

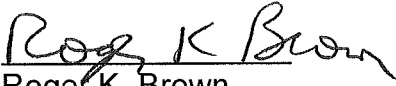
Date December 18, 2006

COMMUNICATION from the City Plan and Zoning Commission advising that at a public hearing held December 7, 2006, the members voted 10-0 in support of a motion to **APPROVE** the request from Nelson Development 13, LLC (owner) represented by Jake Christiansen (officer), for approval of a preliminary subdivision plat for "South of Grand Estates" located at 361 31<sup>st</sup> Street, to create four lots for single-family residential development served by a private access drive and public sewer extension subject to the following:

1. Addition of the tree protection requirements from the PUD Conceptual Plan as notes to the preliminary plat.
2. Approval of a satisfactory storm water design by the City Engineering staff in the Permit and Development Center.
3. Addition of the required water main revision to the preliminary plat.
4. Addition of the landscaping elements required by the approved PUD Conceptual Plan.
5. Addition of required fire lane and turnaround signage to the notes of preliminary plat.
6. Receipt of storm sewer calculations.

MOVED by \_\_\_\_\_ to receive and file.

FORM APPROVED:

  
 Roger K. Brown  
 Assistant City Attorney

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

(13-2007-1.28)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
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

December 18, 2006

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 December 7, 2006, the following action was taken:

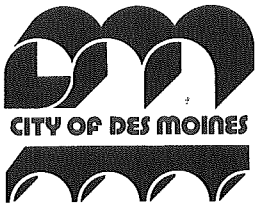
**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 10-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
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 Meyer				X
Brian Millard				X
Brook Rosenberg	X			
Mike Simonson				X
Kent Sovern				X
Tim Urban	X			
Marc Wallace	X			

**APPROVE** the request from Nelson Development 13, LLC (owner) represented by Jake Christiansen (officer), for approval of a preliminary subdivision plat for "South of Grand Estates" located at 361 31<sup>st</sup> Street, to create four lots for single-family residential development served by a private access drive and public sewer extension subject to the following: (13-2007-1.28)

1. Addition of the tree protection requirements from the PUD Conceptual Plan as notes to the preliminary plat.
2. Approval of a satisfactory storm water design by the City Engineering staff in the Permit and Development Center.
3. Addition of the required water main revision to the preliminary plat.
4. Addition of the landscaping elements required by the approved PUD Conceptual Plan.
5. Addition of required fire lane and turnaround signage to the notes of preliminary plat.
6. Receipt of storm sewer calculations.



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 RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval subject to the following:

1. Addition of the tree protection requirements from the PUD Conceptual Plan as notes to the preliminary plat.
2. Approval of a satisfactory storm water design by the City Engineering staff in the Permit and Development Center prior to December 7, 2006.
3. Addition of the required water main revision to the preliminary plat.
4. Addition of the landscaping elements required by the approved PUD Conceptual Plan.
5. Addition of required fire lane and turnaround signage to the notes of preliminary plat.

## STAFF REPORT

### I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking to develop the northern portion of the original single-family estate with four lots for single-family detached dwelling units served by a two-way private access drive from 31st Street.
2. **Size of Site:** Two acres.
3. **Existing Zoning (site):** "PUD" Planned Unit Development.
4. **Existing Land Use (site):** Vacant undeveloped land.
5. **Adjacent Land Use and Zoning:**
  - North* – "R-4" & "R1-80", Uses are a 186 unit high-rise apartment building and a single-family dwelling with home studio for professional designer.
  - South* – "R1-80", Use is a single-family estate.
  - East* – "R1-80" Uses are single-family residential dwellings (Owl's Head Local Historic District).
  - West* – "R1-80" Use is a single-family dwelling, and Unity Church and parsonage.
6. **General Neighborhood/Area Land Uses:** The subject property is located in a transition area on 31<sup>st</sup> Street south of the Grand Avenue corridor between high-rise residential complexes and offices to the north, large lot single-family residential areas to the south, and the Owl's Head Local Historic District to the east.
7. **Applicable Recognized Neighborhood(s):** Greenwood Historic Neighborhood Association.
8. **Relevant Zoning History:** On October 23, 2006, the City Council rezoned the property from "R1-80" One Family Residential District to "PUD" Planned Unit Development with approval of a Conceptual Plan.
9. **2020 Community Character Land Use Plan Designation:** Low Density Residential, as amended by the Greenwood Historic Neighborhood Plan.
10. **Applicable Regulations:** 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. The subject property contains a significant portion of timbered area in the eastern half. The applicant has provided the locations of trees over six (6") inches in caliper and information on the area to be disturbed by grading and clearing.

