# CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: June 14, 2021

ITEM: Microsoft Ginger East (aka Microsoft DSM 14), East of Veterans Parkway at SE Maffitt Lake Road – Approve a Preliminary Plat to create 2 lots for Industrial development, 1 outlot and 1 street lot for right of way dedication – Microsoft Corporation – PP-005139-2021

**Resolution: Approval of Preliminary Plat** 

<u>Background</u>: Ryan Hardisty with Civil Design Advantage, on behalf of the applicant and property owner, Microsoft Corporation, with cooperation of the City, property owner, request approval of a Preliminary Plat for the approximately 146-acre property generally located east of Veterans Parkway at SE Maffitt Lake Road. The City is currently the owner of SE Maffitt Lake Rd right of way through the subject property and therefore is included as a property owner. The applicant proposes to subdivide the property into 2 lots for data center and electric substation development, 1 outlot for storm water detention, and 1 street lot to be dedicated to the City.

## **Staff Review & Comment:**

- <u>Financial Impact</u>: As part of the pending development agreement for this site, the proposed public use improvements that the City will be undertaking will be paving and reconstruction of SE County Line Road from SE Soteria Avenue to Veterans Parkway with a pedestrian underpass on the Great Western Trail. As part of this street project, a water main will be extended the full length of the street. There will also be a water main connection from SE County Line Road up SE Soteria to former SE Maffitt Lake Road. The applicant will be removing existing SE Maffitt Lake Road between Veterans Pkwy and SE Soteria Ave. The right of way for removed SE Maffitt Lake Road will be obtained by Microsoft.
- Key Development Aspects:
  - <u>City Consent to Plat</u>: The City intends to vacate SE Maffitt Lake Road within the subject property and transfer ownership to Microsoft Corporation at a future date. This existing road will be removed, and the underlying right of way ground will be obtained by Microsoft and incorporated into the development.
  - Water Tower Agreement: West Des Moines Water Works (WDMWW) is negotiating an agreement with Microsoft related to the construction of a 2 million gallon elevated tower that will primarily serve the South Pressure Zone including the new data center called Ginger East/DSM 14 (at IA-5 and Veterans Parkway). The tower will also provide support to Ginger West (11100 Booneville Rd) in the event of an emergency such as a fire or large water main break. WDMWW, the City of West Des Moines, and the Des Moines Water Works (DMWW) have entered into a Memorandum of Understanding (MOU) that agrees that the elevated tower will be constructed as a condition, among other items, for DMWW to provide the necessary water to serve BOTH data centers hence the importance of making sure this contract is in place. WDMWW believes the recommended condition of approval requiring full execution of the agreement prior

to site plan (included phased site plans for footings and foundation and private utilities) and the associated final plat approvals provides adequate protection to ensure the agreement is executed.

- <u>Traffic Impact Study Findings</u>: The proposed development is expected to generate less traffic than what was analyzed in previous traffic modeling for the area. The study gives more details on the recommended geometry and traffic control for the surrounding streets. SE Maffitt Lake Road from Veterans Parkway to SE Soteria Avenue is expected to be to be removed as part of this development. For as long as SE Maffitt Lake Road remains open to public travel (whether the street is publicly or privately owned), it must continue to have all proper traffic control as specified in the Federal Highway Administration's *Manual on Uniform Traffic Control Devices (MUTCD)*. A new driveway onto SE Soteria Avenue may be allowed once the west leg of the SE Soteria Avenue & SE Maffitt Lake Road intersection is closed to traffic. The study gave recommendations that will maintain and enhance circulation for the internal streets. Those recommendations have been given to the applicant.
- <u>Developer Responsibilities</u>: Unless otherwise provided in a development agreement with the City, in conjunction with site development or platting of the lots, whichever occurs first, the developer will be responsible for construction and/or installation of all required public and private infrastructure improvements necessary to support the development.
- <u>Plat Validity</u>: Per City Code, the associated Final Plat must be presented to the City Council for approval within 12 months of the approval of this Preliminary Plat if surety is being posted for Public Improvements; or, within 18 months if Public Improvements are being constructed prior to Final Plat consideration. It is the responsibility of the developer to be aware of these deadlines and request an extension of the Preliminary Plat approval prior to the Preliminary Plat expiration date.

