CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: August 5, 2019

ITEM: King's Grove Townhomes Plat 1, 9975 Booneville Rd – Subdivide the property into 30 footprint lots and 1 outlot for a townhome development – King's Grove LLC.
– FP-004109-2018

RESOLUTION: Acceptance of Surety and Approval and Release of Final Plat

FINANCIAL IMPACT: Undetermined.

BACKGROUND: King's Grove LLC, represented by Erin Ollendike of Civil Design Advantage, is requesting approval of an 11.68 acre Final Plat to create 30 footprint lots and 1 outlot for future development, private drives, common use and storm water detention.

CITY COUNCIL SUBCOMMITTEE: This item was presented to the Development and Planning City Council Subcommittee on June 11, 2018, as an informational item only. No discussion was had and no disagreement with the proposal was expressed.

OUTSTANDING ISSUES: There are no outstanding issues. The applicant has stated that they are in agreement with all of staff's recommendations and conditions. Staff would note the following items of interest:

- *Ingress/Egress to allow Public Vehicles to use a Private Drive*: The Preliminary Plat and Site Plan for this development was approved by the City Council on October 15, 2018 (Case numbers: PP-003926-2018/SP-003927-2018). The development is proposed to be a private street development. However, one of its points of access is from Stark Drive, which is a public street. The applicant is proposing to extend a private drive from the public Stark Drive's current terminus point, west into the townhome development. The extension is linear in nature, would not provide a turnaround for public service vehicles, and would not have a clear demarcation of where the private drive begins. To resolve this issue, the applicant vacating approximately 150 feet of Stark Drive, west of S 100th Street was a condition of approval for the Preliminary Plat/ Site Plan.

  The applicant applied to vacate Stark Drive, but did not want to purchase the property from the City once it was vacated. The application was withdrawn and staff and the applicant came to an agreement that King's Grove LLC would give the city an Ingress-Egress Easement that would allow city vehicles and other large service vehicles permission to drive through King's Grove in order to get to Boonville Rd. That agreement has been submitted and is a part of the legal documents that are up for approval and acceptance tonight.

Staff would also note that as part of this approval, Council is approving and accepting the following:

- Public improvements associated with the construction of sewers within the plat boundaries;
- Surety in lieu of public improvements associated with the construction of sidewalks, including all appurtenances associated with said improvements;
- Surety for the installation of landscape buffers required of the development;
- Legal documents to establish public easements for Ingress/Egress, Public Utility and Sanitary Sewer;
- Parkland Dedication Agreement which specifies improvements required of the development;
- Storm Water Management Maintenance Facility Covenant and Permanent Easement Agreement for this property;

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 the Final Plat, King's Grove Townhomes Plat 1 to establish 30 footprint lots and 1 outlot for a townhome development , subject to the applicant complying with all applicable City Code requirements.

Lead Staff Member: J. Bradley Munford

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	JDS
Agenda Acceptance	KM

PUBLICATION(S) (if applicable)