There are approximately 24 over story trees totaling approximately 312 caliper inches that would be removed with the proposed development to provide for the private drive and single-family dwelling foundations. This is less than half of the 55 over story trees totaling approximately 710 caliper inches that were previously proposed with the townhome Conceptual Plan. With the current proposal there would be 1,206 caliper inches of over story trees species protected. The species include Mulberry, Elm, Cottonwood, Box Elder, Silver Maple, Buckthorn, Hackberry, Black Walnut, and Oak.

The approved PUD Conceptual Plan required permanent conservation easements on the eastern and southern portions of parcel 4, and on the southern portion of parcel 3 to guarantee future protection of those timbered areas after single-family development occurs. In addition the approved Conceptual Plan required the following measures to be implemented for tree protection with any development plan or preliminary subdivision plat:

Developer shall establish by covenant a legally defined reserve area. Within said buffer and tree protection zones, none of the existing trees which are a minimum 6 inches in trunk diameter and a minimum of 4-feet in height shall be removed or destroyed and existing underbrush shall be preserved to the maximum extent feasible as follows:

- A) Buffer and tree protection zones will be designated in the field and certified by the Planning and Urban Design Division of the City of Des Moines prior to commencement of excavation, grading, or construction.
- B) Barriers defining the buffer and tree protection zones shall be constructed of orange fencing a minimum of 4-feet in height, secured with metal tree posts, no closer than six feet from the trunk or  $\frac{1}{2}$  of the drip line of any existing tree within the buffer and tree protection zones, whichever is greater.
- C) There shall be no storage or movement of equipment, material, debris, or fill within the fenced buffer and tree protection zones.
- D) There shall be no cut or fill over a four-inch depth within the drip line of any tree in the buffer and tree protection zones, unless a qualified arborist or forester has evaluated and approved the disturbance.
- E) During the construction stage of development, the applicant shall prevent the cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil, or any other material harmful to the life of vegetation within the buffer and tree protection zones.
- F) No damaging attachment, wires, signs, or permits may be fastened to any tree within the buffer and tree protection zones.
- G) The installation of utilities, irrigation lines, or underground fixtures within the buffer and tree protection zones requiring excavation deeper than 6 inches shall be accomplished by boring under the root system of existing trees at a minimum depth of 24 inches. The auger distance is established from the face of the tree (outer bark) and is scaled from the tree diameter at 4 feet height in the chart described below:

Tree diameter at 4-ft height (inches)	Auger distance from Face of Tree (feet)
0-2	1
3-4	2
5-9	5
10-14	10
15-19	12
Over 19	15

- H) The removal of utilities, irrigation lines, or any underground fixture within the buffer and tree protection zones requiring excavation deeper than 6-inches shall be accomplished by methods approved by the Planning and Development Administrator that protect the life of vegetation.
- I) The destruction of any trees within the buffer and tree protection zones that meet or exceed the required diameter and height shall require the owner to plant 2 new trees at 3-inch caliper to replace any one tree destroyed.
- J) No building construction shall be allowed in the reserve area.  
These provisions from the approved PUD Conceptual Plan for conservation and tree protection should be added to the preliminary subdivision plat/development plan.

2. **Drainage/Grading:** The subject property is a part of an approximately 100 acre watershed that drains to a point behind the yards of 100 30th Street and 121 Lincoln Place Drive where the heaviest impacts are experienced. This drainage area is divided into two distinct sections: a section west of 31st Street, that is approximately 70 acres, and an eastern section that is about 29 acres.

The South of Grand Estates preliminary plat is within the 29 acre eastern section. Most of the ground within this section is wooded and hilly with open ditches in the rear yards. In larger, less frequent storm events, these ditches flow full of water. There have been no reports of homes or structures being damaged by the large storm events even though they have been erosive and have carried a significant amount of debris.

