CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: April 6, 2015

ITEM: Whisper Ridge Plat of Survey, Northwest corner of S 88th Street and Coachlight Drive – Create one parcel for transfer of ownership and two parcels for Public Street Right-of-Way – Hidden Creek, LLC– POS-002612-2015

RESOLUTION: Approval and Release of Plat-of-Survey

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Hidden Creek, LLC, is requesting approval of a Plat-of-Survey to create a 13.32 acre parcel for transfer of ownership and two public street right-of-way parcels for future dedication to the City. This Plat-of-Survey is in anticipation of an attached townhome development.

CITY COUNCIL SUBCOMMITTEE: As the subsequent plats and site plans for this property will be brought presented at a future date, this item was not presented to the Development & Planning City Council Subcommittee.

OUTSTANDING ISSUES: There are no outstanding issues. Staff would note the following:
Public Improvements: This Plat-of-Survey is coming forward as a tool to allow the current owner, Hidden Creek, LLC to maintain ownership of the right-of-way to allow for the construction of the road improvements while allowing the larger parcel to be sold. Staff has conveyed to both the current owner and the future owner/developer of the 13 acre residential property that all public improvements associated with the property will need to be provided in conjunction with Final platting and/or site development. Staff recommends a Condition of Approval acknowledging the current and future owners responsibilities for installation of all public improvements associated with development of the property.

COMPREHENSIVE PLAN CONSISTENCY: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the City Council approve the Plat-of-Survey to create one parcel for transfer of ownership, subject to the applicant complying with all applicable City Code requirements and the following:

1. The applicant acknowledging and agreeing that all public improvements associated with development of the parcel, including but not limited to construction of public streets adjacent to the property, sidewalks, streetlights, and utilities will need to be constructed or appropriate surety provided therefore in conjunction with the physical development of the approximately 13 acre parcel being created through this Plat-of-Survey.

Lead Staff Member: J. Bradley Munford

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	RTJ

PUBLICATION(S) (if applicable)

Published In	n/a
Date(s) Published	n/a
Letter sent to surrounding property owners	n/a

