CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: May 4, 2015

ITEM: Village of Ponderosa Plat 8, Homes by DePhillips et al – 419, 423, 437, 439, 441, 443, & 445 S. Crescent Way – Replat Lot 21, Village of Ponderosa Plat 1 into seven (7) single-family detached lots and one (1) private driveway lot (FP-002635-2015)

RESOLUTION: Approval and Release of Final Plat

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Joel Jackson, Bishop Engineering, on behalf of the applicant, Michael DePhillps, Homes by DePhillips et al, is requesting approval of a Final Plat for that approximately 1.68 acre parcel located at the northwest corner of S Crescent Way and S Ridgefield Way within the Village of Ponderosa development. The applicant proposes to replat the existing Lot 21, Village of Ponderosa Plat 1, into 7 single-family detached residential lots and 1 private driveway lot. There are 5 existing single family detached townhomes that will be placed on their own lots with two lots for the new construction of two typical detached single family homes. The subject property was originally intended to be developed with seven large single-family detached townhomes on one common lot. The proposed re-platting has been determined to be consistent with the original Village of Ponderosa intent of providing detached single-family dwellings, only now to be provided on individual lots versus multiple dwellings on one common lot.

CITY COUNCIL SUBCOMMITTEE: This item was presented to the Development and Planning City Council Subcommittee on February 26, 2015, as an informational item only. No discussion was had and no disagreement with the proposal was expressed.

OUTSTANDING ISSUES: There are no outstanding issues. Staff would note the following items of interest:

- *Approval of Existing Homeowners:* Lot 21 was intended to be developed with detached townhomes and thus a common condominium regime, subservient to the Master Owner's Association was established. The condominium regime documents allow for property to be removed from the regime with the consent of any included property owner and their mortgagee. With the preliminary plat approval of this property the City Council required a Condition of Approval requiring the obtainment of all necessary signatures prior to the associated Final Plat proceeding to the City Council for approval. The applicant has provided formal written consent from each property owner and their mortgagee to be recorded with Polk County. The townhome owners will maintain an agreement for the maintenance of the common drive that provides access to their homes.
- *Lot A:* Lot A, contains the private shared driveway to the existing detached townhomes. It will be designated as a private ingress/egress easement and a public sanitary sewer easement. The detached townhome owners will maintain the necessary agreements for maintenance and repair of the drive.

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.

TOWN CENTER OVERLAY DISTRICT CONSISTENCY: The proposed project has been reviewed for consistency with the proposed Town Center Overlay District Guidelines. Based upon that review, a finding has been made that the proposed project is consistent with the Town Center Overlay District Guidelines in that the plan is consistent with the overall objective and intents of the Town Center Overlay District Guidelines.

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 Village of Ponderosa Plat 8 Final Plat to establish seven (7) lots for residential development and one (1) private driveway lot, subject to the applicant meeting all City Code requirements and the following:

1. Any new retaining walls constructed within any of the lots included within Village of Ponderosa Plat 8 will need to abide by City Code which requires one foot of setback from the lot line for every one foot of above-grade wall height.

Lead Staff Member: Brian Portz, AICP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