**Outstanding Issues:** There are no outstanding issues.

Plan and Zoning Commission Action:

Date:

Vote:

Recommendation:

**Recommendation**: Approve the Preliminary Plat subject to the applicant meeting all City Code requirements, and the following conditions of approval:

- The applicant acknowledging and agreeing that the site plan and final plat for development
  of data center buildings on this site shall not be approved until such time that West Des
  Moines Water Works determines the Microsoft's Water Tower Agreement with West Des
  Moines Water Works has been successfully executed.
- 2. Building permits for the construction of the data center building shall not be allowed until the associated site plan, including phased site plans and the final plat for the site have been approved by the City Council.

**Lead Staff Member: Brian Portz Approval Meeting Dates:** Plan and Zoning Commission June 14, 2021 City Council **Staff Report Reviews:**  □ Development Coordinator (or) Plan & Zoning Commission □ Legal Department □ Director City Council ☐ Director ☐ Legal Department ☐ Appropriations/Finance ☐ Agenda Acceptance Publications (if applicable) **Council Subcommittee Review (if applicable) Published** Des Moines Register Subcommittee Development & Planning In: **Community Section** Date(s) 5/3/21 n/a Date Reviewed

Recommendation I

☐ Split

□ No

Published
Date(s) of
Mailed

**Notices** 

n/a



**WEST DES MOINES. IA** 

CONSULTANTS

NAVIX ENGINEERING, INC. 11235 SE 6TH STREET, SUITE 150 BELLEVUE, WA 98004 PH: (425) 453-9501 CONTACT: SPENCER HUMPHREY

CIVIL DESIGN ADVANTAGE, LLC 3405 SE CROSSROADS DRIVE, SUITE G GRIMES, IA 50111 PH: (515) 369-4400 CONTACT: RYAN HARDISTY

GEOTECHNICAL:

TERRACON 600 SW 7TH STREET, SUITE M DES MOINES, IA 50309 PH: (515) 244-3184 CONTACT: TED BECHTUM

### OWNER/APPLICANT

### **GOVERNING AGENCIES**

FIRE DISTRICT:

CITY OF WEST DES MOINES 3421 ASHWORTH ROAD WEST DES MOINES, IA 50265 PH: (515) 222-3420 CONTACT: MIKE WHITSELL

# UTILITIES

WEST DES MOINES WATER WORKS 1505 RAILROAD AVENUE WEST DES MOINES, IA 50265 PH: (515) 222-3510 CONTACT: WILLIAM MABUCE, P.E.

CITY OF WEST DES MOINES 560 SOUTH 16TH STREET WEST DES MOINES, IA 50265 PH: (515) 222-3480 CONTACT: CLINT CARPENTER

LEGAL DESCRIPTION

THE PROPERTY DESCRIBED IN THE WARRANTY DEED TO CITY OF WEST DES MOINES RECORDED IN BOOK 15961, PAGE 875, BEING LOCATED IN THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5<sup>TH</sup> P.M., CITY OF WEST DES MOINES, POLIC COUNTY, IOWA AND CONTAINING 10.48 ACRES (456,397 S.F.)

THE PROPERTY DESCRIBED IN THE QUIT CLAIM DEED TO CITY OF WEST DES MOINES RECORDED IN BOOK 15939, PAGE 284, BEING LOCATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5<sup>TH</sup> P.M., CITY OF WEST DES MOINES, POLK COUNTY, (DWA AND CONTAINING 0.57 ACRES (24,803 S.F.)

PARCEL 2017-20 AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 16825, PAGE 757 BEING A PART OF THE FORMER RAILROAD RIGHT-OF-WAY AS DESCRIBED IN THE WARRANTY DEED IN BOOK 8825, PAGE 857 AND BEING A PART OF PARCEL "A S SHOWN ON THE ACQUISITION PLAT RECORDED IN BOOK 8830, PAGE 836 AND ALL BEING IN THE NORTH HALF OF THE SOUTH HALF OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA.

