# CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: July 26, 2021

ITEM: Woodland Estates Plat 1, Generally NE corner of S. Kingswood Court and Stagecoach Drive – Approve a Preliminary Plat to create 21 lots for Single Family Residential development – Silo 9 LLC – PP-005161-2021

**Resolution: Approval of Preliminary Plat** 

**Background:** Jared Murray with Civil Design Advantage, on behalf of the applicant and property owner, Jerry Bussanmas dba Silo 9, LLC, request approval of a Preliminary Plat for the approximately 22-acre property generally located at the northeast corner of S. Kingswood Court and Stagecoach Drive. The applicant proposes to subdivide the property into 21 lots for detached single family residential development, 1 outlot for future development, and 2 street lots to be dedicated to the city. This plat is phase 1 of an intended subdivision of the approximately 80-acre property locally known as the Dr. Neff property.

### **Staff Review & Comment:**

- <u>Financial Impact:</u> There is no City funding of this project; however, there is staff time for processing of development application and inspections during construction.
- <u>History:</u> In 2015 a Comprehensive Plan Land Use change was done for the approximately 80-acre Dr. Neff property to change 8.61 acres of Office land use and 22.79 acres of Medium-Density Residential to Single-Family Residential (case #CPA-002670-2015). At the same time, the property was rezoned from Unzoned to single-family residential to support an anticipated development at that time (case #ZC-002833-2015). On May 17, 2021, City Council approved a Plat of Survey splitting the subject property from the remnant for the transfer of ownership to the applicant to allow for this phase 1 preliminary plat.

# Key Development Aspects:

Public Utility Easements (PUEs): City code provides that utility cables and boxes shall be located in rear and side yards and not along the front of single-family residential lots. Code does provide for City Council approval of the placement of utilities in the front yard when situations such as topography, trees or other unique site situation makes placement in the rear or side yard difficult. The proposed development area overall is very wooded and is rolling topography with quite a bit of elevation change. While it may be possible to accommodate a PUE in the rear yard on a couple lots here and there, overall, it would be more detrimental to tree preservation and the costs to route utilities back and forth from the front and back would greatly increase costs. Therefore, the applicant requests that PUEs be allowed in the front yard of all lots due to the terrain along with the desire to maintain as many trees as possible. Staff agrees that there is adequate justification and supports the request for front yard PUEs.

- <u>Driveways on S 95<sup>th</sup> Street:</u> Stagecoach Drive is classified as a Minor Arterial and S 95<sup>th</sup> Street is classified as a Major Collector. Per city code, no new single-family driveways are allowed on Stagecoach Dr and no new single-family driveways that require drivers to back out from a driveway are to be located directly on S 95<sup>th</sup> Street due to anticipated future volumes. Those lots fronting S 95<sup>th</sup> Street will need to design driveways in such a manner to allow drivers to utilize a forward movement when entering onto S 95<sup>th</sup> Street. Notes have been added to the plat drawing. Staff recommends a condition of approval to ensure awareness of this aspect.
- <u>Double Frontage Lots:</u> Per code, a minimum 30' buffer is required for single-family residential developments that are double frontage properties (roadway along both the front and rear lot lines). The proposed development has eight such double frontage lots which front S 95<sup>th</sup> Street and back onto Stagecoach Drive and one lot that will ultimately have new streets along both its front and rear lot lines.
  - Lots adjacent to Stagecoach Drive: With the exception of trees removed to accommodate storm water detention facility improvements and road grading, these lots are heavily wooded and extremely deep. Therefore in lieu of a traditional buffer, the applicant has requested, and staff supports, an alternative plan that continues the streetscape plantings implemented with Woodland Hills of West Des Moines Plat 1 immediately to the east (case #PP-2013-004 & FP-2013-018). That streetscape is 15' in width and required the planting of 1 overstory or evergreen tree or 2 understory trees and 5 shrubs for every 25 linear feet of lot adjacent to Stagecoach Drive. This 15' streetscape would be placed on the south lot line of Lot 1 as corner lots are required to continue a buffer, as well as on Lots 15-21.
  - Lot 10: In anticipation of a future road extending off S. Kingwood Court from the Majestic Oaks development, Lot 10 will someday be a double frontage lot. This lot is the only lot in this area with this situation. While the lot is wooded the vegetation is not immediately adjacent to the road. As there is no precedent of a Streetscape in this area, this lot is being required to provide a buffer per width and vegetation requirements consistent with city code along its rear lot line. The timing of construction of the road along the rear of the lot is unknown. Therefore, to prevent damage to the buffer during road construction, the installation of the buffer is being deferred until after the area is graded and any construction that could affect the plantings is complete. Staff would recommend that the developer provide surety for the future implementation of the plants, labor to install, mulching and seeding of the buffer area prior to the associated Woodland Estates Plat 1 final plat proceeding to the City Council for approval.
- Parkland Dedication: All residential developments with four or more dwellings are required to provide park amenities. Based on the current development intent of 66 single-family lots within the full approximately 80-acre development, the developer is required to provide 1.177 acres of parklands (Parkland at 0.457 acres and 0.720 acres of greenway). The dedicated land is to be of a size and shape to accommodate a recreational use similar to that provided by the City such as open

play area, playground, shelter/gazebo, plaza/sitting area, play court, trail, etc. The developer is proposing to meet their parkland dedication requirements by providing park land in a future phase, on their own development site, for use as a potential dog park. This park land and dog park will be privately owned and maintained by the developer, homeowner's association, or other designee. The development specific Parkland Dedication Agreement will need to be approved by the Parks Board, executed by the developer and provided to staff prior to City Council consideration of the associated Final Plat.

- Stagecoach Trail: The developer is responsible for four foot (4') public sidewalks on both sides of all public roadways. A ten foot (10') Public Trail is intended along the north side of Stagecoach Drive. A four foot (4') public sidewalk on the north side of Stagecoach is a requirement of the development. Unless otherwise included in a Development Agreement, a 60/40 Trail Agreement shall be executed providing the additional six feet (6') of the ten-foot (10') trail will be built by the developer with the costs of the six-foot (6') portion reimbursed back to the developer. The reimbursed amount will not apply toward parkland dedication. The trail is not anticipated to be installed until such time that grading for Stagecoach Drive widened is done or otherwise needed to complete a gap between trails on the adjoining properties to the east and west; however, the 60/40 Trail Agreement shall be executed prior to construction of the sidewalk/trail.
- Storm Water Management Facilities: The Preliminary Plat indicates storm water detention basins will be located in the southwest corner of the development. One detention pond is indicated east of S 95th Street across the south end of lots 19, 20 and 21. A secondary detention facility is indicated immediately east of Kingswood Court at the south end of the Majestic Oaks development. Prior to City Council consideration of the associated final plat, the developer will need to provide an executed Storm Water Management Facility Maintenance Agreement (SWMFMA) detailing maintenance and repair responsibilities. Upon construction of the actual basins, the developer will need to provide as-built drawings and a letter certifying the ponds have been constructed in accordance with the approved Storm Water Management Plan (SWMP) on file for the development. accommodate the possible approval of the associated final plat prior to the construction of the basins, staff recommends a condition of approval requiring provision of the as-built drawings and certification letter prior to issuance of any occupancy permits, including temporary occupancy permits for any of the last five (5) dwellings constructed within the Phase 1 development area.
- <u>Grand Avenue West Sanitary Sewer Connection Fee District</u>: The applicant provided payment of connection fee district fees for one-acre of the subject area with the Plat of Survey. The applicant has paid the connection fee district fees for the balance of the acreage included in this Preliminary Plat.
- <u>Traffic Impact Study Findings</u>: The study identified that the site is expected to generate less traffic than previously assumed. The study indicates that S 95<sup>th</sup> Street should be a 2lane roadway widening to 3-lanes for left turns at Stagecoach Dr (and ultimately at Mills