In the recent past, the City attempted to mitigate some of the storm water problems on the 70 acre western section of this drainage basin. These proposed improvements included a large basin south of Des Moines University that would have detained water from approximately 40 acres of the 70 acres of the west basin. The neighborhood groups in the area did not support the project because it would have required several trees to be cleared on the south of the Des Moines University property. The neighbors at the time indicated they would rather live with the storm water problems than lose the timbered area even if the trees were not on their property. Therefore the City only ended up slightly improving the situation by modifying the intake in the valley south of Des Moines University.

The subject property drains to the southeast on the eastern portion of the site and to the southwest on the western portion of the site. The approved PUD Conceptual Plan required that storm water run-off from between the pre-developed 2-year and 100-year storm frequency will be detained on site in addition to the implementation of the stated conservation methods. Also, indicating that off-site water will be picked up and conveyed to an appropriate outlet to be released at velocities that are non-erosive.

The submitted preliminary plat provides for a conservation practice of an infiltration trench beneath a surface detention basin on the north side of Lot 4. This is designed to capture existing storm water run-off from the 3000 Grand Avenue and the proposed private drive, absorbing it into the ground with the pass through piped between Lots 3 and 4. It is designed to then release the storm water at the south end of Lot 4 at a non-erosive velocity into the appropriate location of the natural drainage way running south. Engineering staff is currently working to evaluate the submitted design to see if it complies with the standard imposed by the PUD Conceptual Plan approval. If staff has not completed its review of a satisfactory design

prior to the December 7, 2006 Commission meeting, then a recommendation to continue this item to the December 21, 2006 meeting will be made.

- 3. Utilities:** The submitted preliminary plat proposes to extend water and sanitary sewer service from 31<sup>st</sup> Street. Electrical service exists on the northern portion of the property. Natural gas is also available in 31<sup>st</sup> Street. A 10' public utility easement is proposed from 31<sup>st</sup> Street to serve each of the four parcels. It is the obligation of the developer to extend required services and provide any necessary upgrades to utilities to serve the proposed development.

Engineering staff has indicated that the proposed sanitary sewer main has not been designed to provide an adequate cleansing velocity. In addition, no provision has been made for discharge of footing drains. These are generally released to a small sewer that connects to public storm sewer. However, public storm sewer is not immediately available so alternatives for a private sewer maintained by a homeowners association or individual lot rain gardens/infiltration basins may be looked at as options.

Comments from Des Moines Waterworks indicate that the water line tapping into the main in 31<sup>st</sup> Street is required to be a 8" public main extension with a 40' easement in order to allow service taps for each of the four single-family lots and the required fire hydrant. The preliminary plat should be revised to reflect this.

- 4. Landscaping & Buffering:** The approved Conceptual Plan required replacement of the evergreen plantings on a one for basis in a location north of the private drive and replacement of the shrub line due to the sanitary sewer installation. The plan also requires street tree plantings in the parkway of 31<sup>st</sup> Street at one tree per 40 lineal feet. These landscaping elements should be indicated on the preliminary plat.
- 5. Access or Parking:** The approved PUD Conceptual Plan indicated that access would be provided to each of the four lots through a shared access drive easement. This is graphically indicated on the plan but is not labeled for ingress/egress. The plan also required that fire lanes and turnarounds shall be prominently signed for no parking. The language of these requirements should be noted on the preliminary plat.

## **SUMMARY OF DISCUSSION**

*Tim Urban expressed concerns regarding storm sewer issues that needed to be resolved and asked if they had been.*

*Mike Ludwig noted Ross Stafford in the Permit and Development Center had telephone conversations with the applicant's engineer who will be submitting calculations and stormwater information. Ross was confident the storm issues could be resolved prior to Wednesday, December 13<sup>th</sup> when items for the December 18<sup>th</sup> Council meeting must be submitted. Explained if the issues are not resolved to staff's satisfaction the request will be deferred from going to the Council. The final plat could not be approved before the issue is resolved. The applicant's engineer indicated they would have the information submitted to staff prior on Monday, December 11<sup>th</sup>.*

*Bruce Heilman suggested moving for approval subject to the storm sewer calculations being received.*

*Brian Millard moved for approval of the staff recommendation for approval subject to the following:*

- 1. Addition of the tree protection requirements from the PUD Conceptual Plan as notes to the preliminary plat.*