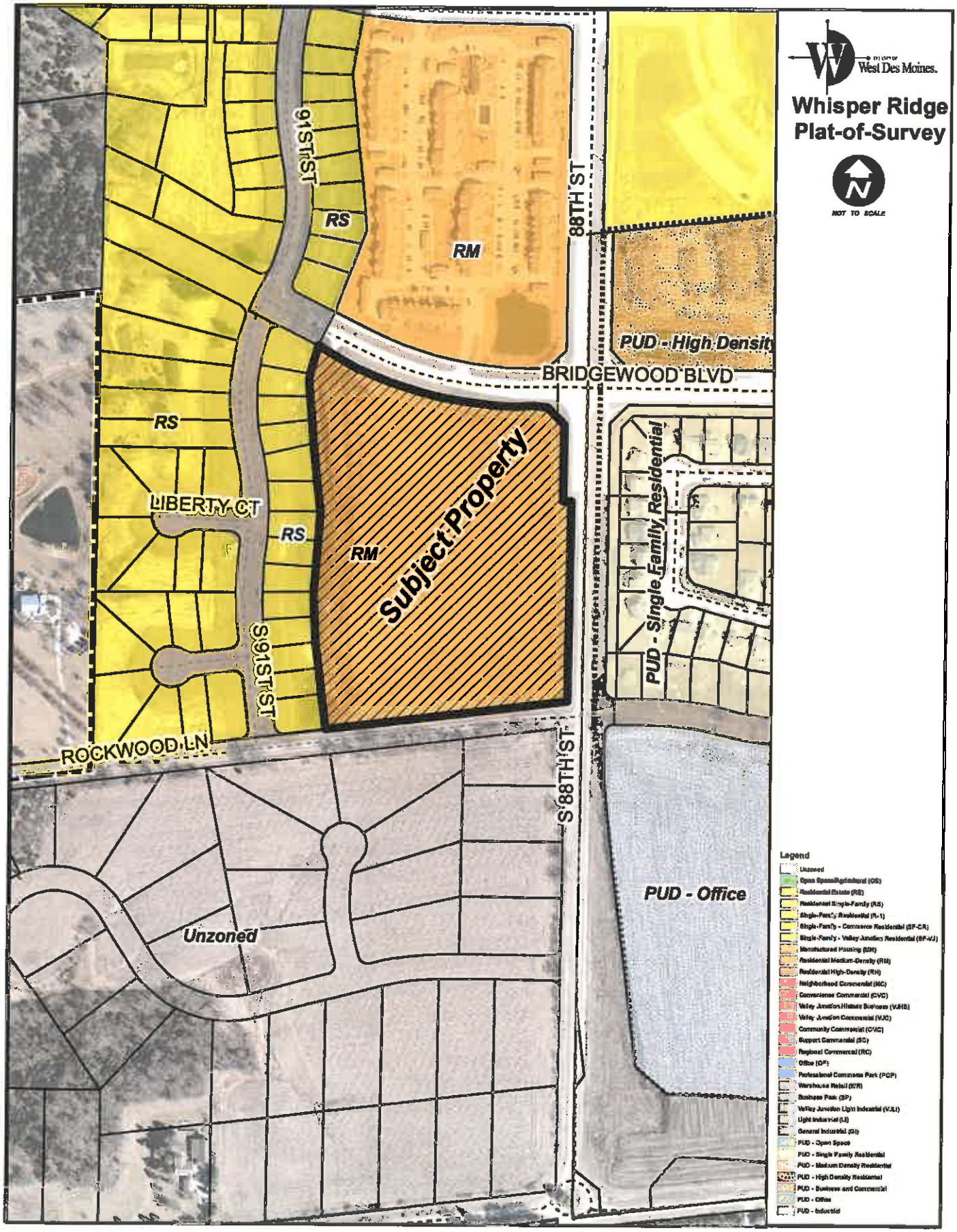
SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	n/a		
Recommendation	Yes ☐	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Location Map
Exhibit II - Plat-of-Survey
Exhibit III - Resolution: Approval and Release of Plat-of-Survey
Exhibit A - Conditions of Approval

EXHIBIT I



S:___Development Projects\Whisper Ridge\Plat of Survey 2015\POS-002612-2015_SR_Whisper Ridge_4-6-2015.docx