- Civic Parkway and possible Cascade Avenue). An additional lane of Stagecoach Drive adjacent to the development will be needed in the future.
- <u>Developer Responsibilities</u>: The developer responsibilities associated with development of this site are outlined on the preliminary plat and include public streets, storm and sanitary sewer, sidewalks, and streetlights. Additionally, as noted in the Traffic Impact Study section, an additional lane of Stagecoach Drive, including all appurtenances necessary, will be required in the future. The City's Legal Department is preparing a Development Agreement detailing this responsibility. Staff recommends that this agreement be executed prior to approval of the associated Final Plat.
- <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 Developer acknowledging the responsibility for the future construction of an additional lane of Stagecoach Drive. The developer agreeing that their execution of the associated Development Agreement shall be provided to the City prior to City Council consideration of the associated final plat.
- 2. The developer acknowledging that no individual single-family driveways are allowed on Stagecoach Drive. The developer also acknowledging and agreeing to require buyers of lots that front to S 95<sup>th</sup> Street to ensure all turns onto S 95<sup>th</sup> Street are a forward movement and agreeing that backing out onto S 95<sup>th</sup> Street is prohibited.
- 3. The City Council granting allowance of the placement of Public Utility Easements (PUEs) in the front yard of all lots.
- 4. The City Council accepting the continuation of the Stagecoach Drive Streetscape Planting Plan in lieu of a 30' buffer along the rear (south) lot line of lots 15-21 and the side (south) lot line of lot 1.
- 5. The City Council granting a deferral of the installation of the buffer along the rear lot line of Lot 10 until such time that the adjacent future street is graded and any construction that may affect the survivability of the buffer plantings is complete.
- 6. The City Council deferring the installation of the ten foot (10') trail along the north side of Stagecoach Drive until such time that Stagecoach Drive is widened or the trail is necessary to make a connection to trails along Stagecoach Drive immediately to the east and west.

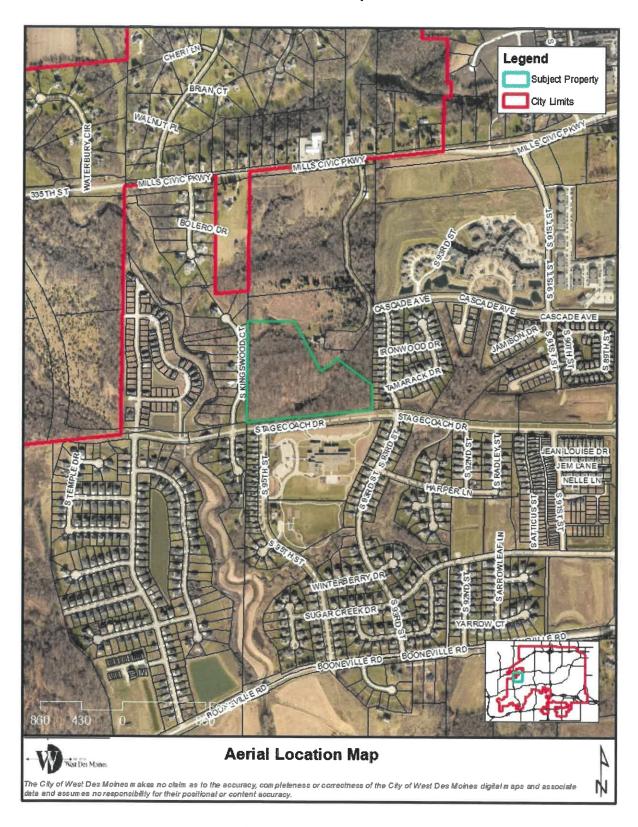
- 7. The developer indicating on the Preliminary Plat drawing and providing a Permanent Grading Easement on Lot 15 to allow for future construction of the remainder of the sidewalk/trail.
- 8. The Preliminary Plat drawing being updated as necessary to address remaining staff comments.
- 9. The developer constructing and receiving City approval and acceptance of all public improvements or providing surety for all public improvements prior to City Council consideration of the associated final plat. In the event that surety is provided, City Council acceptance of the public improvements shall occur prior to issuance of any occupancy permit, including temporary occupancy for any dwelling constructed.
- 10. Prior to issuance of any building permits for construction, available water and appropriate vehicle accesses to the satisfaction of the City's Fire Marshal shall be available.
- 11. The developer providing the following prior to City Council consideration of the associated final plat:
  - a. Surety for buffers and sidewalks.
  - b. Payment of all fees, including fees related to streetlights, street signs, sewer cap charges and water connection fees.
  - c. All legal agreements and easements, including Parkland Dedication Agreement.
  - d. Executed Storm Water Management Facility Maintenance Agreement. Certification letter and as-built drawings shall be required to be provided prior to issuance of any occupancy permits, including temporary occupancy permits for any of the last five (5) dwellings constructed within this Phase 1 development area.

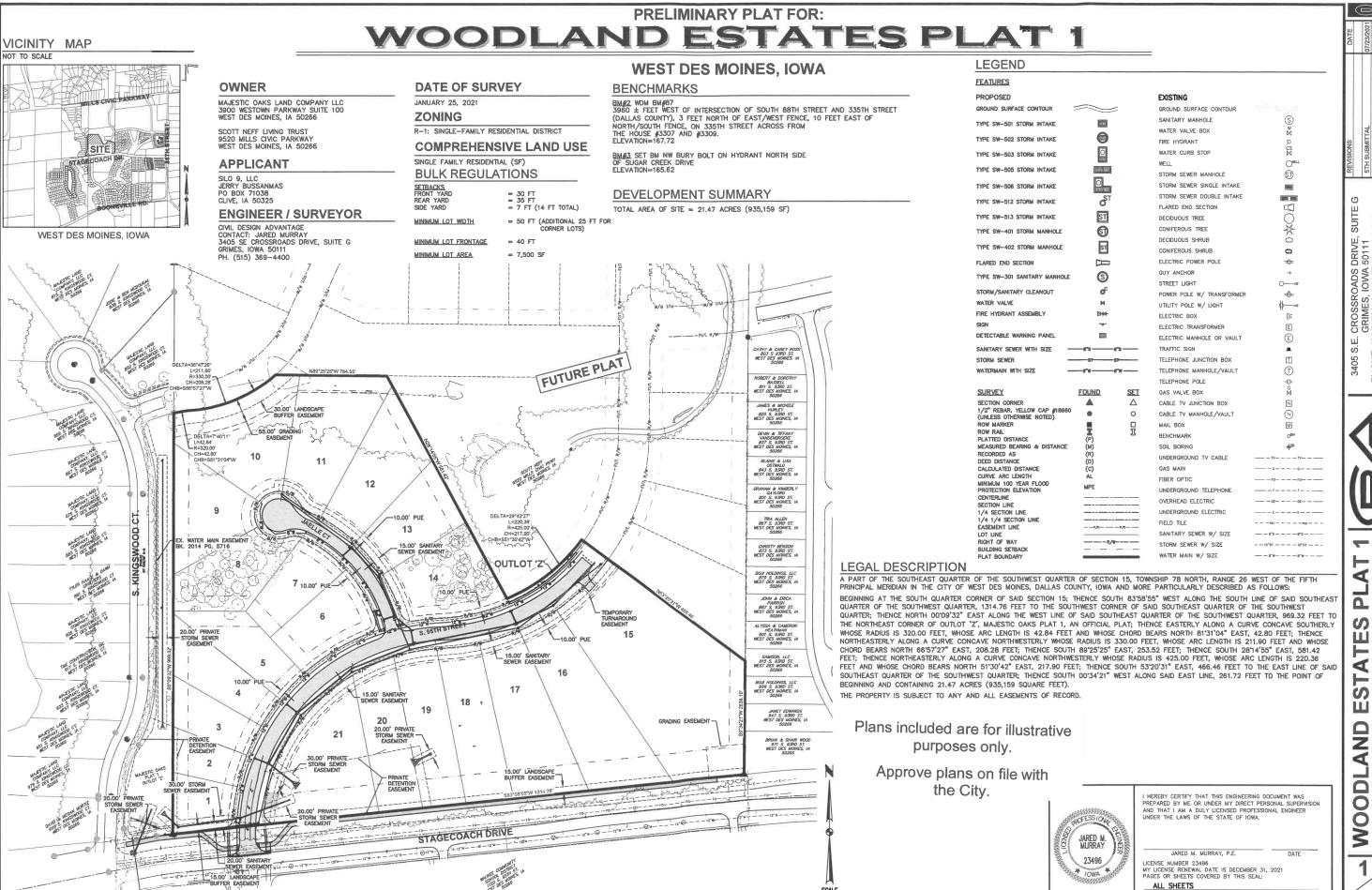
**Lead Staff Member:** Bryce Johnson

Approval Meeting Dates:		
Plan and Zoning Commission		July 26, 2021
City Council		
		•
Staff Report Reviews:		
Plan & Zoning Commission	<ul><li>□ Development Coordinator (or)</li><li>⊠ Director</li></ul>	⊠ Legal Department
City Council	□ Director	□ Legal Department
	☐ Appropriations/Finance	☐ Agenda Acceptance
		_