2. *Approval of a satisfactory storm water design by the City Engineering staff in the Permit and Development Center. **NOTE: This condition was satisfied by the applicant on December 12, 2006.***
3. *Addition of the required water main revision to the preliminary plat.*
4. *Addition of the landscaping elements required by the approved PUD Conceptual Plan.*
5. *Addition of required fire lane and turnaround signage to the notes of preliminary plat.*
6. *Receipt of storm sewer calculations.*

*Motion passed 10-0.*

Respectfully submitted,



Michael Ludwig, AICP  
Planning Administrator

MGL:dfa

Attachment

December 6<sup>th</sup>, 2006

Doug Saltsgaver  
ERG, Inc.  
2413 Grand Avenue  
Des Moines, IA 50312

RE: Preliminary Plat, South of Grand Estates  
13-071.28

Dear Doug:

We have reviewed the first (1<sup>st</sup>) submittal of the preliminary plat for South of Grand Estates in Des Moines and have determined that the following conditions must be satisfied before final plat approval can be granted.

**Engineering**

1. Legal Description—Identify the adjoining properties to the north, east and south.
2. Surveyor/Engineer Certification—Sign and date the certification statements. The drainage detention calculations require an Engineer's signature.
3. Surface Features—Show details of how the surface drainage will be directed from the east end of the drive to the detention basin.
4. Subsurface Features—The proposed north-south sanitary sewer in lot 1 has a grade of less than 0.3% according to the proposed flow line elevations and distance between manholes scaled from the plat. Provide certified calculations that minimum cleansing velocities can be achieved.  
Indicate how footing drains from the proposed houses will be handled.
5. Drainage Report and Recommendations—Show calculations for the times of concentration used in determining the rainfall intensities for Q2 and Q100 in the calculations for the allowable release rate.

Show the flow paths, slopes and roughness coefficient.



PERMIT AND  
DEVELOPMENT CENTER  
ARMORY BUILDING  
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If the area of the portion of the subdivision to be detained is 0.5 acres and the composite runoff coefficient is 0.68, isn't the  $C \times A$  value on the detention volume twice what it should be?

We are not able to verify the value of 40% for the voids in the granular backfill. Please provide a source. Show a detail of the 500 tons of granular backfill to be placed, as to width, length and depth. Assuming the 20' X 60' rectangle on the plat is the extent of the backfill, our calculations show the backfill would have to be more than 5.5 feet deep to provide 6755 cubic feet of available space.

In sizing the outlet orifice, how was the 4 feet of head arrived at? Typically, it is from the center of the orifice to the elevation at which the required detention storage is achieved.

Provide calculations for the flow velocity at the outlet. If erodible velocities are indicated, provide a means to spread the flow and dissipate energy.

6. Grading Permit Required—A grading permit is required. A reproducible copy of the approved plat may be used as the basis for the erosion control plan with the addition of the erosion control measures, the information required by erosion ordinance, submittal of an application for grading permit and payment of fees.

## **Fire**

7. The dedicated fire apparatus turn-around area shall be marked with permanent NO PARKING—FIRE LANE signs. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and red letters on a white reflective background. Show the location of the fire lane signs on the site plan.

## **Planning**

8. The approved PUD Concept Plan must be submitted, signed and dated and on reproducible mylar before the preliminary plat can be approved.
9. A plat legend was left off of this submittal.
10. Place the following notes on the plat (condition of PUD Plan approval):

*Any single-family home will have a minimum square footage above the basement level and independent of the garage of*

1,200 square for a single-story and 1,400 square feet for a two story or greater.

Homes on Parcels 2, 3, & 4 must have a primary entrance oriented toward the private drive, and the home on parcel 1 must have a primary entrance oriented toward either 31<sup>st</sup> Street or the private drive.

11. Mid-American Energy is requesting a 15' P.U.E. to accommodate both underground gas and electric lines.
12. Show the required conceptual street plantings in the parkway of 31<sup>st</sup> Street at one tree per 40 lineal feet.
13. Replacement of all removed evergreen plantings on a one-for-one basis is required. Show the location, type and planting size of the evergreens. The shrub line indicated for removal for the sanitary sewer installation will need to be replaced on a one-for-one basis as well.
14. Are all trees that will realistically be impacted by site grading shown as "removed" on the plat? There appears to be additional trees not marked for removal that are in the middle of proposed grading work.
15. Place the tree protection notes on the plat as stated in Condition #3 of the enclosed council roll call for approval of the PUD Plan.

