



Date August 23, 2021

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING APPROVAL OF PRELIMINARY PLAT AMENDMENT TO THE “WOODS ON THE RIVER PLAT 11” PLAT FOR PROPERTY LOCATED IN THE VICINITY OF RIVERWOODS ROAD AND RIVER RIDGE AVENUE

WHEREAS, on August 5, 2021, the City of Des Moines Plan and Zoning Commission voted 10-0 to **APPROVE** a request from Hubbell Realty Company (owner), represented by Steve Moseley (officer), for the eleventh major preliminary plat amendment to the “Woods on the River Plat 11” for property located in the vicinity of Riverwoods Road and River Ridge Avenue, to allow for subdivision of the existing platted Outlots, excluding Outlot X, to create 22 additional single-household lots accessible by cul-de-sacs on River Ridge Road and Grand River Drive, subject to the following conditions:

- 1) Compliance with all administrative review comments.
- 2) Compliance with requirements of the Riverwood PUD Conceptual Plan as amended by City Council on June 14, 2021 by Roll Call 21-0924.
- 3) Provision of the following notes on the Preliminary Plat, which are required by the PUD Conceptual Plan:
 - a) No same house architectural elevation shall be built on adjacent lots.
 - b) Any house shall have a minimum two-car attached garage.
 - c) Any house constructed shall generally match one of the PUD House Character Elevations, including illustrative trim and siding mixes. Material upgrades and alternative house design may be approved by the Planning and Urban Design Administrator.
 - d) The roof on any house constructed shall be of asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
 - e) Any house shall be constructed with a minimum of 1,200 square feet of area.
 - f) Exterior material for any house constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, LP Smart Siding, or fiber cement board; and

WHEREAS, the final subdivision plat will be submitted for City Council approval when completed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the attached communication from the City Plan and Zoning Commission is hereby received and filed.



Roll Call Number

Agenda Item Number

22

Date August 23, 2021

MOVED BY _____ to receive and file.

FORM APPROVED:

/s/ Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(13-2021-1.45)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. KAY CMELIK, 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.

City Clerk

August 17, 2021

Communication from the City Plan and Zoning Commission advising that at their August 5, 2021 meeting, the following action was taken regarding a request from Hubbell Realty Company (owner) represented by Steve Mosely (officer) (officer) for review and approval of a major Preliminary Plat Amendment to “Woods on the River Plat 11” for property in the vicinity of Riverwoods Road and River Ridge Avenue, to allow the subdivision of existing platted Outlots for a total of 22 single-family residential lots.

COMMISSION RECOMMENDATION:

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

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Chris Draper	X			
Jann Freed	X			
Todd Garner	X			
Johnny Alcivar				X
Lisa Howard				X
Carolyn Jenison				X
William Page	X			
Rocky Sposato				X
Steve Wallace	X			
Greg Wattier	X			
Emily Webb	X			

APPROVAL of the proposed amended Preliminary Plat, subject to the following conditions:

- 1) Compliance with all administrative review comments.
- 2) Compliance with requirements of the Riverwood PUD Conceptual Plan as amended by City Council on June 14, 2021, by Roll Call 21-0924.

- 3) Provision of the following notes on the Preliminary Plat, which are required by the PUD Conceptual Plan:
 - a) No same house architectural elevation shall be built on adjacent lots.
 - b) Any house shall have a minimum two-car attached garage.
 - c) Any house constructed shall generally match one of the PUD House Character Elevations, including illustrative trim and siding mixes. Material upgrades and alternative house design may be approved by the Planning and Urban Design Administrator.
 - d) The roof on any house constructed shall be of asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
 - e) Any house shall be constructed with a minimum of 1,200 square feet of area.
 - f) Exterior material for any house constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, LP Smart Siding, or fiber cement board. (13-2021.45)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

