

ORDINANCE NO.

AN ORDINANCE TO AMEND CHAPTER 300, ZONING ORDINANCE, CITY OF WAUKEE, IOWA BY AMENDING THE ZONING FROM A-1 (AGRICULTURAL DISTRICT) TO R-4 (ROW DWELLING AND TOWNHOME DWELLING DISTRICT) AND PD-1 (PLANNED DEVELOPMENT OVERLAY) FOR CERTAIN PROPERTY [LA GRANT AND UNIVERSITY TOWNHOMES]

BE IT ORDAINED by the Council of the City of Waukee:

Section 1. Section 301.4 of Chapter 301, Waukee Municipal Code, Zoning Ordinance of the City, adopting the Official Zoning Map, is hereby amended by amending the zoning from A-1 (Agricultural District) to R-4 (Row Dwelling and Townhome Dwelling District) and PD-1 (Planned Development Overlay District) for property legally described as follows:

A PART OF LOT GOVERNMENT LOT 1, IN SECTION 5, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WAUKEE, DALLAS COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 'A', GLYNN VILLAGE PLAT 1; THENCE NORTH 89°54'59" WEST ALONG THE NORTHERLY LINE OF SAID GLYNN VILLAGE PLAT 1, A DISTANCE OF 956.10 FEET TO THE NORTHWEST CORNER OF LOT 165; THENCE NORTH 00°22'59" EAST CONTINUING ALONG SAID NORTHERLY LINE, 839.44 FEET TO THE NORTH LINE OF SAID SECTION 5; THENCE SOUTH 89°48'41" EAST ALONG SAID NORTH LINE, 956.06 FEET TO THE NORTHEAST CORNER OF SAID SECTION 5; THENCE SOUTH 00°22'51" WEST ALONG THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 837.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 18.41 ACRES (801,733 SQUARE FEET) THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

Section 2. Planned Development Agreement. Attached hereto as Exhibit A is the Planned Development Agreement which shall define the minimum standards and requirements of the PD-1 [Planned Development Overlay District] pertaining to the above legally described property.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Severability Clause. If any section, provision 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 section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall be in effect upon its final passage, approval and publication as provided by law.

Passed by the Council this ____ day of _____, 2019, and approved this ____ day of _____, 2019.

William F. Peard, Mayor

Attest:

Rebecca D. Schuett, City Clerk

Exhibit A

LA GRANT AND UNIVERSITY TOWNHOMES

PLANNED DEVELOPMENT

CITY OF WAUKEE

APPROVED BY WAUKEE CITY COUNCIL ON _____, 2019



TABLE OF CONTENTS

LA GRANT AND UNIVERSITY TOWNHOMES

PLANNED DEVELOPMENT

- Rezoning Request
 - Exhibit B – Waukee PD Form
 - Exhibit C – Property Legal Description
 - Exhibit D – Rezoning Map
 - Exhibit E – Conceptual Development Plan

Exhibit B | LA GRANT AND UNIVERSITY TOWNHOMES – PLANNED DEVELOPMENT

Waukee, Iowa

Planned Development Overlay District (PD)

Item 1 Purpose and Scope of District

- The subject property is generally located at the southwest corner of the intersection of SE University Avenue and SE LA Grant Parkway.
- The proposed Planned Development is an approximately 18.4 acre parcel of property. The proposed Planned Development calls for the development of 129 townhomes.
- The proposed underlying zoning of the Property will be R-4 (Row Dwelling and Townhome Dwelling District) with the Planned Development Overlay (PD-1) defining the allowable uses, bulk regulations and restrictions.

Item 2 Location, Size, Legal Description

- See Attached: Exhibit C – Property Legal Description

Item 3 Conceptual Development Plan

- See Attached: Exhibit D – Rezoning Map

Exhibit E – Conceptual Development Plan

- Exhibit E represents a conceptual development plan showing proposed development of 129 townhome units.

Item 4 Building Design Standards, including height, materials, sections and other information required to describe the project

Building design and site standards for the project shall be consistent with the Waukee Code of Ordinances as specified below:

1. All townhomes shall have a unified architectural theme. Sites where four or more buildings are proposed shall provide slight differentiation in design amongst buildings of the same size or number of units to provide for a higher level of architectural design for the site as a whole.
2. Each townhome façade shall be divided into a maximum of 20 foot linear sections. This requirement may be accomplished by the use of:
 - a. Window bays;

- b. Articulation in roof lines through the use of dormers or gables;
 - c. Variation in building offsets;
 - d. Division of continuous materials;
 - e. Use of architectural accents such as chimneys, balconies, pediments, columns, cornice lines or moldings.
3. Each building shall be designed with the same level of architectural style on all sides. For townhomes, a minimum of 20% of the front façade shall be comprised of brick and/or stone. In calculating wall surfaces, windows and doors shall not be considered within the calculation.
4. Exterior building elevations which adjoin a public or private street shall employ a variety of textures and colors as well as window and door details.

