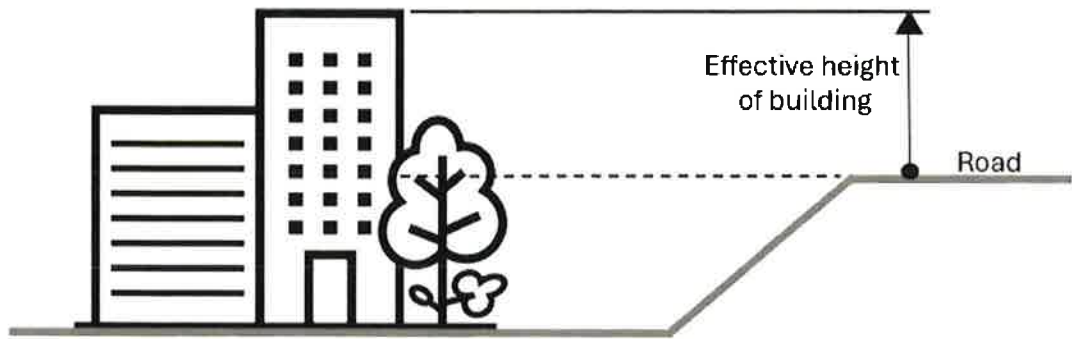
i. a residential dwelling within parcel 3

ii. a residential dwelling on an adjacent property not part of the West Grand Business Park PUD

iii. a hotel room within parcel 3 or 4

b) Bulk Regulations: The bulk regulations and setbacks of the Professional Commerce Park District shall apply to any development in Parcel 4a, unless modified otherwise herein.

Minimum lot area	60,000 square feet; however, no minimum lot size shall be required if ingress/egress cross-access and shared parking agreements are executed
Minimum primary and accessory building(s) setback from Grand Avenue, S Jordan Creek Parkway, or Booneville Road	50 feet
Minimum primary and accessory building(s) setback for interior parcels/lots (no boundary adjacent to Grand Avenue, S Jordan Creek Parkway or Booneville Road)	50 feet from boundary of PUD parcel 3 and 4b 25' from all other interior parcel/lot boundaries
Minimum lot width	150 feet
Maximum building height	60 feet with an additional 12 feet of height allowed for each additional 10 feet of setback. Buildings adjacent to Booneville Road -- The effective height of the building shall be determined by a measurement from the grade of the closest adjoining roadway at a ninety-degree (90°) angle from the building (see following illustration). The effective height shall not exceed 60' without providing the appropriate amount of additional setback.



- c) Parking Number Required:**
- (1) Hotel: 1 space for each guest room; plus 1 space for each employee on the maximum shift**
 - (2) Event venue: 20 spaces per 1,000 square feet of GFA**
 - (3) Water Park, including other uses (i.e., family entertainment, coffee shop, restaurant, etc.) wholly contained within the water park building: prior to occupancy of any part of the water park facility, a minimum of 700 parking stalls shall be constructed on the south side of the water park facility for patrons not staying at the associated hotel. This parking may be combined with the parking field for parcel 4b; however, the 700 parking spaces shall be in addition to any parking required of the uses in parcel 4b.**
 - (4) Restaurant(s) if stand alone or if located within a hotel with a dedicated entry into the restaurant and signage identifying its presence in the hotel: 5 spaces per 1,000 square feet of patron service area.**
 - (5) Other uses according to city code title 9, chapter 15, section 7.**
- d) Open Space: On each lot there shall be provided an open space equal to at least thirty-five percent (35%) of parcel 4a or individual parcel/lot area(s) if the parcel is subdivided.**
- e) Signage: The regulations and provisions for signs as set forth in Title 9 of the City Code for the Professional Commerce Park (PCP) zoning district shall be followed for any signage unless otherwise provided herein.**
- (1) Access and Directional Signs: Signage located at decision points within a site to direct vehicles and pedestrians to specific activity areas and businesses. These signs shall not be legible from bordering perimeter roadways. Business name or logo shall be permitted on these signs up to a maximum of five inches (5") in height. There is no limit on the number of these signs that may be located within a site; however, all signs shall be consistent in design.**

These signs shall abide by all other provisions in city code for Access Identification and Directional Signs not otherwise modified herein.