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

- 1) Compliance with all administrative review comments.
- 2) Compliance with requirements of the Riverwood PUD Conceptual Plan as amended by City Council on June 14, 2021, by Roll Call 21-0924.
- 3) Provision of the following notes on the Preliminary Plat, which are required by the PUD Conceptual Plan:
 - a) No same house architectural elevation shall be built on adjacent lots.
 - b) Any house shall have a minimum two-car attached garage.
 - c) Any house constructed shall generally match one of the PUD House Character Elevations, including illustrative trim and siding mixes. Material upgrades and alternative house design may be approved by the Planning and Urban Design Administrator.
 - d) The roof on any house constructed shall be of asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
 - e) Any house shall be constructed with a minimum of 1,200 square feet of area.
 - f) Exterior material for any house constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, LP Smart Siding, or fiber cement board.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to subdivide the subject property to create 22 additional single-family lots that would be accessed by cul-de-sacs on River Ridge Road and Grand River Drive. The proposed plat also includes a 5.93-acre "Outlot X" to remain as open space.
2. **Size of Site:** The preliminary plat area is 12.89 acres. The area of the entire Riverwoods "PUD" District is approximately 240 acres.
3. **Existing Zoning (site):** Riverwoods "PUD" Planned Unit Development District.
4. **Existing Land Use (site):** The portion of the Riverwood "PUD" District that would be impacted by the proposed amendment is generally undeveloped and contains a segment of a recreational trail known as the Carl Voss Trail.
5. **Adjacent Land Use and Zoning:**
 - North** – "F", Uses are Harford Avenue, Cownie Soccer Complex, and floodplain.
 - South** – "N2b" & "NX2", Uses are one-household dwellings, multiple-household dwellings, and vacant land.
 - East** – "F", Uses are Harford Avenue, Cownie Soccer Complex, and floodplain.
 - West** – "N2b", "NX2", & "P1", Uses are one-household dwellings, multiple-household dwellings, and Cownie Baseball Complex.
6. **General Neighborhood/Area Land Uses:** The area consists of a mix of one-household dwellings, multiple-household dwellings, and park/recreational uses. A significant portion of the Riverwoods "PUD" District is a heavily wooded parcel owned by the City of Des Moines.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Riverwoods Neighborhood. The neighborhood association was notified of the Commission meeting by mailing of the Preliminary Agenda for the August 5, 2021 meeting on July 12, 2021. Additionally, separate notifications of the hearing for this specific item were mailed on July 16, 2021 (20 days prior to the August 5, 2021 public hearing) and on July 26, 2021 (10 days prior to the August 5, 2021 public hearing) to the Riverwoods Neighborhood and to the primary titleholder on file with the Polk County Assessor for each property within the PUD and within 250 of the PUD boundary. A final agenda was mailed to the neighborhood associations on July 26th, 2021.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Riverwoods Neighborhood notices were mailed to Denise Benda, 2230 East Caulder Court, Des Moines, IA 50320.

- 8. Relevant Zoning History:** The property was rezoned to “PUD” Planned Unit Development District on April 25, 1994 by Ordinance 13,027. Since that time, the Riverwoods “PUD” Conceptual Plan has been amended ten (10) times.

The most recent amendment was approved by City Council on June 14, 2021 by Roll Call 21-0924.

- 9. PlanDSM Future Land Use Plan Designation:** Low Density Residential and Park/Open Space.

- 10. Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, 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. Riverwood PUD Conceptual Plan Requirements:** The preliminary plat must comply with all applicable PUD requirements contained in the recently amended Riverwoods PUD Conceptual Plan. Roll Call 21-0924 contains the following conditions that apply:
1. Provision of a note that states development of the site must comply with the Tree Removal and Mitigation Ordinance contained in Chapter 42, Article X, of the City Code.
 2. Provision of a note to state that any and all portions of this area designated as “Parkland” that the City is not willing to accept ownership for, shall be designated as common areas shared by the owners of all the residential units. Common areas within a horizontal property regime are not separately taxed. In a horizontal property regime, the value of the common areas is allocated among the residential units.
 3. Provision of a note that states the City will require the future plat to be located within a horizontal property regime, with the detention basins and open space areas designated as common areas shared by the owners of all the residential units. Common areas within a horizontal property regime are not separately taxed. In a horizontal property regime, the value of the common areas is allocated among the residential units.
 4. Provision of a note that states any stormwater basin shall be designed to the satisfaction of the both the City’s Engineering Department Director and the City’s Park & Recreation Department Director to ensure that it is designed in a

manner that prevents future erosion issues that could potentially impact the recreational trail.

