

ORDINANCE NO.

AN ORDINANCE TO AMEND CHAPTER 169, ZONING ORDINANCE, CITY OF WAUKEE, IOWA BY AMENDING THE ZONING FROM C-1A (NEIGHBORHOOD COMMERCIAL DISTRICT) / PD-1 (PLANNED DEVELOPMENT OVERLAY DISTRICT) TO C-1 (COMMUNITY AND HIGHWAY SERVICE COMMERCIAL DISTRICT) / PD-1 (PLANNED DEVELOPMENT OVERLAY DISTRICT) FOR CERTAIN PROPERTY [WAUKEE TOWNE CENTER]

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 PARCEL OF LAND IN LOTS 1 & 2, WAUKEE TOWNE CENTER PLAT 1, AN OFFICIAL PLAT RECORDED IN BOOK 2020, PAGE 27825 AT THE DALLAS COUNTY RECORDER'S OFFICE, CITY OF WAUKEE, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE CORNER OF SAID LOT 1, SAID SE CORNER ALSO BEING THE SW CORNER OF SAID LOT 2; THENCE S89°37'39"W, 55.53 FEET ALONG THE SOUTH LINE OF SAID LOT 1, SAID SOUTH LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF SE LAUREL STREET AS ITS PRESENTLY ESTABLISHED TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 303.00 FEET AND A CHORD BEARING N56°27'39"W, AN ARC LENGTH OF 358.67 FEET ALONG SAID SOUTH LINE AND SAID NORTH RIGHT-OF-WAY LINE TO A POINT; THENCE N90°00'00"E, 91.75 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 400.00 FEET AND A CHORD BEARING S75°00'00"E, AN ARC LENGTH OF 209.44 FEET TO A POINT OF TANGENCY; THENCE S60°00'00"E, 266.49 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2, SAID SOUTH LINE ALSO BEING SAID NORTH RIGHT-OF-WAY LINE OF SE LAUREL STREET; THENCE NORTHWESTERLY ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 363.00 FEET AND A CHORD BEARING N87°40'51"W, AN ARC LENGTH OF 34.11 FEET ALONG SAID SOUTH LINE TO A POINT OF TANGENCY; THENCE S89°37'39"W, 151.14 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING AND CONTAINING 1.19 ACRES MORE OR LESS AND SUBJECT TO EASEMENTS, AGREEMENTS AND LICENSES 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 _____, 2023, and approved this ____ day of _____, 2023.

Courtney Clarke, Mayor

Attest:

Rebecca D. Schuett, City Clerk

Exhibit A

Olive Glen

PLANNED DEVELOPMENT

CITY OF WAUKEE

APPROVED BY WAUKEE CITY COUNCIL ON NOVEMBER 4, 2002

AMENDED BY WAUKEE CITY COUNCIL ON _____, 2023



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OLIVE GLEN

PLANNED DEVELOPMENT

- Rezoning Request
 - Exhibit B – Original Planned Development Narrative (prepared by RDG Crose Gardner Shukert, Inc., land planners and landscape architects on August 27, 2002)
 - Exhibit C – Property Legal Description
 - Exhibit D – Rezoning Map

Exhibit B

August 27, 2002

**HAWBAKER: OLIVE GLEN DEVELOPMENT
WAUKEE, IOWA**

RDG 21493.00

PD PLANNED DEVELOPMENT DISTRICT
APPROXIMATELY 75 ACRE DEVELOPMENT
APPLICATION REQUIREMENT

ITEM 1 Location, Size, Legal Description (See exhibit A)

- ② The project is approximately 75 acres in size and is located adjacent to Alice's Road and Highway 6.
- ② The proposed development, Olive Glen, is comprised of approximately 75 acres. This proposal incorporates two zoning Classifications, C-1 "Community and Highway Commercial Service District" and C1A "Neighborhood Commercial District", as presently established in the Waukee Zoning Ordinance. It is the intent of this plan to meet all of the requirements of the respective ordinances except as modified by this submittal.

ITEM 2 Topography (See Exhibit B & D)

ITEM 3 Location and Description of Major Site Features, including Tree Masses, Drainageways, Wetlands, Soils (See Exhibit D)

- ② Property is Agricultural Cropland with no existing tree masses.