Please submit **four (4) 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 @ [rimoffatt@dmgov.org](mailto:rimoffatt@dmgov.org).

Sincerely,

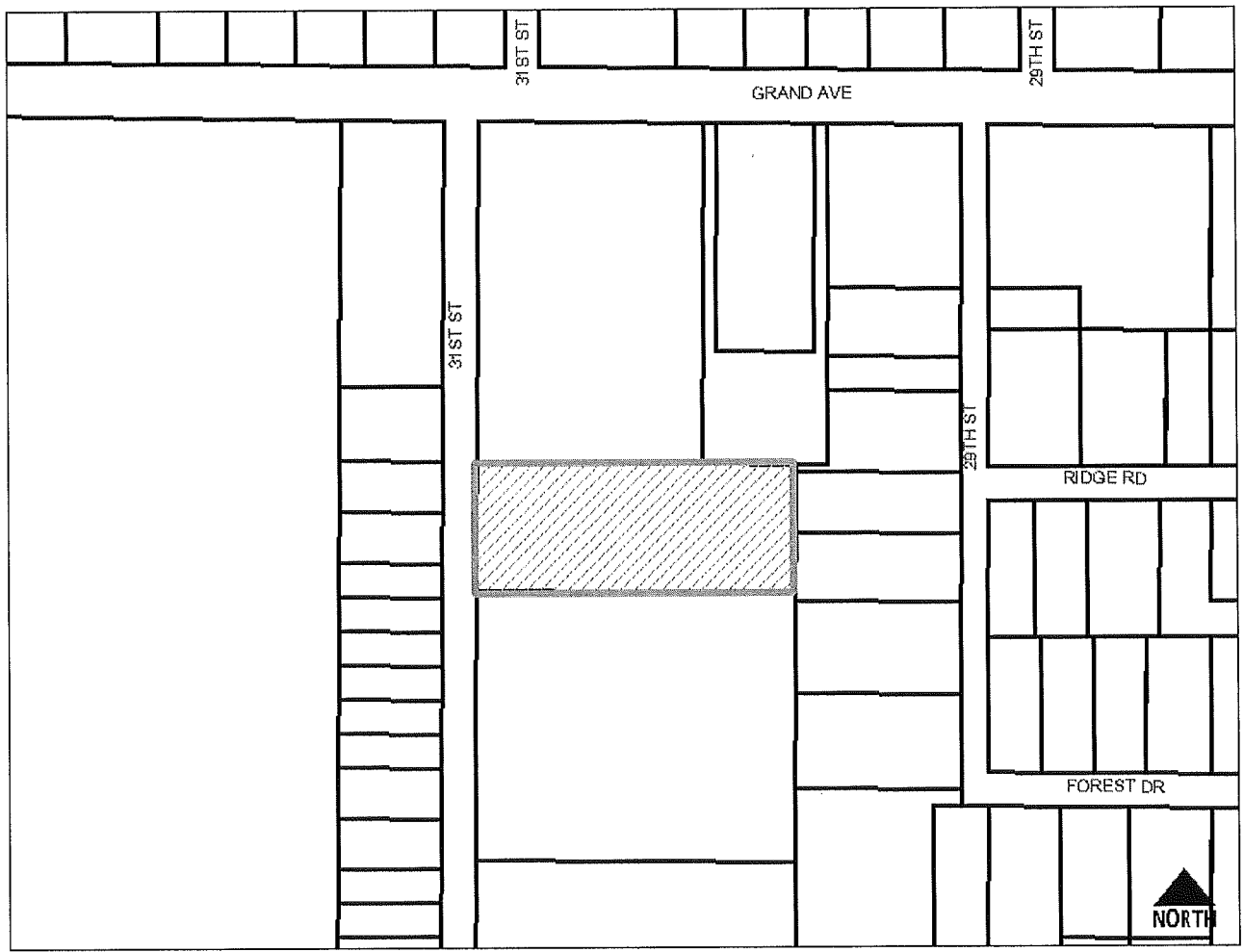


Phillip Delafield  
Permit & Development Administrator

Enclosure

Request from Nelson Development 13, LLC (owner) represented by Jake Christiansen (officer) for review and approval of a preliminary subdivision plan for property located at 361 31 <sup>st</sup> Street.			File # 13-2007-1.28	
<b>Description of Action</b>	Review and approval of a preliminary subdivision plan "South of Grand Estates" to create four lots for single-family residential development served by a private access drive and public sewer extension.			
