# CITY OF WEST DES MOINES PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: August 1, 2016

<u>Item</u>: Val-Gate, Southwest corner of Grand Avenue and 1st Street – Subdivide

property into seven (7) lots and one (1) street lot for construction of a

commercial development - First Street, LP - PP-002895-2015

Requested Action: Approval of Preliminary Plat

Case Advisor: Brian S. Portz, AICP

Applicant's Request: The applicant, First Street, LP, represented by Rick Baumhover with Bishop Engineering, is requesting approval of a Preliminary Plat for approximately 5.37 acres generally located at the Southwest corner of Grand Avenue and 1st Street. The applicant proposes to subdivide the property into seven (7) lots for construction of a commercial development and one (1) street lot (7' dedication of right-of-way along Grand Avenue).

<u>History</u>: The site is contained within the 1<sup>st</sup> Street Redevelopment PUD, which was approved in November of 2015. A Master Plan for the redevelopment of the property at the southwest corner of Grand Avenue and 1<sup>st</sup> Street was approved by the City Council on October 5, 2015. Also, in October of 2015, the City Council approved a site plan for the construction of a Dollar Tree store on the south side of the property. No further development can occur on the subject property until a preliminary and final plat are approved for the property.

<u>City Council Subcommittee</u>: This item was presented to the Development and Planning City Council Subcommittee on November 19, 2015 as an informational item and is also scheduled to be discussed at the August 8, 2016 meeting.

<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 summarize the following key points of interest:

- Regional Storm Water Infrastructure Project: As part of the Grand Avenue Redevelopment Stormwater project, it is anticipated that a storm water structure will be installed across the western and southern portion of the 1st Street Redevelopment PUD Area. It is undermined at this time when the construction of this will begin.
- <u>Access</u>: As proposed, Lots 3 & 5 will not have direct access to an adjacent public street. As a part of the Val-Gate final plat approval, an ingress/egress and cross parking easement will be executed to allow all the lots cross access between the parking lots and allow Lots 3 & 5 access to access to 1st Street.
- Lot Sizes: The proposed lot sizes within this plat will not meet the lot sizes required on a Community Commercial (CMC) zoned property as required by the current bulk density requirements of the Zoning Code, however, the smaller lot sizes as proposed are enabled by the 1<sup>st</sup> Street Redevelopment PUD that governs development of the site.

<u>Comprehensive Plan Consistency</u>: 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.
- 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.
- 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 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.

<u>Staff Recommendation And Conditions Of Approval</u>: 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 seven (7) lots for commercial development one (1) street lot to be dedicated to the City as right-of-way, subject to the applicant meeting all City Code requirements and the following:

- 1. The applicant receiving City Council approval of the associated Final Plat prior to issuance of any building permit for any lot within the subject plat, including the execution of the appropriate ingress/egress and cross parking agreement.
- Prior to approval and release for recordation of the Final Plat associated with the property, the applicant shall submit the required street light agreement which requires the Applicant to install street lights along Grand Avenue and 1<sup>st</sup> Street adjacent to the applicant's site at such time that overhead power is placed underground.
- 3. Public improvements on the site shall be accepted by the City or surety provided for their completion prior to the approval and release for recordation of the Final Plat.

Owner/Applicant First Street, LP

John Mandelbaum 4500 Westown Parkway West Des Moines, IA 50266 john@mandelbaumproperties.com

515-222-6200

Applicant Representative: Bishop Engineering

Rick Baumhover 3501 104th Street Urbandale, IA 50322

rbaumhover@bishopengr.com

515-276-0467

### **Attachments:**

Attachment A Plan & Zoning Commission Resolution

Exhibit A - Conditions of Approval

Attachment B - Location Map Attachment C - Preliminary Plat

#### 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 A PRELIMINARY PLAT TO SUBDIVIDE PROPERTY INTO 7 LOTS FOR COMMERCIAL DEVELOPMENT, AND 1 STREET LOT FOR DEDICATION OF RIGHT-OF-WAY

WHEREAS, pursuant to the provisions of Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, First Street, LP, has requested approval for a Preliminary Plat (PP-002895-2015) to create seven (7) lots for commercial development and one (1) street lot for dedication of right-of-way on a 5.37 acre site generally located on the southwest corner of Grand Avenue and 1st 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 August 1, 2016, this Commission held a duly-noticed public meeting to consider the application for Val-Gate Preliminary Plat (PP-002895-2015);

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.

SECTION 2. The Preliminary Plat (PP-002895-2015) to subdivide the property into seven (7) lots for commercial development and one (1) street lot for dedication of right-of-way, is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report dated August 1, 2016 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 August 1, 2016.

