Item# 4a

CITY OF WEST DES MOINES PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: March 14, 2016

Item: Delavan Plat 3, Southeast corner of EP True Parkway and S 26th Street -

Subdivide the property and merge 3 lots into 2 lots - Capital Homes of Iowa

-PP-002984-2016

Requested Action: Approval of Preliminary Plat

Case Advisor: J. Bradley Munford

Applicant's Request: The applicant, Capital Homes of Iowa, represented by Ed Arp of Civil Engineering Consultants Inc., is requesting approval of a Preliminary Plat for approximately 4 acres generally located at the Southeast corner of EP True Parkway and S 26th Street. The applicant proposes to subdivide the property and merge 3 lots into 2 lots.

History: On May 19, 1988 the Comprehensive Plan and Zoning for this area was changed from M-1 Light Industrial and R-5 Multi-Family Residential to BEH II Planned Unit Development (Ordinance 846). This property was identified as Parcel B within the PUD and specifically allowed apartments, office, daycares, health clubs, government buildings, and churches. On October 10, 1989 the property was platted as Delavan Plat 1. That plat created the current parcel configuration and established Outlot B within this Parcel B as an Overhead Transmission Line Easement and a future development access. On January 8, 2001 the PUD was amended for Parcel B and removed apartments as an allowed use (Ordinance 1430). On November 30, 2015 the Comprehensive Plan and PUD was amended again for Parcel B to modify regulations to allow 16 attached townhome units.

<u>City Council Subcommittee</u>: This item was presented to the Development and Planning City Council Subcommittee on February 8, 2016 and an informational item only. The Subcommittee expressed support of the development.

<u>Staff Review and Comment</u>: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff would note the following items of interest:

<u>Additional Review Prior to Construction</u>: This Preliminary Plat is intended to only define parcels for transfer
of ownership. Future development of either parcel will require approval of a Site Plan prior to development.
The Site Plan will need to include for review and approval all site details typically provided as part of a
Preliminary Plat and Site Plan application.

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.

<u>Findings</u>: 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.
- 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.

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- 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. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare and safety of the community.
- 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 to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.
- 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 or has been conditioned to
 comply with all City Code requirements.
- 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 zoning designation and 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 Delavan Plat 3 Preliminary Plat, to subdivide the property and merge 3 lots into 2 lots, subject to the applicant meeting all City Code requirements and the following:

- 1. No grading can be conducted on the property until a Grading Plan is approved by the Plan and Zoning Commission. A Grading Plan to initiate grading on the site can be submitted separately or as part of the Site Plan application.
- 2. No development can occur on any lot until a Site Plan is approved by the Plan and Zoning Commission and the City Council.
- 3. All improvement obligations typically identified as part of the Preliminary Plat and executed/established in conjunction with the Final Plat will be required of each parcel as part of the Site Plan Permit process. Current and future owners shall be made aware of this obligation.
- 4. Subsequent development of either parcel will need to comply with the BEH II PUD Ordinance and all City Code requirements unless otherwise modified by the appropriate approval body as part of the Site Plan approval.
- 5. A Cross Access Agreement between lots 1 and 2 to allow for a secondary access in the event of an emergency or in the event of street or utility maintenance/repairs must be recorded with the Final Plat. As part of the Site Planning process, the specific area of the cross access drive location may be refined with an amendment to the original agreement.
- 6. If Lot 1 and Lot 2 are to be developed at different times, the emergency connection drive shall be constructed with the first phase. The City will expect the owner of the first developing parcel to construct the drive. Any private agreements necessary to address obligations and cost sharing between the two property owners should be worked out and formally established as part of property purchase.

