# CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: November 22, 2021

ITEM: Pavilion Park Phase 1 Preliminary Plat, West of 9075 & 9076 Lindas Lane – Approve a Preliminary Plat to create 62 lots for Single Family Residential development – Pavilion Park, L.C. & Della Vita, LLC – PP-005096-2021

**Resolution: Approval of Preliminary Plat** 

<u>Background</u>: Erin Ollendike with Civil Design Advantage, on behalf of the applicant, Land Development Services, Inc., and property owners, Pavilion Park, L.C. & Della Vita, LLC, request approval of a Preliminary Plat for the approximately 23-acre property generally located west of 9075 & 9076 Lindas Lane. The applicant proposes to subdivide the property into 62 lots for single family residential development, 2 outlots for storm water detention, 2 outlots for greenway dedication, and 3 street lots to be dedicated to the city.

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

- *Financial Impact:* 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 September 2021, the City Council approved a Comprehensive Plan Amendment and amendment to the Pavilion Park PUD to allow for single family development on this site. This site was originally designated for medium density residential development.
- Key Development Aspects:
  - Northwest Corner of Site: The northwest corner of this site is currently owned by Della Vita, LLC (Hubbell Homes), which is the developer of the property to the north. The proposed future alignment of EP True Parkway in this location will shift northward into the Della Vita site. The applicant has a development agreement with Hubbell to acquire this property for development of this single-family subdivision. Hubbell has provided a written consent to this platting request since a portion of the proposed preliminary plat is located on their property.
  - EP True Parkway. Access to this subdivision will be via the extension of EP True Parkway from 88<sup>th</sup> Street to the western boundary of Della Vita Plat 4. This construction is being completed by the developer to the north, Della Vita, LLC, and is substantially complete. Additionally, the City is requiring a temporary gravel connection to Wendover Lane, which will provide a secondary access to this site. The temporary gravel connection will be installed by the Pavilion Park developer. Staff recommends conditions of approval that requires the temporary gravel road to withstand 75,000 pounds of gross vehicle weight and be maintained at all times, including snow removal. Also, no further building permits beyond the lots contained within this plat will be allowed within Pavilion Park without the applicant continuing the paving of EP True Parkway to Wendover Lane to eliminate the gravel roadway.

Public Utility Easements (PUE's): To reduce the visual clutter of utility boxes and pedestals along roadways, City Code Title 10: Subdivision Regulations, Chapter 3: Design Standards and Required Improvements, Section 2: Improvements, Subsection C1 states: "Residential Subdivisions: Utility cables shall, as a general rule, be placed at the rear or side of respective lots within an area of perpetual easements reserved for this purpose. Where, in the determination of the council, certain conditions of soil, topography, or other circumstances exist to make the aforementioned easement locations unreasonable or impractical, utility cables may be installed at the front of the lot in an area dedicated for perpetual easement or in the public right of way, provided said installation does not interfere with any other existing or proposed utilities."

Subsection C3 provides "Where it is determined that this provision requiring the installation of underground utilities would not be practical because of unusual conditions and/or the installation would cause unnecessary hardship upon a developer and/or individual property owners, the council may, after receiving a recommendation from staff, waive this provision." Due to the existing topography of the Pavilion Park Phase 1 Preliminary Plat property and the desire to preserve as much of the existing tree canopy in the creek area as possible, the applicant is requesting an allowance to place public utility easements (PUEs) in the front yard of lots 48-58 within the plat. The PUE's will be located in the rear or side yard of the remaining lots in the subdivision. The proposed PUEs will be ten feet (10') in width and will be located within the private portion of the lots immediately adjacent to the Stillwater Drive and Stillwater Court right-of-way lines. Staff believes there is sufficient justification and is in agreement with the request for lots 48-58. Staff recommends a condition of approval of the preliminary plat allowing this waiver.

- <u>Traffic Impact Study Findings</u>: A traffic impact study for this development was completed on June 14, 2021. Key findings are summarized below.
  - The proposed development is expected to generate less traffic than what was analyzed in previous traffic studies for the area. Recommendations for full-build street geometry and traffic control, as well as triggers for possible future improvements, are detailed within the study.
  - Comments regarding future road extensions, emergency vehicle maneuverability, driveway locations, and cluster mailbox locations have been given to the applicant and incorporated into the preliminary plat.
- Plat Validity: 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:

- 1. The City Council approving the waiver request to allow the placement of public utility easements in the front yard of Lots 48-58, Pavilion Park Phase 1 Preliminary Plat.
- 2. The applicant acknowledging that appropriate secondary access to Venice Avenue from EP True Parkway and Wendover Lane, acceptable to the Fire Marshal, shall be in place prior to issuance of building permits, including footing and foundation permits for any lots within the development.
- 3. The applicant acknowledging that the gravel extension of EP True Parkway to Wendover Lane be constructed so that it supports 75,000 lbs. of gross vehicle weight and be maintained at all times, including snow removal.
- 4. The applicant acknowledging that no additional building permits beyond Pavilion Park Phase 1 Preliminary Plat will be allowed within the larger Pavilion Park development until EP True Parkway is fully paved from its existing terminus to Wendover Lane.
- 5. The applicant acknowledging that the Pavilion Park Phase 1 Final Plat shall be approved by the City Council prior to the issuance of any building permits, including footing and foundation permits for lots within the site.

