CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: December 11, 2017

ITEM: Continental Plaza Plat 2, 7300 Westown Parkway – Plat property into 2 commercial lots, 1 street lot and 1 outlot for detention– Penta Partners LLC.
– PP-003494-2017

RESOLUTION: Approval of a Preliminary Plat

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Penta Partners LLC, represented by Erin Ollendike of Civil Design Advantage, is requesting approval of a Preliminary Plat for approximately 12.5 acres located at 7300 Westown Parkway. The applicant proposes to subdivide the property into 2 commercial lots, 1 street lot, and 1 outlot for detention.

Plan and Zoning Commission Action:
Vote: 6-0 approval, with Commissioners Costa absent.
Date: July 31, 2017
Motion: Adopt a resolution recommending the City Council approve the Preliminary Plat

STAFF COMMENTS:
Removal of an Outlot: This case was heard by the Plan and Zoning Commission on July 31, 2017. The plat presented to P&Z included a 1 acre outlot that was set aside for future development. That outlot did not meet the minimum 2 acre size requirement for the Professional Commerce Park (PCP) zoning district. Staff notified the applicant of the discrepancy and has worked with the applicant to remove the outlot from the preliminary plat documents that the Council is approving (Attachment C). The applicant understands that if development were to ever be proposed on that 1 acre outlot area, the applicant will need to go through the appropriate approval procedures and comply with the related development requirements at that time.

Future Parking Lot Connection to the East: As a way to provide another point of access to the site and to help with emergency vehicle circulation, staff has worked with the applicant to identify a location and provide easements for future parking lot connection to the property to the east. Staff and the applicant will continue to work together during the final platting process or future development applications to set a timeframe for the drive construction.

OUTSTANDING ISSUES: There are no outstanding issues. 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 & Planning: *5/30/2017*
- Staff Review and Comments
  - *Platting around an existing building:*
- Comprehensive Plan Consistency
- Findings
- Staff Recommendations 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 approve Continental Plaza Plat 2 Preliminary Plat, subject to the applicant meeting all City Code requirements and the following conditions of approval:

1. Applicant acknowledging that the associated Final Plat must be approved by the City and recorded with the County prior to the issuance of any building permits, including footing and foundation permits for any lot within the plat.

2. Applicant providing suitable access roads to the satisfaction of the City's Fire Marshal prior to issuance of any building permits for above ground construction.

3. Applicant acknowledging and agreeing that the 1 acre outlot on the preliminary plat presented to the Plan and Zoning Commission on July 31, 2017 is not a part of this approval and will not be included on the final plat.

4. Applicant acknowledging that when development is proposed on the 1 acre outlot area, the applicant would go through the appropriate approval procedures and comply with the related development requirements at that time.

Lead Staff Member: J. Bradley Munford

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	not requried	
Date(s) Published	N/A	
Letter sent to surrounding property owners		N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	5/30/2017		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

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

Exhibit II - City Council Resolution
- Exhibit A - Conditions of Approval

EXHIBIT I

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: July 31, 2017

Item: Continental Plaza Plat 2, 7300 Westown Parkway – Plat property into 2 commercial lots, 1 street lot, 1 outlot for detention and 1 outlot for future development – Penta Partners LLC. – PP-003494-2017

Requested Action: Approval of Preliminary Plat

Case Advisor: J. Bradley Munford

Applicant's Request: The applicant, Penta Partners LLC, represented by Erin Ollendike of Civil Design Advantage, is requesting approval of a Preliminary Plat for approximately 12.5 acres located at 7300 Westown Parkway. The applicant proposes to subdivide the property into 2 commercial lots, 1 street lot, 1 outlot for detention and 1 outlot for future development.

History: The property was annexed into the City on June 12th 1989 as part of the West 74th Street Annexation. Continental Plaza Plat 1 was recorded in September of 1989. The building currently on the property (FKA, The Briggs Building) was built prior to annexation in 1979. The PCP/Office zoning classification was established upon annexation to accommodate the Briggs Building.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on May 30, 2017 and an informational item only. The Subcommittee expressed support of the development.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues.