- (2) Due to residential to the north, internally illuminated signs are prohibited on the north side of buildings along Booneville Road. Halo and externally illuminated wall signs may be allowed on the north façade of buildings along Booneville Road as long as the light intensity is such so as to not impact any residential to the north.*
- f) Architecture: The architectural intent for this parcel is to establish a unique and high-quality identity for a water park, hotel and conference center. Building form and facades shall be varied and articulated to provide visual interest and lessen the plainness of appearance which can be characteristic of large, prefabricated buildings. A variety of materials shall be incorporated for visual interest and to relate to the surrounding developed properties.*
 - (1) Water Park Facades: Building materials may include integral color decorative concrete block, architectural grade pre-cast, and cast-in-place concrete panels to accommodate the functional needs of the water park, however, the building shall also incorporate secondary cladding materials such as, but not limited to, brick and stone, architectural metal cladding, metal or composite rain screen panel systems with concealed fasteners to help the larger building fit within the context of the surrounding development. Building facades shall focus on providing ways to break up and provide visual interest along large flat large expanses of wall.*
 - (2) Hotel, Conference Center/Hotel Facades: Natural, durable materials such as brick and stone shall be used as the primary cladding material of the building façades, primarily on the lower stories of the building, adjacent to sidewalks and pedestrian use areas. Secondary building materials may include, but are not limited to, architectural metal or composite rain screen panel systems with concealed fasteners, or other panelized cladding products of an architectural grade (acceptable to the Cit.). All exposed edges of cladding materials must have a fully finished edge or be terminated with trim. Trim for cladding panels should be finished with the same color as the panel. The use of EIFS or synthetic stucco shall be used in limited quantities and primarily as an accent or trim material and located only on the upper portions of the facades. EIFS or synthetic stucco as wall materials should be limited and aim to not comprise more that 20% of the cladding material.*
 - (3) No wood, synthetic stucco, non-architectural metal cladding, plain concrete block, or other similar materials shall constitute a portion of a building except as a trim material, unless the City Council, after having received a recommendation from the Plan and Zoning*

Commission, shall determine said material, when used as a primary element, enhances the physical appearance of the building.

2) Parcel 4b: All general use regulations, performance standards and provisions set forth in Title 9, Zoning, for the Neighborhood Commercial (NC) zoning district shall apply to any development proposal for all property within Parcel 4b as shown on the sketch plan for the West Grand Business Park PUD.

a) Land Use: All Permitted (P) and Permitted Conditional (Pc) uses set forth in Title 9, "Zoning" of the city code for the Neighborhood Commercial (NC) zoning district, shall be allowed with the approval of the appropriate review body, except as follows:

(1) The following uses shall be prohibited:

(a) All uses in the following Standard Industrial Classification Divisions

i. "A" – Agricultural, Forestry & Fishing

ii. "C" – Construction

iii. "D" – Manufacturing

iv. "E" – Transportation, Communication and Public Utilities, except typical infrastructure equipment and service lines

v. "J" – Public Administration

(b) Retail nurseries and garden stores (SIC 526) – does not include flower shops

(c) Convenience Store with fuel (SIC 541) – grocery only (no fuel) convenience store is allowed, no drive-up

(d) Automotive Dealers and Service Stations (SIC 55)

(e) Furniture, Home Furnishings and Equipment Stores (SIC 57)

(f) Outdoor storage or display component(s) associated with any use within Division G: Retail Trade (Major Groups 52 through 59) - does not include outdoor patios associated with Major Group 58: Eating and Drinking Places

(g) Distribution of medical cannabidiol as part of a licensed medical cannabidiol manufacturer (SIC 591)

(h) Used Merchandise Stores (SIC 593)

(i) Miscellaneous Repair Services, NEC (SIC 76)

(2) The following operational restrictions shall apply:

(a) No more than two (2) businesses with a drive-up or drive-through component(s) shall be allowed within Parcel 4b.

b) Bulk Regulations: The bulk regulations and setbacks of the Neighborhood Commercial (NC) zoning district shall apply to any development in Parcel 4b unless modified otherwise herein.