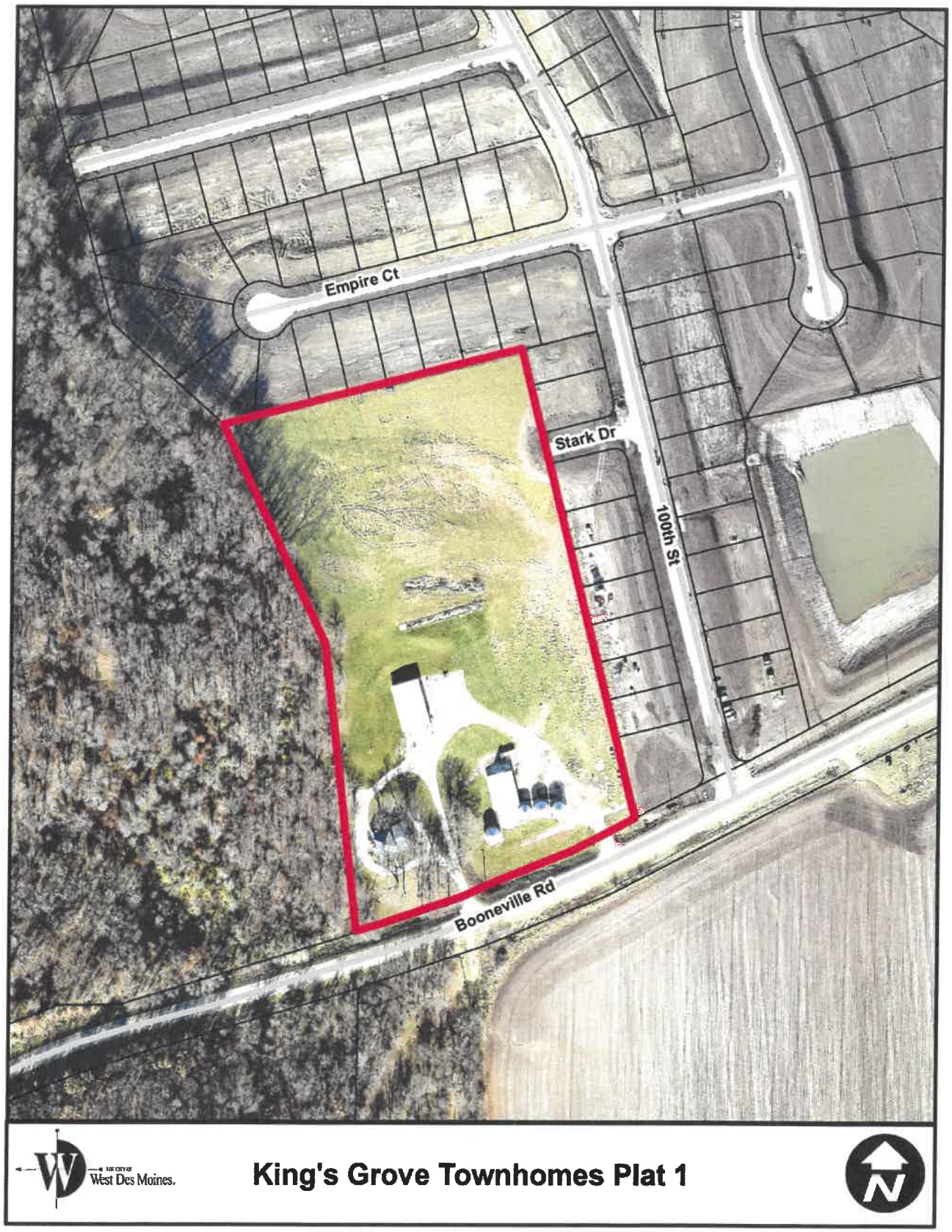
Published In	n/a	
Date(s) Published	n/a	
Letter sent to surrounding property owners		n/a

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	June 11, 2018		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