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

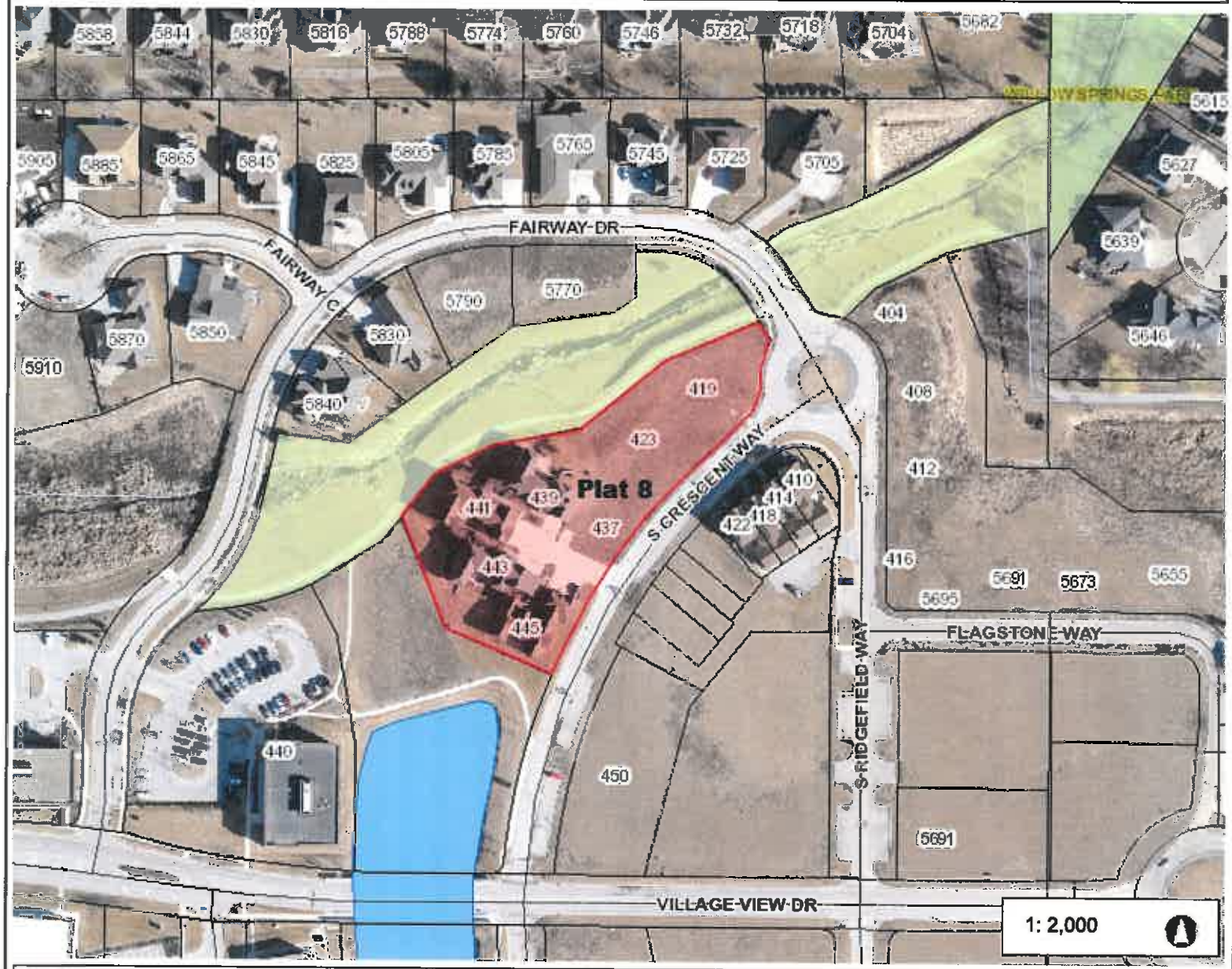
SUBCOMMITTEE REVIEW (if applicable)

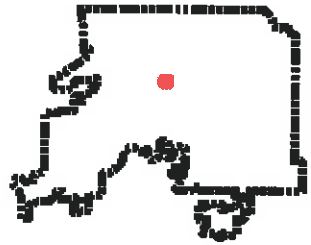
Committee	Development & Planning		
Date Reviewed	February 26, 2015		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

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

Village of Ponderosa Plat 8





Legend

- Parcels
- Parks
- Greenways

333.3 0 166.67 333.3 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet

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Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

EXHIBIT I

VILLAGE OF PONDEROSA PLAT 8

FINAL PLAT

EXHIBIT II

PROPERTY DESCRIPTION:

ALL OF LOT 21, THE VILLAGE OF PONDEROSA, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA CONTAINING APPROXIMATELY 1.58 ACRES.

OWNERS:

410, 423 & 437 S CRESCENT WAY:
HOMES BY DEPHILLIPS LLC

439 S CRESCENT WAY:
BONNY M ELLISON TRUST

441 S CRESCENT WAY:
JEFFREY & PEGGY CARPENTER

443 S CRESCENT WAY:
STEVEN & KAREN EDDY

445 S CRESCENT WAY:
MICHAEL ZUENDEL

APPLICANT:

NEIGHBORHOOD BUILDERS, LLC
ATTN: JAKE RIED
8205 MILLS CIVIC PKWY
WEST DES MOINES, IA 50266
PH: (515) 287-9001 EXT 3

COMPREHENSIVE PLAN: SF

SINGLE FAMILY RESIDENTIAL

ZONING: PUD-SF

PLANNED UNIT DEVELOPMENT

BENCHMARK:

WDM BM #116 - ALUMINUM DISC AT THE NORTHEAST CORNER OF 60TH STREET & MILLS CIVIC PARKWAY, 18.5' SOUTHEAST OF SIGNAL POLE, 1.5' SOUTHEAST OF FACE OF WALK, 31' WEST OF FIRE HYDRANT.
ELEVATION = 201.57