Minimum lot area	60,000 square feet; however, no minimum lot size shall be required if ingress/egress cross-access and shared parking agreements are executed
Minimum primary and accessory building(s) setback from S Jordan Creek Parkway & Grand Avenue	50 feet
Minimum primary and accessory building(s) setback for interior parcels/lots (no boundary adjacent to S Jordan Creek Parkway or Grand Avenue)	50 feet unless if abutting similar district then 25'
Building Separation (multiple buildings on one parcel/lot)	As required by Building and Fire codes
Minimum lot width	50 feet
Maximum building height	36 feet with an additional 12 feet of height allowed for each additional 10 feet of setback

c) Parking:

- (1) No parking shall be located between a building and the adjacent perimeter street (Grand Avenue and/or S Jordan Creek Parkway).**
- (2) A single drive-through lane may be located between the building and road when properly screened to mitigate views thereof from adjacent perimeter streets; however, said lane shall not encroach into the 50' perimeter buffer.**

d) Outdoor Patron Use and Activity Areas: It is desired that outdoor patios be incorporated into all food or drink related establishments with said patios being located between the building and S Jordan Creek Parkway and/or Grand Avenue. To accommodate this, these patios may encroach into the required 50' perimeter buffer and building setback up to twenty feet (20'). These patios shall be enhanced to encourage day and evening use through implementation of elements such as festive lighting, umbrellas or sunshades, fans, misters, glass wind barriers, outdoor heaters, etc.

- e) **Signs: The regulations and provisions for signs as set forth in Title 9 of the City Code for the Neighborhood Commercial (NC) zoning district shall be followed for any signage within Parcel 4b.**
- f) **Architecture: The architectural intent for this parcel is to establish a unique and high-quality identity for the pedestrian oriented commercial uses that will serve the patrons of the water park, hotels, conference center, the RecPlex and neighboring Des Moines University students and staff while still providing design continuity with the surrounding parcels within the overall development PUD.**
 - (1) **Natural, durable materials such as brick and stone shall be used as the predominate cladding material of the building façades, primarily on the lower stories of the building, adjacent to sidewalks and pedestrian use areas. Secondary building materials may include, but are not limited to, clear glazing, architectural metal or composite rain screen panel systems with concealed fasteners, or other panelized cladding products of an architectural grade (acceptable to the City.). All exposed edges of cladding materials must have a fully finished edge or be terminated with trim. Trim for cladding panels should be finished with the same color as the panel. The use of EIFS or synthetic stucco shall be used in very limited quantities and primarily as an accent or trim material and located only on the upper portions of the facades.**
 - (2) **No wood, synthetic stucco, non-architectural metal cladding, plain concrete block, or other similar materials shall constitute a portion of a building except as a trim material, unless the City Council, after having received a recommendation from the Planning and Zoning Commission, shall determine said material, when used as a primary element, enhances the physical appearance of the building.**

c. **Parcel 5:**

Commercial development within this parcel will focus on the motoring public and patrons of the RecPlex entering and leaving the area and guests at the waterpark, hotels, and conference/event center by providing opportunities for quick service businesses situated along Grand Avenue such as fast-food restaurants, including with drive thrus. The incorporation of drive-thrus shall be allowed in combination with design measures to minimize the presence of automobile focused elements such as order boards and drive-thru vehicle queuing. Additional opportunities for lodging and restaurants (non-drive through) engaged with an existing water feature exist along the south and east edge of this parcel. The bulk of the center of the property will be dedicated to parking for the RecPlex and overflow parking for PUD Parcels 3 & 4. This parking shall be a minimum of 500 spaces and will serve as a holding area for possible future expansion of the RecPlex facility. A dedicated vehicle roadway

and enhanced pedestrian pathways physically separated from the primary roadway will link this parcel to the RecPlex.