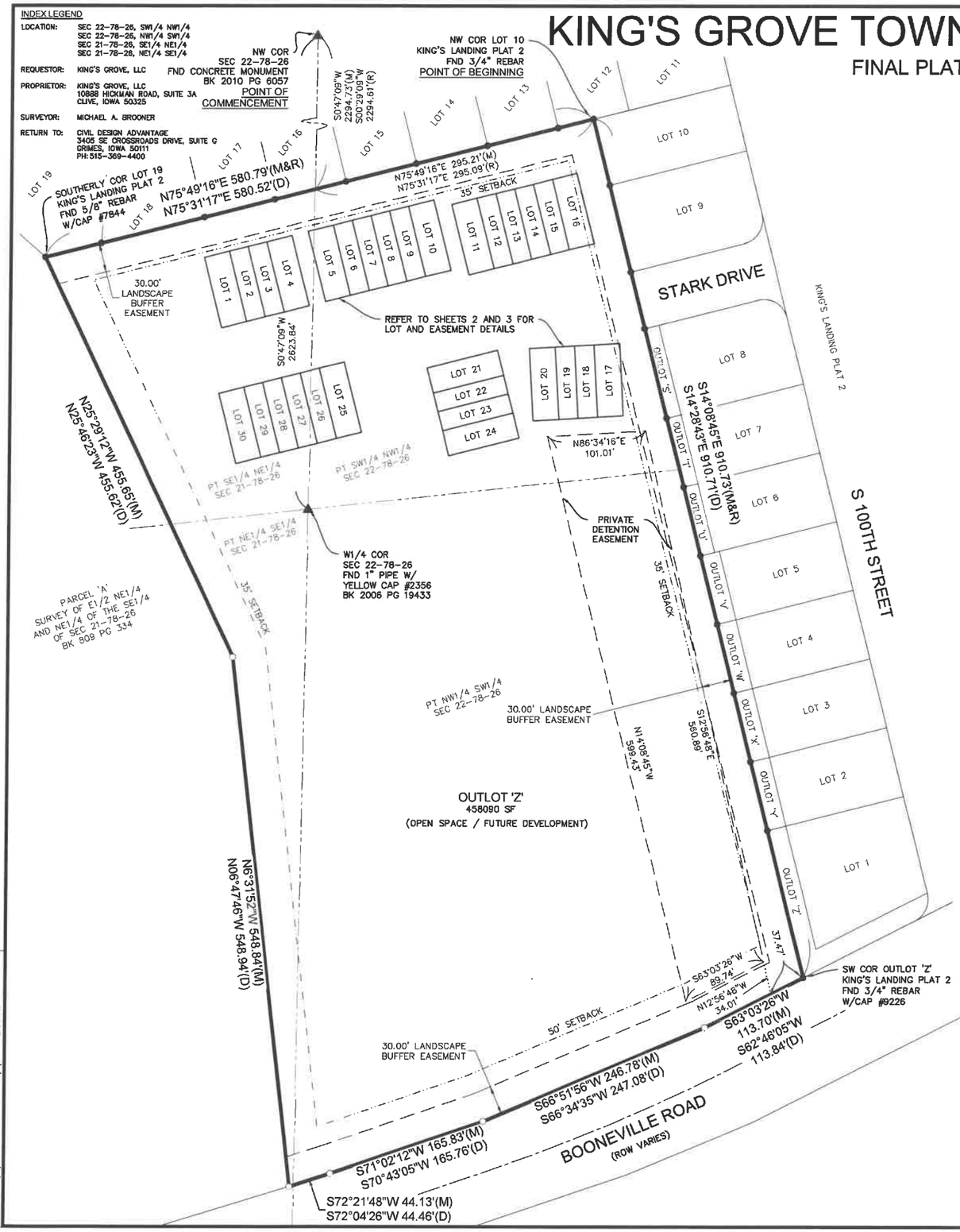
Exhibit I - Location Map
Exhibit II - Final Plat
Exhibit III - Resolution: Accepting Public Improvements and Approval and Release of Final Plat
Exhibit A - Legal Description
Exhibit B - Conditions of Approval


Empire Ct
Stark Dr
100th St
Booneville Rd
THE CITY OF
West Des Moines.
King's Grove Townhomes Plat 1

KING'S GROVE TOWNHOMES PLAT 1

FINAL PLAT

EXHIBIT II



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FILE DATE: 7/2/19 DATE PLOTTED: 8/1/2019 12:54 PM

OWNER / DEVELOPER

KING'S GROVE, LLC
CONTACT: BRAD STANBROUGH
10888 HICKMAN ROAD, SUITE 3A
CLIVE, IOWA 50325
PH. (515) 202-3030

ENGINEER / SURVEYOR

CIVIL DESIGN ADVANTAGE
3405 SE CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111

DATE OF SURVEY

MAY 25, 2018

COMPREHENSIVE PLAN LAND USE

MEDIUM DENSITY RESIDENTIAL

ZONING

RM-12 - RESIDENTIAL MEDIUM DENSITY

BULK REGULATIONS

SETBACKS:

FRONT:	= 50'
SIDE:	= 15'
REAR:	= 35'
BUILDING SEPARATION:	= 30'

