

ORDINANCE NO.

AN ORDINANCE TO AMEND CHAPTER 169, ZONING ORDINANCE, CITY OF WAUKEE, IOWA BY AMENDING THE ZONING FROM R-2 (ONE & TWO FAMILY RESIDENTIAL DISTRICT) / PD-1 (PLANNED DEVELOPMENT OVERLAY) AND R-4 (ROW DWELLING AND TOWNHOME DWELLING DISTRICT) / PD-1 (PLANNED DEVELOPMENT OVERLAY) TO R-4 (ROW DWELLING AND TOWNHOME DWELLING DISTRICT) / PD-1 (PLANNED DEVELOPMENT OVERLAY) FOR CERTAIN PROPERTY [PETERSEN PROPERTY]

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 zoning from R-2 (One & Two Family Residential District) / PD-1 (Planned Development Overlay District) and R-4 (Row Dwelling and Townhome Dwelling District) / PD-1 (Planned Development Overlay District) to R-4 (Row Dwelling and Townhome Dwelling District) / PD-1 (Planned Development Overlay District) for property legally described as follows:

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, AND A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, AND A PART OF PARCEL 'A' OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2003, PAGE 59, AND A PART OF TRACT "A" OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2003, PAGE 58, ALL BEING IN SECTION 29, TOWNSHIP 79 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 SOUTHWEST CORNER OF SAID TRACT "A"; THENCE SOUTH 00°01'35" EAST ALONG THE WESTERLY LINE OF PARCEL "B" AND TRACT "B" AS SHOWN ON SAID PLAT OF SURVEY RECORDED IN BOOK 2003, PAGE 58, A DISTANCE OF 204.89 FEET TO THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 89°57'31" WEST ALONG SAID SOUTH LINE AND THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER, 1072.93 FEET; THENCE NORTH 00°06'44" EAST, 585.87 FEET; THENCE NORTH 80°55'12" EAST, 70.76 FEET; THENCE NORTH 59°51'38" EAST, 56.32 FEET; THENCE NORTH 02°38'53" WEST, 128.97 FEET; THENCE NORTH 35°24'01" WEST, 30.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 150.00 FEET, WHOSE ARC LENGTH IS 68.42 FEET AND

WHOSE CHORD BEARS NORTH 41°31'58" EAST, 67.83 FEET; THENCE SOUTH 61°32'03" EAST, 63.12 FEET; THENCE EASTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 400.00 FEET, WHOSE ARC LENGTH IS 198.79 FEET AND WHOSE CHORD BEARS SOUTH 75°46'18" EAST, 196.75 FEET; THENCE NORTH 89°59'28" EAST, 395.01 FEET; THENCE NORTH 00°01'35" WEST, 265.02 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 350.00 FEET, WHOSE ARC LENGTH IS 91.63 FEET AND WHOSE CHORD BEARS NORTH 07°31'35" WEST, 91.37 FEET; THENCE NORTH 15°01'35" WEST, 29.17 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 350.00 FEET, WHOSE ARC LENGTH IS 91.63 FEET AND WHOSE CHORD BEARS NORTH 07°31'35" WEST, 91.37 FEET; THENCE NORTH 00°01'35" WEST, 35.63 FEET TO THE SOUTHERLY LINE OF PARCEL 20-98 AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2021, PAGE 13204; THENCE NORTH 89°59'28" EAST ALONG SAID SOUTHERLY LINE, 17.21 FEET; THENCE SOUTH 89°27'05" EAST CONTINUING ALONG SAID SOUTHERLY LINE, 184.20 FEET; THENCE SOUTH 00°01'35" EAST, 330.62 FEET; THENCE NORTH 89°58'33" EAST, 65.05 FEET; THENCE SOUTH 00°00'32" EAST, 176.67 FEET; THENCE SOUTH 89°59'28" WEST, 5.00 FEET; THENCE SOUTH 00°01'34" EAST, 380.00 FEET; THENCE NORTH 89°59'28" EAST, 300.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF NW 10TH STREET; THENCE SOUTH 00°01'35" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 146.72 FEET TO THE SOUTHERLY LINE OF SAID TRACT "A"; THENCE SOUTH 85°19'48" WEST ALONG SAID SOUTHERLY LINE, 240.79 FEET TO THE POINT OF BEGINNING AND CONTAINING 20.96 ACRES (912,826 SQUARE FEET).

THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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Section 4. 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 5. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6. 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 7. 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

PETERSEN PROPERTY

PLANNED DEVELOPMENT

CITY OF WAUKEE

APPROVED BY WAUKEE CITY COUNCIL ON NOVEMBER 15, 2021

AMENDED BY THE WAUKEE CITY COUNCIL ON _____ 2022

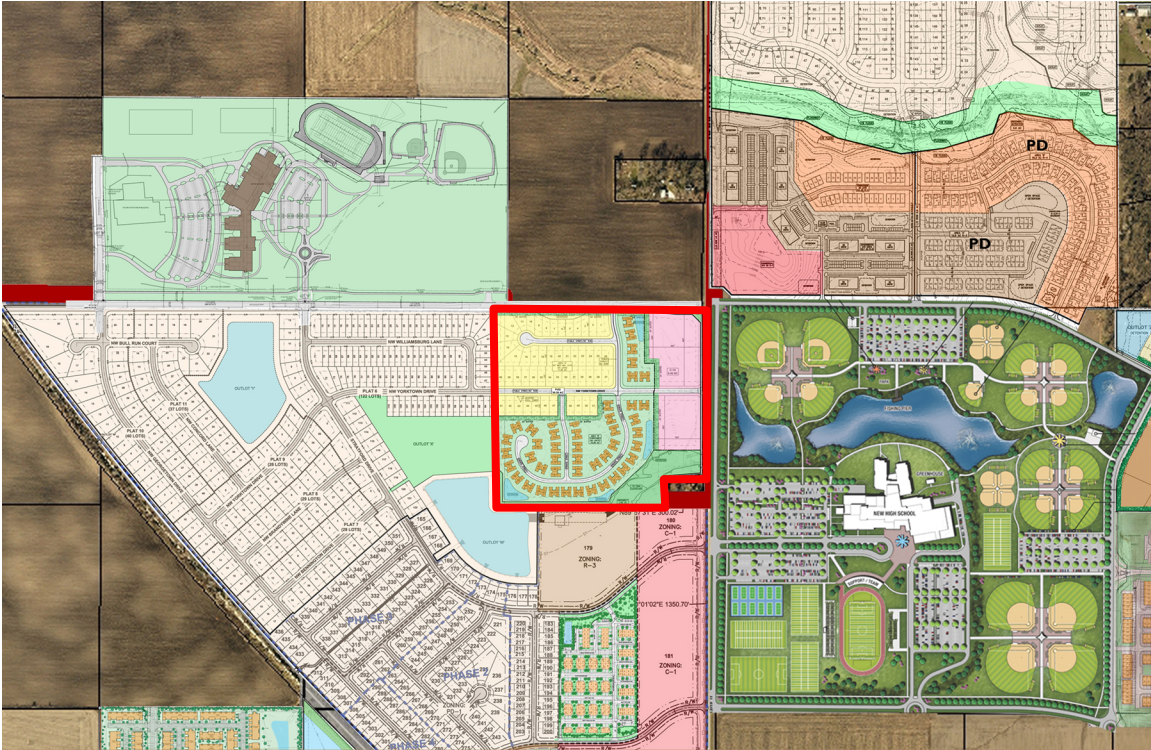


TABLE OF CONTENTS

PETERSEN PROPERTY

PLANNED DEVELOPMENT

- Rezoning Request
 - Exhibit B – Waukee PD Form
 - Exhibit C – Property Legal Description
 - Exhibit D – Rezoning Map (2021)
 - Exhibit E – Rezoning Map Area B (2022)
 - Exhibit F – Conceptual Development Plan (2021)
 - Exhibit G – Conceptual Development Plan (2022)

Exhibit B | PETERSEN PROPERTY – PLANNED DEVELOPMENT

Waukee, Iowa

Planned Development Overlay District (PD)

Item 1 Purpose and Scope of District

- The subject property is generally located south of NW Douglas Parkway and west of NW 10th Street.
- The proposed Planned Development is an approximately 36.62-acre parcel of property. The proposed Planned Development calls for a small lot single family and townhome development.
- The proposed underlying zoning of the Property will be R-2 (One & Two Family Residential District) (Area A) and R-4 (Row Dwelling and Townhome Dwelling District) (Area B) 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 (2021)

Exhibit E – Rezoning Map (2022)

*Exhibit F – Conceptual Development Plan (2021)

*Exhibit G – Conceptual Development Plan for Area B (2022)

*Exhibit F represents a conceptual development plan showing proposed development of 90 attached townhome/rowhome units and 51 small lot single family lots.