1) All general use regulations, performance standards and provisions set forth in Title 9, Zoning, for the Community Commercial (CMC) zoning district, shall apply to any development proposal for all property within Parcel 5 as shown on the sketch plan for the West Grand Business Park PUD, unless modified otherwise within this Ordinance.

a) Land Use: All Permitted (P) and Permitted Conditional (Pc) uses set forth in Title 9, "Zoning" of the city code for the Community Commercial (CMC) zoning district, shall be allowed with the approval of the appropriate review body, except as follows:

(1) All uses otherwise allowed in the CMC zoning district shall be prohibited except the following which shall be considered Permitted ("P") by right unless a traffic impact study determines implementation of said use will negatively affect the adjacent public streets:

(a) General Merchandise Stores (SIC 53)

(b) Food Stores (SIC 54), including convenience stores with fuel pumps

(c) Apparel and Accessory Stores (SIC 56)

(d) Eating and Drinking Places (SIC 58), including with drive-ups or drive-throughs

(e) Drug Stores and Proprietary Stores (SIC 591)

(f) Finance, Insurance, Real Estate and Other Office Uses, NEC (SIC Division H), except Personal Credit Institutions, including check and case agencies and delayed deposit services businesses (SIC 6141)

(g) Hotels (SIC 70)

(h) Personal Services (SIC 72)

(i) Car Washes (SIC 7542)

(j) Amusement and Recreational Services (SIC 79)

(k) Health Services (SIC 80)

(2) The following operational restrictions shall apply:

(a) Only those parcels/lots which are adjacent to Grand Avenue may have drive-up or drive-through component(s) if a traffic impact study determines implementation of said use will not negatively affect Grand Avenue.

(b) Car Washes shall not be located within 300' of a hotel room.

(c) Outdoor patios of any use within 150' of a hotel room shall close no later than midnight.

- b) **Bulk Regulations:** *The bulk regulations and setbacks of the Community Commercial District (CMC) shall apply to any development in Parcel 5, unless modified otherwise herein.*

Minimum lot area	60,000 square feet; however, no minimum lot size shall be required if ingress/egress cross-access and shared parking agreements are executed
Minimum primary and accessory building(s) setback from Grand Avenue	100 feet; if no parking is located between the building and the adjacent street the setback may be reduced to 50 feet. A single drive-through lane may be located between the building and road
Minimum primary and accessory building(s) setback for interior parcels/lots (no boundary adjacent to Grand Avenue)	50 feet unless if abutting similar district then 25'
Building Separation (multiple buildings on one parcel/lot)	As required by Building and Fire codes
Minimum lot width	50 feet
Maximum building height	36 feet with an additional 12 feet of height allowed for each additional 10 feet of setback

- c) **Signs:** *The regulations and provisions for signs as set forth in Title 9 of the City Code for the Community Commercial (CMC) zoning district shall be followed for any signage within Parcel 5.*

- d) **Architecture:** *The architectural intent for this parcel is to establish a unique and high-quality identity for the mixed-use commercial development area while still providing design continuity to the RecPlex and surrounding parcels within the overall development PUD.*

- (1) **Natural, durable materials such as brick and stone shall be used as the primary cladding material of the building façades, primarily on the lower stories of the building, adjacent to sidewalks and pedestrian use areas. Secondary building materials may include, but are not limited to, clear glazing, architectural metal or composite rain screen panel systems with concealed fasteners, or other panelized cladding products of an architectural grade (acceptable to the City.). All exposed edges of cladding materials must have a fully finished edge**

or be terminated with trim. Trim for cladding panels should be finished with the same color as the panel. The use of EIFS or synthetic stucco shall be used in limited quantities and primarily as an accent or trim material and located only on the upper portions of the facades.

