CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: May 4, 2015

ITEM: Lindsey Farm Plat 1, 1001 Timberbrook Avenue — Subdivide property into nine (9) single family lots - Frank Lindsey – PP-002554-2014

RESOLUTION: **Approval of a Preliminary Plat**

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Frank Lindsey, represented by Steve Venard, Bishop Engineering, is requesting approval of a Preliminary Plat for approximately 29.12 acres generally located at 1001 Timberbrook Avenue in rural Madison County. The applicant has master planned and submitted a preliminary plat for the subdivision of the property into nine lots for single family development (see Exhibit I, Attachment B – Location Map and Attachment C – Preliminary Plat). The forthcoming final plat is anticipated to plat three large lots; by master planning and preliminary platting for nine lots, the property owner has planned for potential further subdivision of the property at a later date.

Plan and Zoning Commission Action:
Vote: 7-0 approval
Date: April 27, 2015
Motion: Adopt a resolution recommending the City Council approve the Preliminary Plat

OUTSTANDING ISSUES: There are no outstanding issues. The applicant is in agreement with the recommended conditions of approval.

The following items of interest are noted in the attached Plan and Zoning Commission report (see Exhibit I):

- Applicant's Request
- History
- City Council Subcommittee – Development and Planning (*November 14, 2014 and March 26, 2015*)
  - Sanitary Sewer Fee District Fee
  - Dry Sewers/Sewer Easements
  - Right-of-Way
  - Master Planning Street and Sewer
  - Streetlights and Sidewalks
- Staff Review and Comments
- Comprehensive Plan Consistency
- Findings
- Staff Recommendation and Conditions of Approval
- Owner/Applicant/Applicant Representative Information

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, the Plan and Zoning Commission recommends the City Council adopt a resolution to approve the Preliminary Plat subdivide the property nine (9) lots for single family detached homes, subject to the applicant meeting all City Code requirements and the following:

1. That a note be formulated by the property owner or representative of the property with regard to potential future assessments for public infrastructure improvements and placed on the preliminary and final plats, after City review of said note.

2. The applicant providing final drawings of the preliminary plat which addresses staff comments prior to the final plat proceeding to the City Council for approval.

3. That the City Council waive the requirement for an agreement and waiver for public improvements including but not limited to the reconstruction of Timberbrook Avenue, the installation of public sidewalks, and the installation of street lights along public streets adjacent to this development.

4. That the west roadway be allowed which exceeds the City's maximum dead end length until such time that the roadway can be extended to connect to a secondary roadway as shown on the City's Ultimate Streets Plan. In the interim, access roads should be 20 feet in width, constructed and surfaced with materials that will withstand 75,000 pounds of gross vehicle weight, and maintain a vertical clearance of 14 feet.

5. That the City Council waive the requirement for the installation of dry sewers.

Lead Staff Member: Kara Tragesser, AICP

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	JBW
Agenda Acceptance	RTJ

PUBLICATION(S) (if applicable)

Published In	N/A
Date(s) Published	
Letter sent to surrounding property owners	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning Subcommittee		
Date Reviewed	11/14/2013 and 3/26/2015		
Recommendation	Yes X	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Plan and Zoning Commission Communication
- Attachment A - Plan and Zoning Commission Resolution
- Attachment B - Location Map
- Attachment C - Preliminary Plat

Exhibit II - City Council Resolution

EXHIBIT I

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: April 27, 2015

Item: Lindsey Farm Plat 1, 1001 Timberbrook Avenue — Subdivide property into nine (9) single family lots - Frank Lindsey – PP-002554-2014

Requested Action: Approval of Preliminary Plat

Case Advisor: Kara Tragesser, AICP

Applicant's Request: Frank Lindsey, represented by Steve Venard, Bishop Engineering, is requesting approval of a Preliminary Plat for approximately 29.12 acres generally located at 1001 Timberbrook Avenue in rural Madison County. The applicant has master planned and submitted a preliminary plat for the subdivision of the property into nine lots for single family development (see Attachment B – Location Map and Attachment C – Preliminary Plat). The forthcoming final plat is anticipated to plat three large lots; by master planning and preliminary platting for nine lots, the property owner has planned for potential further subdivision of the property at a later date.