*Exhibit G represents a conceptual development plan for Area B which identifies the construction of a townhome development.

Item 4 Building & Site Design Standards:

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:

Area A:

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 15% 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 a 0.042-inch minimum thickness.

Area B:

1. Each unit shall include a minimum of a two-car attached garage when facing a public street. A one-car attached garage shall be permitted when along a private street. All driveways shall be wide enough to accommodate two vehicles. Garage doors facing a public street shall not extend forward of the front façade line of the building.
2. Each building shall require a minimum of 20% stone, brick or stucco on the front street facing elevation of the home. Corners of building shall be wrapped with the same brick, stone, or stucco along public streets and at entrances into the development.
3. Adjoining buildings shall have a variation in architectural features or color.
4. Vinyl siding shall be permitted utilizing a 0.042-inch minimum thickness. A variety of siding that be implemented on the proposed units including, but not limited to board and batten, lap, and shake siding.
5. An outdoor space for each unit shall be provided.

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

Area A:

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

1. Overall Maximum Density: Five (5) Dwelling units per acre maximum.
2. Minimum Floor Area: 1,100 square feet for a single-story home. 1,400 square feet for a two-story home.
3. Front Yard: Thirty (30') feet.
4. Rear Yard: Twenty-five (25') feet.
5. Side Yard (Total Building Separation): Ten (10') feet.

6. Lot Area: 5,500 square feet.
7. Lot Width: 50 feet.
8. Lots 37 – 44 shown on Exhibit E cannot be platted as buildable lots until the existing communications tower has been removed from the site.

Area B: Attached Townhomes and Detached 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: Twelve (12) Dwelling Units/Acre maximum and consistent with the conceptual development plan as described in attached Exhibit E.
3. Front Yard: Thirty (30') feet for buildings or units along public street right-of-way. For all other units with internal front yards, the minimum front yard setback shall be twenty-five (25') feet from the back of the curb.
4. Side Yards (Total Building Separation): Twelve (12') feet between units, Fifteen (15') from private street back-of-curb, twenty (20') feet for greater than 8 units.
5. Rear Yards: Thirty (30') feet for buildings or units along public street right-of-way. For all other units with internal rear yards, the minimum rear yard setback shall be thirty (30') feet between units.

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

Area A:

Only those uses and accessory uses only as permitted within the R-2 (One & Two Family Residential District) Zoning District.

Area B:

Those uses and accessory uses only as permitted within the R-4 (Row Dwelling and Townhome Dwelling) Zoning District with the following exceptions and modifications as specified below:

1. Detached townhomes, provided a homeowners association is responsible for property maintenance.

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

Area A:

1. Parkland Dedication shall be provided as required within the City of Waukee Code of Ordinances.
2. Minimum open space and landscaping shall be as described within the City of Waukee Code of Ordinances.
3. Two (2) trees and two (2) shrubs shall be planted at the time of individual lot development.

Area B:

1. Parkland Dedication shall be provided as required within the City of Waukee Code of Ordinances.
2. Minimum open space and landscaping shall be as described within the City of Waukee Code of Ordinances.
3. Landscape buffers shall be provided as required by the Landscape & Open Space Ordinance with the following exceptions:
 - a. Landscape buffer shall not be required for townhomes abutting single family lots when fronting a public street or across the street from a single-family lot.