Platting around an existing building: This plat creates a new lot around the existing Briggs Building. Staff would like to note that with the new lot, the building will still conform to all setbacks, bulk regulations and development requirement such as parking.

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.

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.

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 Continental Plaza Plat 2 Preliminary Plat, to create 2 commercial lots, 1 street lot, 1 outlot for detention and 1 outlot for future development, subject to the applicant meeting all City Code requirements and the following:

1. Applicant acknowledging that the associated Final Plat must be approved by the City and recorded with the County prior to the issuance of any building permits, including footing and foundation permits for any lot within the plat.

2. Applicant providing suitable access roads to the satisfaction of the City's Fire Marshal prior to issuance of any building permits for above ground construction.

Property Owner/ Applicant:

Penta Partners LLC
5700 University Avenue, Suite 220
West Des Moines, Iowa 50266

Applicant's Representatives:

Erin Ollendike
Civil Design Advantage.
3405 SE Crossroads Drive Suite G
Grimes, Iowa 50111
ErinO@cda-eng.com

ATTACHMENTS:

Attachment A	-	Plan and Zoning Commission Resolution
Exhibit A	-	Conditions of Approval
Attachment B	-	Location Map
Attachment C	-	Preliminary Plat

ATTACHMENT A

RESOLUTION NO. PZC-17-074

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE CONTINENTAL PLAZA PLAT 2 PRELIMINARY PLAT TO SUBDIVIDE THE PROPERTY INTO 2 COMMERCIAL LOTS, 1 STREET LOT, 1 OUTLOT FOR DETENTION AND 1 OUTLOT FOR FUTURE DEVELOPMENT

WHEREAS, pursuant to the provisions of Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Penta Partners LLC, has requested approval for a Preliminary Plat (PP-003494-2017) to create 2 commercial lots, 1 street lot, 1 outlot for detention and 1 outlot for future development on the 12.5 acre site located at 7300 Westown Parkway;

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 July 31, 2017, this Commission held a duly-noticed public meeting to consider the application for Preliminary Plat (PP-003494-2017);

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. PRELIMINARY PLAT (PP-003494-2017) to subdivide the property into create 2 commercial lots, 1 street lot, 1 outlot for detention and 1 outlot for future development, 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 July 31, 2017.

Craig Erickson, Chairperson
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 July 31, 2017 by the following vote:

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

ATTEST:

Recording Secretary

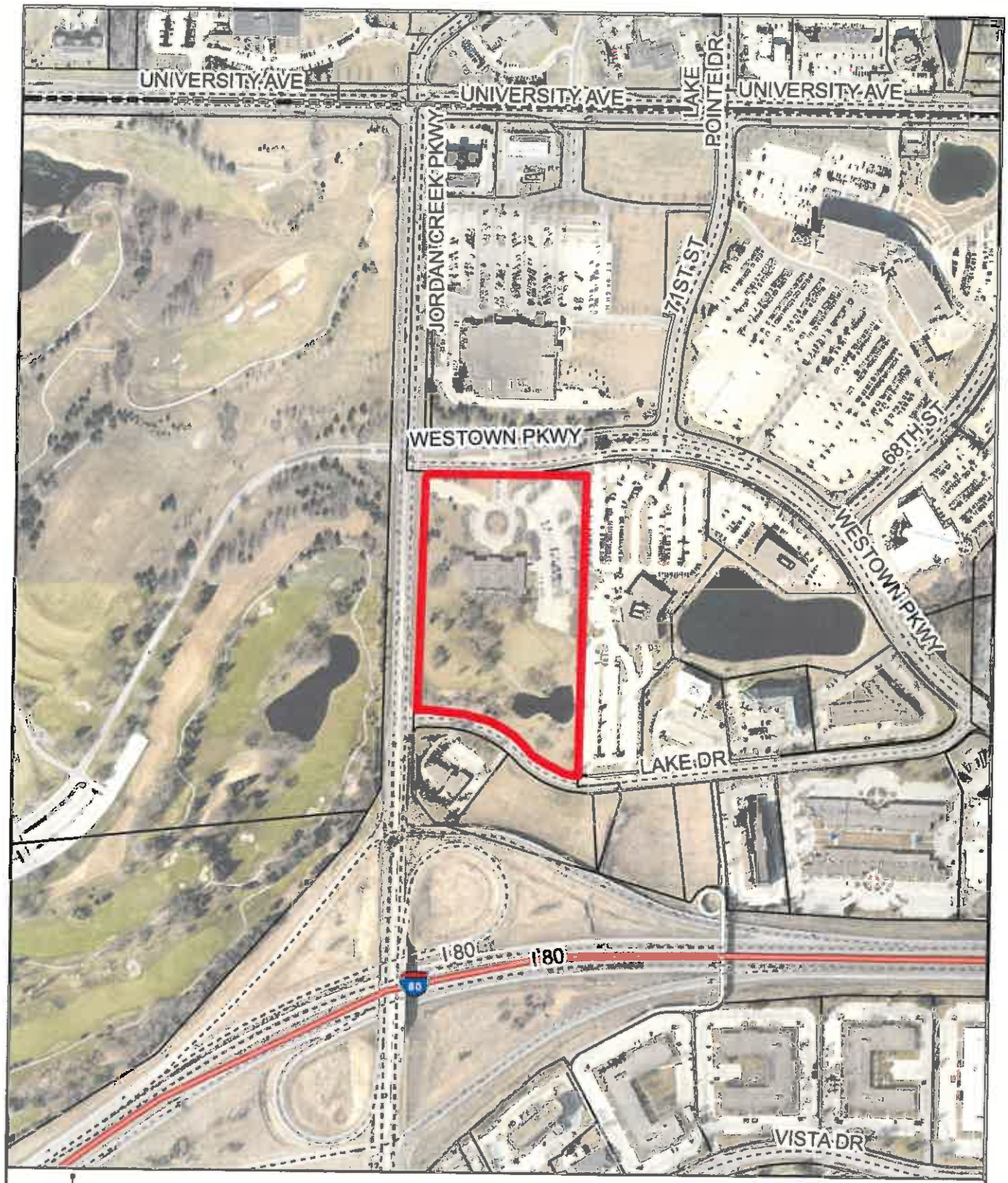
\\City.Wdm.Loc\Shared\Commdev___Development Projects\Continental Plaza\Continental Plaza Plat 2\Preliminary Plat\PP-003493-2017_SR_Continental Plza Plat 2_07-31-2017.Docx

Exhibit A
CONDITIONS OF APPROVAL

1. Applicant acknowledging that the associated Final Plat must be approved by the City and recorded with the County prior to the issuance of any building permits, including footing and foundation permits for any lot within the plat.

2. Applicant providing suitable access roads to the satisfaction of the City's Fire Marshal prior to issuance of any building permits for above ground construction.

ATTACHMENT B



THE CITY OF West Des Moines.

Continental Plaza Plat 2

N

S:___Development Projects\Continental Plaza\Continental Plaza Plat 2\Preliminary Plat\PP-003494-2017_SR_Continental Plza Plat 2_07-31-2017_PZ.Docx

ATTACHMENT C

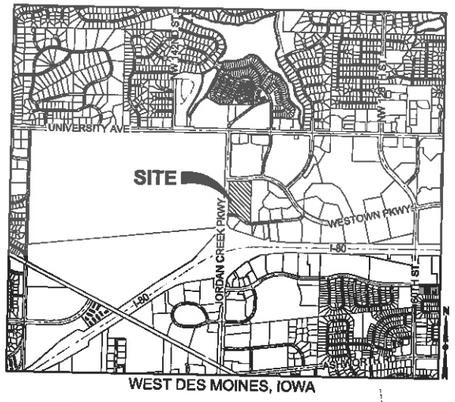
PRELIMINARY PLAT FOR:

CONTINENTAL PLAZA PLAT 2

WEST DES MOINES, IOWA

VICINITY MAP

NOT TO SCALE



WEST DES MOINES, IOWA

OWNER / DEVELOPER

PENTA PARTNERS LLC
5700 UNIVERSITY AVENUE, SUITE 220
WEST DES MOINES, IA 50266

ENGINEER / SURVEYOR

CIVIL DESIGN ADVANTAGE, LLC
3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH: 515-369-4400
FX: 515-369-4410
CONTACT: ERIN OLLENDIKE

ZONING

PCP – PROFESSIONAL COMMERCE PARK
LAND USE – OF

DATE OF SURVEY

MARCH 27, 2017

BENCHMARKS

WEST DES MOINES CITY BM#21, @ INTERSECTION OF JORDAN CREEK PARKWAY AND THE NORTH RAMP OF I-80, NORTHEAST CORNER OF INTERSECTION, 9.5 FEET WEST OF THE SOUTHEAST RIGHT-OF-WAY FENCE CORNER, 125 FEET EAST OF CENTERLINE OF JORDAN CREEK PARKWAY, IN PIPE TUBE, APPROXIMATELY 1.5 FEET DEEP.
ELEVATION=205.75

WEST DES MOINES CITY BM#97, @ INTERSECTION OF UNIVERSITY AVENUE AND JORDAN CREEK PARKWAY, SOUTHEAST CORNER OF INTERSECTION, 59.5 FEET EAST OF THE CENTERLINE OF JORDAN CREEK PARKWAY, 200 FEET SOUTH OF THE CENTERLINE OF UNIVERSITY AVENUE.
ELEVATION=198.63