5. Provision of a note that states that a soils report and stormwater runoff control plan per City Code Section 106-136 is required and that all grading is subject to an approved grading permit and soil erosion control plan.
6. Provision of a state note stating that permanent trail easements shall be provided for the Carl Voss Trail and for the trail spur providing access to the Carl Voss Trail from River Ridge Road, where these easements ensure that the trail shall not be moved or impacted by the developer.
7. Provision of a note stating the primary section of the Carl Voss Trail passing through the Riverwoods PUD shall not be altered by the amendment and shall not be closed at any time as a result of construction or development in the vicinity.
8. Provision of a note stating that the reconfigured trail spur providing access to the Carl Voss Trail from the bulb of the River Ridge Road cul-de-sac shall be designed and constructed to the City's standards as reviewed and approved by the City's Park & Recreation Department Director.
9. Provision of a note stating that the developer shall be responsible for all construction and costs associated with removing and reconstructing the trail spur providing access to the Carl Voss Trail from the bulb of the River Ridge Road cul-de-sac, and that any construction shall be to the City's standards for trail construction to the satisfaction of the City's Park & Recreation Department Director.
10. Provision of a note stating that the developer shall work with the City's Park & Recreation Director on an acceptable temporary closure of the trail spur providing access to the Carl Voss Trail from the bulb of the River Ridge Road cul-de-sac, where the temporary closure is limited to as minimal of time as possible, and where the developer shall be responsible for neighborhood outreach and for provision of and maintenance of trail detour signage during any temporary closure to the satisfaction of the City's Park & Recreation Department Director. In addition, this temporary closure requires a 2-week notice, with detour signage in place at the start of the 2-week notice period.
11. Provision of an 8-foot-wide sidewalk along one side of the River Ridge Road cul-de-sac to connect Riverwoods Avenue to the trail spur.
12. Provision of the following notes on the "PUD" Conceptual Plan:
 - a) No same house architectural elevation shall be built on adjacent lots.
 - b) Any house shall have a minimum two-car attached garage.
 - c) Any house constructed shall generally match one of the PUD House Character Elevations, including illustrative trim and siding mixes. Material upgrades and alternative house design may be approved by the Planning and Urban Design Administrator.

- d) The roof on any house constructed shall be of asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
- e) Any house shall be constructed with a minimum of 1,200 square feet of area.
- f) Exterior material for any house constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, LP Smart Siding, or fiber cement board.

2. Natural Features: A significant portion of the subject property is heavily wooded. Staff recommends provision of a note that states development of the site must comply with the Tree Removal and Mitigation Ordinance contained in Chapter 42, Article X, of the City Code.

The proposed Preliminary Plat demonstrates that excess land at the periphery of the proposed lots for one-household development would be contained in an outlot that could potentially be dedicated to the City as parkland. Staff recommends provision of a note to state that any and all portions of this area that the City is not willing to accept ownership for shall be designated as common areas shared by the owners of all the residential units. Common areas within a horizontal property regime are not separately taxed. In a horizontal property regime, the value of the common areas is allocated among the residential units.

3. Drainage: The proposed Preliminary Plat demonstrates a stormwater detention basin within an outlot at the eastern periphery of the site. The City will require the entire future plat to be located within a horizontal property regime, with the detention basin designated as common area shared by the owners of all the residential units. Common areas within a horizontal property regime are not separately taxed. In a horizontal property regime, the value of the common areas is allocated among the residential units.

Given the proximity of the proposed stormwater basin to the existing Carl Voss Recreation Trail, staff recommends provision of a note that states any stormwater basin shall be designed to the satisfaction of the both the City's Engineering Department and the City's Park & Recreation Department to ensure that it is designed in a manner that prevents future erosion issues that could potentially impact the recreational trail.

