CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: June 11, 2018

ITEM: Grey Hawk Business Park Plat 1, 901 S. 50th Street – Subdivide Property into two lots for Professional Commerce Park development – JM Commercial Holdings – FP-003890-2018

RESOLUTION: Approval and Release of Final Plat

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, JM Commercial Holdings, with permission from the property owner Hy-Vee Inc., is requesting approval of a Final Plat for approximately 4.757acres located at 901 S. 50th Street. The applicant proposes to subdivide the property into two lots for Professional Commerce Park development and one street lot (see Attachment B – Location Map and Attachment C – Final Plat)

CITY COUNCIL SUBCOMMITTEE: This item was presented to the Development and Planning City Council Subcommittee on April 16, 2018, as an informational item.

OUTSTANDING ISSUES: There are no outstanding issues. The condition of approval allowing the performance bond to be delivered after the staff report writing is based upon staff conversations with the applicant and bonding company and comfortable that the bond is in progress. Also, the applicant has had to extend his purchase agreement before; staff is comfortable with trying to avoid having the applicant in the position to do it again.

As part of this approval, the City Council is approving and accepting the following:

- Storm Sewer Easement and Temporary Turn-Around Easement
- Storm Water Facility Maintenance Agreement and Covenants
- Deed for Street Lot A
- Surety in lieu of construction of public improvement and sidewalks

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.

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 and release the Final Plat, Grey Hawk Business Park Plat 1, creating two lots for Professional Commerce Park development and one lot for dedication to the City for a public street, subject to the applicant complying with all applicable City Code requirements and the following:

1. Providing surety for public improvements, prior to the final plat being recorded.

Lead Staff Member: Kara V. Tragesser, AICP KVT

STAFF REVIEWS:

Department Director	
Appropriations/Finance	
Legal	JBW
Agenda Acceptance	

PUBLICATION(S) (if applicable)

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

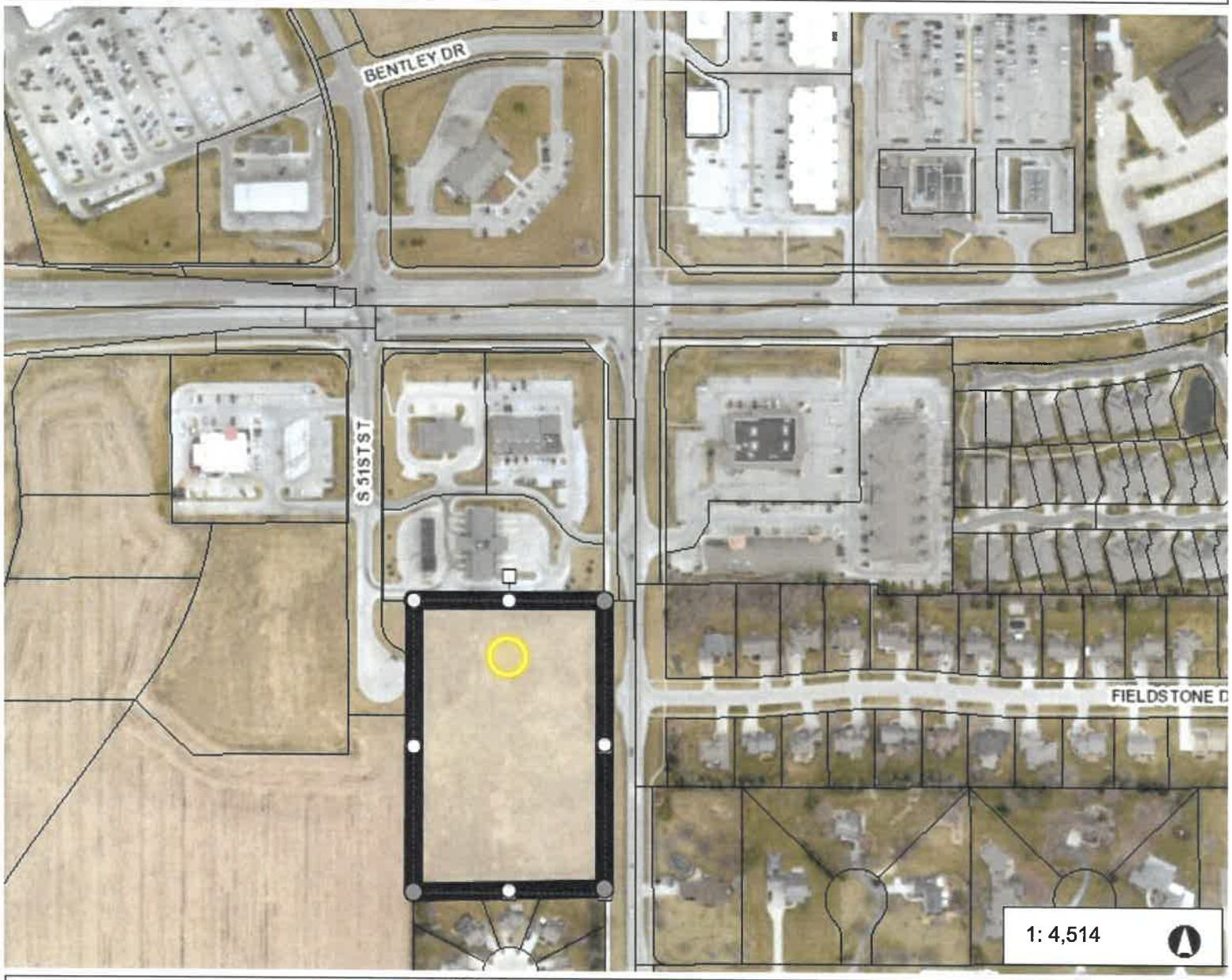
SUBCOMMITTEE REVIEW (if applicable)