AND
THAT PART OF A TRACT OF LAND AS SHOWN ON THE RETRACEMENT SURVEY RECORDED IN
BOOK 9183, PAGE 332 IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF AND
NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34. TOWNSHIP 78 NORTH,
RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF WEST DES MOINES, POLK
COUNTY, IOWA, LYNIG SOUTH OF PAGES, L2017—19 AS ADOWN ON THE PLAT OF SURVEY,
RECORDED IN BOOK 16825, PAGE 757 IN THE NORTH HALF OF THE SOUTH HALF OF SAID
SECTION 34 AND LYNIG NORTHWESTERLY OF PARCEL 2017—20 AS SHOWN ON SAID PLAT OF
SURVEY RECORDED IN BOOK 16825, PAGE 757 AND LYNIG NORTHEASTERLY OF THE ROAD
RIGHT-OF-WAY FOR SE MAFFITT LAKE ROAD AS SHOWN ON THE ACQUISITION PLAT RECORDED
IN BOOK 15961, PAGE 871.

PARCEL 'B' AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 9533, PAGE 479 BEING ALL OF LOT 10 IN BRUBAKER ESTATE, AN OFFICIAL PLAT, AND A PART OF THE SOUTH HALF OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA

ALL BEING IN THE CITY OF WEST DES MOINES, POLK COUNTY AND CONTAINING A TOTAL OF 148.86 ACRES (6,397,044 S.F.) MORE OR LESS.

### SITE DATA

EXISTING COMPREHENSIVE PLAN HIGHWAY COMMERCIAL AND OFFICE PROPOSED COMPREHENSIVE PLAN LIGHT INDUSTRIAL EXISTING ZONING

PROPOSED ZONING SURROUNDING LAND USES:

EXISTING LAND USE EXISTING ZONING COMPREHENSIVE PLAN DESIGNATION

EXISTING LAND USE EXISTING ZONING COMPREHENSIVE PLAN DESIGNATION

EXISTING LAND USE EXISTING ZONING COMPREHENSIVE PLAN DESIGNATION

PROFESSIONAL COMMERCE PARK AND

LIGHT INDUSTRIAL

AGRICULTURE PROFESSIONAL COMMERCE PARK OFFICE/COMMERCIAL

**SHEET INDEX** 

COVER SHEET SHEET 2: DIMENSION PLAN SHEET 3: GRADING PLAN SHEET 4-5: UTILITY PLAN

ALL WATER WORK, PUBLIC OR PRIVATE, SHALL BE DONE IN ACCORDANCE WITH WEST DES MOINES WATER WORKS STANDARD SPECIFICATIONS.

**GINGER EAST** 

PRELIMINARY PLAT

- CONTRACTOR SHALL NOTIFY WEST DES MOINES WATER WORKS AT LEAST ON WEEK PRIOR TO BUILDING CONSTRUCTION.
- 4. CONTACT BUILDING INSPECTION (515) 222-3630 A MINIMUM OF 24 HOURS IN ADVANCE FOR PRIVATE UTILITY INSTALLATION INSPECTIONS.
- 6. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER INSTALLATION OF APPROVED BACKFLOW PREVENTION ASSEMBLIES FOR CONTAINMENT IN ALL NEW CONSTRUCTION. BACKFLOW PREVENTION SHALL BE INSTALLED PER CITY ORDINANCE 1297,94—1998. THE CONTRACTOR SHALL NOTIFY WEST DES MONIES WATER WORKS, RALPH RETIRERL, DISINIFERING TECHNICIAN (315) 222—345 A MINIMUM OF 24 HOURS AFTER INSTALLATION AND TESTING OF ALL BACKFLOW DEVICES TO SCHEDULE FRAIL INSPECTION.
- 7. ALL CONNECTIONS TO PUBLIC SEWERS SHALL BE CORE DRILLED TO MANHOLES.
- AT LEAST ONE WEEK PRIOR TO ANY CONSTRUCTION WITHIN PUBLIC R.O.W./EASEMENTS, AND/OR CONNECTION TO PUBLIC SEWERS AND STREETS, THE CONTRACTOR SHALL CONTACT THE WOM CONSTRUCTION DIVISION "CLINT CAPPENTER" (515-222-3480) TO OBTAIN APPLICABLE CITY PERMITS THAT MAY BE NECESSARY.
- 10. ALL OUTLOTS ARE UNBUILDABLE.
- 11. WOMWW REQUIRED UNRESTRICTED ACCESS TO THE MAFFITT LIKE ROAD WATER MAIN BETWEEN VETERANS PARKWAY AND SE SOTERIA AVENUE UNTIL THE PROPOSED S COUNTY LINE ROAD WATER MAIN HAS BEAR PLACED INTO SERVICE AND ACCEPTED BY THE WEST DES MOINES WATER WORKS BOARD OF TRUSTEES.