END OF DOCUMENT

EXHIBIT C

LEGAL DESCRIPTION

Area A

A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 79 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WAUKEE, DALLAS COUNTY, IOWA AND A PART OF PARCEL 'A' AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2003, PAGE 59 IN SAID NORTHEAST QUARTER AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 32, STRATFORD CROSSING PLAT 7, AN OFFICIAL PLAT IN SAID CITY OF WAUKEE, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF PARCEL 20-98 AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2021, PAGE 13204 IN SAID NORTHEAST QUARTER; THENCE NORTH 89°58'33" EAST ALONG THE SOUTHERLY LINE OF SAID PARCEL 20-98, A DISTANCE OF 748.48 FEET; THENCE SOUTH 00°01'35" EAST, 35.48 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 350.00 FEET, WHOSE ARC LENGTH IS 91.63 FEET AND WHOSE CHORD BEARS SOUTH 07°31'35" EAST, 91.37 FEET; THENCE SOUTH 15°01'35" EAST, 29.17 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 350.00 FEET, WHOSE ARC LENGTH IS 91.63 FEET AND WHOSE CHORD BEARS SOUTH 07°31'35" EAST, 91.37 FEET; THENCE SOUTH 00°01'35" EAST, 295.02 FEET; THENCE SOUTH 89°59'28" WEST, 131.19 FEET; THENCE SOUTH 00°00'32" EAST, 130.00 FEET; THENCE SOUTH 89°59'28" WEST, 200.00 FEET; THENCE NORTH 00°00'32" WEST, 130.00 FEET; THENCE SOUTH 89°59'28" WEST, 55.00 FEET; THENCE SOUTH 00°00'32" EAST, 130.00 FEET; THENCE SOUTH 89°59'28" WEST, 395.27 FEET TO THE EASTERLY LINE OF STRATFORD CROSSING PLAT 6, AN OFFICIAL PLAT IN SAID CITY OF WAUKEE; THENCE NORTH 00°06'44" EAST ALONG SAID EASTERLY LINE AND THE EASTERLY LINE OF SAID STRATFORD CROSSING PLAT 7, A DISTANCE OF, 669.64 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.35 ACRES (494,250 SQUARE FEET).

PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

Area B

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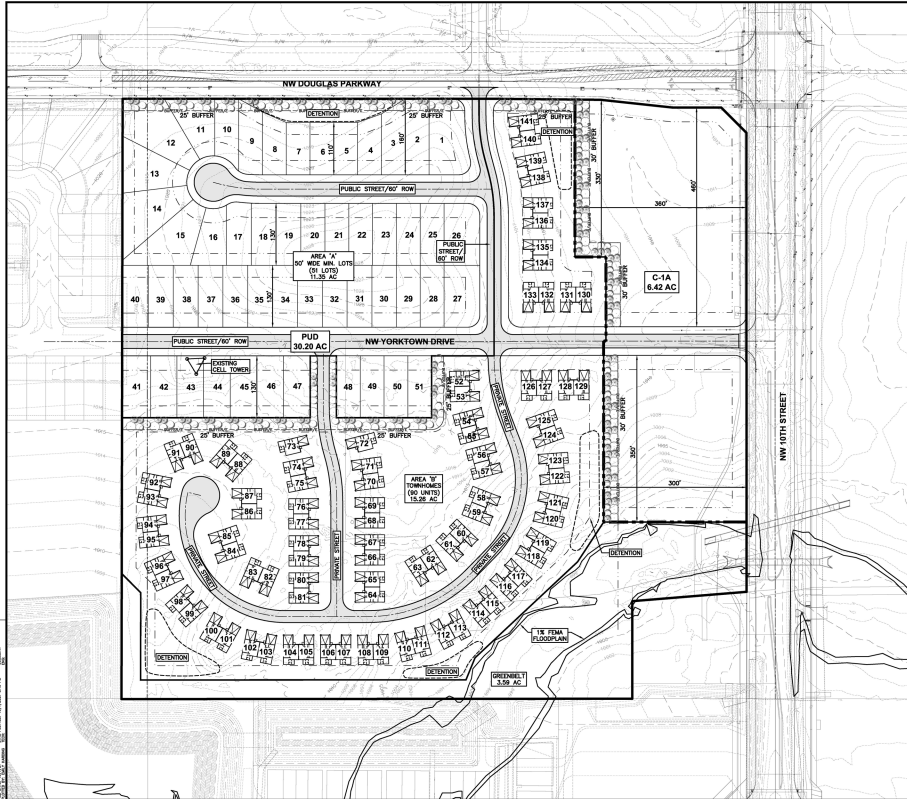
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EXHIBIT F