WDM BM # 10 - ALUMINUM DISC AT THE INTERSECTION OF 60TH AND BEECH TREE DRIVE. 31' WEST OF THE CENTERLINE OF 60TH STREET.
ELEVATION = 179.99

PREPARED BY:

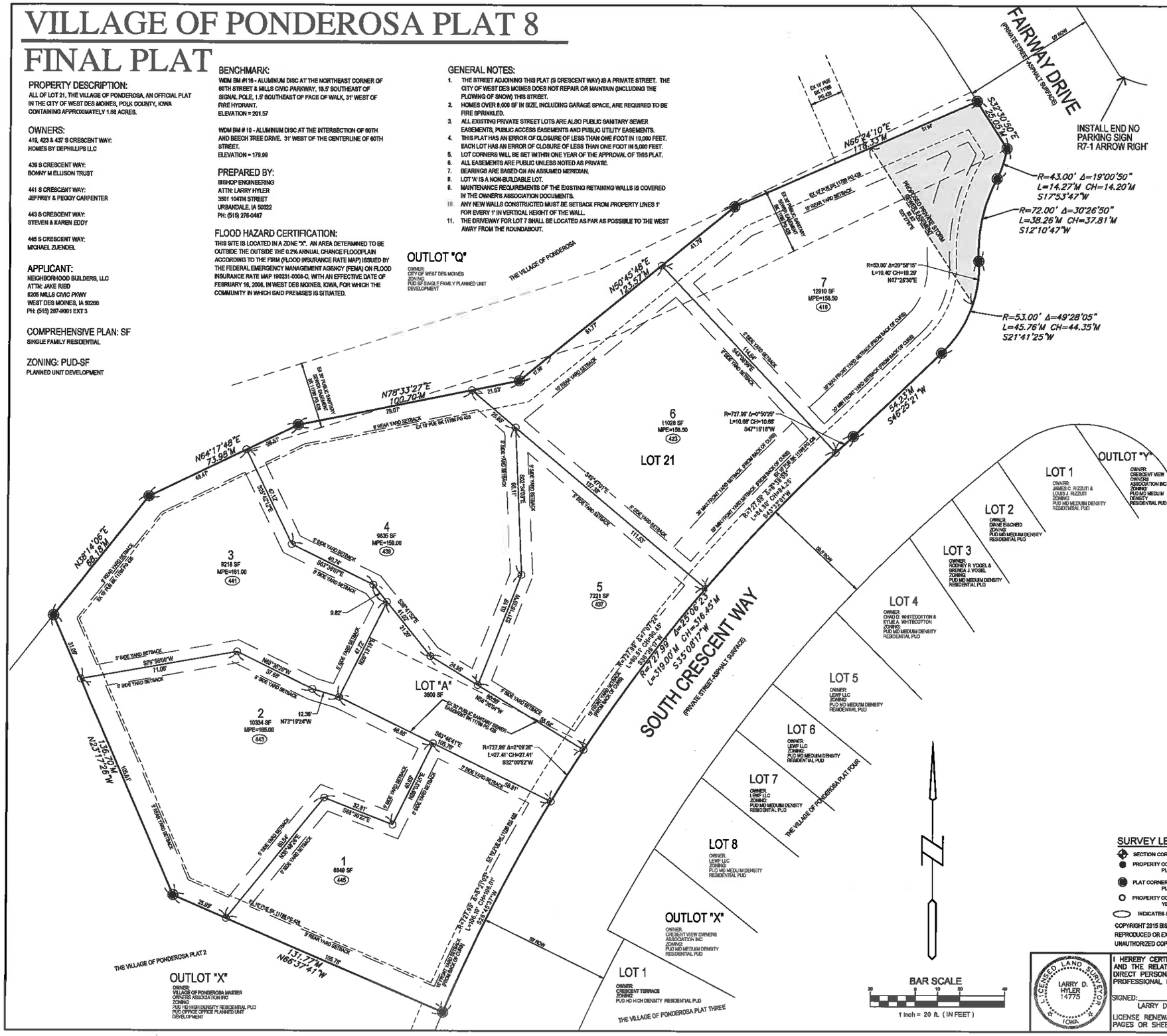
BISHOP ENGINEERING
ATTN: LARRY HYLER
3501 104TH STREET
URBANDALE, IA 50322
PH: (515) 276-0467