## **UTILITY WARNING**

THE UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY AND RECORDS OBTAINED BY THIS SURVEYOR. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL THE UTILITIES IN THE AREA, ETHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION SHOWN.

LEGEND FEATURES PROPOSED GROUND SURFACE CONTOUR TYPE SW-501 STORM INTAKE TYPE SW-502 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

FLARED END SECTION STORM /SANITARY CLEANOUT WATER VALVE FIRE HYDRANT ASSEMBLY

DETECTABLE WARNING PANEL

STORM SEWER WITH SIZE ----15"ST--WATERMAIN WITH SIZE SURVEY

SMINYELT
SECTION CORNER
1/2" REBAR, YELLOW CAP #18660
(UNLESS OTHERWISE NOTED)
ROW MARKER
ROW RAIL.
PLATTED DISTANCE
MEASURED BEARING & DISTANCE
RECORDED DISTANCE

GROUND SURFACE CONTOUR

WATER VALVE DOV

WATER CURB STOP

STORM SEWER MANHOLI

STORM SEWER SINGLE INTAK

FIRE HYDRANT

Plans included are for illustrative

purposes only.

Approve plans on file with

the City.

STORM SEWER DOUBLE INTAKE FLARED END SECTION DECIDIOUS TREE CONIFEROUS TREE DECIDIOUS SHRUB CONIFEROUS SHRUB FLECTRIC POWER POLE

STREET LIGHT POWER POLE W/ TRANSFORMER UTILITY POLE W/ LIGHT ELECTRIC BOX ELECTRIC TRANSFORMER TRAFFIC SIGN

ELECTRIC MANHOLE OR VAUL TELEPHONE JUNCTION BO TELEPHONE MANHOLE /VAUL TELEPHONE POLE GAS VALVE BOX CABLE TV JUNCTION BOX CABLE TV MANHOLE/VAULT MAIL BOX

SOIL BORING

WATER MAIN W/ SIZE

GAS MAIN FIBER OPTIC UNDERGROUND TELEPHONE

OVERHEAD ELECTRIC \_\_\_\_\_\_\_ UNDERGROUND ELECTRIC ------FIELD TILE — — — TILE — — — SANITARY SEWER W/ SIZE STORM SEWER W/ SIZE

RL/SN Orawn

NAVIX

**MSDONNELL** 

9400 Ward Parkway Kansas City, MO 64114

Civil Design Advantage 3405 SE Crossroads Drive, Suite G Grimes, IA 50111

DATACENTER 3655 SE SOTERIA AVE

Microsoft

BURNS

RL / SN BD/PM 02 MAR 2021 BMcD Project No. 130737 M.S. Project No. P.17258

GREG DEENEY
Leyout Manager

Chil, Site Survey, Landscaping Technical Lead SONOWP DHAR Architecturi & Studenter Technical Lead Trochoral Lead TODOR NINOLOV Mech, Pumbling & Fite Presention Technical Lead STEVEN TOUPHN Building Automation Systems (BAS) Technical Lead AC COUTLI Becrifost Technical Leed AC COUTU

Becrifost Power Management Systems (EPMS) Tech
KRS REDDING
Telecommunications Network Portholal Leed
MATT BENSON

Becurity Design Managem
FRED HARRIS

PRED HARRIS

CIA fing-review Levil

BYMAN DICKERSON JAMAN ENGINEERING

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SHYMAN JEMAN CASTELLAND / SMcD

Architectar Levil

MAJANY CASTELLAND / SMcD

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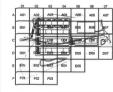
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BAS Engineering Lead
JARED ZUERCHER / BMcD
Bechrost Engineering Lead
VIRGINIA SOLIMAN / BMcD
Telecommunications / Network Engineering Lead
GHAD STILVELL / BMcD
Security Systems Engineering Lead
BRIAN COULDMBE / ROSSBAR





