

Date May 19, 2008

COMMUNICATION from the City Plan and Zoning Commission advising that at a public hearing held May 1, 2008, the members voted 8-0 in support of a motion to **APPROVE** the request from Samuel and Raeome Holland (owners), for approval of a preliminary subdivision plat for property located at 2758 113th Ave in Warren County, within the City's two-mile jurisdiction for subdivision review, to allow division of 39.93 acres into three two-acre net parcels and a remaining 32.7 acre net parcel, subject to the following conditions:

1. Identification of the proposed "Lot 4" as "Outlot A" and addition of a note indicating that Outlot A is not developable without an amendment to the preliminary plat.
2. Compliance with all administrative review comments of the City's Permit and Development Center.

MOVED by _____ to receive and file.

FORM APPROVED:



Michael F. Kelley
Assistant City Attorney

NOTE: The final subdivision plat will be submitted for City Council approval at a later date.

(13-2008-1.49)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

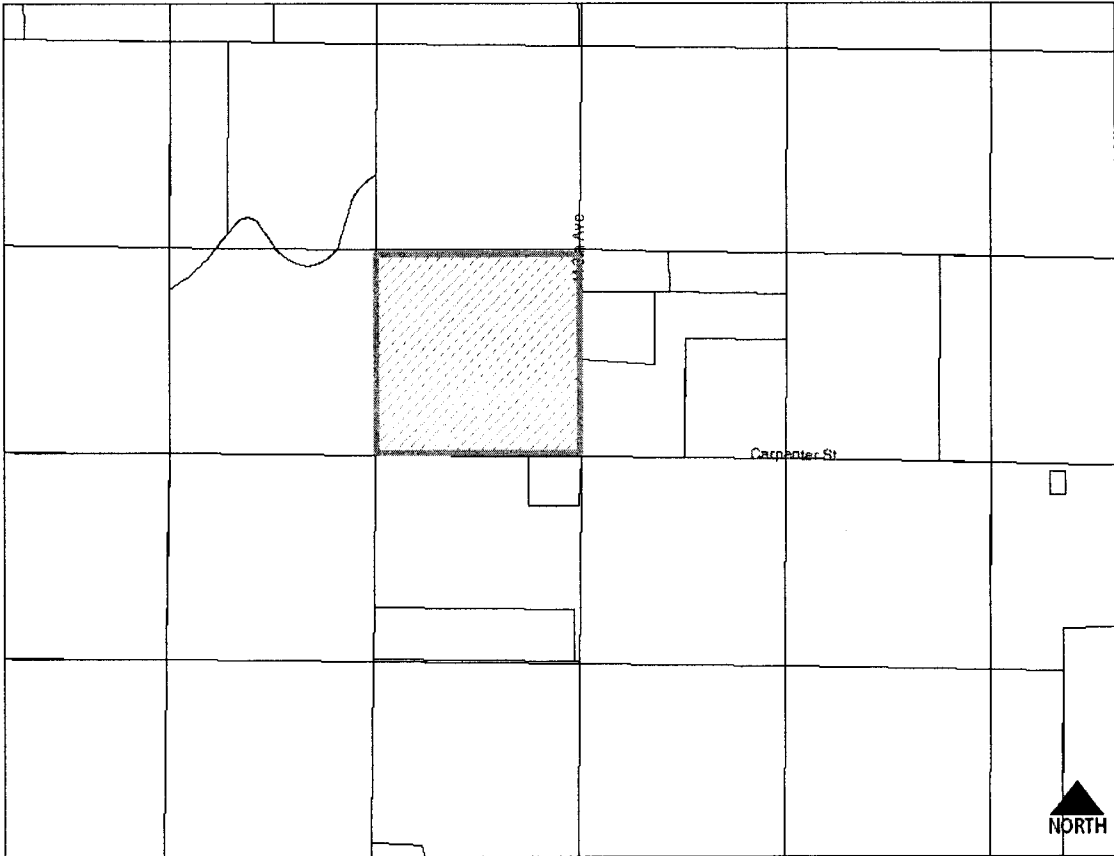
Mayor

City Clerk

Request from Samuel and Raeome Holland (owners) for review and approval of a preliminary subdivision plat for property located at 2758 113 th Ave in Warren County, within the City's two-mile jurisdiction for subdivision review.				File # 13-2008-1.49	
Description of Action	Review and approval of a preliminary subdivision plat for subject property to allow division of 39.93 acres into three two-acre net parcels and a remaining 32.7 acre net parcel.				
2020 Community Character Plan	Not in Plan (Unincorporated Warren County)				
Horizon 2025 Transportation Plan	No Planned Improvements				
Current Zoning District	Warren County Zoning				
Proposed Zoning District	N/A				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area	N/A	N/A	N/A	N/A	
Plan and Zoning Commission Action	Approval	8-0	Required 6/7 Vote of the City Council	Yes	
	Denial			No	N/A