EXHIBIT II

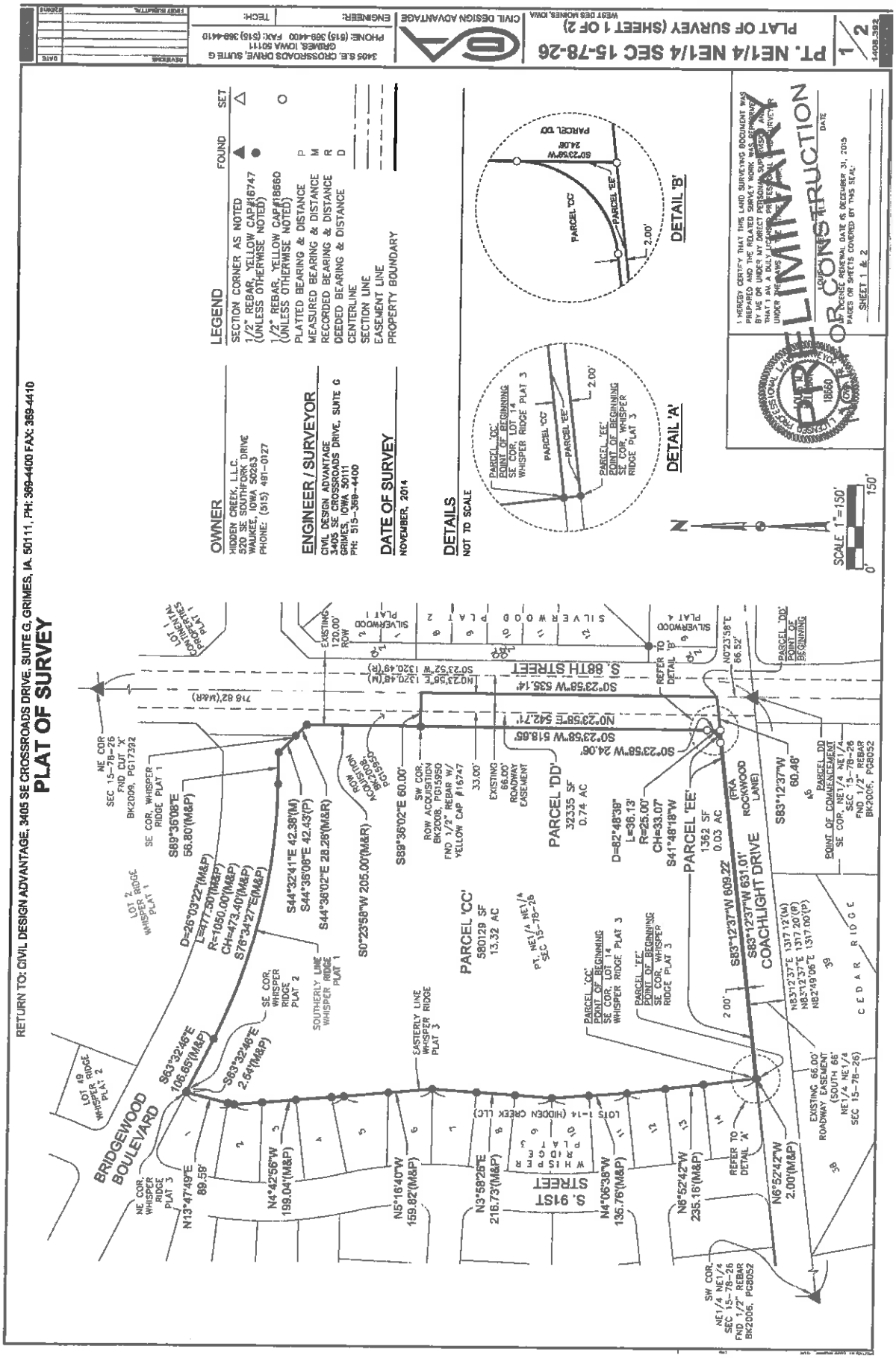

PLAT OF SURVEY
RETURN TO: CIVIL DESIGN ADVANTAGE, 3405 SE CROSSROADS DRIVE, SUITE G, GRIMES, IA. 50111, PH: 369-4400 FAX: 369-4410
PT. NE1/4 NE1/4 SEC 15-78-26
PLAT OF SURVEY (SHEET 1 OF 2)
1/2
LEGEND
FOUND
SET
SECTION CORNER AS NOTED
1/2" REBAR, YELLOW CAP#16747 (UNLESS OTHERWISE NOTED)
1/2" REBAR, YELLOW CAP#18660 (UNLESS OTHERWISE NOTED)
PLATTED BEARING & DISTANCE
MEASURED BEARING & DISTANCE
RECORDED BEARING & DISTANCE
DEEDED BEARING & DISTANCE
CENTERLINE
SECTION LINE
EASEMENT LINE
PROPERTY BOUNDARY
OWNER
HIDDEN CREEK, L.L.C.
520 SE SOUTHFORK DRIVE
WAUKEE, IOWA 50263
PHONE: (515) 491-0127
ENGINEER / SURVEYOR
CIVIL DESIGN ADVANTAGE
3405 SE CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH: 515-369-4400
DATE OF SURVEY
NOVEMBER, 2014
DETAILS
NOT TO SCALE
DETAIL 'A'
DETAIL 'B'
SCALE 1"=150'
PRELIMINARY
NOT FOR CONSTRUCTION
BRIDGEWOOD BOULEVARD
COACHLIGHT DRIVE
S. 91ST STREET
S. 88TH STREET
CEDAR RIDGE
PARCEL 'CC'
PARCEL 'DD'
PARCEL 'EE'
PARCEL 'FF'
PARCEL 'GG'
SILVERWOOD PLAT 1
SILVERWOOD PLAT 2
SILVERWOOD PLAT 4
WHISPER RIDGE PLAT 1
WHISPER RIDGE PLAT 2
WHISPER RIDGE PLAT 3
LOTS 1-14 (HIDDEN CREEK LLC)
EXISTING 66.00' ROADWAY EASEMENT (SOUTH 66' NE1/4 NE1/4 SEC 15-78-26)
EXISTING 66.00' ROADWAY EASEMENT
SW COR. NE1/4 NE1/4 SEC 15-78-26 FND 1/2" REBAR BK2006, PG8052
PARCEL DD POINT OF COMMENCEMENT SE COR. NE1/4 NE1/4 SEC 15-78-26 FND 1/2" REBAR BK2006, PG8052
NE COR SEC 15-78-26 FND CUT 'X' BK2009, PG17392
S89°36'02"E 60.00'
S0°23'58"W 205.00'(M&R)
S44°32'41"E 42.38'(M)
S44°36'08"E 42.43'(P)
S44°36'02"E 28.28'(M&R)
S63°32'46"E 106.65'(M&P)
S63°32'46"E 2.64'(M&P)
N13°47'49"E 89.58'
N4°42'56"W 199.04'(M&P)