Item 5 Bulk Regulations – Including Density Regulations, Setbacks, Maximum Heights, and other design standards specific to the Project

Row Dwellings and Townhomes

All lots and homes shall be consistent with the R-4 Row Dwelling and Townhome Dwelling District requirements with the following exceptions and modifications as specified below:

1. Overall Maximum Density. Eight (8) Dwelling Units/Acre maximum and consistent with the conceptual development plan as described in attached Exhibit E.
2. Minimum Floor Area. All townhomes shall contain a minimum square feet of living space exclusive of attached garages, breezeways, porches and finished basement areas as follows:
 - a. One story townhomes must have a minimum of 1,200 square feet finished area directly under the roof.
 - b. All one and one-half story townhomes must have a minimum of 1,300 square feet finished area directly under the roof.
 - c. All two-story townhomes must have a minimum of 1,400 square feet finished area under the roof.
3. Front Yard. Minimum front yard setbacks adjacent to internal private streets shall be twenty (20) feet for those units without a sidewalk and twenty-five (25) feet for those units with a sidewalk

4. Side Yards. Total of fifteen (15) feet – minimum of seven and a half (7.5) feet on each side
5. Rear Yards. Thirty (30') feet minimum
6. Perimeter. Twenty-five (25) feet along SE University Avenue and SE LA Grant Parkway. Twenty-five (25) feet along west property line. Fifteen (15) feet along south property line.
7. Maximum Height. Forty (40) feet
8. Minimum Unit Width. Twenty-two (22) feet
9. Maximum Number of Attached Units. Seven (7) units

Item 6 Uses of Property – Including Principal Permitted Uses and Accessory Uses

Those uses and accessory uses only as permitted within the R-4 (Row Dwelling and Townhome Dwelling) Zoning District.

Item 7 Park Land Dedication, Open Space, Landscape and Buffer Regulations

1. In lieu of parkland dedication, Developer agrees to construct a trail along the existing drainage way as depicted on attached Exhibit E. Developer agrees to provide a public easement for access to the trail from the general public.
2. In addition to the trail improvements, Developer agrees to install several private site amenities including a clubhouse, pool and dog park as depicted on attached Exhibit E.
3. Minimum open space and landscaping shall be as described within the City of Waukee Code of Ordinances.
4. A twenty-five (25) foot landscape buffer shall be required along the east and north property lines.