AREA SUMMARY

PT NE1/4 SE1/4 SEC 21-78-26	=	0.86 ACRES
PT SE1/4 NE1/4 SEC 21-78-26	=	1.51 ACRES
PT SW1/4 NW1/4 SEC 22-78-26	=	2.70 ACRES
PT NW1/4 SW1/4 SEC 22-78-26	=	6.61 ACRES
TOTAL	=	11.68 ACRES

CURVE DATA

CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	20°31'33"	276.00'	98.87'	S86°07'01"W	98.35'
C2	3°40'09"	276.00'	17.68'	N79°40'20"W	17.67'
C3	26°18'30"	174.00'	79.89'	S89°00'30"W	79.19'
C4	26°18'30"	184.00'	84.49'	N89°00'30"E	83.75'
C5	26°18'30"	266.00'	122.14'	N89°00'30"E	121.07'
C6	26°18'30"	238.00'	109.28'	N89°00'30"E	108.32'
C7	26°18'30"	212.00'	97.34'	N89°00'30"E	96.49'
C8	13°45'29"	222.00'	53.31'	S82°43'59"W	53.18'
C9	9°52'36"	222.00'	38.27'	N82°46'34"W	38.22'
C10	22°52'40"	228.00'	91.04'	N89°16'35"W	90.43'
C11	0°54'56"	228.00'	3.64'	S76°18'43"W	3.64'
C12	1°22'04"	288.00'	6.88'	S78°31'18"E	6.88'
C13	26°18'30"	228.00'	104.69'	N89°00'30"E	103.77'
C14	26°18'30"	222.00'	101.93'	N89°00'30"E	101.04'
C15	26°18'30"	162.00'	74.38'	S89°00'30"W	73.73'

LEGEND

	FOUND	SET
SECTION CORNER AS NOTED	▲	△
1/2" REBAR, YELLOW CAP #18660 (UNLESS OTHERWISE NOTED)	●	
1/2" REBAR, YELLOW CAP #15980 (UNLESS OTHERWISE NOTED)		○
MEASURED BEARING & DISTANCE	M	
RECORDED BEARING & DISTANCE	R	
DEEDED BEARING & DISTANCE	D	
PUBLIC UTILITY EASEMENT	P.U.E.	
CURVE ARC LENGTH	AL	
LOT ADDRESS	(1234)	
CENTERLINE		
SECTION LINE		
EASEMENT LINE		
BUILDING SETBACK LINE		
PLAT BOUNDARY		

N

SCALE
0' 30' 60' 120'
1" = 60' (FULL SIZE)

PLAT DESCRIPTION

WARRANTY DEED: BOOK 2018, PAGE 8674

A PARCEL OF LAND IN THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4 OF SECTION 21 AND THE NW 1/4 OF THE SW 1/4 AND THE SW1/4 OF THE NW 1/4 OF SECTION 22, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NW CORNER OF SAID SECTION 22; THENCE S00°29'09"W 2294.61 FEET ALONG THE WEST LINE OF SAID SECTION 22 TO A POINT; THENCE N75°31'17"E, 295.09 FEET TO THE POINT OF BEGINNING; THENCE S14°28'43"E, 910.71 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BOONEVILLE ROAD; THENCE S62°46'05"W, 113.84 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT; THENCE S66°34'35"W, 247.08 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT; THENCE S70°43'05"W, 165.76 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT; THENCE S72°04'26"W, 44.46 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT; THENCE N06°47'46"W, 548.94 FEET TO A POINT; THENCE N25°46'23"W, 455.62 FEET TO A POINT; THENCE N75°31'17"E, 580.52 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.680 ACRES MORE OR LESS.

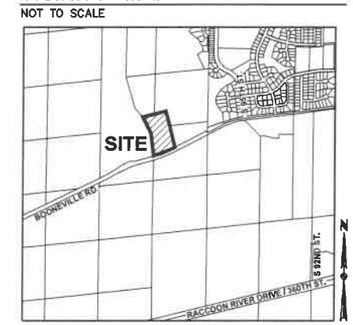
SUBJECT TO ALL COVENANTS, RESTRICTION AND EASEMENTS OF RECORD.