N5°16'40"W 159.82'(M&P)
N3°58'25"E 216.73'(M&P)
N4°06'38"W 135.76'(M&P)
N6°52'42"W 235.16'(M&P)
N6°52'42"W 2.00'(M&P)
S83°12'37"W 60.48'
S83°12'37"W 631.01'
S83°12'37"W 609.22'
S0°23'58"W 535.14'
S0°23'58"W 518.65'
S0°23'58"W 24.06'
N0°23'58"E 542.71'
N0°23'58"E 66.52'
D=82°48'38" L=38.13' R=26.00' CH=33.07' S41°48'18"W
PARCEL 'EE' 1362 SF 0.03 AC
PARCEL 'DD' 32335 SF 0.74 AC
PARCEL 'CC' 580129 SF 13.32 AC
D=26°03'22"(M&P) L=477.50'(M&P) R=1050.00'(M&P) CH=473.40'(M&P) S78°34'27"E(M&P)
716.82'(M&R)
S89°36'08"E 56.80'(M&P)
SE COR. WHISPER RIDGE PLAT 2
SOUTHERLY LINE WHISPER RIDGE PLAT 1
EASTERLY LINE WHISPER RIDGE PLAT 3
NE COR. WHISPER RIDGE PLAT 3
SE COR. WHISPER RIDGE PLAT 1
LOT 2 WHISPER RIDGE PLAT 1
LOT 19 WHISPER RIDGE PLAT 2
LOT 1 CONTINENTAL PROPERTIES PLAT 1
REFER TO DETAIL 'A'
REFER TO DETAIL 'B'
PARCEL 'CC' POINT OF BEGINNING SE COR. LOT 14 WHISPER RIDGE PLAT 3
PARCEL 'EE' POINT OF BEGINNING SE COR. WHISPER RIDGE PLAT 3
PARCEL 'DD' POINT OF BEGINNING
PT. NE1/4 NE1/4 SEC 15-78-26
SW COR. ROW ACQUISITION BK2008, PG15950 FND 1/2" REBAR W/ YELLOW CAP #16747
EXISTING 66.00' ROADWAY EASEMENT
ROW ACQUISITION BK2008, PG15950
(FKA ROCKWOOD LANE)
2.00'
33.00'
N82°49'06"E 1317.00'(P)
N83°12'37"E 1317.20'(P)
N83°12'37"E 1317.12'(M)

EXHIBIT III

Prepared by: J. Bradley Munford City of West Des Moines Development Services, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620, When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES APPROVING AND RELEASING THE WHISPER RIDGE PLAT-OF-SURVEY (POS-002612-2015) FOR THE PURPOSE OF CREATING ONE PARCEL FOR TRANSFER OF OWNERSHIP AND TWO PARCELS FOR PUBLIC STREET RIGHT-OF-WAY FOR FUTURE DEDICATION TO THE CITY