Publications (if applicable) Council Subcommittee Review (if applicable) Published Des Moines Register Subcommittee Development & Planning ln: Community Section Date(s) n/a Date Reviewed 5/17/21 Published Date(s) of Mailed n/a Recommendation | ⊠ Yes □ No ☐ Split **Notices** 

# **Location Map**





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S.E. CROSSROADS E GRIMES, IOWA E (515) 369-4400 FA S.E. PHONE

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- ALL WATER WORK, PUBLIC OR PRIVATE, SHALL BE DONE IN ACCORDANCE WITH THE 2020 EDITION OF WEST DES MOINES WATER WORKS STANDARD SPECIFICATIONS.
   CONTRACTOR SHALL NOTIFY WEST DES MOINES WATER WORKS AT LEAST ONE WEEK PRIOR TO BUILDING.
- THE GENERAL CONTRATOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF WORK OF ALL SUBCONTRACTOR(S) INVOLVED IN THE PROJECT.
- 4. CONTACT BUILDING INSPECTION (515-222-3630) A MINIMUM OF 24 HOURS IN ADVANCE FOR PRIVATE UTILITY INSTALLATION INSPECTIONS.

  5. NO STRUCTURES, INCLUDING SHEDS, PLAY STRUCTURES, DECKS, GAZEBOS, ETC. MAY BE LOCATED WITHIN A
- BUFFER PARK.
- 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, DSM METRO DESIGN STANDARDS AND WOM ADDENDUMS.

  ALL WATER MAIN, SANITARY SEWER AND STORM SEWER ARE PUBLIC.

  ALL CONNECTIONS TO THE PUBLIC SEWERS SHALL BE CORE DRILLED.

  THE STORMWATER DETERNINON FACILITIES AND PRIVATE STORM SEWERS WILL BE MAINTAINED BY THE HOMECOWNWER'S ASSOCIATION.

- 10. 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 WDM ENGINEERING SERVICES (222–3475) TO SCHEDULE ANY REQUIRED INSPECTIONS. R.O.W. EXCAVATION PERMITS CAN BE OBTAINED AT THE PUBLIC SERVICES FACILITY (222-3480). IT IS IMPORTANT TO NOTE CITY APPROVAL OF THIS PLAN IS SUBJECT TO THE APPLICANT OBTAINING ALL NECESSARY EASEMENTS/AGREEMENTS AND APPLICABLE PERMITS.
- 11. ALL WATER WORK, PUBLIC OR PRIVATE, SHALL BE DONE IN ACCORDANCE WITH THE 2020 EDITION OF SUDAS STANDARD SPECIFICATIONS AND THE WEST DES MOINES WATER WORKS SUPPLEMENTAL SPECIFICATIONS.

  12. CONTRACTOR SHALL NOTIFY WEST DES MOINES WATER WORKS AT LEAST ONE WEEK PRIOR TO BUILDING
- CONSTRUCTION.

  13. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF WORK OF ALL
- 13. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF WORK OF ALL SUBCONTRACTOR(S) INVOLVED IN THE PROJECT.

  14. PRIOR TO CONSTRUCTION ANY PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION, CONSTRUCTION PLANS FOR SAID IMPROVEMENTS NEED TO BE SUBMITTED TO AND APPROVED BY THE CITY ENGINEER.

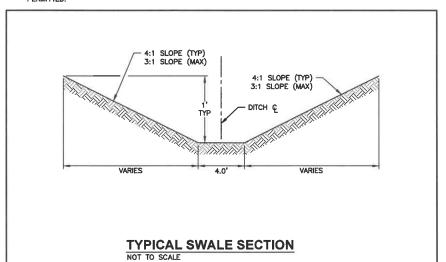
  15. CONTACT BUILDING INSPECTION (515—222—3630) A MINIMUM OF 24 HOURS IN ADVANCE FOR PRIVATE UTILITY INSTALLATION INSPECTIONS.
- 16. PROPERTY OWNER/DEVELOPER(S) WILL BE RESPONSIBLE FOR THE INSTALLATION OF SIDEWALKS ADJACENT TO ALL PUBLIC STREETS BORDERING THE PROPERTY.

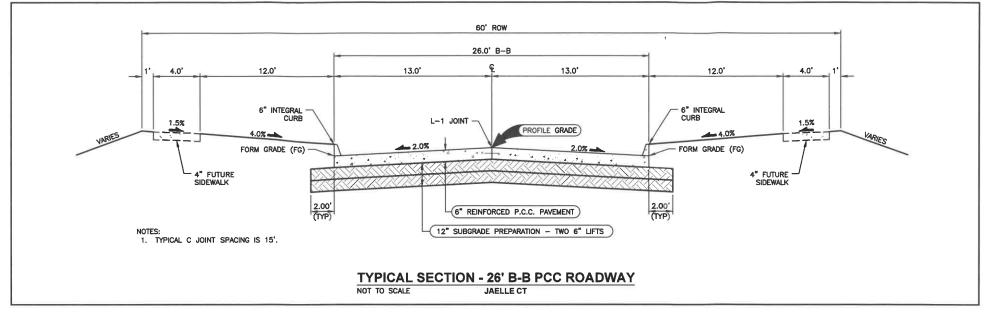
- ALL PUBLIC STREETS BORDERING THE PROPERTY.

  17. PROTECT EXISTING SIDEWALK ADJACENT TO S. KINGSWOOD CT. ANY SIDEWALK DAMAGED WILL NEED TO BE REPLACED PRIOR TO ACCEPTANCE OF PUBLIC IMPROVEMENTS.

  18. BACKING ONTO S. 95TH STREET IS PROHIBITED. ALL LOTS ACCESSING S. 95TH STREET SHALL PROVIDE SPACE TO TURN AROUND ON SITE.

  19. DRIVEWAY ACCESS TO THE FUTURE STREET ADJACENT TO THE NORTH PROPERTY LINE FOR LOT 10 IS NOT DEPRIMETED.





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SUITE

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TECH:

S.E. CROSSROADS DRIVE, 8 GRIMES, IOWA 50111 : (515) 369-4400 FAX: (515)