NOTES

1. INDIVIDUAL PROPERTY OWNERS MAY BE RESPONSIBLE FOR THE CONSTRUCTION OF SIDEWALKS ON THEIR PROPERTY. PRIOR TO CONSTRUCTION OF ANY SIDEWALKS REFER TO THE PROJECT CONSTRUCTION DRAWINGS AND CONFIRM WITH CITY THE LOCATION, WIDTH AND ELEVATION OF SIDEWALKS.
2. ANY SET MONUMENTATION SHOWN ON THIS PLAT WILL BE COMPLETED WITHIN ONE YEAR FROM THE DATE THIS PLAT WAS RECORDED.
3. THE ERROR OF CLOSURE FOR THIS PLAT IS WITHIN ALLOWABLE LIMITS (1:10,000 FOR SUBDIVISION BOUNDARY, 1:5,000 FOR INDIVIDUAL LOTS).
4. ALL BEARINGS ARE BASED ON AN ASSUMED MERIDIAN FOR COMPUTATION PURPOSES.
5. OUTLOT 'Z' IS UNBUILDABLE
6. ALL BUILDINGS HAVE AN ADDRESS OF 1590 S. KING'S GROVE AVENUE.
7. LOTS MAY BE SUBJECT TO MINIMUM PROTECTION ELEVATIONS AND OTHER ELEVATION RESTRICTIONS NOT SHOWN ON THIS PLAT. REFER TO THE APPROVED PROJECT ENGINEERING DOCUMENTS FOR ANY ELEVATION RESTRICTIONS.

VICINITY MAP

NOT TO SCALE



WEST DES MOINES, IOWA

LICENSED PROFESSIONAL LAND SURVEYOR
MICHAEL A. BROONER
15980
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.

MICHAEL A. BROONER, P.L.S. DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020
PAGES OR SHEETS COVERED BY THIS SEAL:
SHEETS 1-3