<b>2020 Community Character Plan</b>	Low-Density Residential.			
<b>Horizon 2025 Transportation Plan</b>	No Planned Improvements.			
<b>Current Zoning District</b>	"PUD" Planned Unit Development District.			
<b>Proposed Zoning District</b>	N/A.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	N/A	N/A	N/A	N/A
<b>Plan and Zoning Commission Action</b>	<b>Approval</b>	10-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	<b>Denial</b>			No

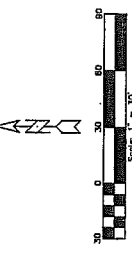
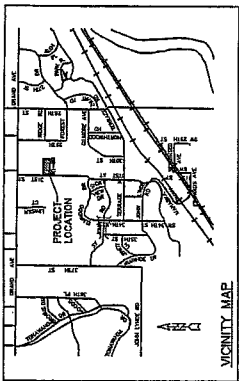
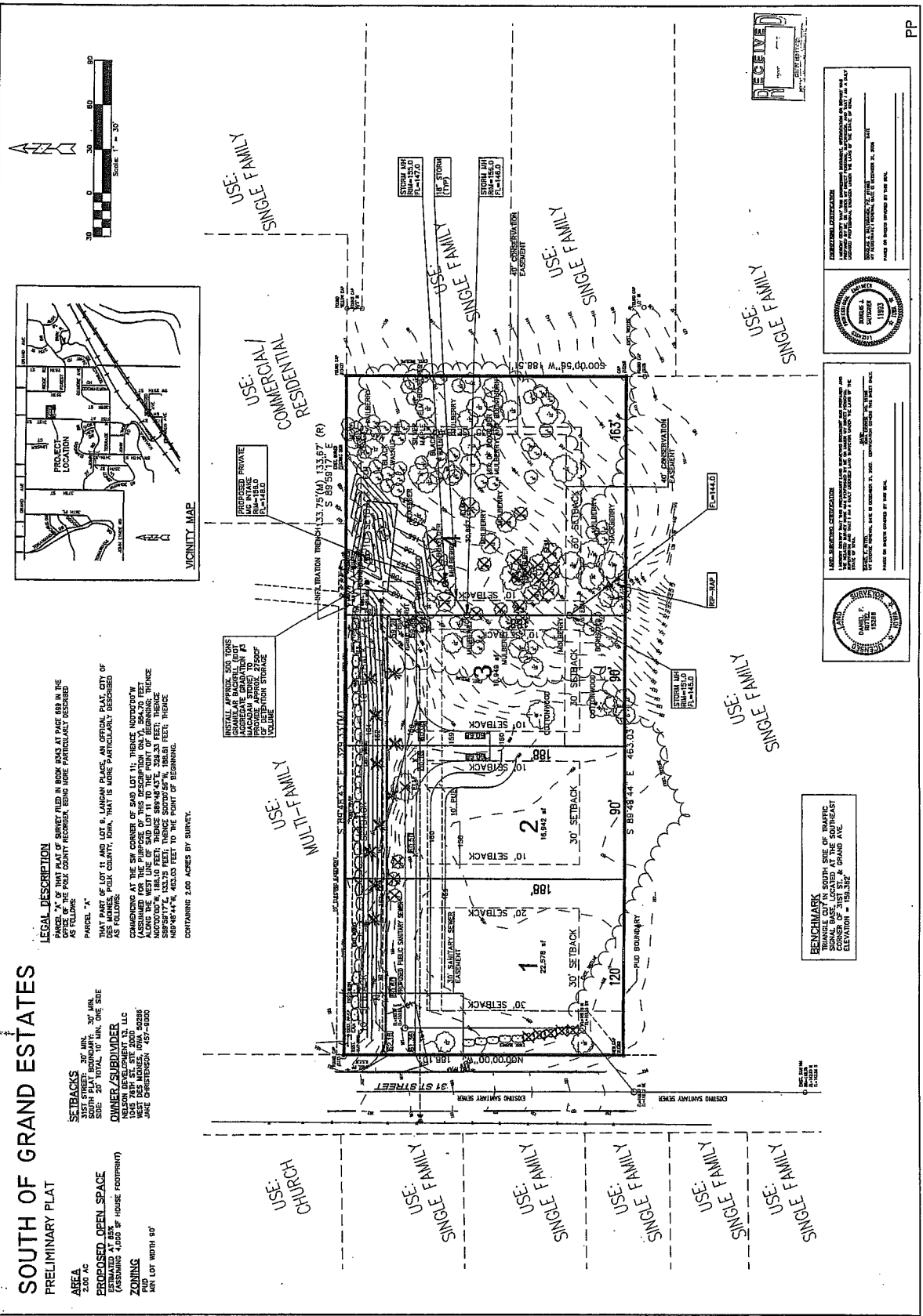
Nelson Development 13, LLC (South of Grand Estates - Preliminary Subdivision) - 361 31st Street 13-2007-1.28