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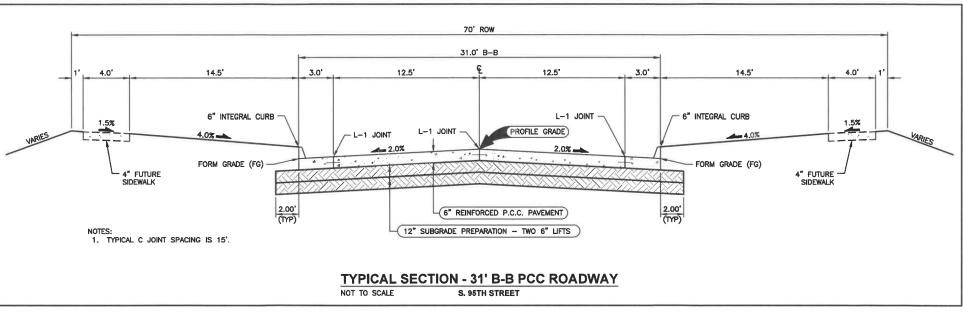
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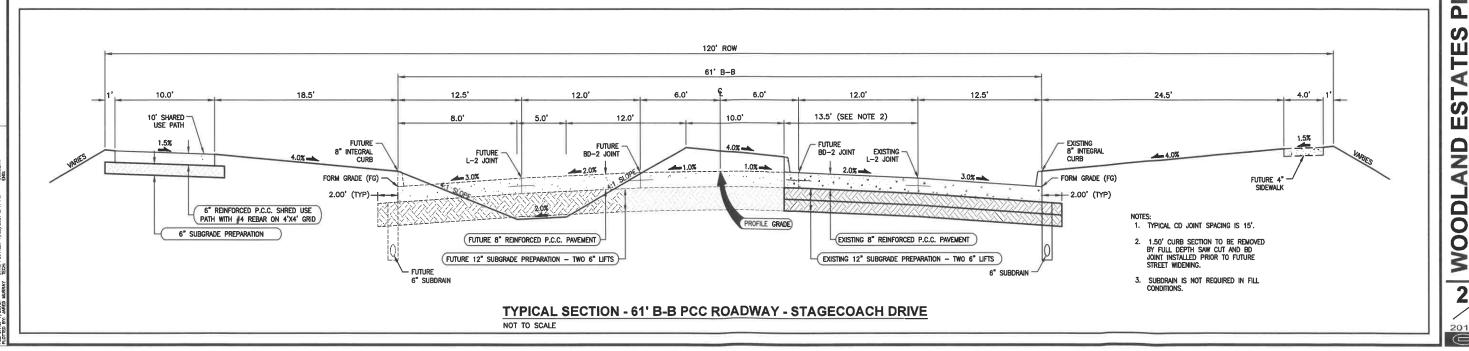
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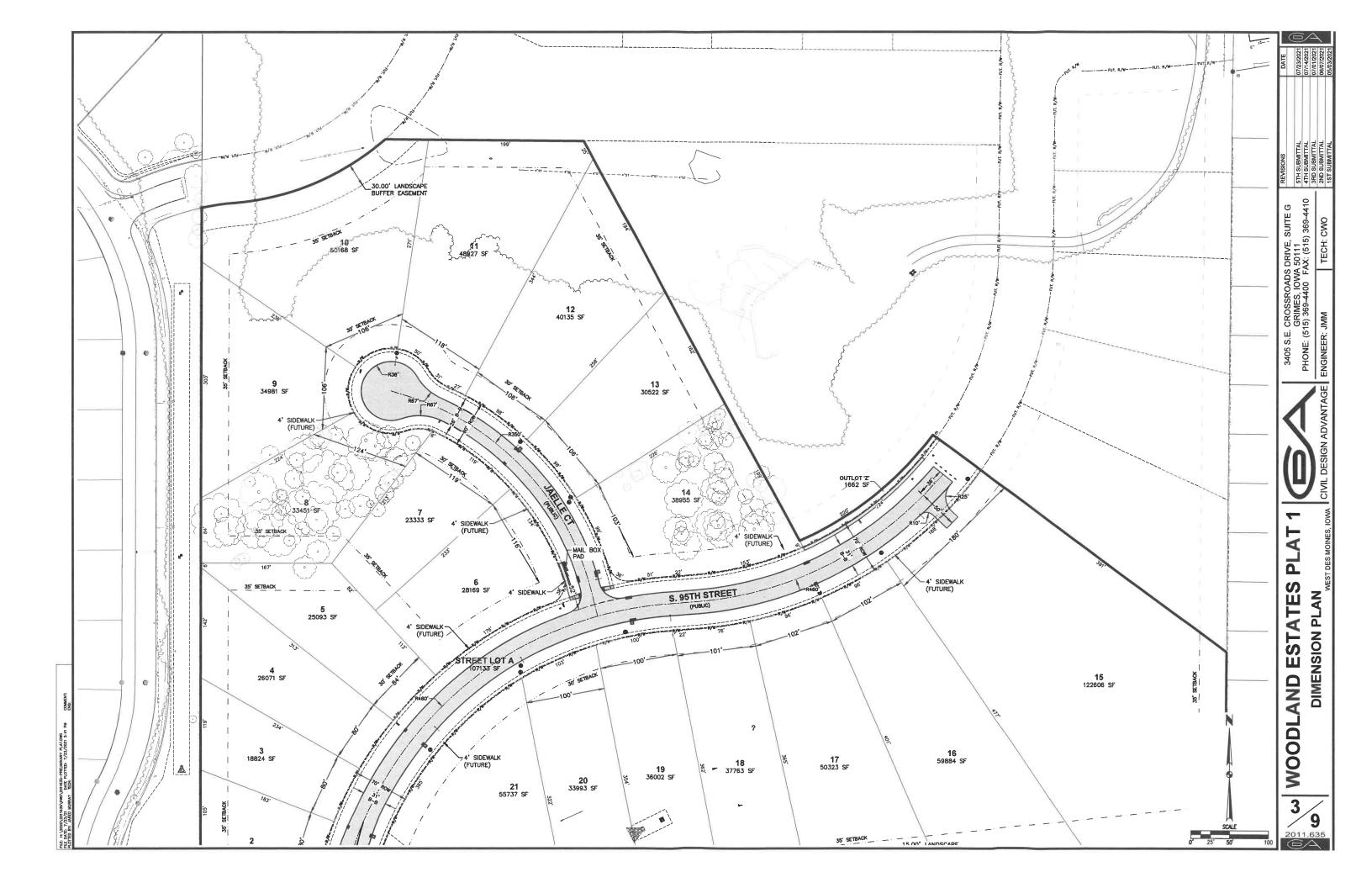