PRELIMINARY PLAT

**COVER SHEET** 

®IOWA ONE CALL 1-800-292-8989



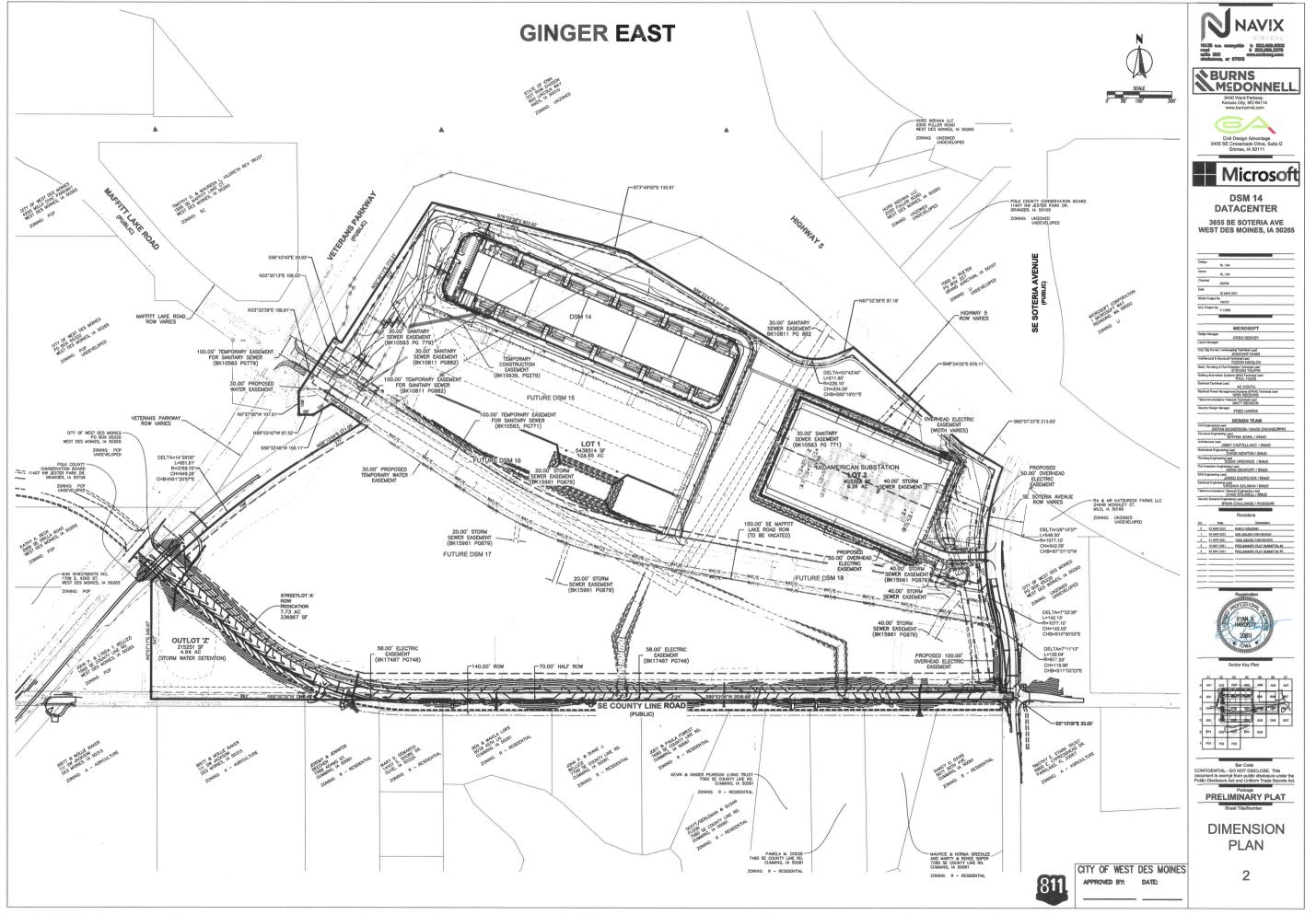
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