NO CHANGE FROM PREVIOUS READING

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: November 27, 2017

ITEM: 1st Street Redevelopment PUD, SW corner of 1st Street and Grand Avenue – Amend PUD to revise the timing of streetscape installation along Grand Avenue and 1st Street for PUD Parcel 1 – First Street, LP – ZC-003656-2017

ORDINANCE: Approval of Second Reading, Waive Third and Adopt in Final Form

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The 1st Street Redevelopment PUD requires that the developer submit a minor modification for the installation of street scape plantings along Grand Avenue and 1st Street in front of Parcels 1 and 2 (True Value and Sully's) within 2 years of the approval of the PUD. The 1st Street Redevelopment PUD was approved on November 2, 2015. At the time of the PUD writing, Grand Avenue was not slated for reconstruction until far into the future. The reconstruction of Grand Avenue has now been moved up in the list of priorities and is slated for likely construction in 2020, with a 1 year to 18 month construction time-frame. The applicant is requesting that the installation of streetscape plantings along Grand Avenue and 1st Street be delayed to be coordinated with the Grand Avenue reconstruction because of the disturbed area related to the widening of Grand Avenue will impact the 1st Street Redevelopment site. The trigger within the PUD will be revised to state the streetscape and parking lot of Parcel 1 (the True Value property) will need to be modified in conjunction with the widening of Grand Avenue.

Previous Council Action:
Vote: 5-0 approval
Date: November 13, 2017
Motion: Approval of the First Reading of the amendment to the PUD.

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the City Council approve the second reading, waive the third reading and adopt the 1st Street Redevelopment PUD Ordinance Amendment in final form, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Brian Portz BP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register	
Date(s) Published	October 27, 2017	
Letter sent to surrounding property owners		10/26/2017

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	Not reviewed		
Recommendation	Yes ☐	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Proposed PUD Ordinance Amendment

EXHIBIT I

Prepared by: B. Portz, Development Services, PO Box 65320, W.D.M., IA 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 NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, AND ORDINANCE #2122, 2135, AND 2184 PERTAINING TO P.U.D. (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. Ordinance #2122, 2135, and 2184 pertaining to the **1st Street Redevelopment PUD**, Section 13: *Landscaping*; Subsection B: *Streetscaping* is hereby amended by adding the following bolded italicized text and deleting the highlighted strikethrough text:

B. Streetscaping: A landscaped edge with hardscape elements or "streetscape" shall be provided along Grand Avenue and 1st Street. These streetscapes are intended to provide desired green to the city, reinforce a district identity, provide visual screening of parking and other negative site elements, bring human scale to adjoining buildings and provide traffic calming benefits. The streetscape shall be accomplished in accordance with the Grand Avenue redevelopment plan streetscaping intent and shall include vegetation, furniture, and ornamental stone wall screening elements as illustrated in the redevelopment plan. Pedestrian elements such as patios and walkways may encroach into the streetscape area; however, no buildings or off street parking may.

A minimum ten foot (10') streetscape easement shall be provided along Grand Avenue and 1st Street to the first drive entrance onto 1st Street to provide area for district streetscape, signage and to maintain utility corridors. Said easement shall be adjusted at the corners of intersecting streets if necessary to provide a full depth streetscape easement area around traffic signal equipment easements. The developer shall provide the necessary easements at the time of site plan approval. The streetscape easement width may be modified to accommodate the existing parking lot location along parcels 1 and 2.

Streetscape landscaping shall be placed within the streetscape easement of the property. Landscape vegetation and amenities such as pedestrian benches and ornamental wall stones shall be implemented within the streetscape area to provide screening of off street parking areas to a minimum height of three feet (3'). To aid in achieving this, a minimum of two (2) trees and ten (10) shrubs shall be required for every fifty (50) linear feet of streetscape distance. Of the required number of trees, a minimum of one-half ($^1/_2$) must be overstory in nature. No substitution of shrubs for required trees shall be allowed. Additionally, three (3) "ornamental wall stones" as illustrated in the Grand Avenue redevelopment plan shall be provided for every one hundred (100) linear feet of streetscape. It is recommended that the stones be clustered in groups of at least three (3) stones amongst and between groups of shrubs to provide mass and screening

rather than be equally spaced along the streetscape length. With city council approval at the site plan application, the developer can defer installation of required streetscape elements or plantings to accommodate changes in interim or future access drives.

~~Within twenty four (24) months of the PUD approval~~, ***In coordination with the reconstruction of Grand Avenue,*** the developer must submit a minor modification application for ***PUD*** parcel~~s~~ 1 ~~and 2~~ to initiate installation of the streetscape improvements along the Grand Avenue frontage and the 1st Street frontage for ***PUD*** parcels 1 ~~and 2~~. ~~See exhibit D~~. Said minor modification shall also include parking lot modifications ***as needed*** ~~and a new retro style pole sign identifying the tenants of parcels 1 and 2~~.

SECTION 2. SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase or part of the Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

SECTION 3. 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 4. OTHER REMEDIES. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

SECTION 5. 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 the _____day of _____, 2017.

_____

Steven K. Gaer, Mayor

ATTEST:

_____

Ryan T. Jacobson
City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____, 2017.

_____

Ryan T. Jacobson
City Clerk