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Property Owner:

Carleton D. Beh (Trust) 1600 Casady Drive Des Moines, Iowa 50315

Applicant:

Peter Cutler

Capital Homes of Iowa 475 SE Alice's road Suite B Waukee, Iowa 50263

Peter.Cutler@CapitalHomesIowa.com

Applicant's Representatives:

Ed Arp

Civil Engineering Consultants, Inc. 2400 86th Street #12

Des Moines, Iowa 50322 Arp@ceclac.com

ATTACHMENTS:

Attachment A -Plan and Zoning Commission Resolution

Exhibit A Conditions of Approval

Location Map Preliminary Plat Attachment B -Attachment C -

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ATTACHMENT A

RESOLUTION NO. PZC

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE DELAVAN PLAT 3 PRELIMINARY PLAT TO SUBDIVIDE THE PROPERTY AND MERGE 3 LOTS INTO 2 LOTS

WHEREAS, pursuant to the provisions of Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Capital Homes of Iowa, has requested approval for a Preliminary Plat (PP-002984-2016) to Subdivide the property and merge 3 lots into 2 lots on the 4 acre site generally located at the southeast corner of EP True Parkway and S 26th Street;

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 March 14, 2016, this Commission held a duly-noticed public meeting to consider the application for Preliminary Plat (PP-002984-2016);

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

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

<u>SECTION 2</u>. PRELIMINARY PLAT (PP-002984-2016) to subdivide the property and merge 3 lots into 2 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 Hearing, 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 March 14, 2016.

ATTEST:	Craig Erickson, Chairperson Plan and Zoning Commission
Recording Secretary	
I HEREBY CERTIFY that the foregoing resolution was do Des Moines, Iowa, at a regular meeting held on March 14	uly adopted by the Plan and Zoning Commission of the City of We, 2016 by the following vote:
AYES: NAYS: ABSTENTIONS: ABSENT:	
ATTEST:	
Recording Secretary	

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EXHIBIT A

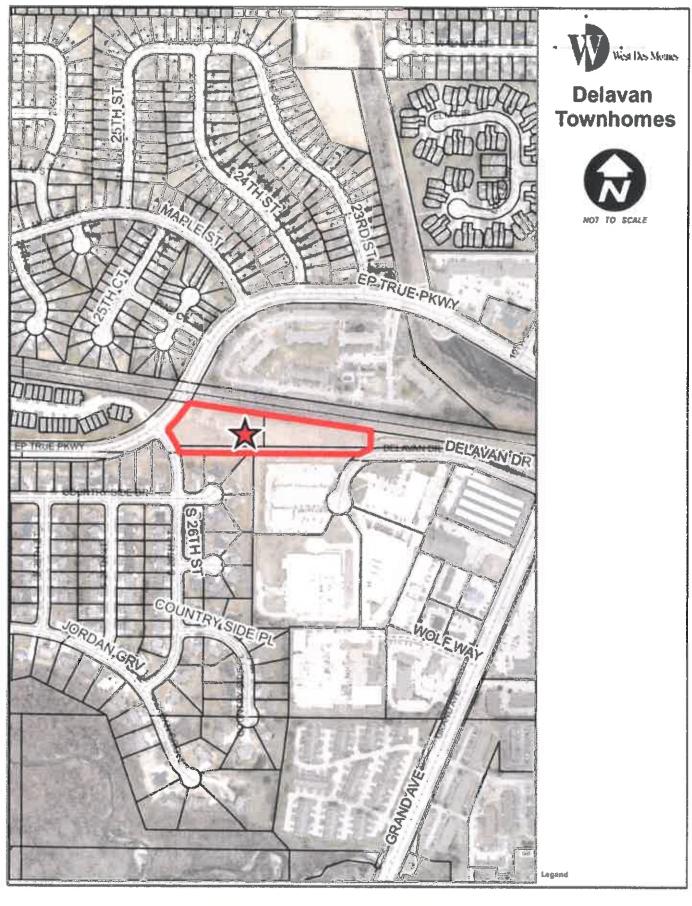
Exhibit A CONDITIONS OF APPROVAL

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ATTACHMENT B



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PROPERTY ADDRESS:

2101 DELAVAN DRIVE (2500 EP TRUE PARKHAY MEST DES MOINES, IA 50265

LAND SURVEYOR:

CML BIGHERING CONSULTANTS
ATIN: JEFFREY A. GADDIS, RLS. 918361
24006011 STREET, SUITE 912
URBANDALE, IA. 50822
PRANE 515-276-4064 EXT. 21
PAN: 515-276-7004
EVALL 6ADDISOCELLAC.COM

Civil Engineering C 2400 86th Street . Unit 12 . D 515,276,4884 . Fax: 515,276.7

4

2500 EP TRUE PARKWAY, WEST DES MOINES, IOWA

LEGEND

FOUND PROPERTY CORNERS MONUMENTS SET PROPERTY CORNER (5/6" I.R. WELLE CAP #8581 UNLESS OTHERWISE NOTED) 0 PLAT BOINDARY - PROPOSED LOT LINES - ORIGINAL PLATTED LOT LINES - BASEMENT LINE BACK OF PORTLAND CHMENT CONCRETE (P.C.C.)
CURB (EDGE OF PORTLAND CEMENT CONCRETE SLAB - - RETAINING WALLS - CENTERLINE STREET --- SIDENALK - -- - - UGPO- -- - UNDERSROUND FIBER OPTIC LINES — — —\$T^{XX} — — \$TORM SEMER AND 912E - - - SANXX - - SANITARY SEMER AND SIZE - - - WXX - - WATER MAIN AND SIZE — — — G^{XX} — — GAS MAIN AND SIZE -- -- -- -- UNDERSROUND ELECTRIC - -- -- CATV- -- UNDERGROUND CABLE TELEVISION LINE - - - - UGT - - - UNDERGROUND TELEPHONE LINE EXISTING BUILDING BACK OF CURB INTAKE [9]. CLEAN OUT **69** (3) STORM & SANITARY MANHOLE FLARED END SECTION (FES.) ELECTRIC BOX

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PLANS PCG. PORTLAND COMENT CONCRETE MAJOR CONTOUR INTERVALS MINOR CONTOUR INTERVALS IRON ROD IRON PIPE ROH RIGHT-OF-WAY BK, XXX, PS, XXX PUE. COUNTY RECORDER'S INDEXING BOOK PUBLIC UTILITY EASONENT BACK OF CURB TO BACK OF CURB 717





ELECTRIC & NATURAL GAS MIDAMERICAN ENERGY COMPANY MEDAMERICAN ENERGY COMMANT
P.O. BOX 65
DES MONES, IA 30306-061
PROME 1-600-324-061
PROME 1-600-324-061
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BY AND THE STANDARD STANDA

SANITARY SYSTEMS CITY OF MEST DES MOINES MEST DES MOINES PUBLIC MORKS PHONE : 515-222-3480 EMAIL : PUBLICMORKSBINDM.IOMA.60V

POTABLE MATER
MEST DES MONES HATER MORKS
GENERAL OFFICE AND CUSTOMER SERVICE;
4200 MILLS CIVIC PARKHAY, SUITE ID
PACK (SE) 222-3510
E-MAIL MATERWERKSANDHWILCOM
ATTIM KEVIN L. TREVILLYAN
FICAE 158-722-3465
EMAIL 1 KTREVILLYANMEMMERCOM

STORM SEMER SYSTEMS CITY OF MEST DES MOINES MEST DES MOINES PUBLIC MORKS FRONE : 515-222-3480 EMAIL : RUBLICMORKSONDMUONALGOV TELECOMMUNICATIONS & INTERNET SERVICE PROVIDERS.
AT&T TRANSMISSION

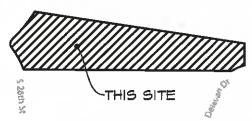
MEDIACOM (DES MOINES) ATTN: PAUL MAY PHONE: 1515-246-2252 OFFICE 515-554-2646 CELL EMAIL: PMAYOMEDIACOMCC.COM

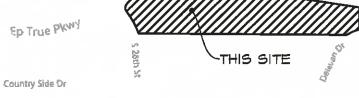
CENTURY LINK ATTN : 170M STURMER PHONE : 303-664-3040 EMAIL : THOMAGSTURMER #CENTURYLINK.COM

DRAWING INDEX

SHEET # SHEET TITLE
| COVER
| PRELIMINARY PLAT

ED True PKWY Pine C





SCALE: |"=200"

THIS IS A MINOR SUBDIVISION PLAT FOR THE PURPOSE OF CREATING TWO (2) LOTS FOR FUTURE DEVELOPMENT.

