CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: December 7, 2020

ITEM: DSM05 - Alluvion, 550 SE White Crane Road – Amend a condition of approval pertaining to gravel staging area on site – Microsoft Corporation – SP-002203-2014

RESOLUTION: Approval of Amended Condition of Approval

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Microsoft Corporation, is requesting approval to allow a gravel area on the south side of the site to remain. Microsoft believes that this area will be useful for parking of vendor's vehicles when working on-site, as well as a staging area for materials and component assembly for maintenance and future upgrades to the Alluvion (DSM 05-08) campus. The applicant received approval of the DSM05 site plan from the City Council in September of 2014 with the following condition:

> ***The City Council allowing gravel surfacing of the temporary parking area and construction staging area until such time that full build-out of the Alluvion site has been achieved. Upon completion of the project and unless additional parking is deemed necessary, the gravel parking area shall be removed and the area established with vegetation.***

This condition will need to be amended to allow the gravel area to remain on the site. Staff is recommending allowing the gravel area to remain for a period of two years to allow an opportunity for Microsoft to determine the frequency of use of the area. If the area is not frequently utilized within the two years and it is determined the activities can occur within the permanent parking fields or within existing buildings, the gravel area will be required to be removed at that time and the area returned to a vegetated condition. If the area is frequently used, staff would recommend that Microsoft be required to pave the area at that time. Staff recommends the condition of approval be modified to read as follows:

> ***The City Council allowing gravel surfacing of the temporary parking area and construction staging area until December 31, 2022. Prior to April 30, 2023 the gravel parking area shall be removed and the area established with vegetation or the area shall be paved either with asphalt or concrete.***

OUTSTANDING ISSUES: Staff would note the following:

- *Storm Water Management Plan*: The approved Storm Water Management Plan (SWMP) for the Alluvion site did not include this graveled area remaining indefinitely on the site, therefore, the SWMP will need to be updated to accommodate for this area as impervious surface and identify any adjustments needed to the stormwater management facility to accommodate the additional runoff. Staff recommends that a revised storm water management plan be submitted for review and approval prior to a final occupancy permit being issued for the Alluvion site.

RECOMMENDATION: Staff recommends the City Council approve the amendment to the Condition of approval as shown below, subject to the applicant meeting all City Code requirements.

- The City Council allowing gravel surfacing of the temporary parking area and construction staging area until December 31, 2022. Prior to April 30, 2023 the gravel parking area shall be removed, and the area established with vegetation or the area shall be paved either with asphalt or concrete. This revised condition is granted with a requirement that a revised storm water management plan be submitted by the applicant and reviewed and approved by City Staff prior to issuance of a final occupancy permit for the entire Alluvion site.

Lead Staff Member: Brian Portz, AICP BP

Staff Reviews:

Department Director	*LMT*
Appropriations/Finance	
Legal	*JDS*
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	n/a		
Date Reviewed	n/a		
Recommendation	Yes ☐	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Location Map
Exhibit II - Aerial Map
Exhibit III - City Council Resolution
Exhibit A - Conditions of Approval

Location Map

Legend

- Addresses
- Corporate Limits
- Parcels

1,072.3 0 536.13 1,072.3 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

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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

EXHIBIT II

EXHIBIT III

Prepared by: B.Portz, 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 A REVISION TO A CONDITION OF APPROVAL OF THE DSM05-ALLUVION SITE PLAN (SP-002203-2014)

WHEREAS, pursuant to the provisions of Title 9, Zoning, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Microsoft Corporation, has requested to amend a condition of approval of the DSM05 Alluvion site plan (SP-002203-2014) to allow a gravel area on the site to remain; and

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; and

WHEREAS, on, December 7, 2020, this City Council held a duly-noticed meeting to consider the request to amend a condition of approval of the DSM05-Alluvion Site Plan (SP-002203-2014).

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 7, 2020, or as amended orally at the City Council meeting of December 7, 2020, are adopted.

SECTION 2. AMENDMENT to a Condition of Approval of the **DSM05-Alluvion Site Plan** (SP-002203-2014) to allow a gravel area on the site to remain as provided in the amended condition of approval is approved, subject to compliance with all the conditions in the staff report, dated December 7, 2020, 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 7, 2020.

_____
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 7, 2020, by the following vote:

ATTEST:

_____
Ryan T. Jacobson
City Clerk

Exhibit A
Conditions of Approval

1. The City Council allowing gravel surfacing of the temporary parking area and construction staging area until December 31, 2022. Prior to April 30, 2023 the gravel parking area shall be removed and the area established with vegetation or the area shall be paved either with asphalt or concrete. This revised condition is granted with a requirement that a revised Storm Water Management Plan be submitted by the applicant and reviewed and approved by City Staff prior to issuance of a final occupancy permit for the entire Alluvion site.