ITEM 4 Location of 100 Year Floodplains (Not Applicable)

ITEM 5 Generalized Land Use Plan (See Exhibit B)

ITEM 6 Proposed Types And Densities Of Development

- ② Uses are intended to meet those uses as identified in the C1 and C1A Zoning Districts with the following exclusions:
 - A. C-1 exclusions
 - a. 3(j) Truck Stop
 - b. 3(h) RV Park
 - c. 2(p) Night Clubs and Taverns shall not be allowed on the west 300 feet of parcel 8
 - B. C1A exclusions
 - a. 4(jj) Restaurants and Cafes

ITEM 7 Generalized Internal and External Transportation and Circulation System, including Pedestrian and Bicycle Systems (See Exhibit B)

ITEM 8 Location of Driveways or Access Points Adjacent to the Project (See Exhibit B)

ITEM 9 General Location and Size of Building or Building Footprints (Not Applicable)

ITEM 10 Site Master Plan, including General Envelopes of Buildings, Parking, Open Space, and Other Site Features (Not applicable)

- ITEM 11 Description and Location of All Use Types included in the Project, including Maximum Floor Areas Devoted to Each Use (See Exhibit B and Exhibit C)**
- ITEM 12 Location and Design of Vehicular, Bicycle, and Pedestrian Circulation Systems, including Relationship to External Transportation System (See Exhibit B)**
- ITEM 13 Schematic Location and Development Standards for Open Space, including Conceptual Landscape Plan (See Exhibit B)**
- ITEM 14 Building Design Standards, including Height, Materials, Sections, and Other Information Required to Describe the Project**
- ② Maximum Building Height in C1 and C1A: 40 feet
 - ② Architectural Compatibility: Dominance of masonry and warm tone colors materials for both C1 and C1A land use zones would be brick, CMU split face of burnished, precast concrete, and architectural metal panels. 60% of building facades would incorporate these materials. Efface materials could be utilized above 4 feet from grade line.
- ITEM 15 Location of Existing and Proposed Utilities, Sanitary Sewer, Storm Water Facilities, and Water, Gas, and Electrical Distribution Systems (See Exhibit D).** In addition to what is indicated, the preliminary plat when submitted will include a 15' Public Utility Easement (PUE) around the perimeter of property with the exception of the west side of the property that abuts the proposed Parkland Strip. In this case, the PUE would fall within the Parkland buffer strip.
- ITEM 16 Proposed Site Development Regulations, including Maximum FAR or Other Density Regulator, Building and Impervious Coverage, Setbacks, Maximum Heights, and Other Design Standards Specific to the Project**
- ② Lighting (street): City standards.
 - ② Lighting (parking): 30 ft high poles, metal halide or high pressure sodium, sharp cutoff fixture type.
 - ② C1: .40 FAR
 - ② C1A: .30 FAR
 - ② Internal public streets to have street trees spaced at 50 ft. OC or 3/4 (mature canopy) 5 ft. inside property line---adjustments will be made for access drives.
 - ② Internal and external streets to have 36 inch minimum berm in landscaped yards adjacent to parking.
 - ② Roof top mechanical units shall be screened with material complementary to building facades.
- ITEM 17 Proposed Public and Private Ownership Boundaries, including Proposed Private Lots and Common Ownership Areas (See Exhibit B).** In addition to what is shown on Exhibit B, there will be a 30 ft. recreation trail easement granted on the south side of the property that is not already indicated as parkland. This will be indicated on the Preliminary Plat when it is submitted.
- ITEM 18 Preliminary Plat, If Applicable (Not Applicable)**

HAWBAKER: OLIVE GLEN DEVELOPMENT
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ITEM 19 Final Plat, If Applicable (Not Applicable)

ITEM 20 Schedule Indicating Proposed Phasing and Scheduling of Development

- ⓪ It is anticipated that this project will be completed in 10 years. First phase will likely begin in the next two years.

ITEM 21 Deed Restrictions, Covenants, Agreements, Association Bylaws, and Other Documents Controlling the Use of Property, Type of Construction or Development or Activities of Future Residents (Not Applicable)

ITEM 22 Application Checklist on a Form Provided by the City of Waukee (Not Applicable)

END OF DOCUMENT

REG:vlis

21493.00MS2

EXHIBIT C

LEGAL DESCRIPTION

A PARCEL OF LAND IN LOTS 1 & 2, WAUKEE TOWNE CENTER PLAT 1, AN OFFICIAL PLAT RECORDED IN BOOK 2020, PAGE 27825 AT THE DALLAS COUNTY RECORDER'S OFFICE, CITY OF WAUKEE, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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EXHIBIT D REZONING MAP



<p>DATE: 09/25/2022 TIME: 10:30 AM DRAWN BY: J. M. MURPHY CHECKED BY: J. M. MURPHY PROJECT NO.: 22-0001</p>	<p style="text-align: center;">CEC</p> <p style="text-align: center;">Civil Engineering Consultants, Inc. 3400 Westwood, Suite 112 • Dallas, Texas 75219 (214) 343-1234 • www.cecinc.com</p>
<p>MAJESTY TOWNE CENTER MAJESTY TOWNE CENTER REZONING</p>	
<p>SCALE: 1" = 80' (HORIZONTAL) 1" = 40' (VERTICAL)</p>	