The Preliminary Plat must also include a note that states that a soils report and stormwater runoff control plan per City Code Section 106-136 is required and that all grading is subject to an approved grading permit and soil erosion control plan.

4. Utilities: There are sanitary sewer and water mains nearby that will be extended to serve the development. These mains are shown within the proposed public street network. Construction of these mains will extend to the end of the Grand River Drive and River Ridge Road cul-de-sacs.

5. Traffic/Street System: The proposed amendment to the Preliminary Plat would revise the configuration of the one-household residential lots and eliminate the extension of River Ridge Road to East Park Avenue and reduce the length of the Grand River Drive

cul-de-sac. Staff believes that these revisions are appropriate and would preserve a significant area of existing mature tree canopy. Planning staff also believes that the existing Riverwoods Avenue can accommodate the north/south traffic through the existing "Riverwoods" development to East Park Avenue.

6. **Recreational Trail:** There is a 10-foot-wide recreational trail (known as the Carl Voss Trail) that passes through the eastern portion of the Preliminary Plat, as well as a trail spur that provides access to the trail from River Ridge Road. The recently approved amendment to the PUD Conceptual Plan contains multiple conditions pertaining to these trails, which must be provided as notes on the Preliminary Plat.
7. **Urban Design:** The proposed Preliminary Plat would allow for a total of 22 additional lots, each at least 60 feet wide, for one-household development. The Conceptual Plan provides eight (8) character examples of front facades of homes that would be constructed. Staff has recommended the notes listed below be added to the preliminary plat to ensure development complies with the PUD Conceptual Plan.

The proposed Preliminary Plat would be subject to all of the following "PUD" Conceptual Plan requirements:

- a) No same house architectural elevation shall be built on adjacent lots.
- b) Any house shall have a minimum two-car attached garage.
- c) Any house constructed shall generally match one of the PUD House Character Elevations, including illustrative trim and siding mixes. Material upgrades and alternative house design may be approved by the Planning and Urban Design Administrator.
- d) The roof on any house constructed shall be of asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
- e) Any house shall be constructed with a minimum of 1,200 square feet of area.
- f) Exterior material for any house constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, LP Smart Siding, or fiber cement board.

SUMMARY OF DISCUSSION

Bert Drost presented staff report and recommendation.

Doug Saltsgaver 2413 Grand Avenue representing Engineering Resource Group stated they agree with staff recommendation and could answer any questions the commission or members of the public have.

CHAIRPERSON OPENED THE PUBLIC HEARING

Walt Anderson 2605 Bent Ridge Court asked if Hubbell Realty or the homeowners association (HOA) will be liable for maintaining the proposed detention basin? According to the site plan, he believes there might be plans for another detention pond further up the road and they need to find a better way to compress the new lot sizes.

Bert Drost stated the PUD requires a minimum lot width of 60-feet which the new lots would be. The storm water basin would be maintained by a HOA formed by the new development.

Chris Draper asked for clarification on the fencing question that was raised from the audience.

Bert Drost stated he wasn't sure if they were referring to silt fencing, which would be required during grading and a requirement of the PUD.

Jason Van Essen stated standard fencing requirements would be used when homeowners seek a permit to install fencing.

Abby Chungath stated there might be a little confusion around whether this is a standing water pond or a dry area that's used to absorb storm water.

Bert Drost stated this would be a dry area used to absorb the water.

Doug Saltgaver stated there would only be 1 storm water basin, which would be a dry bottom basin. The HOA will be liable for maintaining the basin, which would include the lots constructed in plat 10 and 11.

Chris Draper asked if the cost will be spread out to the current houses or contained within the new lots.

Dough Saltgaver stated it would include lots in plat 10 and 11. Plats 1-9 will not be assessed for these basins.

CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION:

Emily Webb made a motion for approval of the proposed amended Preliminary Plat, subject to the following conditions:

- 1) Compliance with all administrative review comments.
- 2) Compliance with requirements of the Riverwood PUD Conceptual Plan as amended by City Council on June 14, 2021, by Roll Call 21-0924.
- 3) Provision of the following notes on the Preliminary Plat, which are required by the PUD Conceptual Plan:
 - a) No same house architectural elevation shall be built on adjacent lots.
 - b) Any house shall have a minimum two-car attached garage.
 - c) Any house constructed shall generally match one of the PUD House Character Elevations, including illustrative trim and siding mixes. Material upgrades and alternative house design may be approved by the Planning and Urban Design Administrator.
 - d) The roof on any house constructed shall be of asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.
 - e) Any house shall be constructed with a minimum of 1,200 square feet of area.
 - f) Exterior material for any house constructed shall be masonry (brick or stone), vinyl of no less than 0.042 thickness, cedar, LP Smart Siding, or fiber cement board.

Motion passed: 10-0

Respectfully submitted,

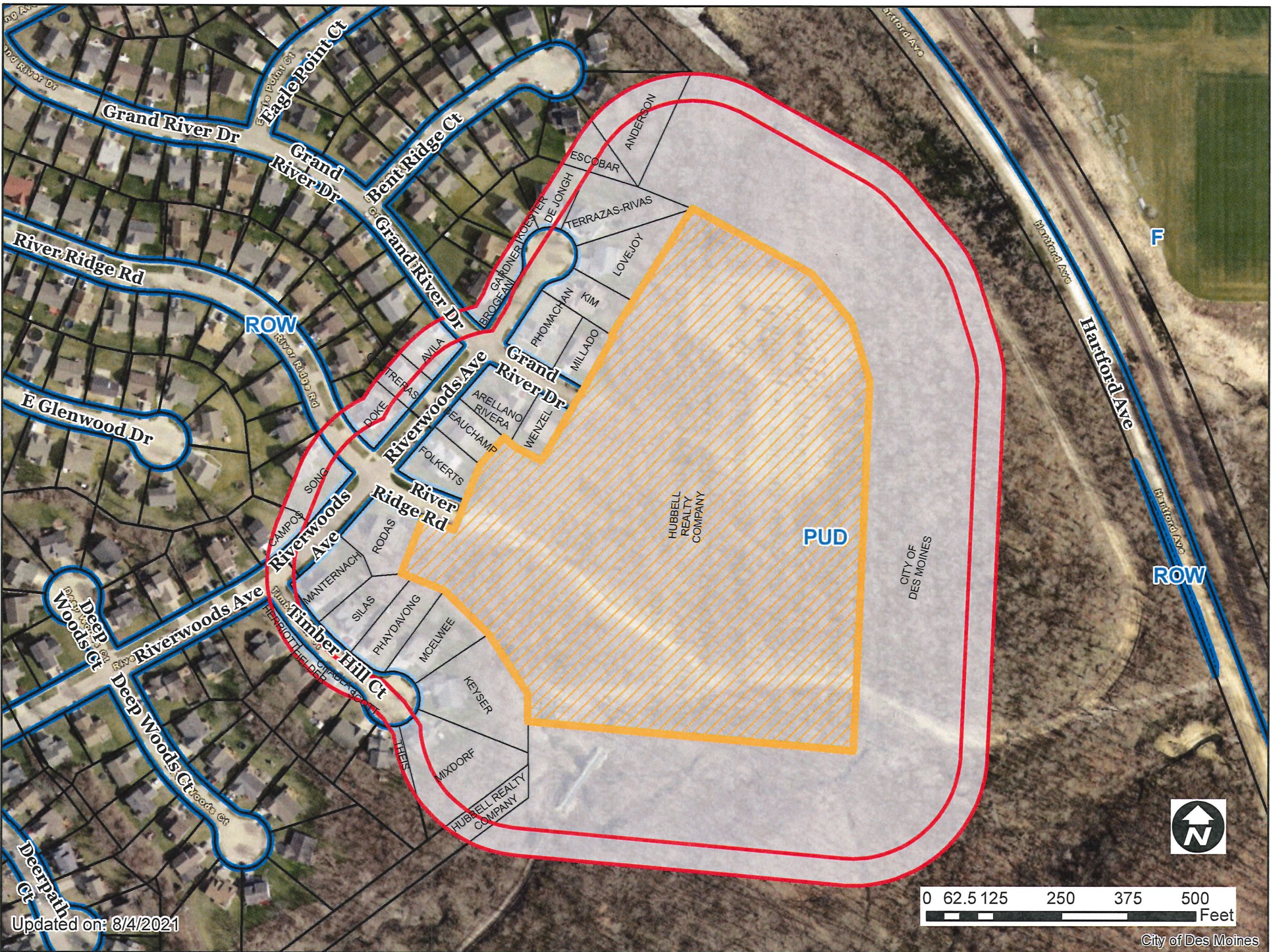


Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:tjh

da

Hubbell Realty Company, Woods on the River Plat 11, Vic. Riverwoods Road & River Ridge Ave. 13-2021-1.45



Updated on: 8/4/2021

City of Des Moines

PLAT 5

N28°52'45"E 50.11'
S30°15'58"E 110.00'
28.71'

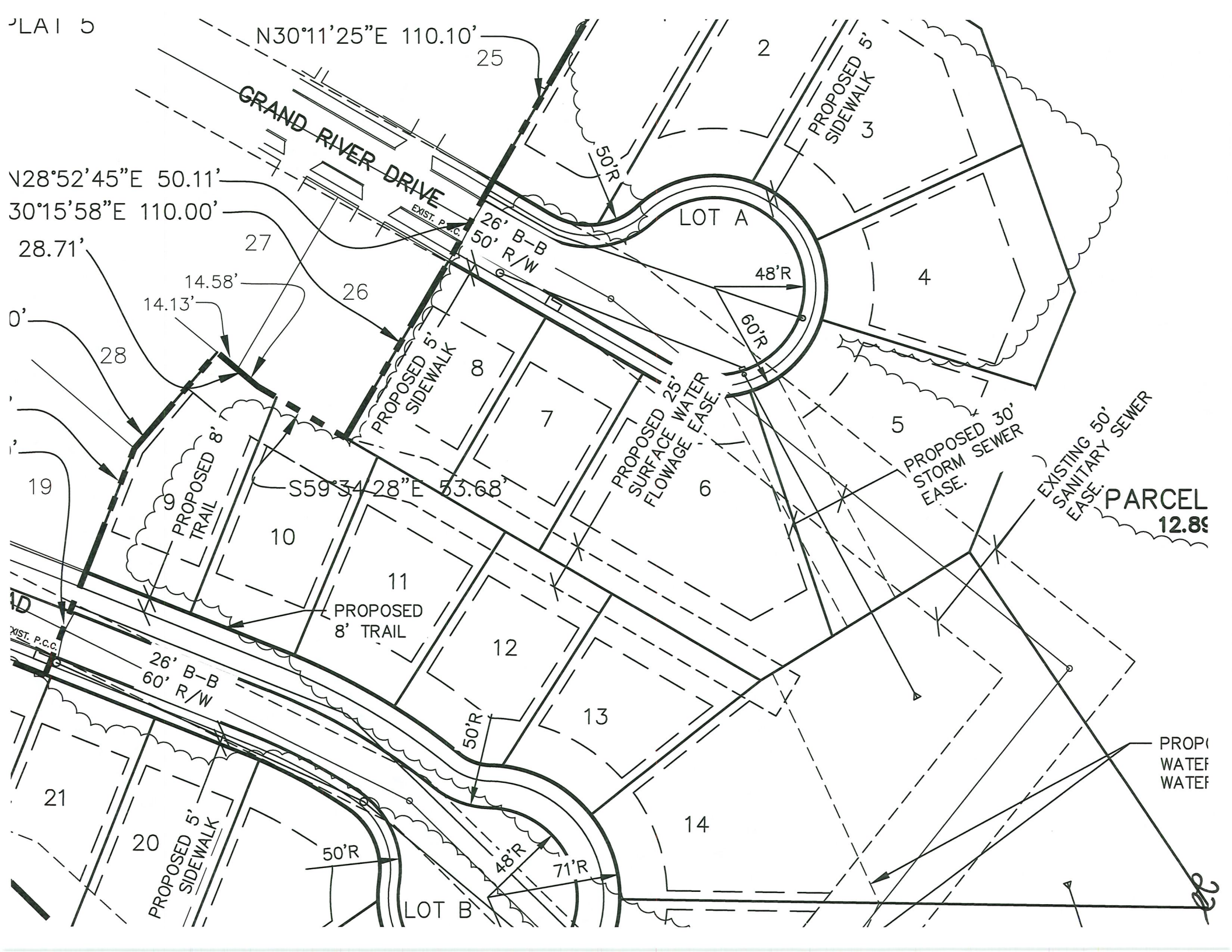
N30°11'25"E 110.10'