ARROW ON HYDRANT 50 FEET +/- NORTH, 40 FEET +/- EAST OF THE NW CORNER OF BUILDING.
ELEVATION=208.64

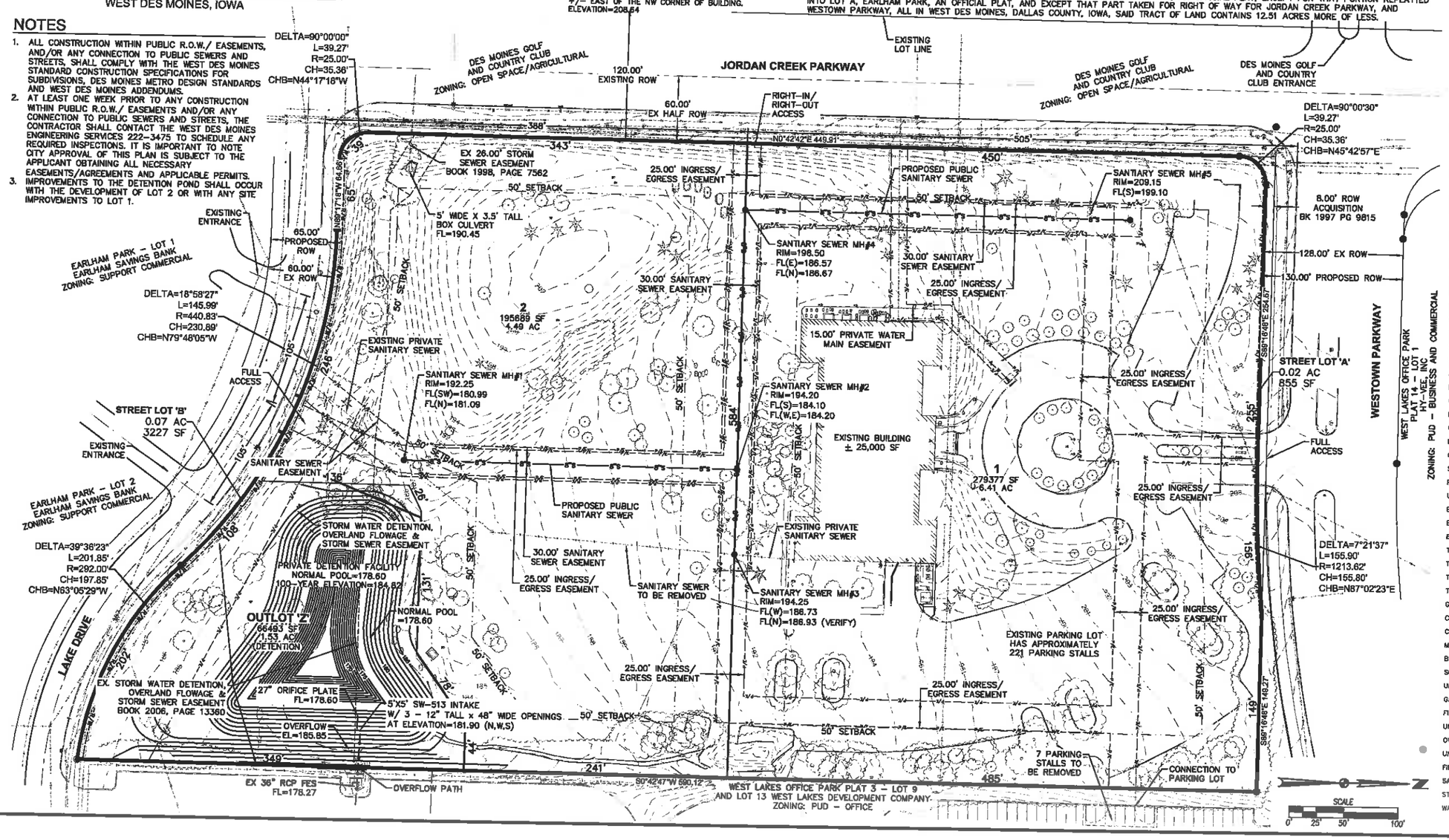
PLAT DESCRIPTION

SPECIAL WARRANTY DEED – BOOK 2017 PAGE 3746

LOT 1, CONTINENTAL PLAZA PLAT 1, AN OFFICIAL PLAT, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, EXCEPT A PARCEL OF LAND IN LOT 1, CONTINENTAL PLAZA PLAT 1, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE EASTERN MOST CORNER OF LOT 2, CONTINENTAL PLAZA PLAT 1; THENCE NORTHWESTERLY ALONG THE NORTH LINE OF SAID LOT 2 ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 292.89 FEET, AN ARC LENGTH OF 268.99 FEET, AND A CHORD BEARING OF NORTH 63°41'24" WEST, TO A POINT; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 435.83 FEET, AN ARC LENGTH OF 285.35 FEET, AND A CHORD BEARING OF SOUTH 71°14'34" EAST, TO A POINT; THENCE SOUTH 52°37'12" WEST, 41.10 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.088 ACRES MORE OR LESS; AND EXCEPT A PARCEL OF LAND IN LOT 1, CONTINENTAL PLAZA PLAT 1, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOW: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1, THENCE NORTHWESTERLY ALONG THE SOUTH LINE OF SAID LOT ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 243.36 FEET, AN ARC LENGTH OF 285.13 FEET, AND CHORD BEARING OF NORTH 64°08'58" WEST, TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY ALONG SAID SOUTH LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 292.89 FEET, AN ARC LENGTH OF 34.74 FEET, A CHORD BEARING OF NORTH 33°58'55" WEST, TO THE NORTHERN MOST CORNER OF LOT 3, CONTINENTAL PLAZA PLAT 1; THENCE NORTH 52°37'12" EAST, 41.10 FEET TO A POINT ON A CURVE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 435.83 FEET, AN ARC LENGTH OF 64.56 FEET, AND A CHORD BEARING OF SOUTH 48°14'45" EAST, TO A POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 297.00 FEET, AN ARC LENGTH OF 204.54 FEET, AND A CHORD BEARING OF SOUTH 63°49'35" EAST, TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE SOUTH 00°00'00" EAST, 39.26 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 0.363 ACRES MORE OF LESS, AND EXCEPT LAND DEEDED TO THE CITY OF WEST DES MOINES, AS RECORDED IN BOOK 849, PAGE 345 AND IN BOOK 1998, PAGE 8079, IN THE OFFICE OF THE DALLAS COUNTY RECORDER, THE DESCRIPTION ABOVE IS ALSO DESCRIBED AS LOT 1, CONTINENTAL PLAZA PLAT 1, AN OFFICIAL PLAT, EXCEPT FOR THAT PORTION REPLATTED INTO LOT A, EARLHAM PARK, AN OFFICIAL PLAT, AND EXCEPT THAT PART TAKEN FOR RIGHT OF WAY FOR JORDAN CREEK PARKWAY, AND WESTOWN PARKWAY, ALL IN WEST DES MOINES, DALLAS COUNTY, IOWA, SAID TRACT OF LAND CONTAINS 12.51 ACRES MORE OF LESS.