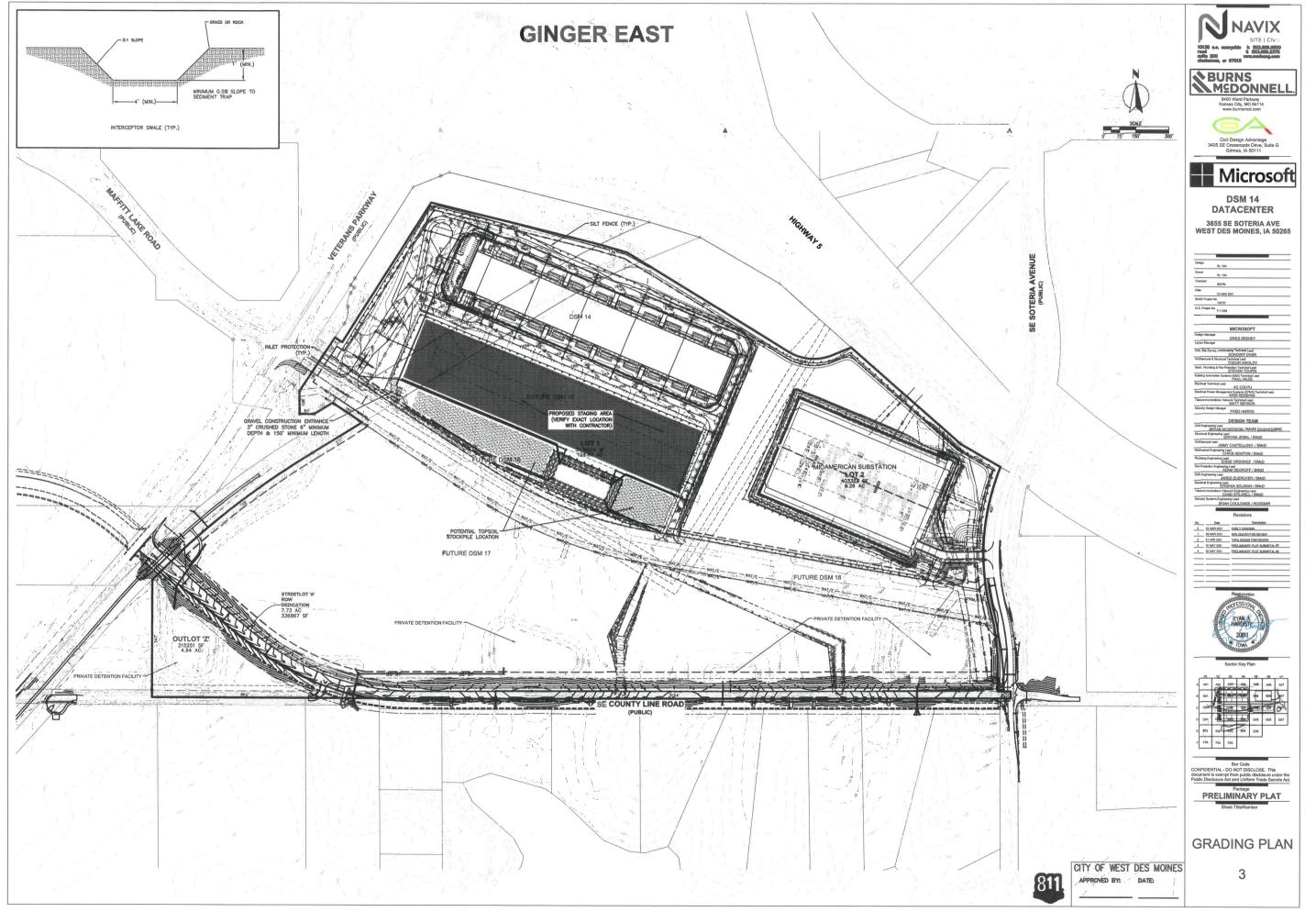
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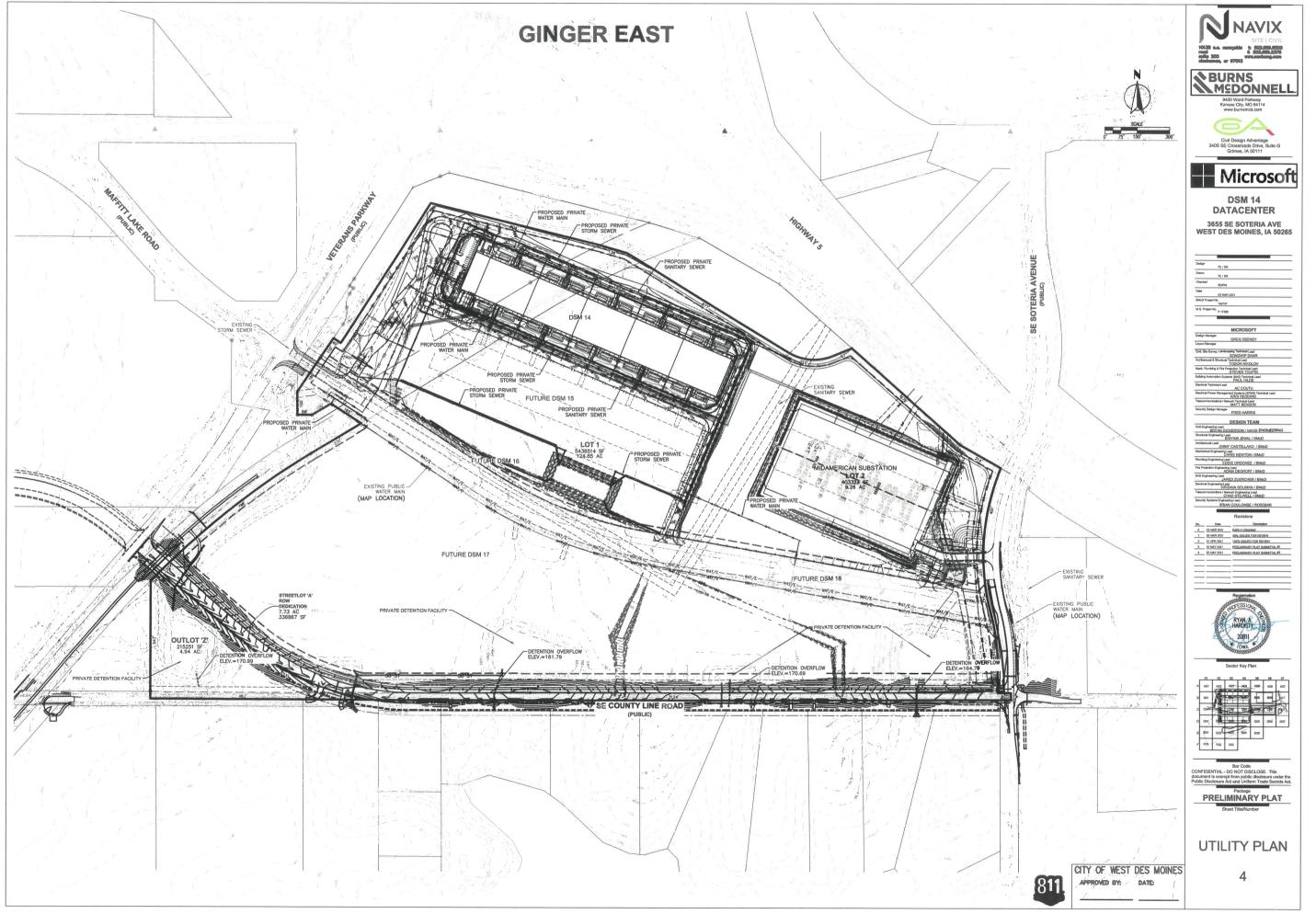
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