GRAND RIVER DRIVE

LOT A

LOT B

PARCEL 12.89



25

2

PROPOSED 5' SIDEWALK

3

26' B-B
50' R/W

LOT A

48'R

4

60'R

28.71'

27

14.58'

26

14.13'

PROPOSED 5' SIDEWALK

8

PROPOSED 25' SURFACE WATER FLOWAGE EASE.

6

PROPOSED 30' STORM SEWER EASE.

EXISTING 50' SANITARY SEWER EASE.

28

0'

19

PROPOSED 8' TRAIL

10

S59°34'28"E 53.68'

PROPOSED 8' TRAIL

11

12

EXIST. P.C.C.

26' B-B
60' R/W

50'R

13

21

20

PROPOSED 5' SIDEWALK

50'R

14

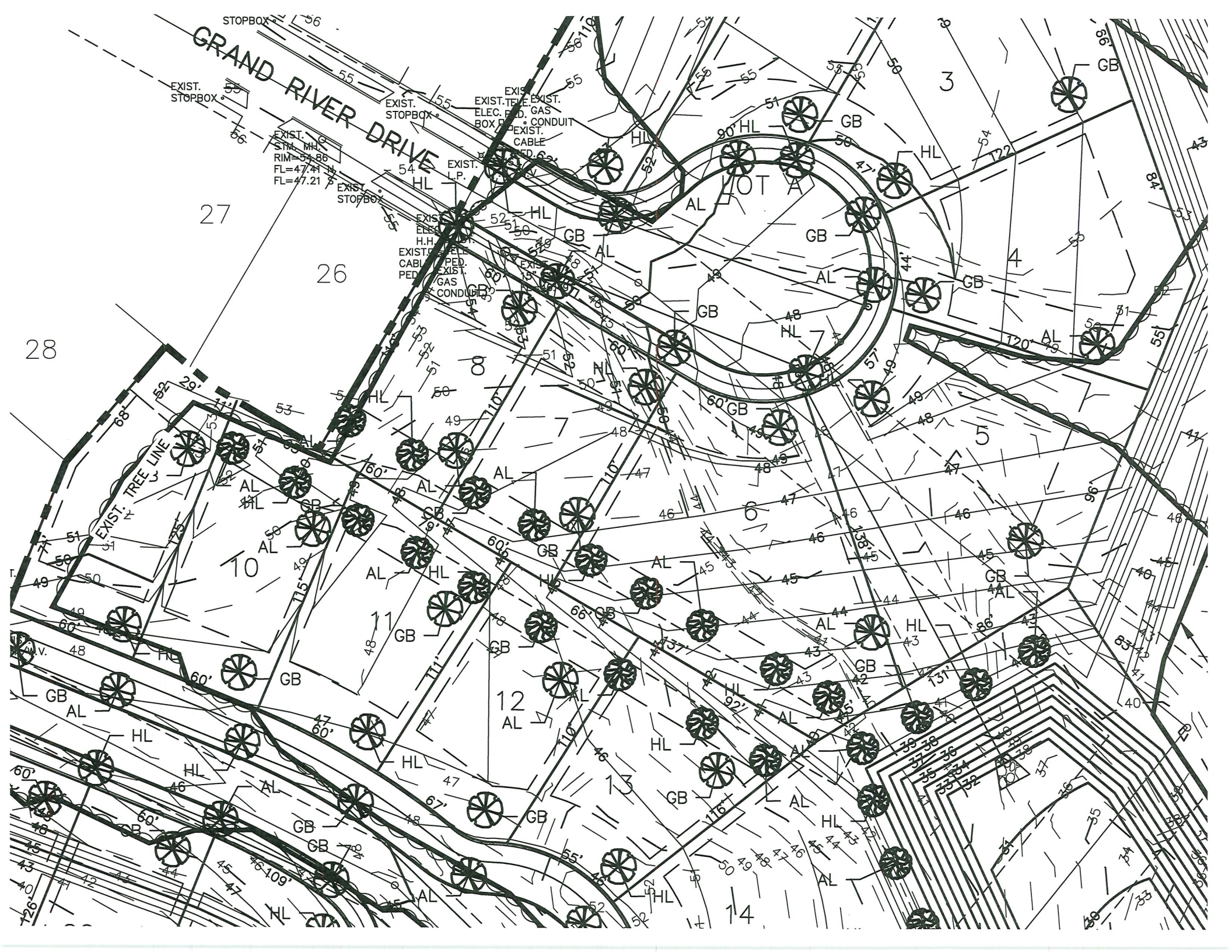
48'R

71'R

PROPOSED WATER WATER



SC



STOPBOX 56
GRAND RIVER DRIVE
EXIST. STOPBOX 55
EXIST. STOPBOX 54
EXIST. STOPBOX 53
EXIST. STOPBOX 52
EXIST. STOPBOX 51
EXIST. STOPBOX 50
EXIST. STOPBOX 49
EXIST. STOPBOX 48
EXIST. STOPBOX 47
EXIST. STOPBOX 46
EXIST. STOPBOX 45
EXIST. STOPBOX 44
EXIST. STOPBOX 43
EXIST. STOPBOX 42
EXIST. STOPBOX 41
EXIST. STOPBOX 40