NOTES

1. ALL CONSTRUCTION WITHIN PUBLIC R.O.W./ EASEMENTS, AND/OR ANY CONNECTION TO PUBLIC SEWERS AND STREETS, SHALL COMPLY WITH THE WEST DES MOINES STANDARD CONSTRUCTION SPECIFICATIONS FOR SUBDIVISIONS, DES MOINES METRO DESIGN STANDARDS AND WEST DES MOINES ADDENDUMS.
2. AT LEAST ONE WEEK PRIOR TO ANY CONSTRUCTION WITHIN PUBLIC R.O.W./ EASEMENTS AND/OR ANY CONNECTION TO PUBLIC SEWERS AND STREETS, THE CONTRACTOR SHALL CONTACT THE WEST DES MOINES ENGINEERING SERVICES 222-3475 TO SCHEDULE ANY REQUIRED INSPECTIONS. IT IS IMPORTANT TO NOTE CITY APPROVAL OF THIS PLAN IS SUBJECT TO THE APPLICANT OBTAINING ALL NECESSARY EASEMENTS/AGREEMENTS AND APPLICABLE PERMITS.
3. IMPROVEMENTS TO THE DETENTION POND SHALL OCCUR WITH THE DEVELOPMENT OF LOT 2 OR WITH ANY SITE IMPROVEMENTS TO LOT 1.



LEGEND

FEATURES

PROPOSED

GROUND SURFACE CONTOUR
TYPE SW-501 STORM INTAKE
TYPE SW-503 STORM INTAKE
TYPE SW-505 STORM INTAKE
TYPE SW-506 STORM INTAKE
TYPE SW-513 STORM INTAKE
TYPE SW-401 STORM MANHOLE
TYPE SW-402 STORM MANHOLE
TYPE SW-301 SANITARY MANHOLE
STORM/SANITARY CLEANOUT
WATER VALVE
FIRE HYDRANT ASSEMBLY
SIGN
DETECTABLE WARNING PANEL
SANITARY SEWER WITH SIZE — 8"S
STORM SEWER — 15"ST
WATERMAIN WITH SIZE — 8"W

SURVEY	FOUND	SET
SECTION CORNER	▲	△
1/2" REBAR, YELLOW CAP #18660 (UNLESS OTHERWISE NOTED)	●	○
ROW MARKER	■	□
ROW RAIL		
MINIMUM 100 YEAR FLOOD PROTECTION ELEVATION	MPE	
CENTERLINE		
SECTION LINE		
1/4 SECTION LINE		
1/4 1/4 SECTION LINE		
EASEMENT LINE	P/A	
LOT LINE		
RIGHT OF WAY	R/W	
BUILDING SETBACK		
PLAT BOUNDARY		