ATTEST:	Craig Erickson, Chairperson Plan and Zoning Commission
Recording Secretary	
I HEREBY CERTIFY that the foregoing resolution v Des Moines, Iowa, at a regular meeting held on August	vas duly adopted by the Plan and Zoning Commission of the City of Wes 1, 2016, by the following vote:
AYES: NAYS: ABSTENTIONS: ABSENT:	
ATTEST:	
Recording Secretary	

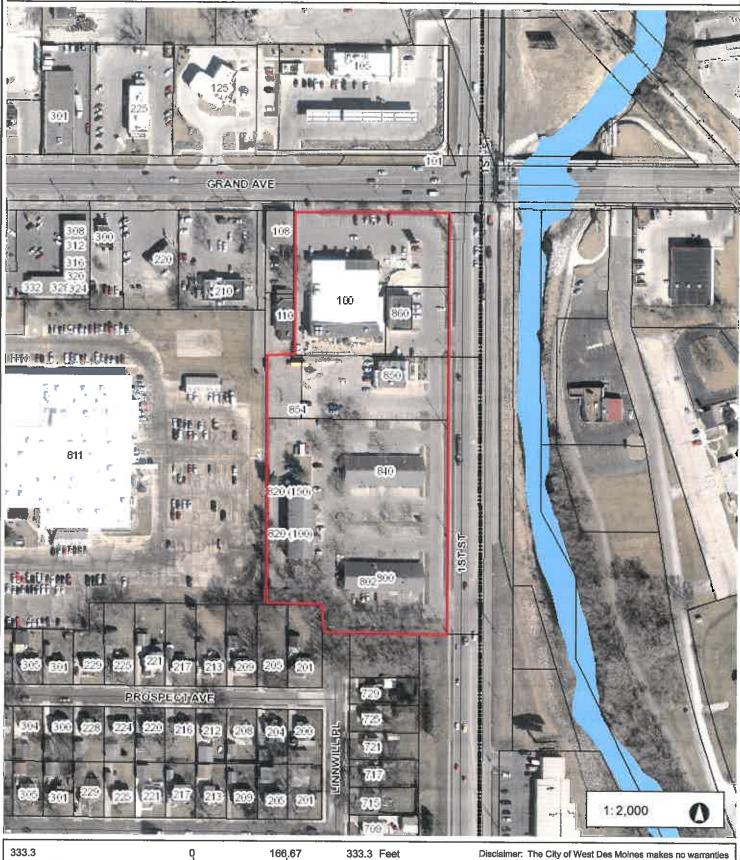
## Exhibit A CONDITIONS OF APPROVAL

- 1. The applicant receiving City Council approval of the associated Final Plat prior to issuance of any building permit for any lot within the subject plat, including the execution of the appropriate ingress/egress and cross parking agreement.
- 2. Prior to approval and release for recordation of the Final Plat associated with the property, the applicant shall submit the required street light agreement which requires the Applicant to install street lights along Grand Avenue and 1st Street adjacent to the applicant's site at such time that overhead power is placed underground.
- 3. Public improvements on the site shall be accepted by the City or surety provided for their completion prior to the approval and release for recordation of the Final Plat.