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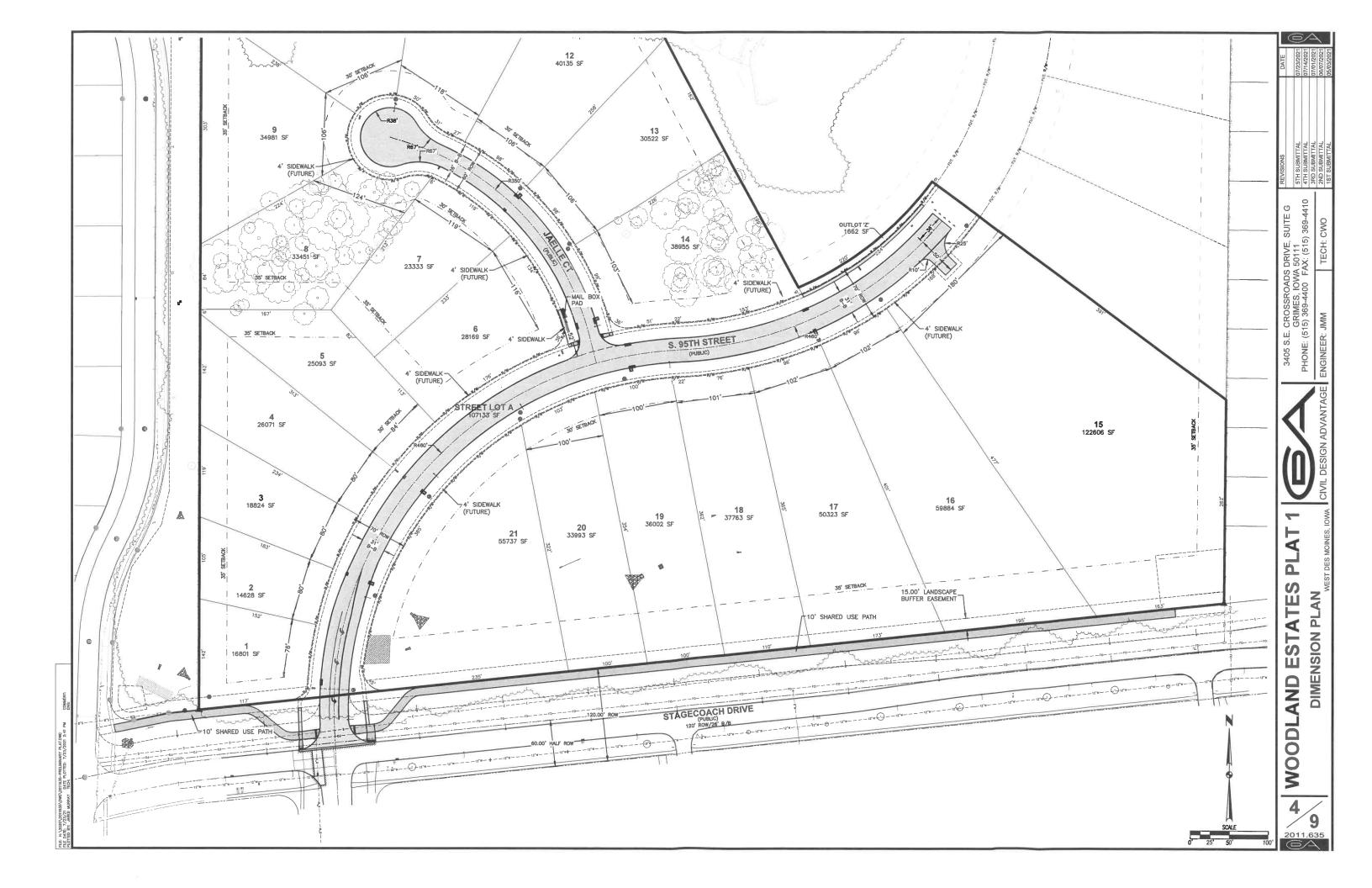
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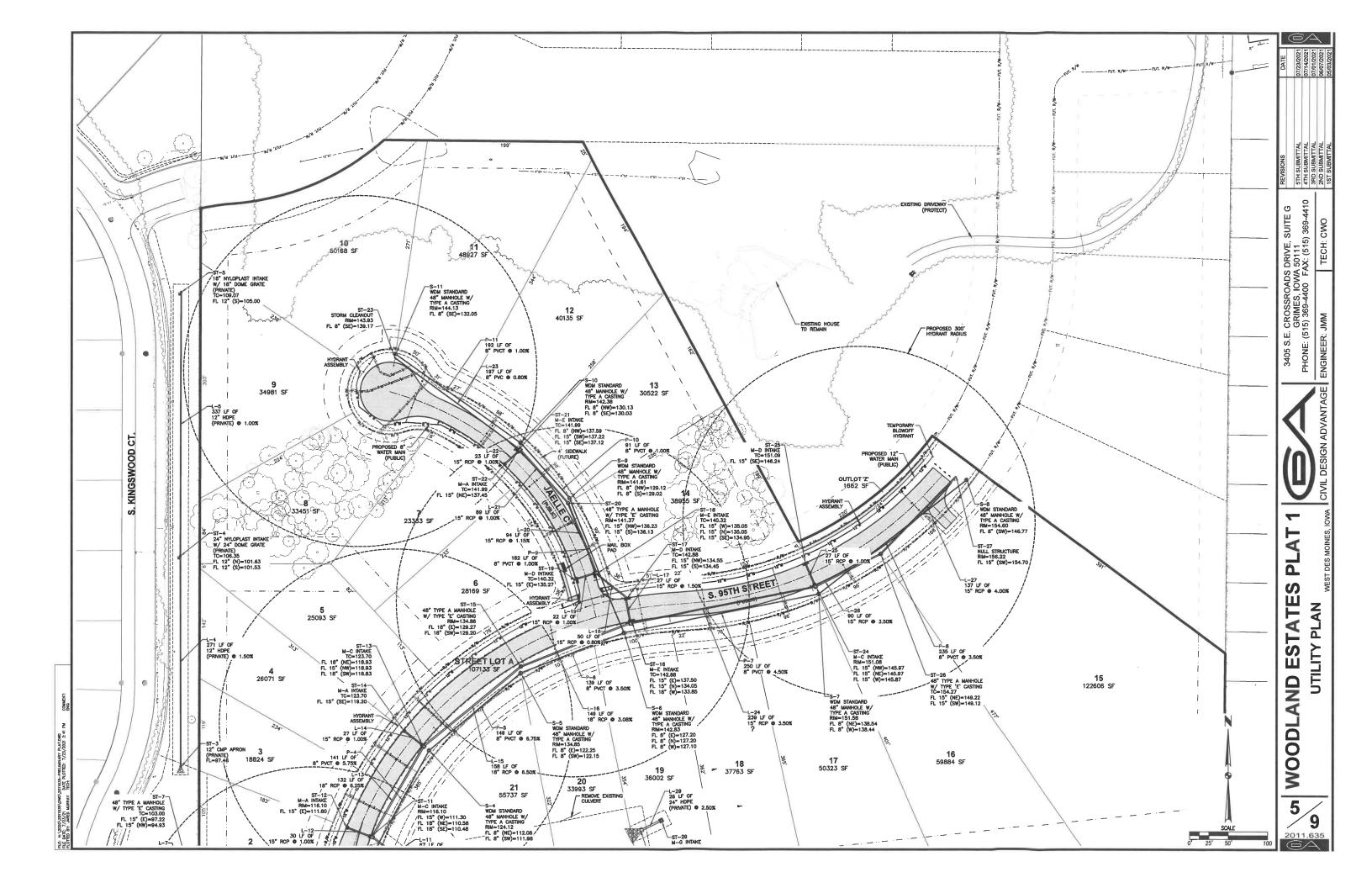
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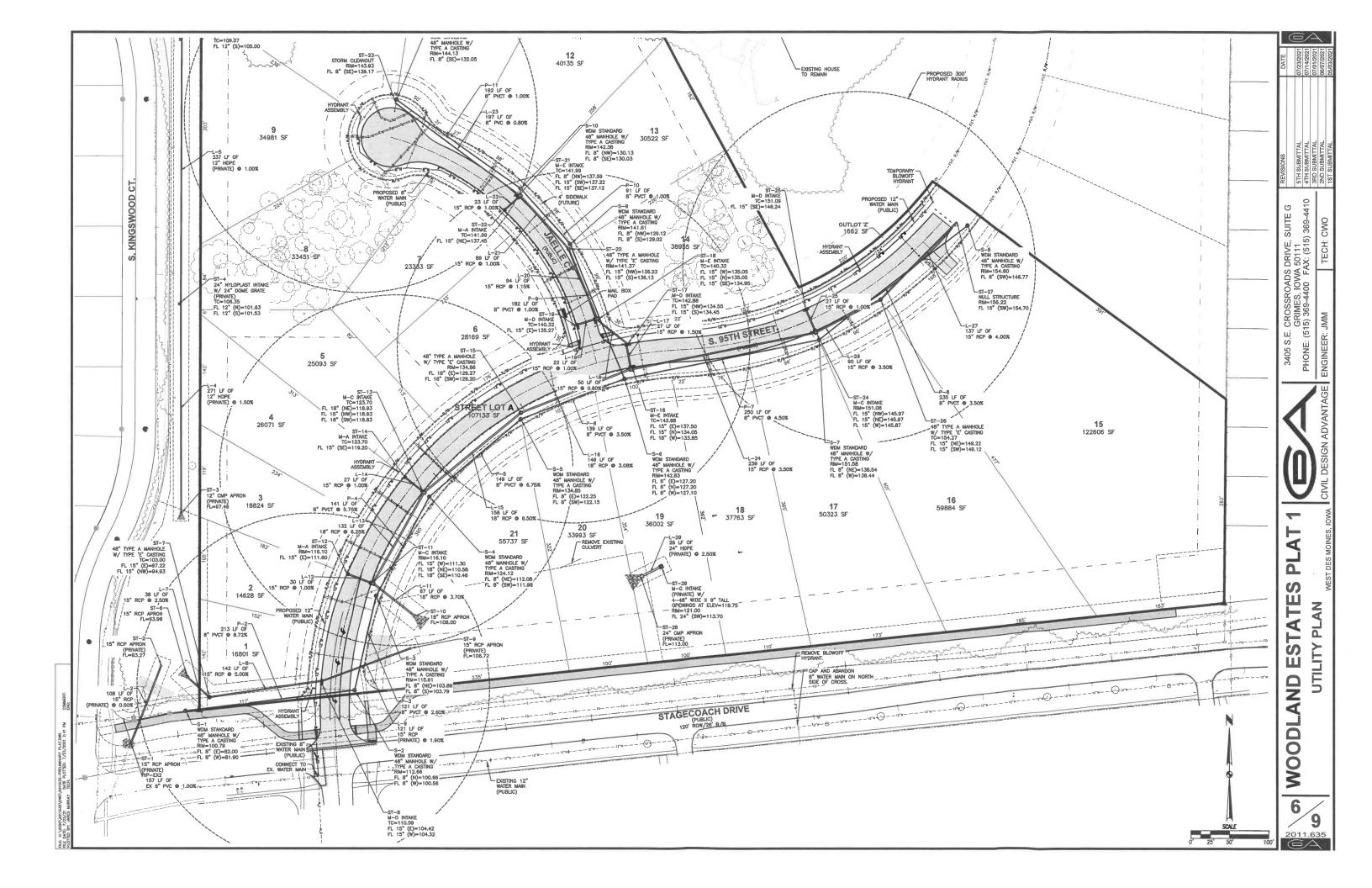