REVISIONS	DATE
FINAL SUBMITTAL	07/02/
FIRST SUBMITTAL	10/22/18

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

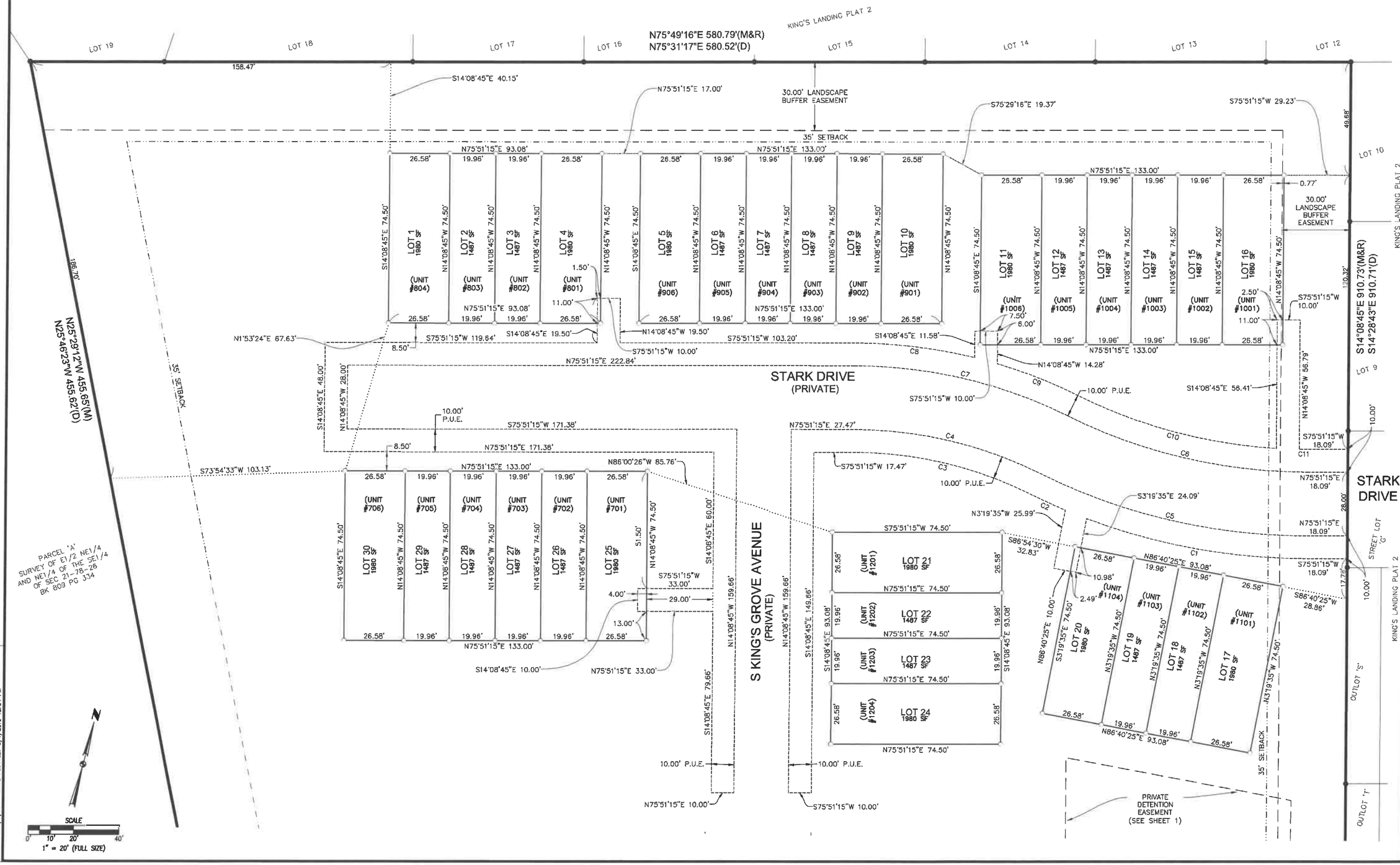
KING'S GROVE TOWNHOMES PLAT 1
FINAL PLAT
WEST DES MOINES, IOWA

1/3

1801.001

KING'S GROVE TOWNHOMES PLAT 1

FINAL PLAT



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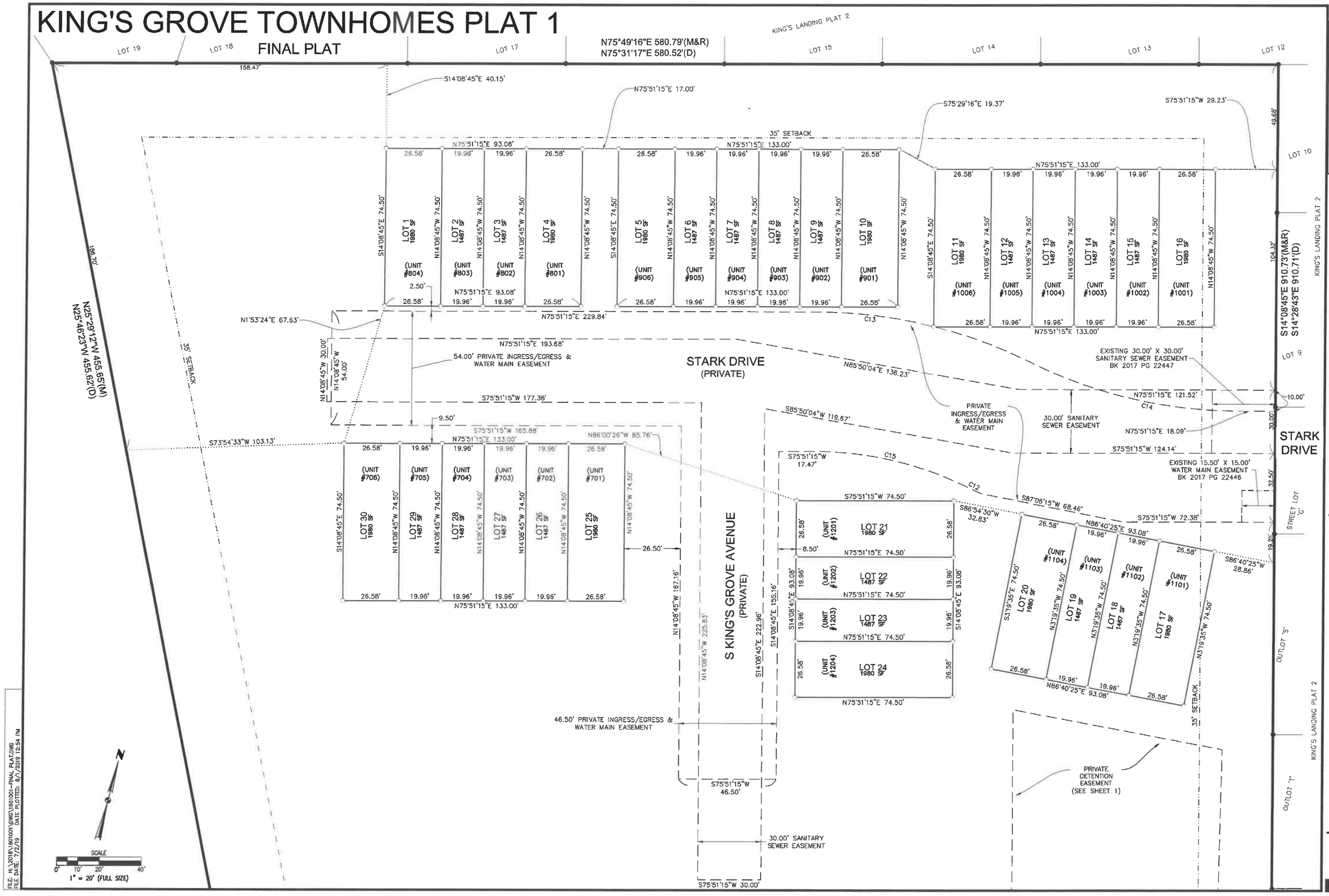

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FINAL PLAT
WEST DES MOINES, IOWA

1801.001

EXHIBIT III

Prepared by: J. B. Munford, 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, ACCEPTING SURETY IN LIEU OF PUBLIC IMPROVEMENTS AND APPROVING AND RELEASING THE FINAL PLAT KING'S GROVE TOWNHOMES PLAT 1 (FP-004109-2018) FOR THE PURPOSE OF CREATING 30 FOOTPRINT LOTS AND 1 OUTLOT FOR A TOWNHOME DEVELOPMENT

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, King's Grove LLC has requested approval for a Final Plat(FP-004109-2018) for that 11.68 acre site located at 9975 Booneville Rd for the purpose of subdividing the property into 30 footprint lots and 1 outlot for future development, private drives, common use and storm water detention;

Legal Description

See Exhibit A

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 King's Grove Townhomes Plat 1 and recommended approval on October 15, 2018; and

WHEREAS, the Final Plat that was submitted for review was determined to be generally consistent with the Preliminary Plat for King's Grove Townhomes Plat 1 that was reviewed and approved by the City Council on August 5, 2019; and

WHEREAS, on August 5, 2019, this City Council held a duly-noticed meeting to consider the application for Final Plat (FP-004109-2018); and

WHEREAS, the West Des Moines City Council adopted a resolution which approved the Final Plat for Kings Grove Townhomes Plat 1 at their meeting on August 5, 2019, subject to any conditions of approval; and

WHEREAS, the City Council accepted public improvements associated with the construction of public sanitary sewer within the plat boundaries; and

WHEREAS, the necessary easements have been established for Ingress/Egress, Public Utility and Sanitary Sewer; and

WHEREAS, the City Council accepted surety for the construction of sidewalks within the plat; and

WHEREAS, the applicant has provided a Parkland Dedication Agreement which specifies improvements required of the development; and

WHEREAS, the City Council accepted surety for landscape buffers required as a part of this plat; and

WHEREAS, the City Council accepted the Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement for this property; and