History: This property has one house constructed on it, the property owner's home. The property is outside of the West Des Moines Corporate Limit, but within 2 miles of the corporate limit which the City has State-authorized review of subdivisions. Since it is outside of the corporate limits there is no West Des Moines zoning designated for the property. The property is included in the City's Comprehensive Plan Planning Area for long-range planning purposes. The Comprehensive Plan Land Use Map indicates a land use designation of Single Family Residential. A compatible zoning district to the Comprehensive Plan and the area itself is Residential Estate - Single Family, which is the zoning district standards under which the proposed subdivision was reviewed.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on November 14, 2013, and at their meeting on March 26, 2015. At the November 2013 meeting, Staff presented the Subcommittee with a number of subdivision requirements that are considered with all subdivisions, including subdivisions outside of current corporate limits (under the idea that the subdivision will be within the corporate limits in the future) and discussion ensued between the Lindseys, the Subcommittee, and Staff.

- Sanitary Sewer Fee District Fee: The City has established a sanitary sewer fee district which includes the Lindsey property. If the property was within the city corporate limits, the property would be charge the district fees in conjunction with platting. Staff recommended that the fee not be charged at this time, but to provide notice of the fee to current and future property owners that when the property is incorporated into the City, that the fees will be due regardless of whether the property is connected to public sanitary sewer. The Subcommittee and the Lindsey's concurred.

- Dry Sewers/Sewer Easements: It is unclear at this time where trunk and collector sewers would be located, therefore installing dry sewers or providing easement documents at this time is impractical. Staff recommended that an agreement between the City and the property owner be put in place that at the time public sewer is installed, that the property owner will provide the city with easements for the sewer at no cost. The property owner expressed a position that if the City wants easements now or in the future, they expect to be compensated for the easement. The Subcommittee recommended that the easements be shown on the plat but no easement documents will be required, nor dry sewer be installed at this time.

- Right-of-way: Typically, with a subdivision, the City requires the dedication of comprehensive plan right-of-way in conjunction with platting. The functional classification of Timberbrook Avenue is a minor collector, therefore requiring 70 feet of total right-of-way, or 35 feet (1/2 of the total) adjacent to the subject property. Staff recommended that the right-of-way be dedicated by the property owner. The property owner took the position that if the City wants to acquire right-of-way now or in the future, they expect to be compensated for that right-of-way. The Subcommittee did not recommend that the right-of-way be dedicated at the time of platting.

  Staff also noted that property owners are typically required to improve the existing unimproved roads and/or construct any planned roads adjacent to the property being developed. To meet this requirement, the property

owner generally is required to either construct the road, provide surety for construction of the road, or to provide an agreement and waiver for future assessment of the road improvements. Staff recommended the property owner provide an agreement and waiver for the future construction of Timberbrook Avenue, since the location and timeframe for the road construction is unknown. The property owner indicated that they did not want to provide an agreement and waiver for future assessments. The Subcommittee was in agreement not to require the agreement and waiver for the roadway, but to instead provide notice to future property owners that public roadways adjacent to the property may be subject to assessment for the construction the roadway. The property owner was in general agreement with the proposal to place on the plat a notice of future assessment.

- Master Planning Street and Sewer: The City typically requires a master plan of the subdivision and area immediately adjacent to it to verify the locations of structures, drive, and streets do not interfere with future infrastructure or preclude the development of adjacent properties. Staff recommended that the property owner prepare a master plan for the plat and the area around the plat. The Subcommittee and the property owner concurred and the applicant has provided such a plan.

- Streetlights and Sidewalks: The City typically requires sidewalks and streetlights be installed on public streets adjacent to the area being platted. Staff recommended the property owner enter into an agreement with the City that streetlights be installed at the time the streets adjacent to the property are constructed. Staff also recommended that the required sidewalk be included in the agreement and waiver. The property owner indicated disagreement with these requirements. The Subcommittee did not recommend an agreement for the installation.

Overall, the Subcommittee was supportive of the property owner's engineer preparing a preliminary plat illustrating the easements and right-of-way locations. They also were supportive of recommending not requiring an agreement and waiver for the reconstruction of Timberbrook Avenue and the installation of sidewalks. The Subcommittee also agreed that language with regard to notifying future property owners that they could be assessed in the future for any public improvements be placed upon the plat after the City's review of the language.

At the March 26, 2015, Development and Planning Subcommittee, staff reviewed the preliminary plat with the Council member Mickelson. Staff noted elements of the proposed preliminary plat that did not meet City codes, regulations and standards such as dead end length and accessing some of the proposed lots through adjacent private property. Staff also noted that there would be no fire protection with no public water in the area and gravel accesses to the properties that are not set up for heavy vehicles or for rural firefighting. Staff noted that the proposed development did not meet the International Fire Code standards which the City has adopted.