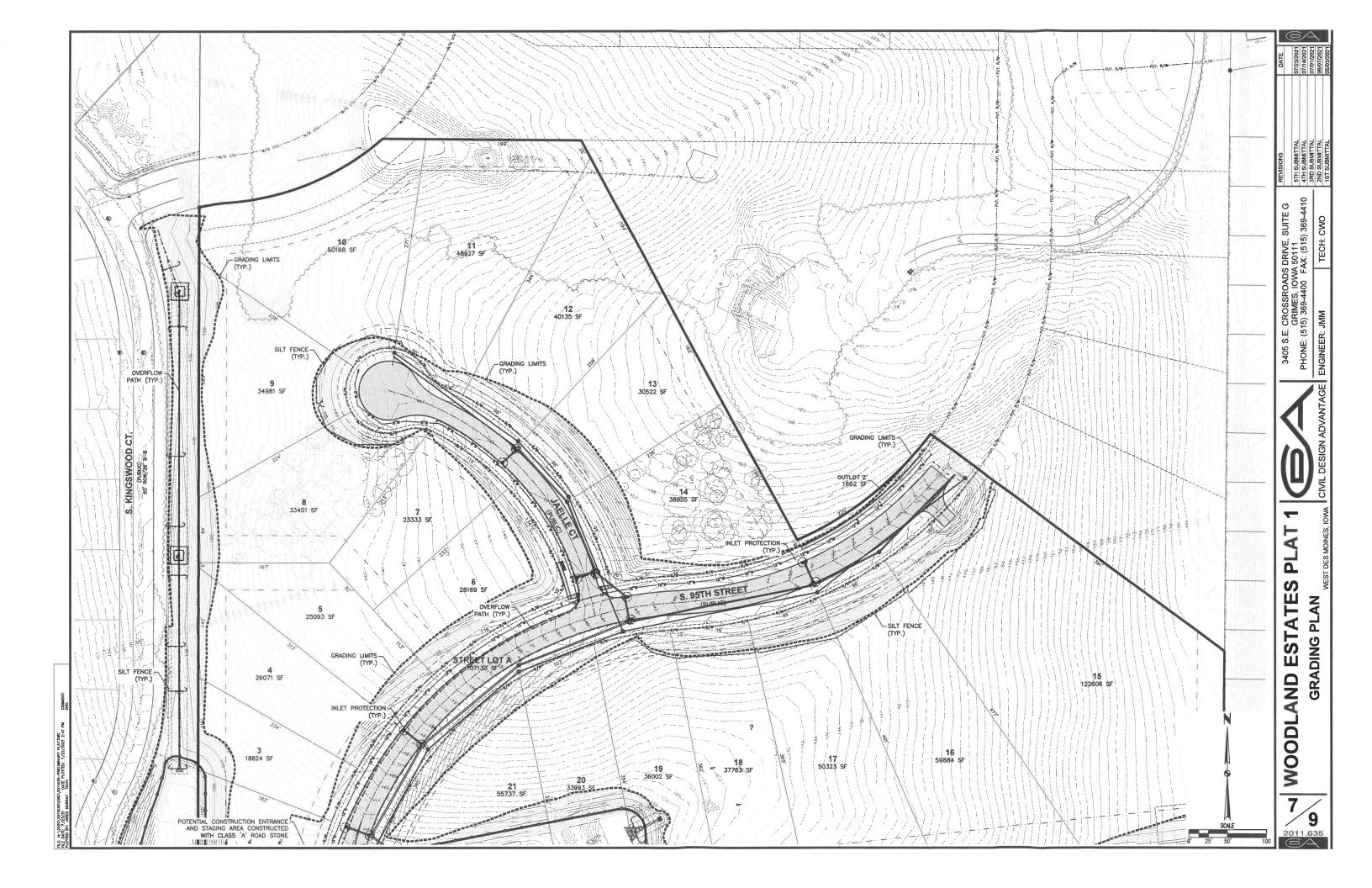


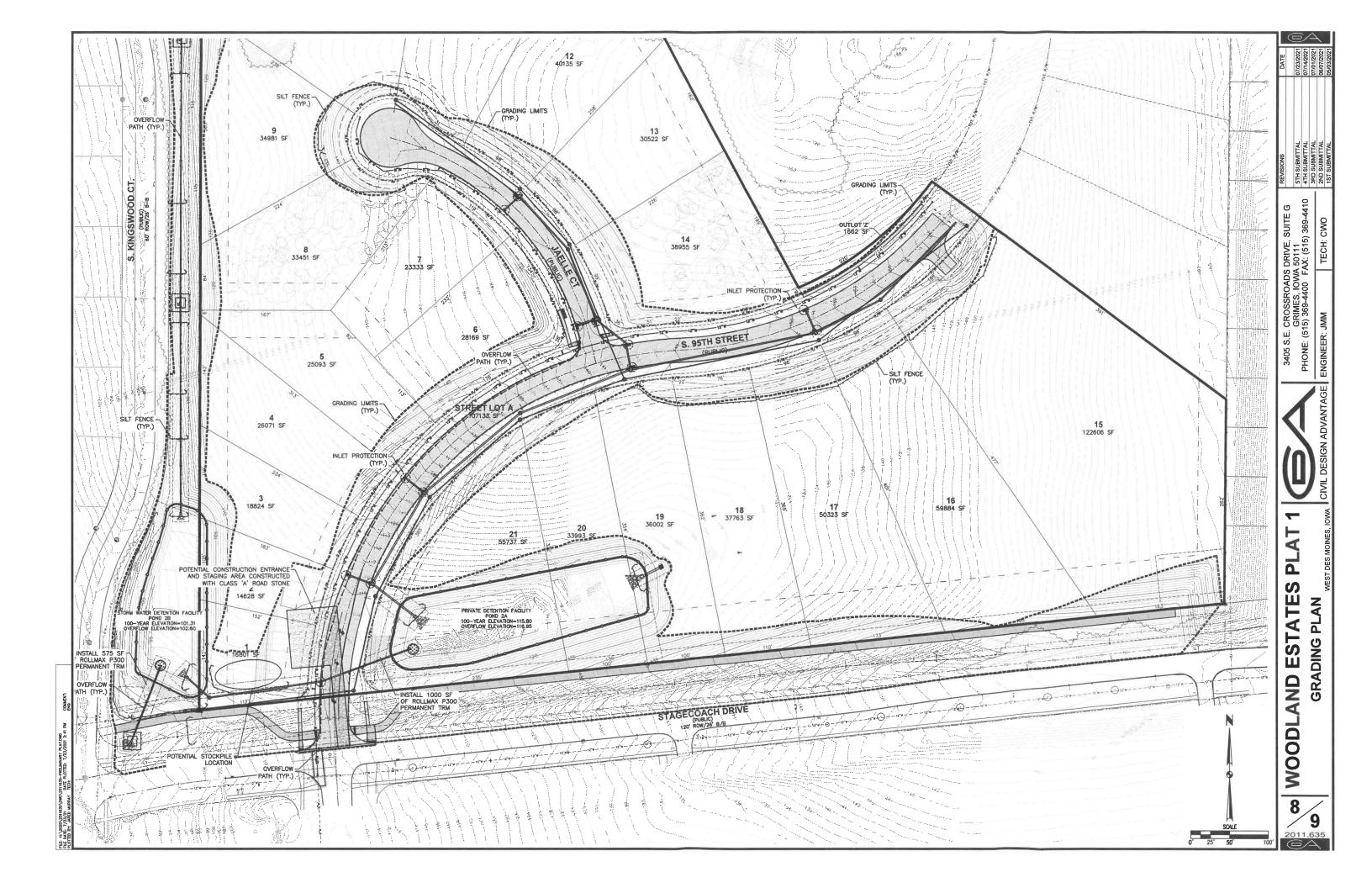


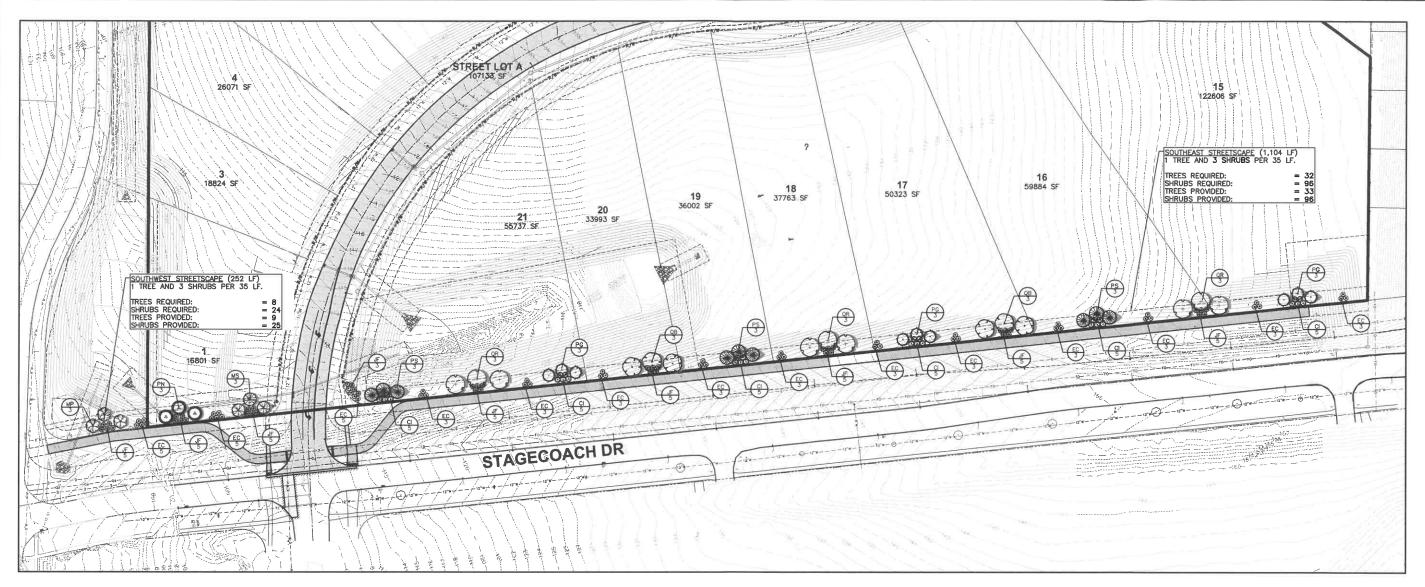


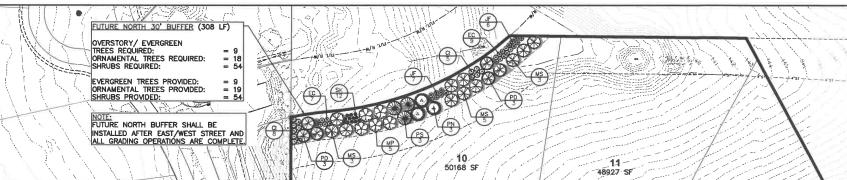












FUTURE NORTH STREETSCAPE SHALL BE INSTALLED AFTER EAST/WEST STREET AND ALL GRADING OPERATIONS ARE COMPLETE.

TREES	QTY	COMMON NAME	BOTANICAL NAME	CONDITION AND SIZE
PG	9	Colorado Blue Spruce	Picea pungens 'Glauca'	B&B, 6' HEIGHT
PS	9	White Pine	Pinus strobus	B&B, 6' HEIGHT
QB	6	Swamp White Oak	Quercus bicolor	B&B, 2" CALIPER
QR	9	Red Oak	Quercus rubra	B&B, 2" CALIPER
SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	CONDITION AND SIZE
a	30	Isanti Redosier Dogwood	Cornus sericea 'Isanti'	36" HT.
EC	38	Compact Burning Bush	Euonymus alatus 'Compactus'	24" HT.
JF	28	Sea Green Juniper	Juniperus chinensis 'Sea Green'	24" HT.

TREES	QTY	COMMON NAME	BOTANICAL NAME	CONDITION AND SIZE
PS	3	White Pine	Pinus strobus	B&B, 6' HEIGHT
QR	6	Red Oak	Quercus rubra	B&B, 2" CALIPER
				***************************************
SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	CONDITION AND SIZE
EC	12	Compact Burning Bush	Euonymus alatus 'Compactus'	24" HT.
JF	16	Seg Green Juniper	Juniperus chinensis 'Sea Green'	24" HT.

TREES	QTY	COMMON NAME	BOTANICAL NAME	CONDITION AND SIZE
IKEES	QIT		BOTANICAL NAME	CONDITION AND SIZE
MP	3	Prairifire Crab Apple	Malus x 'Prairifire'	B&B, 1.5" CALIPER
MS	3	Spring Snow Crab Apple	Malus x 'Spring Snow'	B&B, 1.5" CALIPER