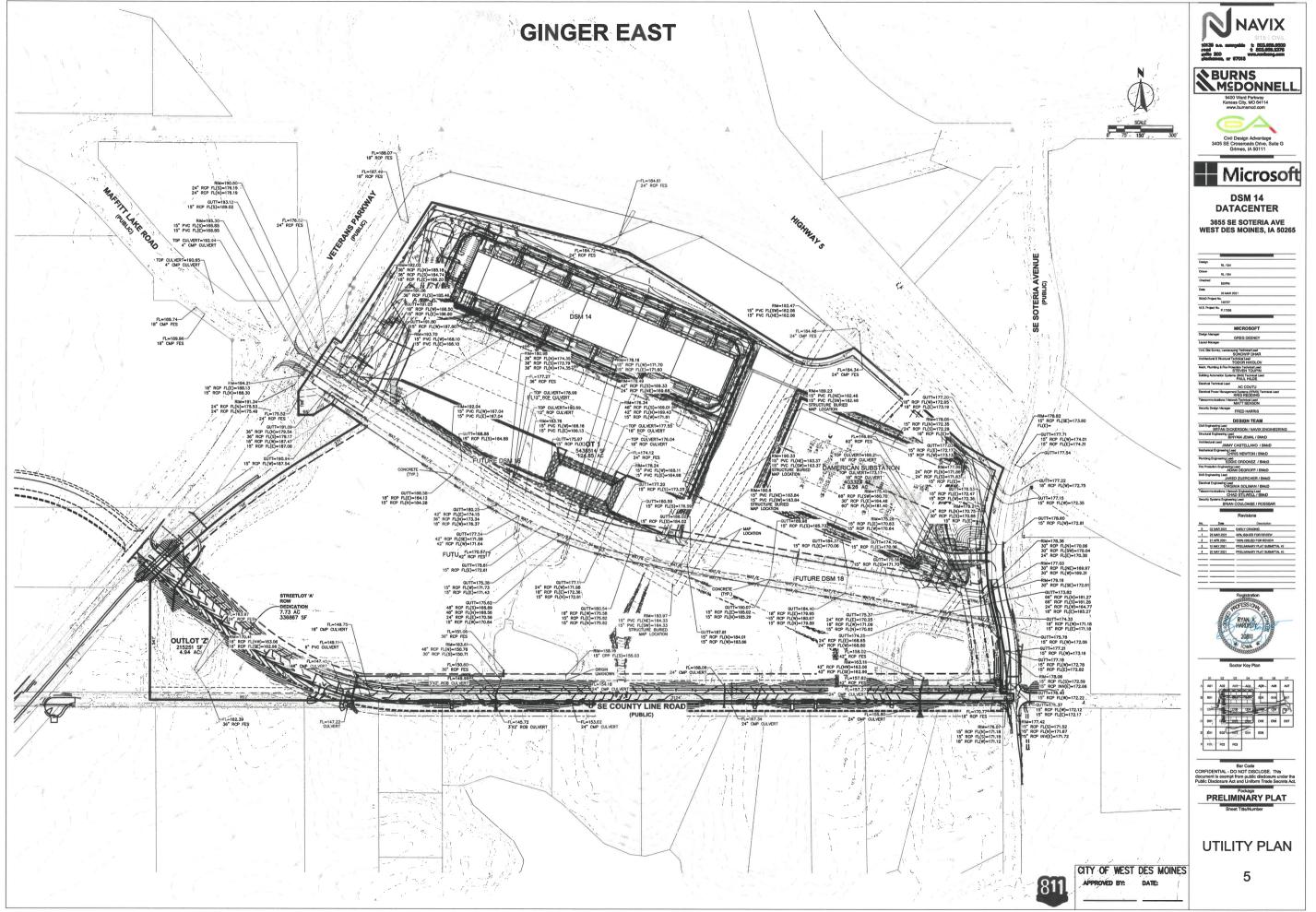
LICENSE NUMBER 20811
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2021
PAGES OR SHEETS COVERED BY THIS SEAL: SHEETS 1-5