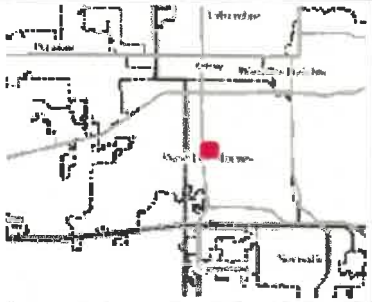
Committee	Development & Planning		
Date Reviewed	April 30, 2018		
Recommendation	Yes X	No ☐	Split ☐

ATTACHMENTS:

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

Grey Hawk Business Park Plat 1





Legend

- Corporate Limits
- Parcels

752.3 0 376.17 752.3 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

© City of West Des Moines, Iowa

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

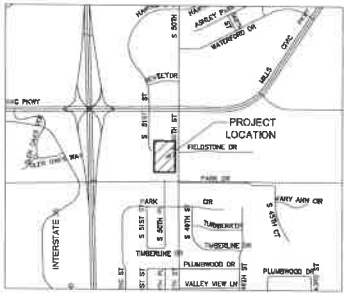
INDEX LEGEND	
LOCATION	SE 1/4 SE 1/4 OF SECTION 18, TOWNSHIP 78 NORTH, RANGE 25 WEST
REQUESTOR	JM COMMERCIAL HOLDINGS, LLC
PROPRIETOR	HY VEE INC
SURVEYOR	MURRAY B. BERTING
SURVEY	SHIVE-HATTERY
COMPANY	4125 Westown Pkwy, Suite 100, West Des Moines, Iowa 50266
RETURN TO	–