EXISTING

GROUND SURFACE CONTOUR
SANITARY MANHOLE
WATER VALVE BOX
FIRE HYDRANT
WATER CURB STOP
WELL
STORM SEWER MANHOLE
STORM SEWER SINGLE INTAKE
STORM SEWER DOUBLE INTAKE
FLARED END SECTION
DECIDUOUS TREE
CONIFEROUS TREE
DECIDUOUS SHRUB
CONIFEROUS SHRUB
ELECTRIC POWER POLE
GUY ANCHOR
STREET LIGHT
POWER POLE W/ TRANSFORMER
UTILITY POLE W/ LIGHT
ELECTRIC BOX
ELECTRIC TRANSFORMER
ELECTRIC MANHOLE OR VAULT
TRAFFIC SIGN
TELEPHONE JUNCTION BOX
TELEPHONE MANHOLE/VAULT
TELEPHONE POLE
GAS VALVE BOX
CABLE TV JUNCTION BOX
CABLE TV MANHOLE/VAULT
MAIL BOX
BENCHMARK
SOIL BORING
UNDERGROUND TV CABLE — TV
GAS MAIN — G
FIBER OPTIC — FO
UNDERGROUND TELEPHONE — T
OVERHEAD ELECTRIC — OE
UNDERGROUND ELECTRIC — E
FIELD TILE — TILE
SANITARY SEWER W/ SIZE — 8"S
STORM SEWER W/ SIZE — 15"ST
WATER MAIN W/ SIZE — 8"W

REVISIONS	DATE
6TH SUBMITTAL	12/06/17
5TH SUBMITTAL	12/01/17
4TH SUBMITTAL	11/07/17
3RD SUBMITTAL	10/16/17
2ND SUBMITTAL	07/06/17
1ST SUBMITTAL	05/16/17

3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410
ENGINEER: EKO
TECH:
CIVIL DESIGN ADVANTAGE

CONTINENTAL PLAZA PLAT 2
PRELIMINARY PLAT
WEST DES MOINES, IOWA

1/1

1701.031

FILE: H:\2017\17031\DWG\17031-PRELIMINARY PLAT.DWG
DATE PLOTTED: 12/6/2017 11:07 AM
PLOTTED BY: JOE MURRAY
COMMENT: DES

EXHIBIT II

J. B. Munford 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 CONTINENTAL PLAZA PLAT 2 PRELIMINARY PLAT (PP-003494-2017) TO SUBDIVIDE THE PROPERTY INTO 2 COMMERCIAL LOTS, 1 STREET LOT, AND 1 OUTLOT FOR DETENTION

WHEREAS, pursuant to the provisions of Title 9, Zoning, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Penta Partners LLC, has requested approval of a Continental Plaza Plat 2 Preliminary Plat, (PP-003494-2017) for that property located at 7300 Westown Parkway and legally described below for the purpose of creating 2 commercial lots, 1 street lot and 1 outlot for detention on the 12.5 acre site.