Council member Mickelson was supportive of continuing to work with the project engineer to master plan the area and illustrate easements. Staff subsequently met with the applicant and explained the benefit for determining how the property could be developed in accordance with City Codes and identifying easement and access locations. Staff noted that given the potential number of homes that could be constructed, in the future the roadway along the west would need to be constructed to public street standards which would provide appropriate roadways for emergency response vehicles. Additionally, staff noted that the roadway should be planned to continue with development of adjacent properties with the intent to make a connection to future roadways, thus eliminating dead-end length and secondary access concerns.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. Staff has the following notes:

- The property owner has provided a master plan for streets and sewers.
- The lots shown on the western portion of the property derive access to a public street through another private subdivision and roadway. The access is not paved. Generally, the city requires paved public street access; the Subcommittee expressed no concern with these accesses not being paved and did not recommend an agreement and waiver for the future improvement of these accesses be put in place.
- The western access also greatly exceeds the City's maximum dead end length of 1,000 feet. The City's Subdivision Regulations provides for a dead end street length of 750 feet. The Fire Code also provides for a dead end length of 750 feet with an option to exceed that length by another 250 feet if the houses past 750 feet have fire sprinklers installed, regardless of home square footage. The City's Ultimate Street plan indicates a public street extending from the proposed road along the west boundary of the plat to another street northwest of the subject property as well as an east/west street along the south boundary of the plat to be constructed in the future as needed. The Fire Marshal has expressed concerns with the length of the proposed west road, limited access points, and suitability of the road to handle fire trucks. The Fire Marshal indicated that he understood the

applicant's desire to construct three homes (one or two possibly off the west road) and was in agreement with allowing their homes, but cautioned that allowing construction of multiple homes would cause great concerns. Staff recommends that the construction of the future roads shown on the plat be deferred until such time that multiple homes are anticipated to be constructed and requiring that when possible the west road be extended to connect to a secondary roadway eliminating the dead end length issue.

- The applicant has provided copies of the private access easements. Staff requested copies of these easements to demonstrate that all lots have legal access to a public street through private property until the master planned public roadways can be constructed.

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.

Findings: This proposed project was distributed to various city departments for review and comment. Based upon that review, the following findings have been made on the proposed project:

1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that 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 or has been conditioned to be consistent with the goals and policies of the Comprehensive Plan. The property was reviewed under extraterritorial review and is located in an area where the surrounding properties are not developed or developed under rural subdivision requirements. In some instances, the applicability of the all the goals and policies is not reasonable given the rural nature of the area and the lack of urban public infrastructure nearby to which the proposed project can be connected.

2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance. The proposed development is located outside of the City's corporate limits and therefore West Des Moines zoning has not been applied to the property. The Comprehensive Plan identifies Single Family Residential land use as the land use designation on the property, given the characteristic of the area and the nature of the intended development, the property was reviewed under and meets the zoning requirements for the City's Residential Estate zoning district.

3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. The project has been adequately conditioned given the characteristic of typical rural subdivisions and limitations due to the lack of urban public infrastructure nearby the project area.

4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities. This project has been conditioned to construct adequate public infrastructure to serve the development in the future when off-site public infrastructure has been constructed to the boundaries of the proposed development. A master plan of internal streets and sanitary sewer infrastructure has been provided by the property owner which appears to adequately support the proposed development in the future.

5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and the project has complied with, has been conditioned to comply with, or the City Council has deferred or waived City Code requirements. The property was reviewed under extraterritorial review and is located in an area where the surrounding properties are not developed or developed under rural subdivision requirements. In some instances, the applicability of some of the code requirements is not reasonable given the rural nature of the area and the lack of urban public infrastructure nearby to which the proposed project can be connected.

6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the City zoning designation derived from the Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

Staff Recommendation And Conditions Of Approval: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Preliminary Plat to create nine (9) lots for single family development, subject to the following conditions:

1. That a note be formulated by the property owner or representative of the property with regard to potential future assessments for public infrastructure improvements and placed on the preliminary and final plats, after City review of said note.
2. The applicant providing final drawings of the preliminary plat which addresses staff comments prior to the final plat proceeding to the City Council for approval.
3. That the City Council waive the requirement for an agreement and waiver for public improvements including but not limited to the reconstruction of Timberbrook Avenue, the installation of public sidewalks, and the installation of street lights along public streets adjacent to this development.
4. That the west roadway be allowed which exceeds the City's maximum dead end length until such time that the roadway can be extended to connect to a secondary roadway as shown on the City's Ultimate Streets Plan. In the interim, access roads should be 20 feet in width, constructed and surfaced with materials that will withstand 75,000 pounds of gross vehicle weight, and maintain a vertical clearance of 14 feet.
5. That the City Council waive the requirement for the installation of dry sewers.