(2) No wood, synthetic stucco, non-architectural metal cladding, plain concrete block, or other similar materials shall constitute a portion of a building except as a trim material, unless the City Council, after having received a recommendation from the Planning and Zoning Commission, shall determine said material, when used as a primary element, enhances the physical appearance of the building.

d. Parcel 6:

- 1) This parcel as shown on the sketch plan for the West Grand Business Park PUD may be subdivided and developed today under allowances, regulations and restrictions for Business Park (BP) zoning as set forth in title 9, Zoning of the West Des Moines City Code.*
- 2) A 50' perimeter setback shall be provided along S 88th Street, Grand Avenue and S Jordan Creek Parkway should it be extended south of Grand Avenue.*
- 3) Provisions and regulations for Landscaping, Architecture and Landscape Signs as provided in regulations applicable to PUD Parcels 3, 4, 5, & 6 shall be applicable.*
- 4) With the submittal of a master plan for all ground within Parcel 6 and city approval of an amendment to this PUD ordinance outlining development expectations, allowed and prohibited uses, and site development provisions, regulations and restrictions, an integrated and cohesive development comprised of Residential Medium-Density (RM), Residential High-Density (RH), Professional Commerce Park (PCP) and Support Commercial (SC) zoning districts may be allowed. This alternate development shall provide for and encourage the integration of multi-family housing at a variety of price points with a variety of commercial and office uses. This area shall be designed with walkability at its core including intentional connections to adjacent Des Moines University (DMU) Campus, Grand Experience water park, hotel, and conference/event center and MidAmerican Energy Company RecPlex. Vertical mixed-use buildings, if incorporated may be located anywhere within parcel 6; however, standalone commercial uses shall only be allowed in Parcel 6c.*

SECTION 5. Amendment. Ordinance #1373, #1812, #2299, #2359, #2360, #2446, #2460 and #2462, pertaining to the West Grand Business Park Planned Unit Development, Section 054-33, *Land Use Design Criteria*, Subsection D, *Parcels 4 and 7* is hereby amended by deleting the highlighted strike-through text. All other items in current adopted portion of code not reflected below shall remain as is.

D. ~~Parcels 4 and 7~~: All general use regulations and provisions set forth in title 9, Zoning of the West Des Moines City Code for the RM Residential Medium Density District shall apply to any development in ~~Parcels 4 and 7~~ as shown on the sketch plan for the West Grand Business Park PUD, unless modified otherwise within this ordinance. The maximum density for any development within these parcels shall not exceed twelve (12) dwelling units per acre.

1. Allowed Uses: Uses allowed within these parcels shall be permitted as identified pursuant to table 5.1 of title 9 of the West Des Moines City Code for the RM Residential Medium Density District, unless modified otherwise within this section. In addition to the uses listed in table 5.1 for the RM District of title 9 of the City Code the following uses shall be permitted:

Agricultural production - crops (SIC 01) including sod farms and noncommercial grain storage.