Legal Description of Property

LOT 1, CONTINENTAL PLAZA PLAT 1, AN OFFICIAL PLAT, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, EXCEPT A PARCEL OF LAND IN LOT 1, CONTINENTAL PLAZA PLAT 1 THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERN MOST CORNER OF LOT 2, CONTINENTAL PLAZA PLAT 1: THENCE NORTHWESTERLY ALONG THE NORTH LINE OF SAID LOT 2 ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 292.69 FEET, AN ARC LENGTH OF 266.99 FEET, AND A CHORD BEARING OF NORTH 63'41'24" WEST, TO A POINT; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 435.63 FEET, AN ARC LENGTH OF 265.35 FEET, AND A CHORD BEARING OF SOUTH 71"14'34" EAST, TO A POINT; THENCE SOUTH 52'37'12" WEST, 41.10 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.088 ACRES MORE OR LESS; AND EXCEPT A PARCEL OF LAND IN LOT 1, CONTINENTAL PLAZA PLAT 1 THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1, THENCE NORTHWESTERLY ALONG THE SOUTH LINE OF SAID LOT ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 243.36 FEET, AN ARC LENGTH OF 285.13 FEET, AND CHORD BEARING OF NORTH 64'08'58" WEST, TO A POINT OF REVERSE CURVATURE: THENCE NORTHWESTERLY ALONG SAID SOUTH LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 292.89 FEET, AN ARC LENGTH OF 34.74 FEET, A CHORD BEARING OF NORTH 33'58'55" WEST, TO THE NORTHERN MOST CORNER OF LOT 3, CONTINENTAL PLAZA PLAT 1; THENCE NORTH 52'37'12" EAST, 41.10 FEET TO A POINT ON A CURVE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 435.83 FEET, AN ARC LENGTH OF 64.56 FEET, AND A CHORD BEARING OF SOUTH 4814'45" EAST, TO A POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 297.00 FEET, AN ARC LENGTH OF 204.54 FEET, AND A CHORD BEARING OF SOUTH 63"49'35" EAST, TO A POINT ON THE EAST LINE OF SAID LOT 1: THENCE SOUTH 00'00'00" EAST, 39.26 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 0.363

ACRES MORE OF LESS, AND EXCEPT LAND DEEDED TO THE CITY OF WEST DES MOINES, AS RECORDED IN BOOK 849, PAGE 345 AND IN BOOK 1998, PAGE 8079, IN THE OFFICE OF THE DALLAS COUNTY RECORDER, THE DESCRIPTION ABOVE IS ALSO DESCRIBED AS LOT 1, CONTINENTAL PLAZA PLAT 1, AN OFFICIAL PLAT, EXCEPT FOR THAT PORTION REPLATTED INTO LOT A, EARLHAM PARK, AN OFFICIAL PLAT, AND EXCEPT THAT PART TAKEN FOR RIGHT OF WAY FOR JORDAN CREEK PARKWAY, AND WESTOWN PARKWAY, ALL IN WEST DES MOINES, DALLAS COUNTY, IOWA, SAID TRACT OF LAND CONTAINS 12.51 ACRES MORE OF LESS.

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 July 31, 2017, the Plan and Zoning Commission did recommend to the City Council approval of the Preliminary Plat for Continental Plaza Plat 2 (PP-003494-2017);

WHEREAS, on, December 11, 2017, this City Council held a duly-noticed meeting to consider the application for the Preliminary Plat for Continental Plaza Plat 2 (PP-003494-2017);

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

SECTION 1. The findings, for approval, stated in the staff report, dated December 11, 2017, or as amended orally at the City Council meeting of December 11, 2017, are adopted.

SECTION 2. Continental Plaza Plat 2 Preliminary Plat (PP-003494-2017) to for the purpose of creating 2 commercial lots, 1 street lot and 1 outlot for detention on the 12.5 acre is approved, subject to compliance with all the conditions in the staff report, dated December 11, 2017, including conditions added at the meeting, 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.

PASSED AND ADOPTED on December 11, 2017

_____
Steve Gaer
Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on December 11, 2017, by the following vote:

ATTEST:

_____
Ryan T. Jacobson
City Clerk

S:___Development Projects\Continental Plaza\Continental Plaza Plat 2\Preliminary Plat\PP-003494-2017_SR_Continental Plza Plat 2_12-11-2017_CC.docx

Exhibit A
Conditions of Approval

1. Applicant acknowledging that the associated Final Plat must be approved by the City and recorded with the County prior to the issuance of any building permits, including footing and foundation permits for any lot within the plat.

2. Applicant providing suitable access roads to the satisfaction of the City's Fire Marshal prior to issuance of any building permits for above ground construction.

3. Applicant acknowledging and agreeing that the 1 acre outlot on the preliminary plat presented to the Plan and Zoning Commission on July 31, 2017 is not a part of this approval and will not be included on the final plat.
4. Applicant acknowledging that when development is proposed on the 1 acre outlot area, the applicant would go through the appropriate approval procedures and comply with the related development requirements at that time.