PURPOSE OF SURVEY:

APPLICANT: CAPITAL HOMES OF IOWA ATTIM PETER CUTLER 415 ALICE'S ROAD, SUITE D MAUKEE, IOWA 50268

PROPERTY OWNERS: ROBERT J BEH (TRUSTEE)
DEE DEE STESSE (TRUSTEE)
CARLETON D BEH (TRUSTEE) JR
CARLETON D BEH (TRUST)
ATTN. ROBERT J BEH (TRUSTEE)
BOO CASADY PRIVE
DES MOINES, IA 50315

LEGAL DESCRIPTION

A REPLAT OF OUTLOTS '8' 6 'D' AND LOTS I 6 2, DELAYAN PLAT I, AN OPPICIAL PLAT RECORDED IN BOOK 6214, PAGE 'TIZ AT THE POLIC COUNTY RECORDER'S OFFICE, CITY OF MEET DES MONES, POLIC COUNTY, IOWA. THIS REPLAT CONTAINS All ACRES MORE OR LESS.

FLOOD ZONE DESIGNATION

THE DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X' BY THE FEDERAL BI-ERGERCY MANAGEMENT AGENCY (FEMA), OR FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 1902/2004C REVISED ON FERBILARY (6, 2006.

LAND AREA

COMPREHENSIVE PLAN LAND USE

MEDIUM DENSITY RESIDENTIAL - OUTLOT '8' (LOT I (EXISTING & PROPOSED LOT I) LIGHT INDUSTRIAL - OUTLOT '0' (LOT 2 (EXISTING & PROPOSED LOT 2)

ZONING

BEH I) PUD (No.) - BOOK 6651, PAGE 954

• MEDIUM DESHITY RESIDENTIAL (PROPOSED LOT I)

• LIGHT INDUSTRIAL (PROPOSED LOT 2)

NOTES

NOTES

I. THE BEARINGS SHOWN ON THIS FINAL PLAT ARE BASED ON THE NORTH LINE OF DELAVAN PLAT 2
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BOUNDARIES AND IS NOT GREATER THAN I-SOOD FOR INDIVIDUAL LOTS.

THIS PARCEL MAY BY SUBLECT TO EASEMENTS OF RECORD, NO TITLE MORK WAS PERFORMED BY
THIS SURVEYOR.

MOUNDAINED TO BE SET NITHIN ONE YEAR THE FINAL PLATS RECORDING DATE.

ALL EASEMENTS SHOWN ARE EXISTING EASEMENTS OF RECORD UNLESS LABEL AS "PPROPOSED)"

ALL MATER MAIN COMPECTIONS AND REMOVALS MUST BE DOAR IN ACCORDIANCE WITH THE MEST
DES MOINES WATER MORKS STANDARDS AND SPECIFICATIONS.

GENERAL NOTES

ALL MATTER MORIC, PRELIC OR PREVATE, SHALL BE DONE IN ACCORDANCE WITH MEST DES MOINES MATTER MORICS STANDARD S'EGLIFICATIONS.