GREY HAWK BUSINESS PARK PLAT 1

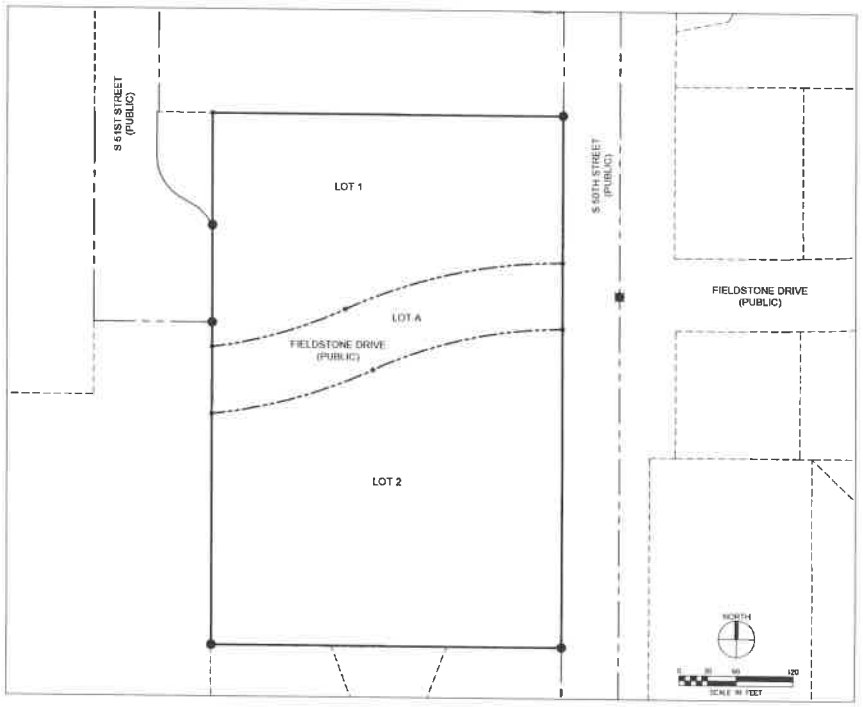
FINAL PLAT

WEST DES MOINES, IA

THIS SPACE RESERVED FOR RECORDER'S USE



VICINITY MAP
1" = 1000'



SHEET LIST

Sheet Number	Sheet Title
1 OF 2	COVER SHEET
2 OF 2	LAYOUT

PROPERTY OWNER

HY VEE INC
ATTN: DENNIS AUSENHUS
5820 WESTOWN PKWY
WEST DES MOINES, IA 50266

ENGINEER

SHIVE-HATTERY, INC.
ATTN: MONICA CONVERSE
4125 WESTOWN PARKWAY, SUITE 100
WEST DES MOINES, IA 50266
PHONE: 515-223-8104
EMAIL: MCONVERSE@SHIVE-HATTERY.COM

APPLICANT

JM COMMERCIAL HOLDINGS, LLC
ATTN: MATTHEW GUSTAFSON
MATTHEW.G@JMCOMMERCIALHOLDINGS.ORG
1050 OLSEN DRIVE SUITE 1
WAUKEE, IOWA, 50263
ATTN: (515) 987-5500

SURVEYOR

SHIVE-HATTERY, INC.
ATTN: MURRAY BERTING
4125 WESTOWN PARKWAY
WEST DES MOINES, IA 50266
PHONE: 515-223-8104
EMAIL: MBERTING@SHIVE-HATTERY.COM

ZONING

EXISTING - PUD PROFESSIONAL COMMERCE PARK (PCP)
PROPOSED - PUD PROFESSIONAL COMMERCE PARK (PCP)

COMPREHENSIVE PLAN

EXISTING - OFFICE (OF)
PROPOSED - OFFICE (OF)

BENCHMARKS

WDM BENCHMARK #004- SOUTH 35TH STREET AT THE NORTH ENTRANCE TO SOUTHWOODS PARK, 125.5 FEET± EAST OF THE EAST BACK OF CURBS OF SOUTH 35TH STREET, 25.6 FEET SOUTH OF ENTRANCE ROAD. STANDARD BENCHMARK

ELEVATION = 110.81 CITY DATUM (893.82 NAVD88)

