

ORDINANCE NO.

AN ORDINANCE TO AMEND CHAPTER 169, ZONING ORDINANCE, CITY OF WAUKEE, IOWA BY AMENDING THE ZONING FROM A-1 (AGRICULTURAL DISTRICT) TO R-2 (ONE AND TWO FAMILY RESIDENTIAL DISTRICT) AND PD-1 (PLANNED DEVELOPMENT OVERLAY) FOR CERTAIN PROPERTY [PAINTED WOODS WEST PHASE 2]

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

Section 1. Section 160.02 of Chapter 169, Waukee Municipal Code, Zoning Ordinance of the City, adopting the Official Zoning Map, is hereby amended by amending the PD-1 (Planned Development Overlay District) for property legally described as follows:

A PART OF PARCEL "B" AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2005, PAGE 4998, BEING A PART OF THE SOUTHWEST FRACTIONAL QUARTER OF THE NORTHEAST QUARTER AND A PART OF THE NORTHWEST FRACTIONAL QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 7, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WAUKEE, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "B"; THENCE SOUTH 83°51'45" WEST ALONG THE SOUTH LINE OF SAID PARCEL "B", 603.82 FEET; THENCE NORTH 00°18'47" EAST, 1275.47 FEET; THENCE NORTH 89°41'13" WEST, 679.19 FEET TO THE EAST RIGHT OF WAY LINE OF U PLACE; THENCE NORTH 00°18'40" EAST ALONG SAID EAST RIGHT OF WAY LINE, 465.00 FEET; THENCE SOUTH 89°41'13" EAST, 839.28 FEET; THENCE EASTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 333.00 FEET, WHOSE ARC LENGTH IS 240.30 FEET AND WHOSE CHORD BEARS NORTH 69°38'25" EAST, 235.12 FEET; THENCE EASTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 333.00 FEET, WHOSE ARC LENGTH IS 241.06 FEET AND WHOSE CHORD BEARS NORTH 69°42'21" EAST, 235.83 FEET; THENCE SOUTH 89°33'22" EAST, 4.14 FEET TO THE WEST LINE OF PARCEL "CC" AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2014, PAGE 4032, BEING A PART OF SAID PARCEL "B"; THENCE SOUTH 00°26'38" WEST ALONG SAID WEST LINE, 520.92 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL "CC"; THENCE SOUTH 00°28'32" WEST ALONG THE EAST LINE OF SAID PARCEL "B", 1317.72 FEET TO THE POINT OF BEGINNING AND CONTAINING 31.70 ACRES (1,380,991 SQUARE FEET) MORE OR LESS.

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 _____, 2022, and approved this ____ day of _____, 2022.

Courtney Clarke, Mayor

Attest:

Rebecca D. Schuett, City Clerk

Exhibit A

Painted Woods West Phase 2 – Small Lot Single Family Residential Development

PLANNED DEVELOPMENT

CITY OF WAUKEE

APPROVED BY WAUKEE CITY COUNCIL ON _____, 2022

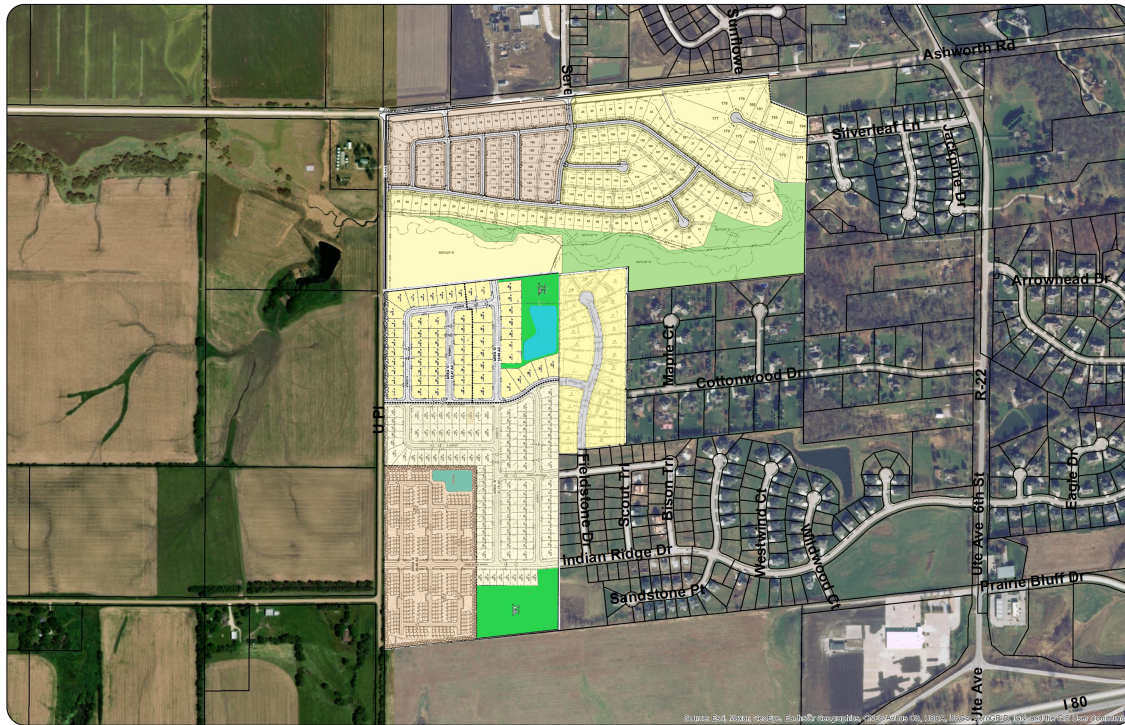


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- Rezoning Request
 - Exhibit B – Waukee PD Form
 - Exhibit C – Property Legal Description
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 - Exhibit E – Conceptual Development Plan

**Exhibit B | PAINTED WOODS WEST PHASE 2 SMALL LOT SINGLE FAMILY RESIDENTIAL –
PLANNED DEVELOPMENT**

Waukee, Iowa

Planned Development Overlay District (PD)

Item 1 Purpose and Scope of District

- The subject property is located within a portion of the Painted Woods West Phase 2 development which is generally located north of Interstate 80 and west of R-22/Ute Avenue.
- The proposed Planned Development is an approximately 31.70 acre parcel of property that is located within the larger Painted Woods West Phase 2 Development. The proposed Planned Development calls for the development of 118 single family residential lots.
- The existing zoning of the Property is A-1 (Agricultural District)
- The proposed underlying zoning of the Property will be R-2 (One and Two Family Residential 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 – Legal Description
Exhibit D – Rezoning Map

Item 3 Conceptual Development Plan

- See Attached: Exhibit E – Conceptual Development Plan
- Exhibit E represents a conceptual development plan showing proposed development of 118 single family lots in addition to the larger Painted Woods West Phase 2 development.

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 well as the additional design characteristics as follows:

1. Each single family home shall include a minimum of a two-car attached garage.
2. Each single family home shall require a minimum of 25% stone, brick or stucco on the front street facing elevation of the home.

3. Adjoining lots cannot consist of the same elevation.
4. Vinyl siding shall be permitted utilizing Royal Crest Double 4-inch (102 mm) Traditional Profile or reasonable equivalent.
5. All trim elements surrounding windows and doors shall be a minimum of 3½ inches in width. Shutters around windows maybe utilized to satisfy this requirement. This requirement shall apply to street facing facades.
6. Front elevations shall incorporate other decorative material elements such as Board and Batten, Half Rounds, or Shake.

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

Single Family Residential

All lots and homes shall be consistent with the R-2 One and Two Family Residential District requirements with the following exceptions and modifications as specified below:

1. Density: Four (4) Dwelling Units/Acre maximum
2. Minimum Floor Area: 1,100 square feet – single story & 1,400 square feet – two story
3. Front Yard: Thirty (30) feet minimum
4. Side Yards: Total of ten (10) feet – minimum of five (5) feet on each side
5. Rear Yards: Twenty-five (25) feet minimum
6. Minimum Lot Size: 6,000 square feet
7. Minimum Lot Width: Fifty (50) feet

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

Those uses and accessory uses only as permitted within the R-2 (Single Family Residential) Zoning District.

Item 7 Open Space, Landscape and Buffer Regulations

1. Minimum open space and landscaping shall be as described within the City of Waukee Code of Ordinances in addition to provisions as specified below:
 - a. A minimum of two (2) trees and two (2) shrubs shall be planted on each lot at the time of individual lot development and prior to issuance of a Certificate of Occupancy.

END OF DOCUMENT

EXHIBIT C

LEGAL DESCRIPTION

A PART OF PARCEL "B" AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2005, PAGE 4998, BEING A PART OF THE SOUTHWEST FRACTIONAL QUARTER OF THE NORTHEAST QUARTER AND A PART OF THE NORTHWEST FRACTIONAL QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 7, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WAUKEE, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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