CITY OF WEST DES MOINES APPROVED BY: DATE:









# A RESOLUTION OF THE PLAN AND ZONING COMMISSION NO. PZC-21-52

WHEREAS, pursuant to the provisions of Title 9, Zoning and Title 10, Subdivision Regulations of the West Des Moines Municipal Code, the applicant and property owner, Microsoft Corporation, with cooperation of the City, property owner, request approval of the Preliminary Plat for the purpose of subdividing that approximately 146-acre property generally located east of Veterans Parkway at SE Maffitt Lake Road as depicted on the location map included in the staff report. The applicant proposes the creation of into 2 lots for data center and electric substation development, 1 outlot for storm water detention, and 1 street lot to be dedicated to the City; and

WHEREAS, the Preliminary Plat complies with Iowa Code Chapters 354 and 414, the Comprehensive Plan and City Code.

**NOW THEREFORE,** the Plan and Zoning Commission of the City of West Des Moines recommends the City Council approve the Preliminary Plat (PP-005139-2021) subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on June 14, 2021.

Erica Andersen, Chair
Plan and Zoning Commission

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 on <u>June 14, 2021</u>, by the following vote:

the foll	owing vote:	
	AYES:	
	NAYS:	
	ABSTENTIONS:	
	ABSENT:	
ATTES	ST:	
	Recording Secretary	-