WDM BENCHMARK #145 - NORTHWEST CORNER OF S 60TH STREET AND MILLS CIVIC PARKWAY, 1.5 FEET SOUTH OF EAST/WEST SIDEWALK, 4.0 FEET EAST OF RAMP/SIDEWALK, DUE NORTH OF CRACK IN PAVEMENT OF WESTBOUND LANE OF MILLS CIVIC PARKWAY. STANDARD BENCHMARK

ELEVATION = 201.08 CITY DATUM (975.09 NAVD88)

FLOOD PLAIN NOTE

ACCORDING TO THE FLOOD INSURANCE RATE MAP - PANEL NUMBER 19023100115C BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND WITH AN EFFECTIVE DATE OF FEBRUARY 18, 2006. THIS SITE APPEARS TO BE LOCATED IN ZONE "X" (AREAS TO BE OUTSIDE 500 YEAR FLOOD PLAIN.). TO THE BEST OF THE SURVEYOR'S KNOWLEDGE AND BELIEF. THE SURVEYOR UTILIZED THE ABOVE REFERENCED FLOODPLAIN PANEL FOR THIS DETERMINATION; FURTHERMORE, THE SURVEYOR DOES NOT CERTIFY THAT REVISED FLOODPLAIN INFORMATION HAS NOT BEEN PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY OR SOME OTHER SOURCE.

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 18, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., WEST DES MOINES, POLK COUNTY, IOWA CURRENTLY KNOW AS LOT 1 GREY HAWK PLAT 1, AN OFFICIAL PLAT INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 GREY HAWK PLAT NO. 1, AN OFFICIAL PLAT;
THENCE ALONG THE EAST LINE OF SAID LOT 1 SOUTH 00°03'15" WEST, A DISTANCE OF 559.68 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1;
THENCE ALONG THE SOUTH LINE OF SAID LOT 1 NORTH 89°57'57" WEST, A DISTANCE OF 399.95 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1;
THENCE ALONG THE WEST LINE OF SAID LOT 1 NORTH 00°02'58" EAST, A DISTANCE OF 560.13 FEET TO THE NORTHWEST CORNER OF LOT 1 GREY HAWK PLAT NO. 1;
THENCE ALONG THE NORTH LINE OF SAID LOT 1 SOUTH 89°55'38" EAST, A DISTANCE OF 370.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4.757 ACRES (207,189 SQUARE FEET) MORE OR LESS AND IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

LOT ADDRESSES

LOT 1 = 901 S. 50TH STREET
LOT 2 = 935 S. 50TH STREET

NOTES

ALL BEARINGS ARE BASED ON AN ASSUMED MERIDIAN FOR COMPUTATION PURPOSES.
THE BASIS OF BEARING FOR THIS DESCRIPTION, ASSUMED THE EAST LINE OF LOT 1 GREY HAWK PLAT 1 AS SOUTH 00°03'15" WEST.

I, MURRAY BERTING, A LICENSED LAND SURVEY IN THE STATE OF IOWA, CERTIFY THAT THE ERROR OF CLOSURE IS WITHIN THE ALLOWABLE LIMITS OF 1:10,000 FOR THE PLAT BOUNDARY AND 1:5,000 FOR INDIVIDUAL LOTS. THE ERROR OF CLOSURE FOR "GREY HAWK BUSINESS PARK PLAT 1" PLAT BOUNDARY IS 1:1,074,881.

LAND SURVEYOR

LICENSED LAND SURVEYOR
MURRAY B. BERTING
13148
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 LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA

8-5-2018

Printed or Typed Name: MURRAY B. BERTING
License Number: 13148
My License Renewal Date is: DECEMBER 31, 2019
PAGES, SHEETS OR DIVISIONS COVERED BY THIS SEAL:
ALL SHEETS

SHIVEHATTERY
ARCHITECTURE + ENGINEERING
4125 Westown Pkwy, Suite 100 | West Des Moines, Iowa 50266
515.223.8104 | fax 515.223.8022 | www.shive-hattery.com
Iowa | Illinois | Indiana