END OF DOCUMENT

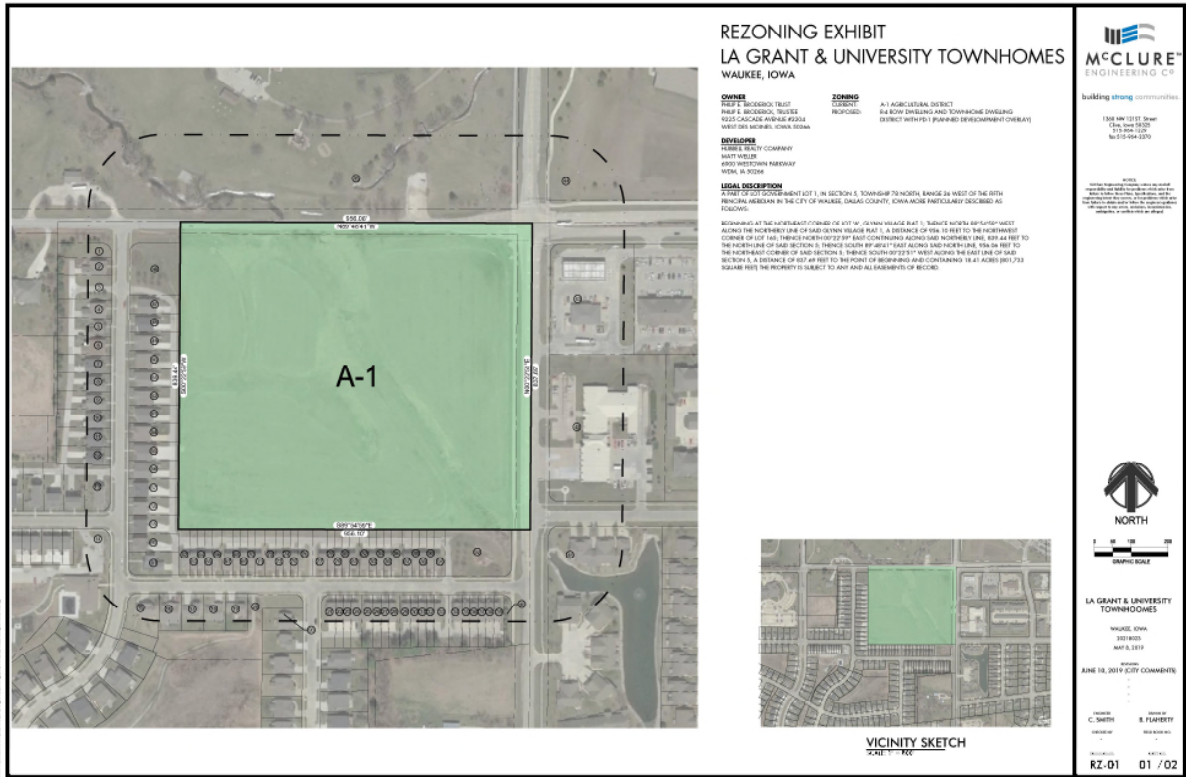
EXHIBIT C

LEGAL DESCRIPTION

A PART OF LOT GOVERNMENT LOT 1, IN SECTION 5, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WAUKEE, DALLAS COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 'A', GLYNN VILLAGE PLAT 1; THENCE NORTH $89^{\circ}54'59''$ WEST ALONG THE NORTHERLY LINE OF SAID GLYNN VILLAGE PLAT 1, A DISTANCE OF 956.10 FEET TO THE NORTHWEST CORNER OF LOT 165; THENCE NORTH $00^{\circ}22'59''$ EAST CONTINUING ALONG SAID NORTHERLY LINE, 839.44 FEET TO THE NORTH LINE OF SAID SECTION 5; THENCE SOUTH $89^{\circ}48'41''$ EAST ALONG SAID NORTH LINE, 956.06 FEET TO THE NORTHEAST CORNER OF SAID SECTION 5; THENCE SOUTH $00^{\circ}22'51''$ WEST ALONG THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 837.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 18.41 ACRES (801,733 SQUARE FEET) THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

EXHIBIT D REZONING MAP



REZONING EXHIBIT LA GRANT & UNIVERSITY TOWNHOMES WAUKEE, IOWA

OWNER
RETT BOEDERLOE TRUST
1841 S. HICKORY, SUITE 2
4222 CASCADE AVENUE #201A
WAUKEE, IOWA 52686

DEVELOPER
HELMER SMITH COMPANY
BART WELSH
600 WESTOWN HIGHWAY
WOKA, IA 50268

LEGAL DESCRIPTION
A CERTAIN PORTION OF LOT 1, IN SECTION 5, TOWNSHIP 75 NORTH, RANGE 26 WEST OF THE SIXTH
RANGE MERIDIAN IN THE CITY OF WAUKEE, DAVIS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

BEGINNING AT THE INTERSECTION CORNER OF THE WEST 1/4 CORNER W/24TH AVENUE EAST TO THE POINT OF MEASURE
ALONG THE NORTHERLY LINE OF SAID 24TH AVENUE EAST, A BEARING OF 196° 18' 18" TO THE SOUTHWEST
CORNER OF LOT 146, THENCE NORTH 02° 22' 31" EAST CONTINUING ALONG SAID NORTHERLY LINE, 839.44 FEET TO
THE NORTH LINE OF SAID SECTION 5, THENCE SOUTH 89° 40' 11" EAST ALONG SAID NORTH LINE, 104.34 FEET TO
THE NORTHEAST CORNER OF SAID SECTION 5, THENCE SOUTH 02° 22' 31" WEST ALONG THE EAST LINE OF SAID
SECTION 5, A DISTANCE OF 837.48 FEET TO THE POINT OF BEGINNING, 666.00 SQUARE FEET, 18.41 ACRES (807,703
SQUARE FEET), THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

ZONING
CURRENT: R-10 ROW DWELLING AND TOWNHOME DWELLING
PROPOSED: DISTRICT WITH PD 1 (PLANNED DEVELOPMENT OVERLAY)

MCCLURE[®]
ENGINEERING CO.
Building strong communities

1308 HWY 151E, SUITE 100
1715 2ND ST
WAUKEE, IA 52686-1270
Tel: 515-924-1270

NOTES
1. THIS MAP IS A PRELIMINARY MAP AND IS NOT A FINAL MAP. THE CITY ENGINEER SHALL REVIEW THIS MAP FOR CONFORMANCE WITH THE IOWA ZONING MAP ACT AND THE IOWA SURVEYING BOARD RULES. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE MAP AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION SHOWN HEREON. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN HEREON.



VICINITY SKETCH
DATE: 10/1/2019

NORTH

0 50 100 200
FEET
GRAPHIC SCALE

LA GRANT & UNIVERSITY
TOWNHOMES
WAUKEE, IOWA
3018105
MAY 5, 2019

APPROVED: JUNE 19, 2019 CITY COMMENTS:

PREPARED BY: C. SMITH
CHECKED BY: B. FLAHERTY
DATE: 10/1/2019

PROJECT NO.: RZ-01
MAP NO.: 01 / 02