WHEREAS, pursuant to the provisions of Title 10, Subdivision Regulations and Title 9, Zoning Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Hidden Creek, LLC, has requested approval for a Plat-of-Survey (POS-002612-2015) for property located at Northwest corner of S 88th Street and Coachlight Drive to create a 13.32 acre parcel for transfer of ownership and two street right-of-way parcels for future dedication to the City;

Legal Description

ORIGINAL LEGAL DESCRIPTION

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4) OF SECTION 15, EXCEPT THE SOUTH 66 FEET THEREOF; AND EXCEPT RIGHT-OF-WAY ACQUIRED IN BOOK 2008, PAGE 15950; AND EXCEPT WHISPER RIDGE PLATS 1, 2 AND 3, BEING OFFICIAL PLATS; ALL IN TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, SUBJECT TO EASEMENTS OF RECORD AND PRESENT ESTABLISHED ROADWAYS.

PROPERTY CONTAINS 14.09 ACRES (613,826 SQUARE FEET).

NEWLY CREATED PARCEL 'CC' LEGAL DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 14, WHISPER RIDGE PLAT 3, AN OFFICIAL PLAT IN SAID CITY OF WEST DES MOINES; THENCE NORTH 6°52'42" WEST ALONG THE EASTERLY LINE OF SAID WHISPER RIDGE PLAT 3, A DISTANCE OF 235.16 FEET; THENCE NORTH 4°06'38" WEST CONTINUING ALONG SAID EASTERLY LINE, 135.76 FEET; THENCE NORTH 3°58'26" EAST CONTINUING ALONG SAID EASTERLY LINE, 216.73 FEET; THENCE NORTH 5°16'40" WEST CONTINUING ALONG SAID EASTERLY LINE, 159.82 FEET; THENCE NORTH 4°42'56" WEST CONTINUING ALONG

SAID EASTERLY LINE, 199.04 FEET; THENCE NORTH 13°47'49" EAST CONTINUING ALONG SAID EASTERLY LINE, 89.59 FEET TO THE NORTHEAST CORNER OF SAID WHISPER RIDGE PLAT 3; THENCE SOUTH 63°32'46" EAST ALONG THE SOUTHERLY LINE OF WHISPER RIDGE PLAT 2, AN OFFICIAL PLAT IN SAID CITY OF WEST DES MOINES, 2.54 FEET TO THE SOUTHEAST CORNER OF SAID WHISPER RIDGE PLAT 2; THENCE CONTINUING SOUTH 63°32'46" EAST ALONG THE SOUTHERLY LINE OF WHISPER RIDGE PLAT 1, AN OFFICIAL PLAT IN SAID CITY OF WEST DES MOINES, 106.65 FEET; THENCE SOUTHEASTERLY CONTINUING ALONG SAID SOUTHERLY LINE AND A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 1050.00 FEET, WHOSE ARC LENGTH IS 477.50 FEET AND WHOSE CHORD BEARS SOUTH 76°34'27" EAST, 473.40 FEET; THENCE SOUTH 89°36'08" EAST CONTINUING ALONG SAID SOUTHERLY LINE, 56.80 FEET; THENCE SOUTH 44°32'41" EAST CONTINUING ALONG SAID SOUTHERLY LINE, 42.38 FEET TO THE SOUTHEAST CORNER OF SAID WHISPER RIDGE PLAT 1; THENCE SOUTH 44°36'02" EAST ALONG THE WEST RIGHT OF WAY LINE OF SOUTH 88TH STREET, 28.28 FEET; THENCE SOUTH 0°23'58" WEST CONTINUING ALONG SAID WEST RIGHT OF WAY LINE, 205.00 FEET TO THE SOUTHWEST CORNER OF THE RIGHT OF WAY ACQUIRED BY THE ACQUISITION PLAT RECORDED IN BOOK 2008, PAGE 15950; THENCE CONTINUING SOUTH 0°23'58" WEST, 518.65 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 36.13 FEET AND WHOSE CHORD BEARS SOUTH 41°48'18" WEST, 33.07 FEET; THENCE SOUTH 83°12'37" WEST, 609.22 FEET TO THE POINT OF BEGINNING AND CONTAINING 13.32 ACRES (580,129 SQUARE FEET).