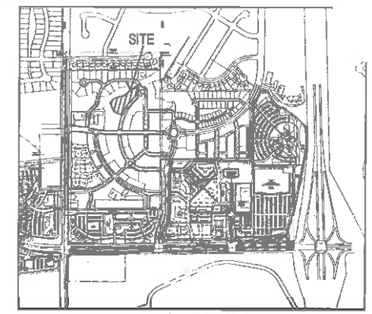
FLOOD HAZARD CERTIFICATION:

THIS SITE IS LOCATED IN A ZONE "X". AN AREA DETERMINED TO BE OUTSIDE THE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN ACCORDING TO THE FIRM (FLOOD INSURANCE RATE MAP) ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP 190231-0008-C, WITH AN EFFECTIVE DATE OF FEBRUARY 16, 2006, IN WEST DES MOINES, IOWA, FOR WHICH THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.

GENERAL NOTES:

1. THE STREET ADJOINING THIS PLAT (S CRESCENT WAY) IS A PRIVATE STREET. THE CITY OF WEST DES MOINES DOES NOT REPAIR OR MAINTAIN (INCLUDING THE PLOWING OF SNOW) THIS STREET.
2. HOMES OVER 8,000 SF IN SIZE, INCLUDING GARAGE SPACE, ARE REQUIRED TO BE FIRE SPRINKLED.
3. ALL EXISTING PRIVATE STREET LOTS ARE ALSO PUBLIC SANITARY SEWER EASEMENTS, PUBLIC ACCESS EASEMENTS AND PUBLIC UTILITY EASEMENTS.
4. THIS PLAT HAS AN ERROR OF CLOSURE OF LESS THAN ONE FOOT IN 10,000 FEET. EACH LOT HAS AN ERROR OF CLOSURE OF LESS THAN ONE FOOT IN 5,000 FEET.
5. LOT CORNERS WILL BE SET WITHIN ONE YEAR OF THE APPROVAL OF THIS PLAT.
6. ALL EASEMENTS ARE PUBLIC UNLESS NOTED AS PRIVATE.
7. BEARINGS ARE BASED ON AN ASSUMED MERIDIAN.
8. LOT "A" IS A NON-BUILDABLE LOT.
9. MAINTENANCE REQUIREMENTS OF THE EXISTING RETAINING WALLS IS COVERED IN THE OWNER'S ASSOCIATION DOCUMENTS.
10. ANY NEW WALLS CONSTRUCTED MUST BE SETBACK FROM PROPERTY LINES 1' FOR EVERY 1' IN VERTICAL HEIGHT OF THE WALL.
11. THE DRIVEWAY FOR LOT 7 SHALL BE LOCATED AS FAR AS POSSIBLE TO THE WEST AWAY FROM THE ROUNDABOUT.





VICINITY MAP
SCALE: 1" = 1000'

BULK REGULATIONS:

1. MINIMUM STREET FRONTAGE = 35 FEET
2. LOTS SHALL RANGE BETWEEN 11,000 SF TO 17,300 SF (APPLIES TO LOTS 6 & 7 ONLY)
3. MAXIMUM BUILDING HEIGHT = 40 FEET
4. GARAGE ORIENTATION: GARAGES SHALL BE SITED TO MINIMIZE THE VISUAL PRESENCE TO THE STREET. ACCEPTABLE GARAGE ORIENTATIONS INCLUDE:
   - 4.1. STREET ORIENTED GARAGE - GARAGES THAT OPEN TO THE STREET MUST BE RECESSED BEHIND THE FRONT PLANE OF THE HOUSE A MINIMUM OF FIVE FEET (5'). HOWEVER, UP TO ONE-FIFTH (1/5) OF THE TOTAL NUMBER OF DWELLINGS MAY HAVE STREET-FACING GARAGES WHICH ARE LOCATED LESS THAN FIVE FEET (5') OF THE FRONT PLANE OF THE DWELLING. IN SITUATIONS WHERE THE GARAGE IS LOCATED LESS THAN FIVE FEET (5'), THE THIRD CAR GARAGE, IF APPLICABLE, MUST BE STEPPED-BACK A MINIMUM OF FOUR FEET (4') FROM THE FRONT OF THE TWO CAR GARAGE WITH ALL GARAGE DOORS TO BE INDIVIDUAL ONE CAR DOORS.
   - 4.2. SIDE LOADED GARAGE - GARAGE IS ENTERED FROM THE SIDE BY A MOTOR COURT. THIS GARAGE ORIENTATION CAN BE LOCATED IN FRONT OF THE HOUSE EQUAL TO THE BUILDING SETBACK FOR THE HOUSE. SIDE LOADED GARAGES SHOULD INCORPORATE ARCHITECTURAL DETAILS SUCH AS WINDOWS, DOORS, AND OTHER DETAILING ON THE STREET FACADE IN ORDER TO PRESENT A HOUSE APPEARANCE THUS DISGUISING THE GARAGE FUNCTION.
5. DEDICATED RESIDENTIAL DRIVEWAYS: VEHICLE DRIVEWAYS DEDICATED AND ADJACENT TO A COVERED PARKING SPACE SHALL MEASURE TEN FEET (10') OR LESS IN LENGTH OR NINETEEN FEET (19') OR GREATER IN LENGTH AS MEASURED PERPENDICULARLY FROM THE GARAGE OPENING TO THE CLOSEST POINT OF THE BACK OF CURB OF INTERSECTING PRIVATE STREET OR DRIVE. DRIVES THAT ARE INTENDED TO PROVIDE FOR A VEHICLE TO BE PARKED PARALLEL TO THE COVERED SPACE SHALL MEASURE A MINIMUM OF NINE FEET (9') IN LENGTH; DRIVES INTENDED TO ALLOW A VEHICLE TO BE PARKED PERPENDICULAR TO THE COVERED SPACE SHALL MEASURE A MINIMUM OF NINETEEN FEET (19') IN LENGTH.
6. BUILDING SETBACKS:
   - ALL SETBACKS SHALL BE MEASURED TO THE FOUNDATION WALL OF THE STRUCTURE.
   - FRONT YARD (LOTS 6 & 7) = 20 FEET MINIMUM (MEASURED FROM BACK OF CURB) AND 30 FEET MAXIMUM (FROM BACK OF CURB)
   - FRONT YARD (LOTS 1 & 5) = 15 FEET MINIMUM (MEASURED FROM BACK OF CURB)
   - REAR YARD = 9 FEET (LOTS 1-5), 15 FEET (LOTS 6 & 7)
   - SIDE YARD = 5 FEET EXCEPT WHEN ADJACENT TO PRIVATE SANITARY SEWER EASEMENT, THEN 5 FOOT SETBACK FROM EDGE OF SAID EASEMENT
7. NO DETACHED ACCESSORY STRUCTURES ALLOWED.
8. NO FENCES OVER FOUR FEET (4') IN HEIGHT, EXCEPT THOSE REQUIRED TO MEET MINIMUM SWIMMING POOL FENCING REQUIREMENTS ARE ALLOWED. NO FENCES ARE ALLOWED ALONG THOSE PROPERTY BOUNDARIES WHICH ABUT A COMMON OPEN SPACE.
9. ARCHITECTURE SHALL COMPLY WITH THE VILLAGE OF PONDEROSA SPECIFIC PLAN. HOUSE PLANS MUST BE REVIEWED AND APPROVED BY THE VILLAGE OF PONDEROSA DESIGN REVIEW BOARD. INDICATION FROM THE DESIGN REVIEW BOARD OF THEIR APPROVAL OF THE HOUSE DESIGN AND MATERIALS MUST BE PROVIDED IN CONJUNCTION WITH THE BUILDING PERMIT REQUEST. HOMES ARE INTENDED TO BE CUSTOM HOMES, NOT SPEC HOMES UTILIZING THE SAME PLAN WITH MINOR DEVIATIONS.

ABBREVIATIONS:

AC	ACRES
ASPH	ASPHALT
BK	BOOK
CONC	CONCRETE
D	DEEDED DISTANCE
EX	EXISTING
ENCL	ENCLOSURE
FF	FINISHED FLOOR
FL	FLOW LINE
FRAC	FRACTIONAL
INV	INVERT
M	MEASURED DISTANCE
MH	MANHOLE
MPE	MINIMUM PROTECTION ELEVATION
OPC	ORANGE PLASTIC CAP
P	PLATTED DISTANCE
PG	PAGE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
PRA	PREVIOUSLY RECORDED AS
PUE	PUBLIC UTILITY EASEMENT
ROW	RIGHT OF WAY
SF	SQUARE FEET
SAN	SANITARY
TYP	TYPICAL
YPC	YELLOW PLASTIC CAP
N	NORTH
S	SOUTH
E	EAST
W	WEST

SURVEY LEGEND:

- SECTION CORNER - FOUND AS NOTED
- PROPERTY CORNER - FOUND IRON PIPE WITH YELLOW PLASTIC CAP ID #14775
- PLAT CORNER - FOUND IRON PIPE WITH YELLOW PLASTIC CAP ID #14775
- PROPERTY CORNER - PLACED 3/4" IRON PIPE WITH YELLOW PLASTIC CAP ID # 14775
- INDICATES STREET ADDRESS

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LICENSED LAND SURVEYOR LARRY D. HYLER 14775 IOWA

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNED: _____ DATE: _____
LARRY D. HYLER, L.S. 14775
LICENSE RENEWAL DATE: DEC. 31, 2016
PAGES OR SHEETS COVERED BY THIS SEAL: _____

Bishop Engineering
"Planning Your Successful Development"
3501 104th Street
Des Moines, Iowa 50322-3625
Phone: (515)276-0467 Fax: (515)276-0217
Civil Engineering & Land Surveying
Established 1959

VILLAGE OF PONDEROSA PLAT 8
WEST DES MOINES, IOWA
FINAL PLAT

REFERENCE NUMBER: 060420-13, 050116, 040616
DRAWN BY: JMR
CHECKED BY: JEJ
REVISION DATE: REV PER CITY 3-31-15
PROJECT NUMBER: 150090
SHEET NUMBER: 1 OF 1

M:\LAND PROJECTS 2015\150090\DWG\FINAL PLAT.DWG 4/29/2015 3:37:24 PM

Prepared by: B. Portz, 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 FINAL PLAT VILLAGE OF PONDEROSA PLAT 8 (FP-002635-2015) FOR THE PURPOSE OF CREATING SEVEN (7) LOTS FOR RESIDENTIAL DEVELOPMENT AND ONE (1) PRIVATE DRIVEWAY LOT

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, Homes By DePhillips, et al, has requested approval for a Final Plat (FP-002635-2015) for that approximately 1.68 acre site located at the northwest corner of S Crescent Way and S Ridgefield Way within the Village of Ponderosa development and legally described below for the purpose of subdividing the property into 7 lots for residential development and 1 private driveway lot

Legal Description

ALL OF LOT 21, THE VILLAGE OF PONDEROSA, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA. SAID PARCEL CONTAINING APPROXIMATELY 1.68 ACRES

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, the West Des Moines Plan and Zoning Commission has reviewed the Preliminary Plat for Village of Ponderosa Plat 8 and recommended approval on April 13, 2015, and;

WHEREAS, the Final Plat that was submitted for review was determined to be generally consistent with the Preliminary Plat for Village of Ponderosa Plat 8 that was reviewed and approved by the City Council on April 20, 2015, and;

WHEREAS, on May 4, 2015, this City Council held a duly-noticed meeting to consider the application for Final Plat (FP-002635-2015) and;

WHEREAS, the West Des Moines City Council adopted a resolution which approved the Final Plat for Village of Ponderosa Plat 8 at their meeting on May 4, 2015, subject to any conditions of approval, and;

WHEREAS, the City Council approves of the following address assignments;

Lot 1 = 445 S. Crescent Way
Lot 2 = 443 S. Crescent Way
Lot 3 = 441 S. Crescent Way
Lot 4 = 439 S. Crescent Way
Lot 5 = 437 S. Crescent Way

Lot 6 = 423 S. Crescent Way
Lot 7 = 419 S. Crescent Way

WHEREAS, Village of Ponderosa Plat 8 is zoned Village of Ponderosa Planned Unit Development (PUD) and meets all requirements of the City's Zoning Code.

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 May 4, 2015, or as amended orally at the City Council hearing of May 4, 2015, are adopted.

SECTION 2. Final Plat, Village of Ponderosa Plat 8 (FP-002635-2015) is approved, subject to compliance with all the conditions in the staff report, dated May 4, 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 Final Plat (FP-002635-2015) for recordation. The City Council of West Des Moines, Iowa directs the City Clerk to release said plat for recordation in accordance with said City Council approval of the final plat on May 4, 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 May 4, 2015, among other proceedings, Roll Call No. _____ approved said plat on May 4, 2015, and released said Final Plat for recordation.

_____
Ryan T. Jacobson
City Clerk

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of May, 2015.

_____
Steven K Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

EXHIBIT A:
CONDITIONS OF APPROVAL

1. Any new retaining walls constructed within any of the lots included within Village of Ponderosa Plat 8 will need to abide by City Code which requires one foot of setback from the lot line for every one foot of above-grade wall height.