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FIELD BOOK		SHEET 1 OF 1		FILE NO. 8092	
DWS 6092-292-PLAT/IMG		CHECKED BY DJS		DATE 10/12/08	
SCALE 1" = 30'		DESIGNED BY DJS		DRAWN BY PJV	
LOCATION		DATE		REVISION	
NO.		DATE		REVISION	

# SOUTH OF GRAND ESTATES - PRELIMINARY PLAT



**LEGAL DESCRIPTION**  
 THAT PART OF LOT 11 AND LOT 8, LANGAN PLACE, AN OFFICIAL PLAT, CITY OF POLK COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 PARCEL "A"  
 THAT PART OF LOT 11 AND LOT 8, LANGAN PLACE, AN OFFICIAL PLAT, CITY OF POLK COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SW CORNER OF SAID LOT 11, THENCE NORTHEASTLY (ASSUMED FOR THE PURPOSE OF THIS DESCRIPTION ONLY) 58.720 DEGREES ALONG THE WEST LINE OF SAID LOT 11 TO THE POINT OF BEGINNING; THENCE S89°58'17.4" W, 133.73 FEET; THENCE S00°00'55" W, 104.51 FEET; THENCE N89°48'14.4" W, 483.03 FEET TO THE POINT OF BEGINNING.  
 CONTAINING 2.00 ACRES BY SURVEY.

**SOUTH OF GRAND ESTATES**  
**PRELIMINARY PLAT**

**AREA**  
 2.00 AC

**PROPOSED OPEN SPACE**  
 ESTIMATED AT 85% (CONTAINING 4,050 SF HOUSE FOOTPRINT)

**ZONING**  
 MIN LOT WIDTH 80'

**SETBACKS**  
 30' MIN. SIDE SETBACK  
 30' MIN. FRONT SETBACK  
 25' TOTAL, 10' MIN. ONE SIDE

**OWNER/SUBDIVIDER**  
 REASON DEVELOPMENT, L.L.C.  
 WEST DES MOINES, IOWA 50368  
 JANE CHRISTENSEN 457-0000

INSTALL APPROX. 800 TONS  
 GRANULAR MATERIAL AT  
 EACH INTAKE POINT  
 (MATERIAL STORED TO  
 BE USED FOR FILLING  
 OF DISTRIBUTION STORAGE  
 TANKS)

PROPOSED PRIVATE  
 GAS INTAKE  
 (MATERIAL STORED TO  
 BE USED FOR FILLING  
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 TANKS)

PROPOSED PRIVATE  
 WATER INTAKE  
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PROPOSED PRIVATE  
 GAS INTAKE  
 (MATERIAL STORED TO  
 BE USED FOR FILLING  
 OF DISTRIBUTION STORAGE  
 TANKS)

PROPOSED PRIVATE  
 WATER INTAKE  
 (MATERIAL STORED TO  
 BE USED FOR FILLING  
 OF DISTRIBUTION STORAGE  
 TANKS)

PROPOSED PRIVATE  
 SEWER INTAKE  
 (MATERIAL STORED TO  
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 TANKS)

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