## **Val-Gate Plat**

## **ATTACHMENT B**



333.3

333.3 Feet

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

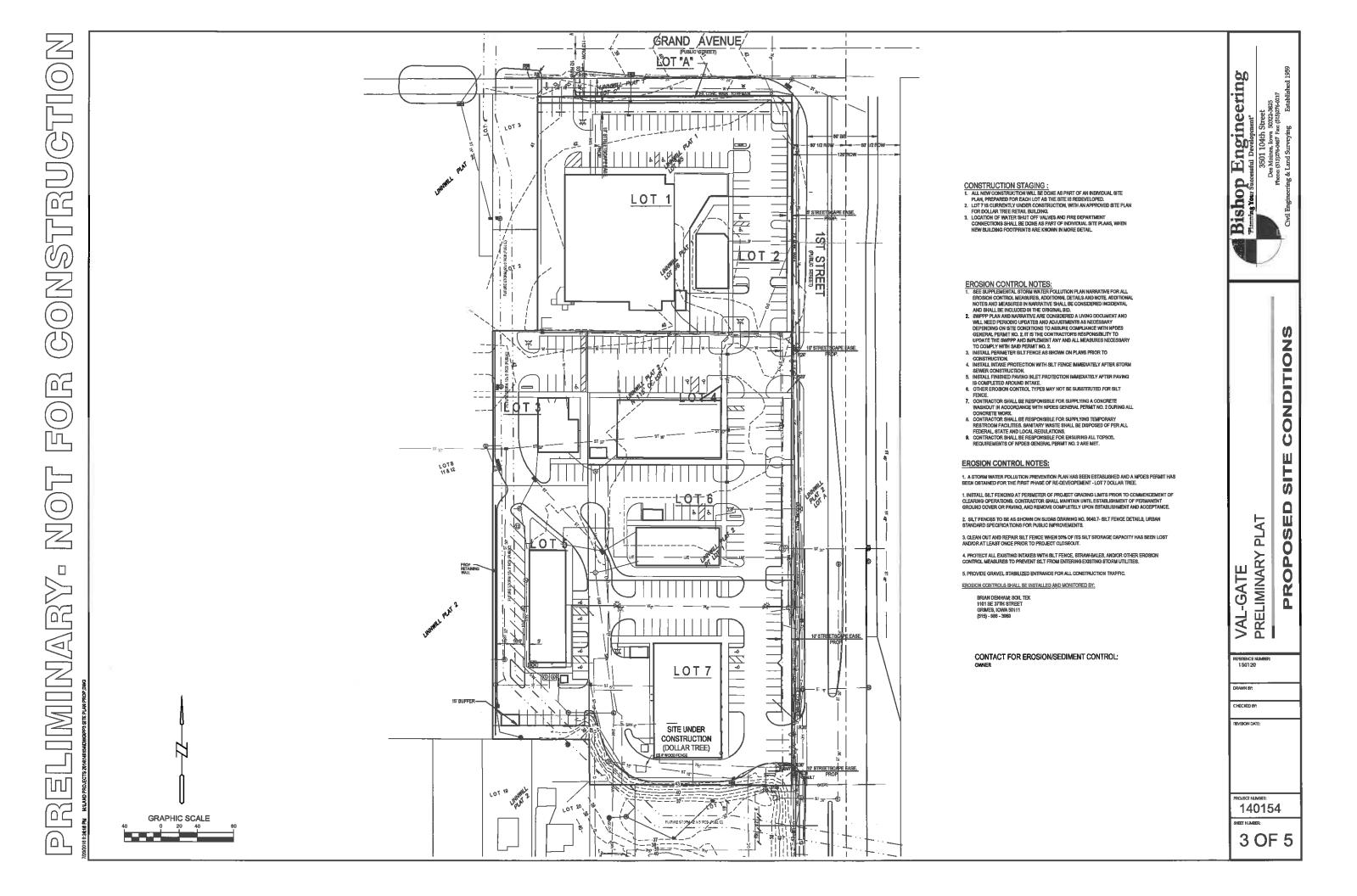
NAD\_1983\_StatePlane\_lowa\_South\_FIPS\_1402\_Feet © City of West Des Moines, Iowa