EXIST. STOPBOX 39
EXIST. STOPBOX 38
EXIST. STOPBOX 37
EXIST. STOPBOX 36
EXIST. STOPBOX 35
EXIST. STOPBOX 34
EXIST. STOPBOX 33
EXIST. STOPBOX 32
EXIST. STOPBOX 31
EXIST. STOPBOX 30
EXIST. STOPBOX 29
EXIST. STOPBOX 28
EXIST. STOPBOX 27
EXIST. STOPBOX 26
EXIST. STOPBOX 25
EXIST. STOPBOX 24
EXIST. STOPBOX 23
EXIST. STOPBOX 22
EXIST. STOPBOX 21
EXIST. STOPBOX 20
EXIST. STOPBOX 19
EXIST. STOPBOX 18
EXIST. STOPBOX 17
EXIST. STOPBOX 16
EXIST. STOPBOX 15
EXIST. STOPBOX 14
EXIST. STOPBOX 13
EXIST. STOPBOX 12
EXIST. STOPBOX 11
EXIST. STOPBOX 10
EXIST. STOPBOX 9
EXIST. STOPBOX 8
EXIST. STOPBOX 7
EXIST. STOPBOX 6
EXIST. STOPBOX 5
EXIST. STOPBOX 4
EXIST. STOPBOX 3
EXIST. STOPBOX 2
EXIST. STOPBOX 1

EXIST. TELE. ELEC. BOX
EXIST. GAS CONDUIT
EXIST. CABLE
EXIST. L.P.
EXIST. H.H. PUMP
EXIST. PED. CABLE
EXIST. GAS CONDUIT

EXIST. TREE LINE
EXIST. V.V.

LOT A