2. Architecture Requirements: The architecture of multiple- family buildings within these parcels shall be acceptable to the City and accomplished in a manner compatible with the adjoining residential uses in the neighborhood. Architectural design for multi-family buildings shall attempt to express a creative presentation of exterior building materials, exterior details and texture, treatment of windows and doors, and use of angles and multiplicity of planes within the wall and roof design to lessen the plainness of appearance which can be characteristic of large residential buildings. No more than eight (8) dwelling units side by side in a row on any side of a building shall be permitted. A maximum of twelve (12) dwelling units per building shall be permitted. Brick elements shall be incorporated into the architecture of all sides of a building to integrate the commercial and residential uses through similarity of building materials and style.
3. Bulk Regulations: The bulk regulations and setbacks of the Residential Medium Density District shall apply to any development in ~~Parcels 4 and 7~~, unless modified otherwise herein.
4. Open Space Required: Within each development there shall be provided an open space equal to at least twenty five percent (25%) of the total lot area; said space shall be unencumbered with any structure or off-street parking and shall be landscaped and well maintained with grass, trees and shrubbery, except for areas used as pedestrian walks and ingress-egress drives. In addition, all parking areas shall include landscape areas, islands, screens, etc., equal to not less than ten percent (10%) of the total paved area. Such landscaped area shall be in addition to the open space requirements noted above for the total lot area. Landscaped islands within the parking area shall have ground cover of grass (i.e., sod), shrubs or other acceptable living plant life, unless an alternate ground cover is specifically approved as part of the site plan review by the City. Inorganic mulches in the landscape islands shall not be considered acceptable.

Emphasis should be placed on the protection and preservation of any environmentally sensitive areas as part of the development of the property. Environmental resources (trees, drainageways, natural areas, and open space, etc.) shall be preserved, wherever practical, through the design development and protection measures.

Section 6. Amendment. Ordinance #1373, #1812, #2299, #2359, #2360, #2446, #2460 and #2462, pertaining to the West Grand Business Park Planned Unit Development, Section 054-03, *Land Use Design Criteria*, Subsection F, *Parcel 8*, is hereby amended by deleting the text in

highlighted strike-thru and inserting the text in bold italics. All other items in current adopted portion of code not relected below shall remain as is.

~~F.~~ ***E.*** Parcel 8: All general regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for the Professional Commerce Park (PCP) District shall apply to Parcel 8, however, a primary use of SIC 8221: Colleges, Universities and Professional Schools and uses subordinate to or serving a purpose customarily incidental to a medical school shall be the only uses allowed.

Section 7. Amendment. Ordinance #1373, #1812, #2299, #2359, #2360, #2446, #2460 and #2462, pertaining to the West Grand Business Park Planned Unit Development, Section 054-03, *Land Use Design Criteria*, Subsection G, *Parcel 9*, is hereby amended by deleting the highlighted strike-thru text and inserting the text in bold italics. All other items in current adopted portion of code not relected below shall remain as is.

~~G.~~ ***F.*** Parcel 9: All general use regulations and provisions set forth in title 9, Zoning of the West Des Moines City Code for the CVC Convenience Commercial District shall apply to any development in Parcel 9 as shown on the sketch plan for the West Grand Business Park PUD, unless modified otherwise within this ordinance. The total net developable acreage of Parcel 9 shall not exceed five (5.0) acres.

Section 8. Amendment. Ordinance #1373, #1812, #2299, #2359, #2360, #2446, #2460 and #2462, pertaining to the West Grand Business Park Planned Unit Development, Section 054-03, *Land Use Design Criteria*, Subsection H, *Parcel 10*, is hereby amended by deleting the highlighted strike-thru text and inserting the text in bold italics. All other items in current adopted portion of code not relected below shall remain as is.

~~H.~~ ***G.*** Parcel 10: All general regulations and provisions set forth in title 9, Zoning of the West Des Moines City Code for the Business Park (BP) District shall apply to Parcel 10 unless provided otherwise in this ordinance.

Section 9. Amendment. Ordinance #1373, #1812, #2299, #2359, #2360, #2446, #2460 and #2462, pertaining to the West Grand Business Park Planned Unit Development, Section 054-03, *Land Use Design Criteria*, Subsection i, *Parcel 11*, is hereby amended by deleting the highlighted strike-thru text and inserting the text in bold italics. All other items in current adopted portion of code not reflected below shall remain as is.

~~I.~~ ***H.*** Parcel 11: All general use regulations, performance standards and provisions set forth in title 9, Zoning, of the West Des Moines City Code for the LI Light Industrial District, shall apply to any development proposal for all property within Parcel 11 as shown on the sketch plan for the West Grand Business Park PUD, unless modified otherwise within this ordinance.