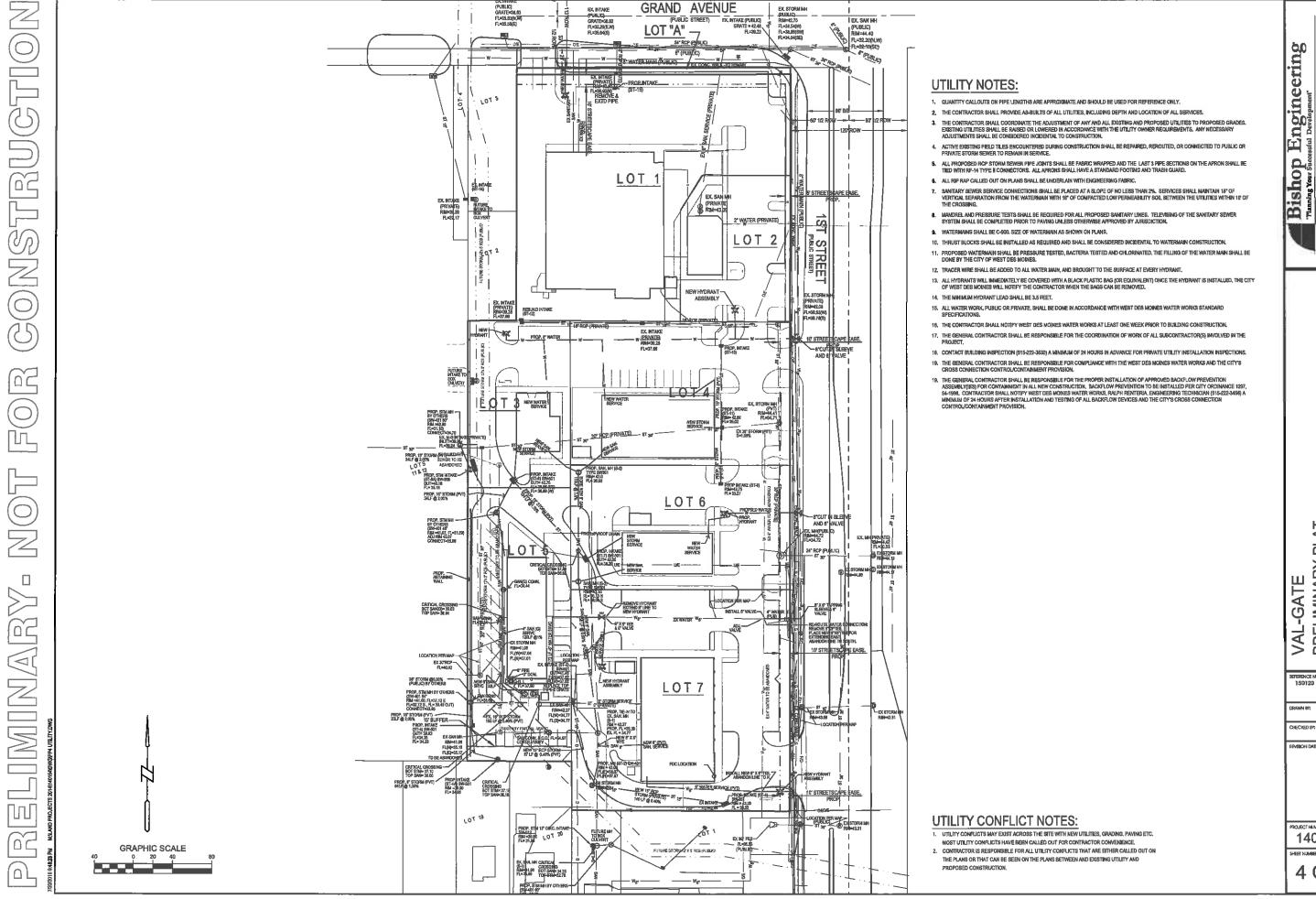
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ATTACHMENT C

PRELIMINARY- NOT FOR CONSTRUCTION Bishop Engineering

"Planting Your Successful Development"
3501 104th Street
Des Moines, Iowa 50322-3825
Phane (515926-0467 Fax: (515926-0217
Civil Engineering & Land Surveying Established 1999 GRAND AVENUE (FUBLIC STREET) EX THINGS 24 FOR POOLS EX INTAKE (PUBLIC) GRATE=38-5 FL=35-63(N) FL=35-58(E) EX STORM ATH (BLBLUM) RIM=42 70 FL=34 54(W) FL=38 69(SW) FL=34 04(SE) LOT 1 LOT 2 CONDITIONS LOT 3 SITE VAL-GATE PRELIMINARY PLAT EXISTING REFERENCE NUMBER: 150120 COT 7 SITE UNDER CONSTRUCTION (DOLLAR TREE) 140154 2 OF 5





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PLAT VAL-GATE PRELIMINARY F

REFERENCE KAMBER: 150120

CHECKED 8V:

140154

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GONSTRUGTION GRAND AVENUE
LOT "A" -7 Bishop Engineering
Transling Your Successful Development
3501 104th Street
Des Mottes, Iowa 50322-3825 LO1 3 **EASEMENT NOTE:** 1. THE EASEMENTS SHOWN CONTAIN NEW , REVISED, AND/OR EXISTING EASEMENTS THAT ARE TO REMAIN IN EFFECT, SUPERSEDING ANY PREVIOUS EASEMENTS RECORDED OR UNRECORDED AND NOT SHOWN. LOT 1 2. ALL EXISTING WATER MAIN, SANITARY SEWER, AND STORM SEWER EASEMENTS NOT SHOWN SHALL BE TERMINATED. 3. FOR LOCATION OF EXISTING EASEMENTS SEE SHEET 2 - "EXISTING CONDITIONS". LOT 2 See 1 BUFFERS: SOUTH 15 ALONG SOUTH PLD BOUNDARY AFTER SOUTH ACCESS HAS BEEN RELOCATED. REQUIRED LANDSCAPING IN 18 BUFFER SHALL BE EQUIPALENT TO THE AMOUNT OF TREES AND SHRUBS REQUIRED IN 30' BUFFER. WEST: NONE NORTH & EAST: NONE, BUT STREETSCAPE IS REQUIRED PRELIMINARY. NOT LOT 6 6 6 8 5 OT 5 LOT7 CHECKED BY: 5' GAS EASE PROP. LOT 19

70 EASEMENT

VAL-GATE PRELIMINARY PLAT

DRAWN BY:

REVISION DATE:

140154

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