PN	3	Newport Flowering Plum	Prunus cerasifera 'Newport'	B&B, 1.5" CALIPER
SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	CONDITION AND SIZE
SHRUBS	QTY 12	COMMON NAME Compact Burning Bush	BOTANICAL NAME Euonymus clatus 'Compactus'	CONDITION AND SIZE 24" HT.

PLANT SCHEDULE - SOUTHWEST STREETSCAPE

#### LANDSCAPE NOTES

- LANDSCAPE NOTES

  1. LOCATE ALL UTILITIES BEFORE ANY PLANTING BEGINS.
  2. ALL CONSTRUCTION SHALL CANFORM TO THE MOST RECENT EDITION OF THE WEST DES MOINES TAMBONS CONSTRUCTION SHALL CANFORM TO THE MOST RECENT EDITION OF THE MOST CURRENT EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK ANS ZOO.1

  OF THE AMERICAN STANDARD FOR NURSERY STOCK ANS ZOO.1

  ALL PLANT MATERIAL SHALL BE HEARTHY SPECIALISM WITHOUT DEFORMITIES, VOIDS AND OPEN SPACES, WITH WELL DEVELOPED BRANCH AND ROOT SYSTEMS; TRUE TO HEIGHT, SHAPE AND CHARACTER OF GROWTH OF THE SPECIES OR VARIETY.

  5. SOO ALL AREAS ADJACENT TO BUILDINGS, SEED (TYPE 1) OR SOO ALL OTHER DISTURBED AREAS AS DIRECTED BY OWNER.

  6. BACKFILL TO TOP OF CURB. (MINUS 1 1/2\* FOR SOD, IF REQ.)

  7. WEED PREVENTER/PRE—EMERGENT) SHALL BE SPREAD OVER SOIL AFTER PLANTING AND BEFORE MULCHING IN ALL PLANTING BEDS PER MANUFACTURER'S RECOMMENDATIONS.

  SHREDDED HARDWOOD MULCH SHALL BE PLACED AROUND ALL TREES, SHRUBS AND IN ALL PLANTING BEDS TO A (MIN) DEPTH OF 3°, ALL GROUPS OF MORE THAN ONE SHRUB SHALL BE MULCED IN A CONTINUOUS BED.