Owner/Applicant:
Frank Lindsey
3700 SE Beisser Drive
Grimes IA 50111
515-986-5566
Fjames@monarchfoundations.com

Applicant Rep:
Steven Venard
Bishop Engineering
3501 104th Street
Urbandale IA 50322
515-276-0467
svenard@bishopengr.com

ATTACHMENTS:

Attachment A	-	Plan and Zoning Commission Resolution
Attachment B	-	Location Map
Attachment C	-	Preliminary Plat

ATTACHMENT A

RESOLUTION NO. PZC-15-025

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE A PRELIMINARY PLAT TO SUBDIVIDE PROPERTY INTO NINE (9) LOTS FOR SINGLE FAMILY DEVELOPMENT

WHEREAS, pursuant to the provisions of Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Frank Lindsey, has requested approval for a Preliminary Plat (PP-002554-2014) to create nine (9) lots for single family development at 1001 Timberbrook Avenue;

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 27, 2015, this Commission held a duly-noticed public meeting to consider the application for a Preliminary Plat;

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report or as amended orally at the Plan and Zoning Commission meeting are adopted.

SECTION 2. The Preliminary Plat to subdivide the property into nine (9) single family lots is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report including conditions added at the meeting, and attached hereto as Exhibit "A." Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on April 27, 2015.

Craig Erickson, Chair
Plan and Zoning Commission

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on April 27, 2015, by the following vote:

AYES: Andersen, Brown, Costa, Crowley, Erickson, Hatfield, Southworth
NAYS: -0-
ABSTENTIONS: -0-
ABSENT: -0-

ATTEST:

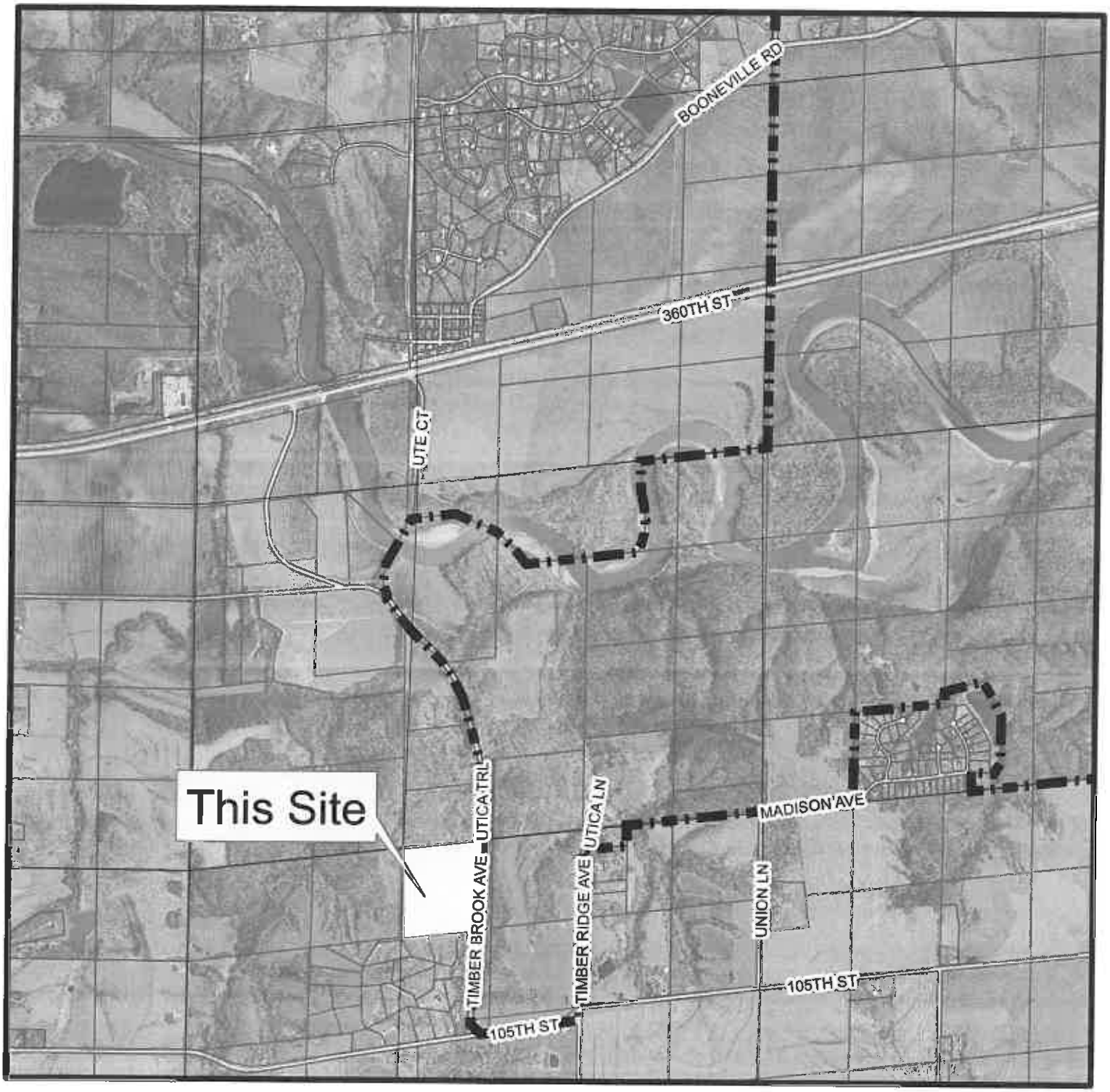
Recording Secretary

Exhibit A
CONDITIONS OF APPROVAL

1. That a note be formulated by the property owner or representative of the property with regard to potential future assessments for public infrastructure improvements and placed on the preliminary and final plats, after City review of said note.
2. The applicant providing final drawings of the preliminary plat which addresses staff comments prior to the final plat proceeding to the City Council for approval.
3. That the City Council waive the requirement for an agreement and waiver for public improvements including but not limited to the reconstruction of Timberbrook Avenue, the installation of public sidewalks, and the installation of street lights along public streets adjacent to this development.
4. That the west roadway be allowed which exceeds the City's maximum dead end length until such time that the roadway can be extended to connect to a secondary roadway as shown on the City's Ultimate Streets Plan. In the interim, access roads should be 20 feet in width, constructed and surfaced with materials that will withstand 75,000 pounds of gross vehicle weight, and maintain a vertical clearance of 14 feet.
5. That the City Council waive the requirement for the installation of dry sewers.