PROPERTY IS SUBJECT TO ANY ALL EASEMENTS OF RECORD.

NEWLY CREATED PARCEL 'DD' LEGAL DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 0°23'58" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, 66.52 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 83°12'37" WEST ALONG THE NORTH LINE OF THE SOUTH 66.00 FEET OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, 60.48 FEET; THENCE NORTH 0°23'58" EAST, 542.71 FEET TO THE SOUTHWEST CORNER OF THE RIGHT OF WAY ACQUIRED BY THE ACQUISITION PLAT RECORDED IN BOOK 2008, PAGE 15950; THENCE SOUTH 89°36'02" EAST ALONG THE SOUTH LINE OF SAID RIGHT OF WAY, 60.00 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 0°23'58" WEST ALONG SAID EAST LINE, 535.14 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.74 ACRES (32,335 SQUARE FEET).

PROPERTY IS SUBJECT TO ANY ALL EASEMENTS OF RECORD.

NEWLY CREATED PARCEL 'EE' LEGAL DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF WHISPER RIDGE PLAT 3, AN OFFICIAL PLAT IN SAID CITY OF WEST DES MOINES; THENCE NORTH 6°52'42" WEST ALONG THE EASTERLY LINE OF SAID WHISPER RIDGE PLAT 3, A DISTANCE OF 2.00 FEET TO THE SOUTHEAST CORNER OF LOT 14, SAID WHISPER RIDGE PLAT 3; THENCE NORTH 83°12'37" EAST, 609.22 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 36.13 FEET AND WHOSE CHORD BEARS NORTH 41°48'18" EAST, 33.07 FEET; THENCE SOUTH 0°23'58" WEST, 24.06 FEET TO THE NORTH LINE OF THE SOUTH 66.00 FEET OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 83°12'37" WEST ALONG SAID NORTH LINE, 631.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.03 ACRES (1,362 SQUARE FEET).

PROPERTY IS SUBJECT TO ANY ALL EASEMENTS OF RECORD.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which are made a part of this record and herein incorporated by reference;

WHEREAS, on April 6, 2015, this City Council held a duly-noticed meeting to consider the application for Plat-of-Survey (POS-002612-2015) and;

WHEREAS, the West Des Moines City Council adopted a resolution which approved the Plat-of-Survey at their meeting on April 6, 2015, subject to any conditions of approval, and;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings of consistency with the Comprehensive Plan as stated in the staff report, dated April 6, 2015, or as amended orally at the City Council meeting of April 6, 2015, are adopted.

SECTION 2. Plat-of-Survey, (POS-002612-2015) is approved, subject to compliance with all the conditions in the staff report, dated April 6, 2015, including conditions added at the meeting, if any, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

SECTION 3. This resolution does release the Plat-of-Survey (POS-002612-2015) for recordation. The City Council of West Des Moines directs the City Clerk to release said Plat-of-Survey for recordation in accordance with said City Council approval of the Plat-of-Survey on April 6, 2015 and Roll Call No._____.

CERTIFICATE

I, Ryan T. Jacobson, City Clerk for said City, hereby certify that at a meeting of the City Council of said City of West Des Moines, held on April 6, 2015, among other proceedings, Roll Call No. _____ approved said Plat-of-Survey on April 6, 2015, and released said Plat-of-Survey for recordation.

_____
Ryan T. Jacobson
City Clerk

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of April, 2015.

_____

Steven K. Gaer
Mayor

ATTEST:

_____

Ryan T. Jacobson
City Clerk

EXHIBIT A:
CONDITIONS OF APPROVAL

The applicant acknowledging and agreeing that all public improvements associated with development of the parcel, including but not limited to construction of public streets adjacent to the property, sidewalks, streetlights, and utilities will need to be constructed or appropriate surety provided therefore in conjunction with the physical development of the approximately 13 acre parcel being created through this Plat-of-Survey.