  9. ALL EDGING SHALL BE 3/16\* STEEL EDGING.

  10. PLANT QUANTITIES ARE SHOWN FOR INFORMATION ONLY, THE DRAWING SHALL PREVAIL IF ANY CONFLICTS ARISE.

  11. ALL DEBRIS SPILLED IN THE PUBLIC R.O.W. SHALL BE PICKED UP BY THE CONTRACTOR AT THE END OF EACH WORK DAY.

  21. ALL DEBRIS SPILED IN THE PUBLIC R.O.W. SHALL BE PICKED UP BY THE CONTRACTOR AT THE END OF EACH WORK DAY.

  22. CONTRACTOR SHALL WARRANTY ALL PLANT MATERIALS FOR A PERIOD OF ONE YEAR FROM DATE OF INSTALLATION.

### STREETSCAPE REQUIREMENTS (STAGECOACH DRIVE)

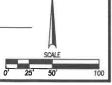
ONE TREE AND THREE SHRUBS PER 35 LF OF STREET FRONTAGE.

#### 30' BUFFER REQUIREMENTS (LOT 10)

- A LANDSCAPED AND BERMED AREA OF NOT LESS THAN THIRTY FEET (30") IN WIDTH COMPRISED OF LANDSCAPE PLANTINGS.
- THE EQUIVALENT OF ONE OVERSTORY TREE OR UPRIGHT EVERGREEN TREE, TWO (2) UNDERSTORY TREES AND SIX (6) SHRUBS SHALL BE PROVIDED PER THIRTY FIVE (35) LINEAR FEET OF THE BUFFER PARK.
- OF THE REQUIRED NUMBER OF TREES WITHIN A BUFFER, A MINIMUM OF FIFTY PERCENT (50%) SHALL BE EVERGREEN

# PLANT SUBSTITUTIONS

- $\cdot\cdot$ (2) Ornamental trees = (1) Overstory tree or evergreen  $\cdot\cdot$ (10) Shrubs = (1) Understory tree
- -NO MORE THAN 50% OF THE REQUIRED PLANT TYPE MAY BE SUBSTITUTED.





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3405 S.E. CROSSROADS DRIVE, S GRIMES, IOWA 50111 PHONE: (515) 369-4400 FAX: (515) :

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**ESTATES** 

PLAN

LANDSCAPE

SUITE

# A RESOLUTION OF THE PLAN AND ZONING COMMISSION NO. PZC-21-063

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, Jerry Bussanmas dba Silo 9, LLC, request approval of the Preliminary Plat for the purpose of subdividing that approximately 22-acre property generally located at NE corner of S. Kingswood Court and Stagecoach Drive as depicted on the location map included in the staff report. The applicant proposes the creation of into 21 lots for detached single family residential development, 1 outlot for future development, and 2 street lots 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-005161-2021) 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 July 26, 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>July 26, 2021</u> , by the following vote:
AYES:
NAYS:
ABSTENTIONS:
ABSENT:
ATTEST:
Recording Secretary

Prepared by: Bryce Johnson, City of West Des Moines Development Services Dept., PO Box 65320, West Des Moines, Iowa 50265-0320 515-222-3620

When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

# **RESOLUTION PZC-21-063**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING A PRELIMINARY PLAT TO CREATE 21 LOTS FOR DETACHED SINGLE FAMILY RESIDENTIAL DEVELOPMENT, 1 OUTLOT FOR FUTURE DEVELOPMENT, AND 2 STREET LOTS

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, Jerry Bussanmas dba Silo 9, LLC, requests approval of Woodland Estates Plat 1 Preliminary Plat for that property generally located at the NE corner of S. Kingswood Court and Stagecoach Drive and legally described in attached Exhibit 'B' for the purpose of subdividing the approximately 22-acre property into 21 lots for detached single family residential development, 1 outlot for future development, and 2 street lots for dedication to the City; 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, the Preliminary Plat complies with Iowa Code Chapters 354 and 414, the comprehensive plan and city code; and

WHEREAS, on July 26, 2021, the Plan and Zoning Commission recommended to the City Council, by a X-X vote, approval of the Preliminary Plat; and

**WHEREAS,** on this day the City Council held a duly noticed meeting to consider the application for the Preliminary Plat.

**NOW, THEREFORE,** The City Council does approve the Woodland Estates Plat 1 Preliminary Plat (PP-005161), subject to compliance with all of the conditions of approval, including any conditions added at the meeting, 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 August 2, 2021.

ATTEST:	
Rvan 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 August 2, 2021, by the following vote.

## **Exhibit A: Conditions of Approval**

- The Developer acknowledging the responsibility for the future construction of an additional lane of Stagecoach Drive. The developer agreeing that their execution of the associated Development Agreement shall be provided to the City prior to City Council consideration of the associated final plat.
- 2. The developer acknowledging that no individual single-family driveways are allowed on Stagecoach Drive. The developer also acknowledging and agreeing to require buyers of lots that front to S 95<sup>th</sup> Street to ensure all turns onto S 95<sup>th</sup> Street are a forward movement and agreeing that backing out onto S 95<sup>th</sup> Street is prohibited.
- 3. The City Council granting allowance of the placement of Public Utility Easements (PUEs) in the front yard of all lots.
- 4. The City Council accepting the continuation of the Stagecoach Drive Streetscape Planting Plan in lieu of a 30' buffer along the rear (south) lot line of lots 15-21 and the side (south) lot line of lot 1.
- 5. The City Council granting a deferral of the installation of the buffer along the rear lot line of Lot 10 until such time that the adjacent future street is graded and any construction that may affect the survivability of the buffer plantings is complete.
- 6. The City Council deferring the installation of the ten foot (10') trail along the north side of Stagecoach Drive until such time that Stagecoach Drive is widened or the trail is necessary to make a connection to trails along Stagecoach Drive immediately to the east and west.
- 7. The developer indicating on the Preliminary Plat drawing and providing a Permanent Grading Easement on Lot 15 to allow for future construction of the remainder of the sidewalk/trail.
- 8. The Preliminary Plat drawing being updated as necessary to address remaining staff comments.
- 9. The developer constructing and receiving City approval and acceptance of all public improvements or providing surety for all public improvements prior to City Council consideration of the associated final plat. In the event that surety is provided, City Council acceptance of the public improvements shall occur prior to issuance of any occupancy permit, including temporary occupancy for any dwelling constructed.

- 10. Prior to issuance of any building permits for construction, available water and appropriate vehicle accesses to the satisfaction of the City's Fire Marshal shall be available.
- 11. The developer providing the following prior to City Council consideration of the associated final plat:
  - a. Surety for buffers and sidewalks.
  - b. Payment of all fees, including fees related to streetlights, street signs, sewer cap charges and water connection fees.
  - c. All legal agreements and easements, including Parkland Dedication Agreement.
  - d. Executed Storm Water Management Facility Maintenance Agreement. Certification letter and as-built drawings shall be required to be provided prior to issuance of any occupancy permits, including temporary occupancy permits for any of the last five (5) dwellings constructed within this Phase 1 development area.

## **Exhibit B: Legal Description**

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 15; THENCE SOUTH 83°58'55" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, 1314.76 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 00°09'32" EAST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, 969.32 FEET TO THE NORTHEAST CORNER OF OUTLOT 'Z', MAJESTIC OAKS PLAT 1, AN OFFICIAL PLAT; THENCE EASTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 320.00 FEET, WHOSE ARC LENGTH IS 42.84 FEET AND WHOSE CHORD BEARS NORTH 81°31'04" EAST, 42.80 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 330.00 FEET. WHOSE ARC LENGTH IS 211.90 FEET AND WHOSE CHORD BEARS NORTH 66°57'27" EAST, 208.28 FEET; THENCE SOUTH 89°25'25" EAST, 253.52 FEET; THENCE SOUTH 28°14'55" EAST, 581.42 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 425.00 FEET, WHOSE ARC LENGTH IS 220.36 FEET AND WHOSE CHORD BEARS NORTH 51°30'42" EAST, 217.90 FEET; THENCE SOUTH 53°20'31" EAST, 466.46 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 00°34'21" WEST ALONG SAID EAST LINE, 261.72 FEET TO THE POINT OF BEGINNING AND CONTAINING 21.47 ACRES (935,159 SQUARE FEET).

THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.