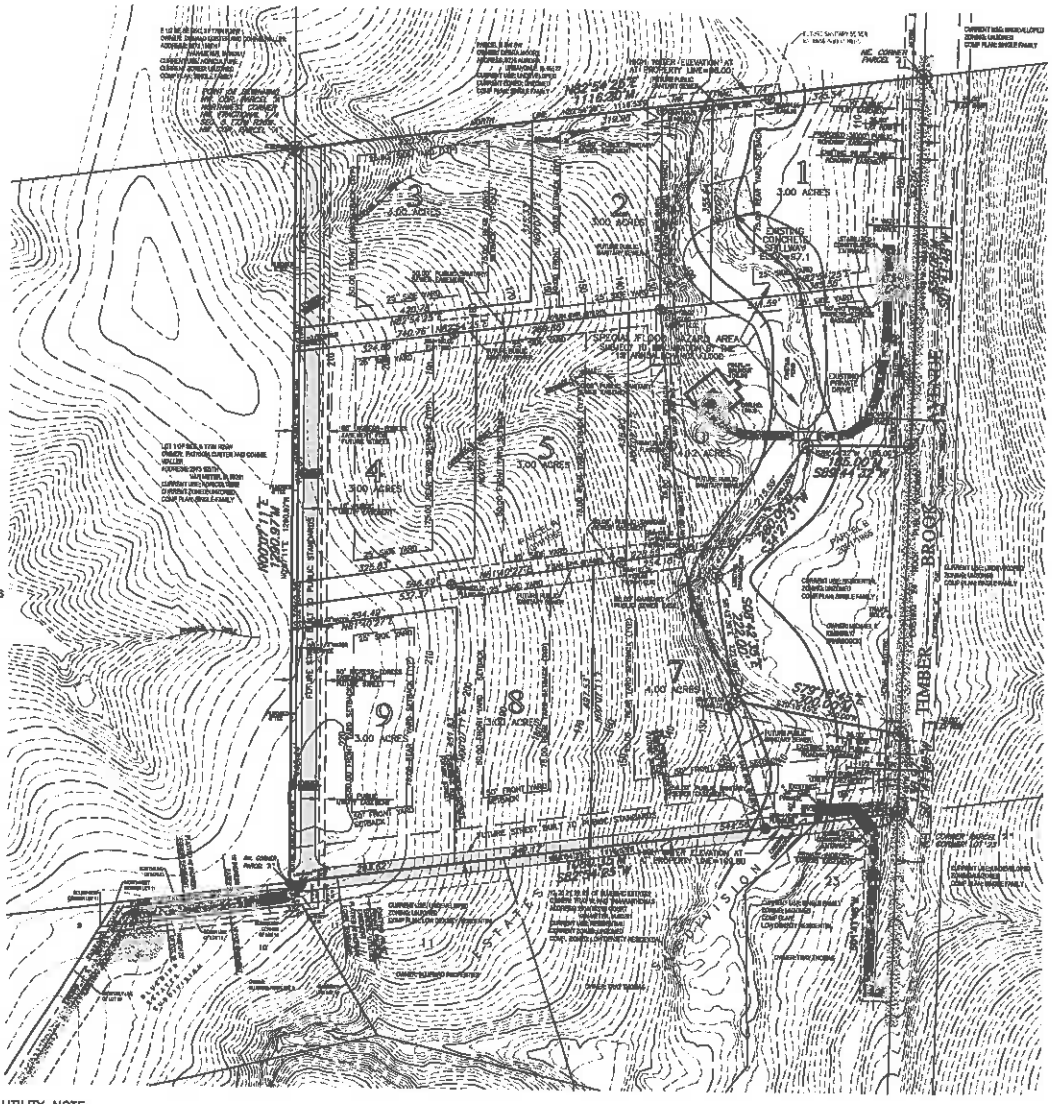
ATTACHMENT B

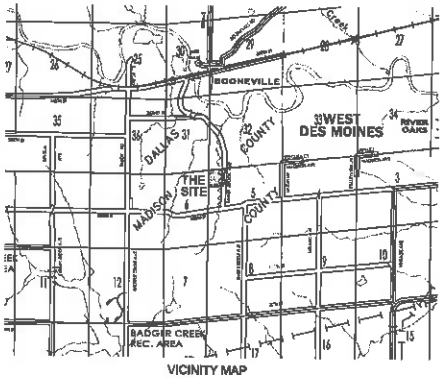
General Location Map
Lindsey Farm Plat 1
1001 Timberbrook Avenue



LINDSEY COMPOUND PLAT ONE
PRELIMINARY PLAT

OWNER/DEVELOPER:
FRANK LINDSEY
3700 BEISSER DRIVE
GRIMES, IA 50111
PH: 515.986.5566





VICINITY MAP
SCALE: 1" = 1,000'

PROPERTY DESCRIPTION:
PARCEL A (TAKEN FROM PLAT OF SURVEY RECORDED IN BK 2001 PG 1985)

THAT PART OF THE NW 1/4 OF THE NW FRACTIONAL 1/4 OF SECTION 5, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA, LYING WEST OF THE CENTERLINE OF THE EXISTING COUNTY ROAD MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF SECTION 5, 77N, R26W, THENCE N82°54'25"E ALONG THE NORTH LINE OF THE NW FR 1/4 OF SAID SECTION 5 FOR 1116.83 FEET TO THE CENTERLINE OF THE EXISTING COUNTY ROAD; THENCE S1°41'48"W ALONG SAID CENTERLINE FOR 850.00 FEET; THENCE S89°44'32"W FOR 185.00 FEET; THENCE S34°27'31"W FOR 280.00 FEET; THENCE S8°42'35"E FOR 222.00 FEET; THENCE S79°18'45"E FOR 300.00 FEET TO THE SAID CENTERLINE OF EXISTING ROAD; THENCE S1°41'48"W ALONG SAID CENTERLINE FOR 138.97 FEET TO THE SOUTH LINE OF THE NW 1/4 OF THE NW FR 1/4; THENCE S82°54'25"W ALONG SAID LINE FOR 1080.38 FEET TO THE SW CORNER OF SAID NW 1/4 OF THE FR NW 1/4; THENCE N0°07'11"E ALONG THE WEST LINE OF SAID NW FR 1/4 FOR 1290.97 FEET TO THE POINT OF BEGINNING. THIS PARCEL CONTAINS 29.13 ACRES INCLUDING 0.60 ACRES FOR ROADWAY EASEMENT AND IS SUBJECT TO EASEMENTS OF RECORD.