Holland Estates Plat 1 - 113th Ave & Carpenter St (Warren County)

13-2008-1.49



Date _____

Agenda Item 15

May 19, 2008

Roll Call # _____

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held May 1, 2008, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 8-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
JoAnne Corigliano	X			
David Cupp	X			
Shirley Daniels				X
Dann Flaherty	X			
Bruce Heilman				X
Jeffrey Johannsen				X
Greg Jones	X			
Frances Koontz				X
Kaye Lozier				X
Brian Millard	X			
Mike Simonson				X
Kent Sovern				X
Tim Urban	X			
Marc Wallace	X			

APPROVE the request from Samuel and Raeome Holland (owners), for approval of a preliminary subdivision for property located at 2758 113th Ave in Warren County, within the City's two-mile jurisdiction for subdivision review, to allow division of 39.93 acres into three two-acre net parcels and a remaining 32.7 acre net parcel, subject to the following conditions: (13-2008-1.49)

1. Identification of the proposed "Lot 4" as "Outlot A" and addition of a note indicating that Outlot A is not developable without an amendment to the preliminary plat.
2. Compliance with all administrative review comments of the City's Permit and Development Center.

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the requested preliminary subdivision plat subject to the following conditions:

1. Identification of the proposed "Lot 4" as "Outlot A" and addition of a note indicating that Outlot A is not developable without an amendment to the preliminary plat.
2. Compliance with all administrative review comments of the City's Permit and Development Center.



CITY PLAN AND ZONING COMMISSION
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309-1881
(515) 283-4182

ALL-AMERICA CITY
1949, 1976, 1981
2003

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to divide off three lots for single-family residential use. Each lot would have 250' of frontage along 113th Street Avenue. The remaining balance of land is identified as Lot 4 on the plat. Lot 1 would contain an existing single-family dwelling. This plat must also be approved by Warren County.
2. **Size of Site:** 39.93 acres.
3. **Existing Zoning (site):** "A-1" Agricultural District. (Warren County).
4. **Existing Land Use (site):** Single-family dwelling and undeveloped land.
5. **Adjacent Land Use and Zoning:**
 - North* – "A-1" Agricultural District (Warren County), Use is undeveloped land.
 - South* – "A-1" Agricultural District & "RR-1" Rural Residential District (Warren County), Uses are undeveloped land and single-family residential.
 - East* – "A-1" Agricultural District (Warren County), Uses are undeveloped land and a single-family dwelling with outbuildings.
 - West* – "FPC" Floodplain & Conservation District (Warren County), Use is undeveloped land.
6. **General Neighborhood/Area Land Uses:** The subject property is located in unincorporated Warren County to the south of the Hwy 5 corridor and to the west of the Hwy 65/69 corridor. This area generally consists of agricultural uses, wood timber and rural residential development.
7. **2020 Community Character Land Use Plan Designation:** A future land use designation has not been established for this area. However, the subject property is located in an area identified as a "Ridgeline Neighborhood" in the draft of the Highway 5/ North River Area Plan. The draft plan states the following regarding these areas.

The Ridgeline Neighborhoods are primarily south of the North River. Topographic, vegetative and hydrologic features are integrated into the development pattern through clustering techniques that preserve these features as the determining framework elements both visually and physically. The patterns for the development would be determined on a sub-area and site basis in a manner that protects and takes advantage of the natural conditions. These areas are predominantly residential, although very small-scale commercial uses that support the immediate neighborhoods or niche or destination businesses that emphasize the rustic or natural character or the area may be appropriate as focal points for neighborhoods or housing clusters.
8. **Applicable Regulations:** The Commission reviews all preliminary subdivision plats within the two-mile jurisdiction of subdivision review for the City of Des Moines. The Commission shall determine if such preliminary plat conforms to the standards and requirements outlined in Chapter 354 of the Iowa Code, and the City Subdivision Ordinance and shall approve,

conditionally approve or reject such plat within 45 days after the date of submission to the City Permit and Development Center. Unless the applicant agrees in writing to an extension of time, the preliminary plat shall be deemed approved if the Commission does not act within such 45-day period. The Commission's action for approval or conditional approval shall be null and void unless the final plat is submitted to the City Permit and Development Center within 270 days after the date of such action; provided, however, that the Permit and Development Administrator may grant, upon written request of the applicant, up to a 90-day extension for submittal of the final plat to the City Permit and Development Center.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Utilities:** Water would be provided to the proposed lots by a water main located along the west side of 113th Avenue. Each lot would be developed with a septic system to accommodate sanitary sewer needs. It is anticipated that each lot would connect to public sewer if their septic system fails and a sewer line is within 300' of the property.
2. **Street System:** The subject property fronts the west side of 113th Avenue and is located to the west of the T-intersection of 113th Avenue and Carpenter Street. The work completed to date on the Highway 5/ North River Area Plan has identified the need for Carpenter Street to be extended from this T-intersection to the west though the southern portion of the subject property. The proposed two-acre lots would be far enough to the north that they would not impact the extension of Carpenter Street. The remaining balance of the subject property is identified as Lot 4 on the plat. Construction on Lot 4 could interfere with the future extension of Carpenter Street. Staff believes this lot should be identified as an outlot so it is subject to a future preliminary plat amendment before it can be developed. The extension of Carpenter Street would be evaluated during the review of the future plat amendment for the outlot.