2. CONTRACTORS SHALL NOTIFY MEST DES MOINES MATTER MORICS AT LEAST ONE MEEK PRIOR TO BUILDING

CONTRACTOR SHALL NOTIFY MEST DES MOINES MATER MORRS AT LEAST ONE PIECE FROM TO DUILDING CONSTRUCTION.
 THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF WORK OF ALL SECONTRACTORES) INVOLVED IN THE PROJECT.
 CONTACT BUILDING INSPECTION (SIS-222-3650) A MINIMUM OF 24 HOURS IN ADVANCE FOR PRIVATE UTILITY INSTALLATION INSPECTIONS.
 THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR CONFLIANCE WITH THE MEST DES MOINES WATER MORRS AND THE CITY'S CROSS CONNECTION CONTROLACONTAINMENT PROVISIONA (UTILITY SHEET AND

MATER MORES AND THE CITT'S CREATE CONTROLLER RESPONSIBLE FOR THE PROPER INSTALLATION OF AN APPROVED THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER INSTALLATION OF AN APPROVED BACKFLOW PREVENTION ASSEMBLY(IES) FOR CONTAINMENT IN ALL NEW CONSTRUCTION, BACKFLOW PREVENTION TO BE INSTALLED PER CITT' ORDINANCE 129T, 35-14949, CONTRACTOR SHALL NOTIFY NEST DES MOTHERS HATER NORSES, RALPH RENTERSA, BINGHERINGS TECHNICIAN (35-52-2465) A HINDREM OF 24 HOURS AFTER INSTALLATION AND TESTING OF ALL BACKFLOW DEVICES TO SCHEDULE FINAL INSPECTIONAL AND TESTING OF ALL BACKFLOW DEVICES TO SCHEDULE FINAL INSPECTIONAL PROPERTY CAS 27

HOURS AFTER INSTALLATION AND TESTING OF ALL BACKPLOW DEVICES TO SCHEDULE FINAL INSPECTION.

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A AT LEAST ONE HEEK PRIOR IS HANDARDS AND HOM ADDRESS.

A AT LEAST ONE HEEK PRIOR TO ANY CONSTRUCTION HITMIN PUBLIC ROMEASHENIS AND/OR ANY CONSTRUCTION TO THE LIC SEMES AND STREETS. THE CONTRACTOR SHALL CONTACT CLIFT CARPENTER (2023-3460) AT THE HOM CONSTRUCTION DIVISION TO OBTAIN APPLICABLE CITY PERMITS THAT MAY BE NECESSARY. IT BE IMPORTANT TO NOTE CITY APPROVAL OF THIS PLAN IS SUBJECT TO THE APPLICANT OBTAINING ALL NECESSARY EAST-MOTHER SHALL BE RESPONSIBLE FOR COMPLIANCE HITM THE MED TO BE MONES HAT DE MODES AND THE CITY'S CROSS CONNECTION CONTROL/CONTAINMENT THE ORDER ON THE CITY'S CROSS CONNECTION CONTROL/CONTAINMENT PROVISION.

6. LOT 'A' IS TO BE DEDICATED TO THE CITY OF MEST DES MINES FOR RUBLIC RIGHT-OF-MAY.

UTILITY NOTES:

I. SANTARY SENER AND MATER MAINS ARE PUBLIC. 2. STORM SENER AND STREETS ARE PUBLIC.

BENCHMARK

HEST DES MOINES BENCHMARK #126

SOUTHWEST CORRER OF GRAND AVENUE AND E.P. TRUE PARKMAY: 10 PRET WEST OF BACK OF WALK AND TH REST SOUTH OF TRAFFIC SIGNAL POLE AT THE SOUTHWEST CORRER OF E.P. TRUE PARKMAY AND GRAND AVENUE.

ED True Ph

ách Gen P

WEST DES MOINES BENCHMARK #127

SOUTHNEST CORNER OF E.P. TRUE AND 9, 419T STREET, 4.5 FREET SOUTH OF THE EAST-MEST BACK OF WALK, AND 4.5 FREET MEST OF THE NORTH-SOUTH BACK OF WALK.

CERTIFICATION



ETYREY A. GADDIS, KOMA LICENSE NO. 19551 DA MY LICENSE RESENAL DATE IS DECISION S., 2016 SHEETS | - 2

OF 2

PLAT 3 **₹** ₽

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