Section 10. Amendment. Ordinance #1373, #1812, #2299, #2359, #2360, #2446, #2460 and #2462, pertaining to the West Grand Business Park Planned Unit Development, Section 054-03, *Land Use Design Criteria*, Subsection J, *Parcels 13, 14 And 15*, is hereby amended by deleting the highlighted strike-thru text and inserting the text in bold italics. All other items in current adopted portion of code not relected below shall remain as is.

~~J.~~ ***K.*** Parcels 13, 14 And 15: The Raccoon River, as well as other creeks and intermittent streams in these parcels, presents an opportunity for a significant linear open space through the development. The Raccoon River represents the most significant environmental resource in the area of the PUD.

SECTION 11. Amendment. Ordinance #1373, #1812, #2299, #2359, #2360, #2446, #2460 and #2462, pertaining to the West Grand Business Park Planned Unit Development, Section 054-03, *Land Use Design Criteria*, Subsection J, is hereby amended by inserting the text in bold italics accordingly.

J. Parcel 12: All general use regulations, performance standards and provisions set forth in title 9, Zoning of the West Des Moines City Code, for the BP Business Park District, shall apply to any development proposal for all property within Parcel 12 as shown on the sketch plan for the West Grand Business Park PUD, unless modified otherwise within this ordinance.

SECTION 12. Amendment. Ordinance #1373, #1812, #2299, #2359, #2360, #2446, #2460 and #2462, pertaining to the West Grand Business Park Planned Unit Development, Section 054-13, *Buffers*, is hereby amended by deleting the highlighted strike-through text and adding the text in bold italics.

All development within the West Grand Business Park PUD shall comply with the buffering provisions of ~~the Buffer Ordinance, Ordinance 1073, of the City Code,~~ ***unless modified otherwise within this ordinance.***

SECTION 13. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 14. 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 15. 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 16. 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 17. 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

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 _____, 2024, and was published in the Des Moines Register on _____, 2024.

Planned Unit Development Sketch Plan

West Grand Business Park PUD Sketch Plan / July 2024



A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
NO. PZC-24-035

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, WDM Entertainment, LLC, and property owner, W & G McKinney Farms, LC, request approval for a Comprehensive Plan Land Use Map Amendment to change the land use designation on the parcels as shown on the Comprehensive Plan Land Use change illustration included in the staff report as follows:

- Amend the Comprehensive Plan Land Use Map for Planned Unit Development Parcel 3 & 4 as shown on the included illustration to change from Office (OF) and Support Commercial (SC) to Multi-Use Medium (MUM) land use.
- Amend the Comprehensive Plan Land Use Map for Planned Unit Development Parcel 5 and 6 as shown on the included illustration to change from Business Park (BP) to Multi-Use Medium (MUM) land use.

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-006091-2023) 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 July 22, 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 July 22, 2024, by the following vote:

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

Recording Secretary

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION
NO. PZC-24-036

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, WDM Entertainment, LLC, and property owner, W & G McKinney Farms, LC, request approval of an amendment to the West Grand Business Park Planned Unit Development Ordinance for the development parcels as shown on the Planned Unit Development Sketch Plan attached to the ordinance included in the staff report as follows:

- Change Parcel 3 from Professional Commerce Park (PCP) to Community Commercial (CMC) and Residential High Density (RH-18) zoning for intended development of Multi-Family Residential and Commercial development.
- Change Parcel 4 from Residential Medium Density (RM-12) to Professional Commerce Park (PCP) and Neighborhood Commercial (NC) zoning for intended development of entertainment and commercial uses.
- Change Parcel 5 from Business Park (BP) to Community Commercial (CMC) zoning for intended development of commercial uses.
- Modify development regulations for Parcels 3, 4, 5, & 6 to allow for the intended development of residential and commercial uses.

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-006091-2023) 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 July 22, 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 July 22, 2024, by the following vote:

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

Recording Secretary