SUMMARY OF DISCUSSION

Jason Van Essen: Presented staff report and recommendation.

Mike Brooner, Civil Design Advantage, 5501 NW 112th Street, Grimes: Noted the property is primarily pasture, grass and farm ground. The only trees on the site are along the fenceline to the north, a few scattered along the drainage and some at the corner. Noted they are not proposing removal of any trees or any grading and are not interfering with drainage. They are proposing very low density and are looking at four residences on four acres. Warren County allows four houses on the property, but if that is not acceptable to Des Moines they will go ahead and do the outlot, but he requested the opportunity to work with staff on the final plat to define a buildable area to place a house on the 4th parcel.

Tim Urban: Suggested the most logical solution was for him to work with staff to establish an alignment for Carpenter Avenue running through the property. Suggested it could be just below the treeline creating a fourth lot in a triangular shape fronting on the road to create the opportunity in the future for additional subdivision of the remaining property.

David Cupp: Asked if it was approved by the Commission to make an outlot, if the applicant would still have the option to work with staff.

Jason VanEssen: Affirmed and noted there is not enough information, but the applicant could return to amend it.

Mike Brooner: Noted they cannot return with a subdivision without getting it rezoned, replatted and there is no plan to do more development by the owner on the outlot because of the flood plain and characteristics. The applicant just wants some bigger lots on it. If they could define an area for the fourth house it would save a lot of work in the future.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one in the audience to speak on this item.

CHAIRPERSON CLOSED THE PUBLIC HEARING

David Cupp: Moved staff recommendation.

Motion passed 8-0 (Jeffrey Johannsen was not present for the vote).

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:dfa

Attachment

Date _____

Agenda Item 15

Roll Call # _____

April 29th, 2008

Mike Brooner
Civil Design Advantage
5501 NW 112th Street, Suite G
Grimes, IA 50111

RE: Preliminary Plat, Holland Estates

13-08-1.49

Dear Mike:

We have reviewed the first (1st) submittal of the preliminary plat for Holland Estates, and have determined that the following conditions must be satisfied before plat approval can be granted.

Engineering

1. Legal Description & Boundary—Provide the measured distance from the SW corner of NW $\frac{1}{4}$ NW $\frac{1}{4}$ of 14-77-24 to the SW corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of 11-77-24. Adjust the dimension locations for Lot 1 to enhance legibility and eliminate conflict with other lines.
2. Floodplain Limits—Provide information on flood elevations in the vicinity of the plat. Is it intended that the west edge of the ZONE 'X' flood area is the proposed alignment of a future roadway?
3. General Comments—Add fence and water main codes to the legend. Correct the following spelling errors on the plat: The word 'vicinity' should be corrected near the vicinity map. The 'Summary' is incorrectly spelled in the Area Summary section. The word 'Property' is incorrectly spelled in the Plat Description section. The word 'Electric' is misspelled in the legend. Read through the Utility Warning section for proper word usage. Change Recorders to "Recorder's" and correct the word "makes" after ...the surveyor makes.

Planning

4. The Surveyor Certification Statement will need to be signed and dated on the final copies of the plat.
5. Remove "Plat 1" from the plat name, as this is not commonly used for Preliminary Plats. Plat 1 can be used on the final plat for the project.



PERMIT AND
DEVELOPMENT CENTER
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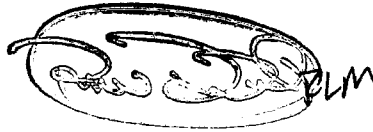
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6. Per City of Des Moines Subdivision Ordinance, show the distance to property lines for all existing structures on the plat (not needed for the corn crib shown).
7. Instead of designating the undevelopable portion of the plat as Lot 4, why not show the lot as Outlot 'X'?
8. Show the addresses of the proposed lots on the plat. Warren County will assign the addresses for this plat.
9. For your information, this plat is scheduled for the May 1st, 2008 Plan and Zoning Commission hearing.

Please submit **two (2) review copies** of the revised plat satisfying the above listed items. Failure to resubmit such amended plat within 90 days from the date of this letter shall cause the application to lapse, and will require the payment of a new application fee to resume the application process.

If you have any questions contact Ryan Moffatt @ 283-4975 or email him @ rlmoffatt@dmgov.org.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Delafield", enclosed within a hand-drawn oval. To the right of the signature, the initials "PLM" are written in a simple, blocky font.

Phillip Delafield
Permit & Development Administrator