NOTES:

1. FRONT YARD SETBACKS ARE MEASURED FROM THE EDGE OF THE PRIVATE INGRESS EGRESS EASEMENT.
2. ALL CONSTRUCTION WITHIN PUBLIC RIGHT-OF-WAY, EASEMENTS AND OR CONNECTION TO PUBLIC UTILITIES AND STREETS SHALL BE IN ACCORDANCE WITH THE MADISON COUNTY STANDARD CONSTRUCTION SPECIFICATIONS FOR SUBDIVISIONS.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ANY AND ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE CITY OF WEST DES MOINES CONSTRUCTION DIVISION AT LEAST ONE WEEK PRIOR TO ANY CONSTRUCTION.
4. ANY PROPOSED PAVING WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE WEST DES MOINES STANDARD CONSTRUCTION SPECIFICATIONS FOR SUBDIVISIONS.
5. CONTRACTOR SHALL MAINTAIN ALL WEATHER ACCESS TO EACH DWELLING SERVED BY THE EXISTING PRIVATE DRIVES. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, EQUIPMENT, AND MANAGEMENT TO KEEP THE TEMPORARY ACCESS ROUTES IN PLACE AT ALL TIMES. CONTRACTOR SHALL KEEP THE RESIDENCE INFORMED AS TO THE WORK SCHEDULE AND CHANGES TO THE ACCESS AT ALL TIMES.
6. NO WORK SHALL BEGIN WITHOUT A VALID NPDES PERMIT AND UPDATED SWPPP ONSITE.
7. FILTER SOCKS MAY BE SUBSTITUTED FOR SILT FENCE WITH THE ENGINEER'S WRITTEN APPROVAL.
8. PUBLIC WATER IS PROVIDED BY WARREN WATER DISTRICT.
9. WASTEWATER DISPOSAL FOR ALL LOTS WILL BE PROVIDED BY AN ON-SITE WASTEWATER TREATMENT SYSTEM.
10. ALL SERVICES TO UTILITIES LOCATED ON THE OPPOSITE SIDE OF THE ROADWAY MUST BE BORED UNDER THE ROADWAY AT THE LOT OWNER'S EXPENSE.
11. AT THE TIME OF ANNEXATION INTO THE CITY OF WEST DES MOINES AND PUBLIC IMPROVEMENTS TO TIMBER BROOK AVENUE, OWNERS WITHIN THE DEVELOPMENT WILL BE ASSESSED FOR PUBLIC STREET PAVING, PUBLIC STORM SEWER AND SANITARY SEWER, PUBLIC SIDEWALKS OR TRAILS AND STREET LIGHTING.
12. FIRE HYDRANTS SHALL BE INSTALLED ONCE WARREN WATER DISTRICT CAN PROVIDE FLOWS ADEQUATE TO SERVE FIRE HYDRANTS AND WHEN THE DEVELOPMENT IS ANNEXED INTO THE CITY OF WEST DES MOINES.
13. HOMES OF 8,000 SF ON LARGER INCLUDING THE GARAGE AREA SHALL REQUIRE FIRE SPRINKLER SYSTEMS.
14. THIS PRELIMINARY PLAT ILLUSTRATES 9 LOTS SERVING AS A MASTER PLAN FOR THIS PROPERTY. THE FINAL PLAT WILL INCLUDE JUST THREE LOTS WITH PRELIMINARY PLAT LOTS 1-3 GROUPED TOGETHER, LOTS 4-6 GROUPED TOGETHER, AND LOTS 7-8 GROUPED TOGETHER TO FORM FINAL PLAT LOTS 1, 2, AND 3 RESPECTIVELY.

FLOOD ZONE:
A PORTION OF THIS SITE LIES WITHIN ZONE "A", SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD IN ACCORDANCE WITH THE FLOOD INSURANCE RATE MAP MADISON COUNTY, IOWA PANEL 75 OF 400 MAP NUMBER 19121C0075C, EFFECTIVE DATE OCTOBER 8, 2010 AND IS SHOWN ON THE PLAT. THE MAJORITY OF THE PROPERTY IS OUTSIDE THE SPECIAL FLOOD HAZARD AREA.