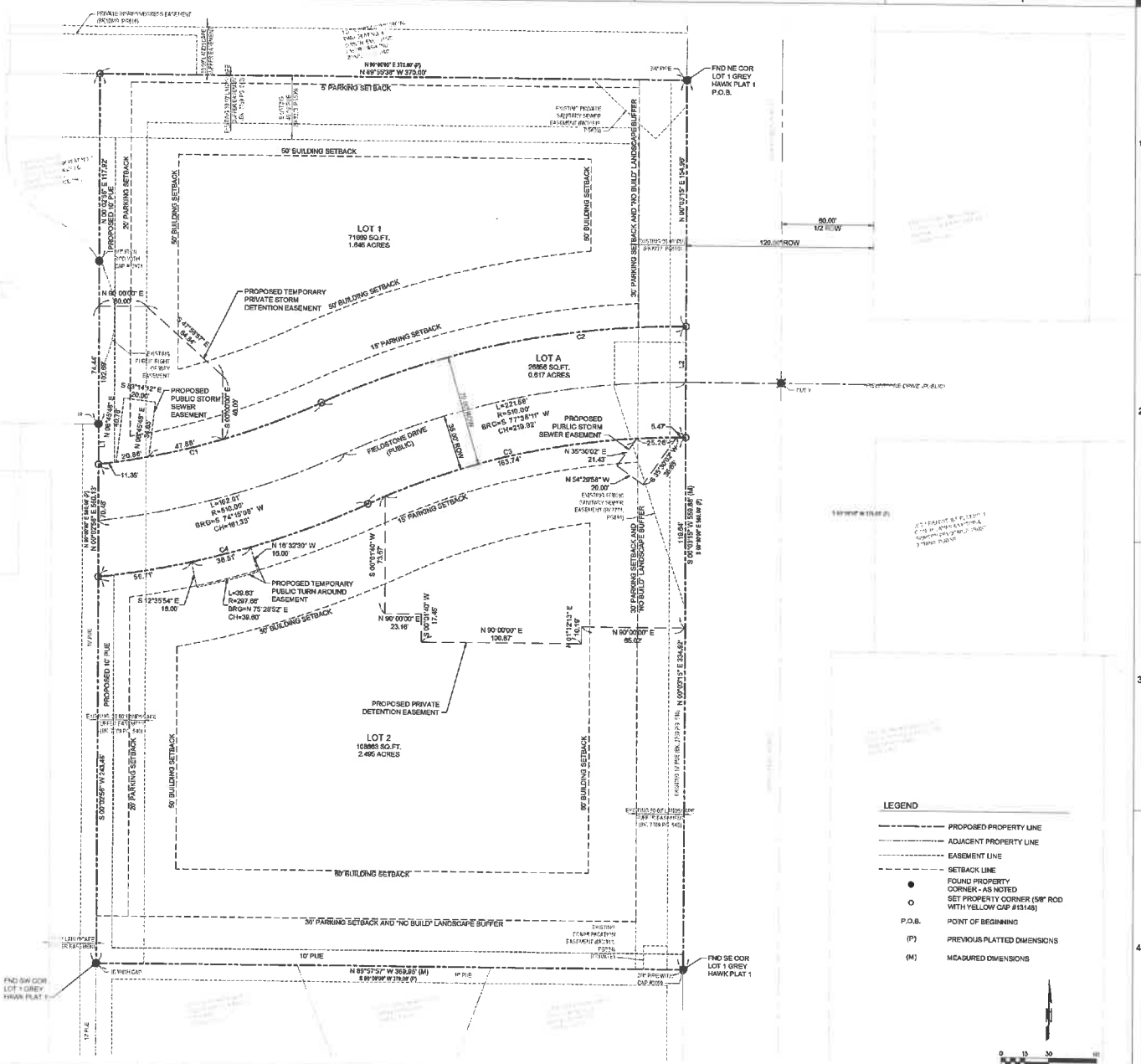
GREY HAWK BUSINESS PARK PLAT 1

JM COMMERCIAL HOLDINGS, LLC
WEST DES MOINES, IA

1 | 05/09/2018

EXHIBIT II

GREY HAWK BUSINESS PARK PLAT 1



LINE TABLE		
LINE	LENGTH	DIRECTION
L1	25.58'	N 00°05'40" W
L2	70.00'	N 00°03'15" E

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BRG	CHORD
C1	146.78'	475.00	S 74°00'19" W	146.19
C2	236.87'	545.00'	S 77°36'11" W	235.01
C3	206.45'	475.00'	N 77°36'11" E	204.82
C4	177.23'	545.00	N 74°28'08" E	176.45

SHIVEHATTERY
ARCHITECTURE + ENGINEERING
4125 Westown Pkwy, Suite 100 | West Des Moines, Iowa 50266
515.224.1900 | FAX: 515.224.1902 | www.shivehattery.com
Iowa | Illinois | Indiana

GREY HAWK BUSINESS PARK PLAT 1

JM COMMERCIAL HOLDINGS, LLC
WEST DES MOINES, IA

DRAWN: DNR
APPROVED: MRB
ISSUED FOR: CITY SUBMITTAL
DATE: 05/09/2018
PROJECT NO.: A172261
FIELD BOOK: —
CLIENT NO.: —

FINAL PLAT - LAYOUT

2 OF 2

EXHIBIT III

Prepared by: K Tragesser, 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 GREY HAWK BUSINESS PARK PLAT 1 TO SUBDIVIDE THE PROPERTY INTO TWO LOTS FOR PROFESSIONAL COMMERCE PARK DEVELOPMENT AND ONE LOT FOR PUBLIC STREET

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, JM Commercial Holdings, with permission from the property owner, Hy-Vee, Inc., has requested approval for a Final Plat (FP-003890-2018) for approximately 4.757acres located on the west side of S. 50th Street at Fieldstone Drive to subdivide the property into two lots for Professional Commerce Park development and one lot for a public street for property legally described as:

Legal Description

See Exhibit B – Legal Description

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, the West Des Moines Plan and Zoning Commission reviewed the Preliminary Plat for Grey Hawk Business Park Plat 1 and recommended approval on April 23, 2018;

WHEREAS, the Final Plat that was submitted for review was determined to be generally consistent with the Preliminary Plat for Grey Hawk Business Park Plat 1 that was reviewed and approved by the City Council on April 30, 2018;