CONCEPTUAL DEVELOPMENT PLAN (2021)



AREA SUMMARY

C-1A NEIGHBORHOOD COMMERCIAL DISTRICT	= 6.42 AC
PUD	= 11.35 AC
TOWNHOMES	= 15.26 AC
TOTAL	= 33.03 AC
TOTAL SITE AREA	= 36.62 AC

LOT / UNIT SUMMARY

50' WIDE MIN. SINGLE FAMILY LOTS	= 01 LOTS
TOWNHOMES	= 90 UNITS

BULK REGULATIONS

C-1A BULK REGULATIONS

- 30' FRONT YARD SETBACK
- 30' REAR YARD SETBACK
- NO MINIMUM SETBACK EXCEPT WHEN ADJACENT TO ANY R DISTRICT, THE MINIMUM SIDE YARD SETBACK SHALL BE 30 FEET

PUD BULK REGULATIONS

AREA 'A' (UNDERLYING R-2 ONE AND TWO FAMILY RESIDENTIAL DISTRICT)

- 50' MINIMUM LOT WIDTH
- 30' FRONT YARD SETBACK
- 25' REAR YARD SETBACK
- 10' SIDE YARD SETBACK (5' MIN. ON ONE SIDE)
- 5.0% OF MINIMUM LOT AREA
- MINIMUM TWO STALL ATTACHED GARAGE
- MINIMUM 100 SQ. FT. OF OPEN SPACE ON FRONT YARD, STREET-FACING FACED
- WALLS BEING SHALL BE PERMITTED UTILIZING A 0.042-INCH MINIMUM THICKNESS
- ADJACENT LOTS CANNOT SHARE THE SAME ELEVATION
- MINIMUM OF TWO TREES AND TWO SHRUBS PER LOT AT TIME OF LOT DEVELOPMENT
- LOTS 31-44 CANNOT BE PLATED UNTIL THE EXISTING CELL TOWER IS REMOVED

MINIMUM SQUARE FOOTAGE OF HOMES

- 1,100 SF FOR SINGLE STORY
- 1,400 SF FOR TWO-STOREY

AREA 'B' (UNDERLYING R-4 BOW DWELLING & TOWNHOME DWELLING DISTRICT)

- 30'

INTERNAL SETBACKS

- 30' FROM PUBLIC STREET ROW
- 12' FROM SETBACK FROM PRIVATE STREET BACK OF CURB
- 15' SIDE SETBACK FROM PRIVATE STREET BACK OF CURB

INTERNAL BUILDING SEPARATION

- 12' (SIDE TO SIDE)
- 30' (BACK TO BACK)
- 30' (BACK TO SIDE)

NOTES

- DENSITY 12 UNITS/FACES MAX.
- MINIMUM TWO STALL ATTACHED GARAGE
- MINIMUM OF ONE BRICK AND/OR STONE ON FRONT YARD, STREET-FACING FACED
- WALLS BEING SHALL BE PERMITTED UTILIZING A 0.042-INCH MINIMUM THICKNESS
- ADJACENT BUILDINGS CANNOT SHARE THE SAME COLOR SCHEME
- ATTACHED AND DETACHED TOWNHOME UNITS ARE ALLOWED
- A LANDSCAPE BUFFER IS NOT REQUIRED FOR TOWNHOME UNITS THAT ARE ACROSS A PUBLIC STREET FROM SINGLE FAMILY LOTS

SCALE		DATE		DRAWN BY		CHECKED BY		APPROVED BY	
DATE		DATE		DATE		DATE		DATE	
SCALE		DATE		DRAWN BY		CHECKED BY		APPROVED BY	
SCALE		DATE		DRAWN BY		CHECKED BY		APPROVED BY	

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PETERSEN PROPERTY
PUD CONCEPT

1 / 1

EXHIBIT G

CONCEPTUAL DEVELOPMENT PLAN AREA B (2022)