Bishop Engineering
"Planning Your Successful Development"
3501 104th Street
Des Moines, Iowa 50322
Phone: 515.276.4467 Fax: 515.276.4017
Civil Engineering & Land Surveying Established 1959

LINDSEY COMPOUND PLAT ONE
MADISON COUNTY IOWA
PRELIMINARY PLAT

REFERENCE NUMBER:
DRAWN BY: JRR
CHECKED BY: JRR
REVISION DATE:
PER CITY 3-
PER CITY 4-
PROJECT NUMBER: 1304
SHEET NUMBER: 1 O

ATTACHMENT C

Prepared by: KTragesser 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 THE PRELIMINARY PLAT (PP-002554-2014) TO SUBDIVIDE PROPERTY INTO NINE (9) LOTS FOR SINGLE FAMILY DEVELOPMENT

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, Frank Lindsey requests approval for a preliminary plat to subdivide property into nine (9) lots for single family development for the property described below:

Legal Description of Property

PARCEL A (TAKEN FROM PLAT OF SURVEY RECORDED IN BK 2001 PG 1965)

"THAT PART OF THE NW 1/4 OF THE NW FRACTIONAL 1/4 OF SECTION 5, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA, LYING WEST OF THE CENTERLINE OF THE EXISTING COUNTY ROAD MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NW CORNER OF SECTION 5, T77N, R26W, THENCE N82°54'25"E ALONG THE NORTH LINE OF THE NW FR 1/4 OF SAID SECTION 5 FOR 1116.53 FEET TO THE CENTERLINE OF THE EXISTING COUNTY ROAD; THENCE S1°41'48"W ALONG SAID CENTERLINE FOR 650.00 FEET; THENCE S89°44'32"W FOR 185.00 FEET; THENCE S34°27'31"W FOR 280.00 FEET; THENCE S8°42'35"E FOR 222.00 FEET; THENCE S79°18'45"E FOR 300.00 FEET TO THE SAID CENTERLINE OF EXISTING ROAD; THENCE S1°41'48"W ALONG SAID CENTERLINE FOR 138.97 FEET TO THE SOUTH LINE OF THE NW 1/4 OF THE NW FR 1/4; THENCE S82°54'25"W ALONG SAID LINE FOR 1080.58 FEET TO THE SW CORNER OF SAID NW 1/4 OF THE FR NW 1/4; THENCE N0°07'11"E ALONG THE WEST LINE OF SAID NW FR 1/4 FOR 1290.97 FEET TO THE POINT OF BEGINNING."

THIS PARCEL CONTAINS 29.13 ACRES INCLUDING 0.60 ACRES FOR ROADWAY EASEMENT AND IS SUBJECT TO EASEMENTS OF RECORD

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

WHEREAS, on April 27, 2015, the Plan and Zoning Commission recommend to the City Council approval of the Preliminary Plat; and

WHEREAS, on this date, this City Council held a duly-noticed hearing to consider the application for a preliminary plat

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

SECTION 1. The findings, for approval, in the staff report for the preliminary plat, or as amended orally at the City Council hearing on this date, are adopted.

SECTION 2. The Preliminary Plat to subdivide property into nine (9) lots for single family residential development, subject to compliance with all the conditions in the staff report, including conditions added at the Hearing, and attached hereto as Exhibit "A" is approved. 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.

PASSED AND ADOPTED on May 4, 2015.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

EXHIBIT "A"
CONDITIONS OF APPROVAL

1. That a note be formulated by the property owner or representative of the property with regard to potential future assessments for public infrastructure improvements and placed on the preliminary and final plats, after City review of said note.

2. The applicant providing final drawings of the preliminary plat which addresses staff comments prior to the final plat proceeding to the City Council for approval.

3. That the City Council waive the requirement for an agreement and waiver for public improvements including but not limited to the reconstruction of Timberbrook Avenue, the installation of public sidewalks, and the installation of street lights along public streets adjacent to this development.

4. That the west roadway be allowed which exceeds the City's maximum dead end length until such time that the roadway can be extended to connect to a secondary roadway as shown on the City's Ultimate Streets Plan. In the interim, access roads should be 20 feet in width, constructed and surfaced with materials that will withstand 75,000 pounds of gross vehicle weight, and maintain a vertical clearance of 14 feet.
5. That the City Council waive the requirement for the installation of dry sewers.