

Date October 7, 2013

COMMUNICATION from the City Plan and Zoning Commission advising that at a public hearing held September 19, 2013, the members voted 10-0 in support of a motion to **APPROVE** the request from Dan Kruse (purchaser) for approval of a Preliminary Plat for "Stanton Acres North" to subdivide property located in the 3200 block of Stanton Avenue into 16 lots for single-family dwelling use subject to the following conditions:

1. Compliance with all administrative Plat review comments by the Permit and Development Center.
2. Compliance with the Tree Removal and Mitigation Ordinances.

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.

(13-2014-1.05)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
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



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

September 25, 2013

Date \_\_\_\_\_

Agenda Item 17

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 September 19, 2013, the following action was taken regarding a request from Dan Kruse (purchaser) for approval of a Preliminary Plat for "Stanton Acres North" to subdivide property located in the 3200 block of Stanton Avenue into 16 lots for single-family dwelling use. The subject property is owned by Cooper Homes, Inc. and Realty Xperts, LLC.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 10-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley				X
Tim Fitzgerald	X			
Dann Flaherty	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Ted Irvine				X
Greg Jones	X			
William Page				X
Christine Pardee				X
CJ Stephens	X			
Vicki Stogdill				X
Greg Wattier	X			

**APPROVAL** of the proposed Preliminary Plat subject to the following conditions: 13-2014-1.05

1. Compliance with all administrative Plat review comments by the Permit and Development Center.
2. Compliance with the Tree Removal and Mitigation Ordinance.

## STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed Preliminary Plat subject to the following conditions:

1. Compliance with all administrative Plat review comments by the Permit and Development Center.
2. Compliance with the Tree Removal and Mitigation Ordinance.

## STAFF REPORT

### I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to divide the subject property into 16 lots for single-family residential development. Four of the lots would have frontage on Stanton Avenue. The remaining 12 lots would front the proposed segment of SW 33<sup>rd</sup> Street. The proposed lots would comply with the zoning regulations applicable in the "R1-80" District, which requires at least 10,000 square feet of lot area and 80 feet of lot width.
2. **Size of Site:** 5.91 acres.
3. **Existing Zoning (site):** "R1-80" One-Family Residential District.
4. **Existing Land Use (site):** Undeveloped.
5. **Adjacent Land Use and Zoning:**
  - North* – "R1-80", Use is single-family residential.
  - South* – "R1-80", Use is single-family residential.
  - East* – "R1-80", Use is single-family residential.
  - West* – "R1-80", Uses are single-family dwelling and undeveloped land.
6. **General Neighborhood/Area Land Uses:** The subject property is located in area that includes a mix of low-density residential developments near the airport.
7. **Applicable Recognized Neighborhood(s):** The subject property is within the Southwestern Hills Neighborhood. This neighborhood was notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhoods on August 30, 2013. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on September 13, 2013. Preliminary plats do not require individual notices to surrounding property owners.

All agendas and notices are mailed to the primary contact person designated to the City of Des Moines Neighborhood Development Division by the recognized neighborhood association. The Southwestern Hills Neighborhood Association mailings were sent to George Davis, 3124 SW 29<sup>th</sup> Street, Des Moines, IA 50321.

**8. Relevant Zoning History:** None.

**9. 2020 Community Character Land Use Plan Designation:** Low-Density Residential.

**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. Natural Site Features:** The site generally consists of an open field with trees around the perimeter of the site. Any tree removal would be subject to compliance with the City's Tree Preservation and Mitigation Ordinance. The plat includes some tree information. A full tree removal and mitigation plan must be submitted in accordance with Section 42-554 of the City Code.

**2. Drainage/Grading:** The submitted preliminary plat shows grading for lot and street improvements, as well as storm water management. The topography of the site requires a storm water basin to be located along the west perimeter at the center of the site.

Construction designs must be submitted and approved for all public improvements prior to or in conjunction with final plat approval by the City Council. Issuance of a grading permit is required prior to commencement of grading on the subject property. A Storm Water Pollution Protection Plan (SWPPP) must be submitted to the Iowa DNR.

**3. Utilities:** Sanitary sewer and water mains are available in the Stanton Avenue right-of-way. The plat shows these lines being extended into the development via the proposed segment of SW 33<sup>rd</sup> Street.

**4. Traffic/Street System:** The applicant is proposing to divide the subject property into 16 lots for single-family residential development. Four of the lots would have frontage on Stanton Avenue. The remaining 12 lots would front the proposed cul-de-sac segment of SW 33<sup>rd</sup> Street. The plat shows a 4-foot wide sidewalk along the SW 33<sup>rd</sup> Street public street frontage, but not along Stanton Avenue.

## **SUMMARY OF DISCUSSION**

*There was no discussion.*

**CHAIRPERSON OPENED THE PUBLIC HEARING**

*There was no one to speak in favor or in opposition of the applicant's request.*

**COMMISSION ACTION**

Dory Briles moved staff recommendation to approve the proposed Preliminary Plat subject to the following conditions:

1. Compliance with all administrative Plat review comments by the Permit and Development Center.
2. Compliance with the Tree Removal and Mitigation Ordinance.

Motion passed 10-0.

Respectfully submitted,



Michael Ludwig, AICP  
Planning Administrator

MGL:clw

Attachment