WHEREAS, on June 11, 2018, this City Council held a duly-noticed meeting to consider the application for Grey Hawk Business Park Plat 1 Final Plat;

WHEREAS, the City Council accepts a Storm Sewer Easement, Temporary Turn-Around Easement, Storm Water Facility Maintenance Agreement and Covenants, Deed for Public Street Lot A, and Surety in lieu of construction of public improvement and sidewalks;

WHEREAS, Grey Hawk Business Park Plat 1 is zoned Wirtz Property Planned Unit Development (Professional Commerce park) and meets all requirements of the City's Zoning Code;

WHEREAS, the address for Lot 1 is 901 S. 50th Street and the address for Lot 2 is 935 S. 50th Street;

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, or as amended orally at the City Council meeting, are adopted.

SECTION 2. Final Plat, Grey Hawk Business Park Plat 1, is approved, subject to compliance with all the conditions in the staff report, including conditions added at the Hearing, 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 releases the Grey Hawk Business Park Plat 1 Final Plat for recordation. The City Council of West Des Moines directs the City Clerk to release said plat for recordation in accordance with said City Council approval of the final plat on June 11, 2018, and Roll Call No. _____.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of June 2018.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk

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 June 11, 2018, among other proceedings, Roll Call No. _____ approved said plat on June 11, 2018, and released said Final Plat for recordation.

Exhibit A
Conditions of Approval

1. Providing surety for public improvements, prior to the final plat being recorded.

Exhibit B
Legal Description

LEGAL DESCRIPTION

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