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

Lot 1	1590 S KINGS GROVE AVE #804
Lot 2	1590 S KINGS GROVE AVE #803
Lot 3	1590 S KINGS GROVE AVE #802
Lot 4	1590 S KINGS GROVE AVE #801
Lot 5	1590 S KINGS GROVE AVE #906
Lot 6	1590 S KINGS GROVE AVE #905
Lot 7	1590 S KINGS GROVE AVE #904
Lot 8	1590 S KINGS GROVE AVE #903
Lot 9	1590 S KINGS GROVE AVE #902
Lot 10	1590 S KINGS GROVE AVE #901
Lot 11	1590 S KINGS GROVE AVE #1006
Lot 12	1590 S KINGS GROVE AVE #1005
Lot 13	1590 S KINGS GROVE AVE #1004
Lot 14	1590 S KINGS GROVE AVE #1003
Lot 15	1590 S KINGS GROVE AVE #1002
Lot 16	1590 S KINGS GROVE AVE #1001
Lot 17	1590 S KINGS GROVE AVE #1101
Lot 18	1590 S KINGS GROVE AVE #1102
Lot 19	1590 S KINGS GROVE AVE #1103
Lot 20	1590 S KINGS GROVE AVE #1104
Lot 21	1590 S KINGS GROVE AVE #1201
Lot 22	1590 S KINGS GROVE AVE #1202
Lot 23	1590 S KINGS GROVE AVE #1203
Lot 24	1590 S KINGS GROVE AVE #1204
Lot 25	1590 S KINGS GROVE AVE #701
Lot 26	1590 S KINGS GROVE AVE #702
Lot 27	1590 S KINGS GROVE AVE #703
Lot 28	1590 S KINGS GROVE AVE #704
Lot 29	1590 S KINGS GROVE AVE #705
Lot 30	1590 S KINGS GROVE AVE #706

WHEREAS, Kings Grove Townhomes Plat 1 is zoned Residential Medium Density (RM-12) 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 August 5, 2019, or as amended orally at the City Council hearing of August 5, 2019, are adopted.

SECTION 2. Final Plat, Kings Grove Townhomes Plat 1 (FP-004109-2018) is approved, subject to compliance with all the conditions in the staff report, dated August 5, 2019, including conditions added at the Hearing, if any, and attached hereto as Exhibit "B". 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.

SECTION3. This resolution releases the Kings Grove Townhomes Plat 1 (FP-004109-2018) 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 August 5, 2019 and Roll Call No. _____.

CERTIFICATE

I, Ryan 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 August 5, 2019, among other proceedings, Roll Call No. _____ approved said plat on August 5, 2019, and released said Final Plat for recordation.

_____
Ryan Jacobson
City Clerk

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of August, 2019.

_____
Steven K Gaer, Mayor

ATTEST:

_____
Ryan Jacobson
City Clerk

EXHIBIT A:

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4 OF SECTION 21 AND THE NW 1/4 OF THE SW 1/4 AND THE SW 1/4 OF THE NW 1/4 OF SECTION 22, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AS A POINT OF REFERENCE AT THE NW CORNER OF SAID SECTION 22; THENCE S00°29'09"W 2294.61 FEET ALONG THE WEST LINE OF SAID SECTION 22 TO A POINT; THENCE N75°31'17"E, 295.09 FEET TO THE POINT OF BEGINNING; THENCE S14°28'43"E, 910.71 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BOONEVILLE ROAD: THENCE S62°46'05"W, 113.84 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT; THENCE S66°34'35"W, 247.08 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT; THENCE S70°43'05"W,165.76 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT; THENCE S72°04'26"W, 44.46 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT; THENCE N06°47'46"W, 548.94 FEET TO A POINT; THENCE N25°46'23"W, 455.62 FEET TO A POINT; THENCE N75°31'17"E, 580.52 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.680 ACRES MORE OR LESS. SUBJECT TO ALL COVENANTS, RESTRICTION AND EASEMENTS OF RECORD.

EXHIBIT B:
CONDITIONS OF APPROVAL

1. None