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Publications (if applicable) Council Subsempittes Deview (if applicable)			
	☐ Appropriations/Finance	☐ Agenda Acceptance	
City Council	□ Director	□ Legal Department	
Plan & Zoning Commission	<ul><li>□ Development Coordinator (or)</li><li>⊠ Director</li></ul>	⊠ Legal Department	
Staff Report Reviews:			
City Council			
Plan and Zoning Commission		November 22, 2021	
Approval weeting Dates:			

Publications (if applicable) Council Subcommittee Review (if applicable) Published Des Moines Register Subcommittee Development & Planning Community Section lln: Date(s) n/a **Date Reviewed** 4/5/21 Published

**Brian Portz** 

Lead Staff Member:

Date(s) of Mailed

Notices

n/a

Recommendation □ No ☐ Split

## **Location Map**



## PRELIMINARY PLAT FOR:

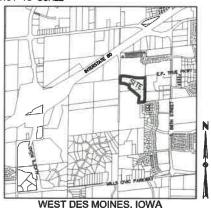
# PAVILION PARK - PHASE 1

## PLANS INCLUDED ARE FOR ILLUSTRATIVE PURPOSES ONLY - APPROVED PLANS ON FILE WITH THE CITY

## **WEST DES MOINES, IOWA**

#### VICINITY MAP

NOT TO SCALE



#### OWNER / APPLICANT

PAYLION PARK, LC CONTACT: BILL SPENCER 9550 HICKMAN ROAD, SUITE 100 CLIVE, IA 50325 PH: (515) 986-5994

#### ENGINEER / SURVEYOR

CIVIL DESIGN ADVANTAGE 3405 SE CROSSROADS DRIVE, SUITE G CONTACT: ERIN OLLENDIKE EMAIL: ERINO@CDA-ENG.COM PH. (515) 369-4400 FX. (515) 369-4410

#### **ZONING**

PROPOSED: PAVILION PARK PUD: UNDERLYING ZONING -

#### **BULK REGULATIONS**

SINGLE FAMILY RESIDENTIAL DISTRICT RS-5

FRONT SETBACK 14' TOTAL (7' MIN.)

### DATE OF SURVEY

JANUARY 7, 2020

#### **BENCHMARKS**

- WEST DES MOINES CITY BM #88, LOCATED 1.3 MILES WEST OF WENDOVER LANE & 88TH STREET, 3 FEET SOUTH OF NORTH FENCE AND 300 FEET SOUTH OF SOUTHEAST CORNER OF REST AREA BUILDING.
- WEST DES MOINES CITY BM#89, LOCATED AT THE INTERSECTION OF WENDOVER LANE AND WENDOVER LANE, 3 FEET SOUTHEAST OF NORTH FENCE ON CENTERLINE OF WENDOVER LANE EXTENDED. ELEVATION=229.39

#### PRELIMINARY PLAT DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, ALL IN SECTION 10, TOWNSHIP 78 NORTH, RANGE 26 WEST OF FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF WHISPER RIDGE PLAT 2, AN OFFICIAL PLAT: THENCE SOUTH 83"12"43" WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, 113.51 FEET; THENCE NORTH 06'32'43" EAST, 311.02 FEET; THENCE NORTH 28'22'21" WEST, 93.32 FEET; THENCE NORTH 87'24'34" WEST, 29.60 FEET; THENCE NORTH 57'24'34" WEST, 258.91 FEET; THENCE NORTH 44'26'37" WEST, 352.49 FEET; THENCE NORTH 24"26"37" WEST, 180.75 FEET; THENCE NORTH 67"36"37" WEST, 139.43 FEET; THENCE NORTH 89"16"27" WEST, 202.71 FEET TO THE EAST RIGHT OF WAY LINE OF WENDOVER LANE: THENCE NORTH 00'44'16" FAST ALONG SAID FAST LINE, 206.68 FFFT: THENCE NORTH 00'55'07' EAST CONTINUING ALONG SAID EAST LINE, 165.93 FEET; THENCE EASTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 1500.00 FEET, WHOSE ARC LENGTH IS 409.80 FEET AND WHOSE CHORD BEARS SOUTH 88"13"52" EAST, 408.53 FFET: THENCE SOUTH 80"24"17" FAST, 356.44 FFET THENCE EASTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1500.00 FEET, WHOSE ARC LENGTH IS 431.56 FEET AND WHOSE CHORD BEARS SOUTH 88'38'48" EAST, 430.07 FEET; THENCE NORTH 83'06'40" EAST, 81.80 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 00'46'05" WEST ALONG SAID EAST LINE, 1262.49 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 8312'43" WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, ALSO BEING THE NORTH LINE OF SAID WHISPER RIDGE PLAT 2, A DISTANCE, 238.48 FEET TO THE POINT OF BEGINNING AND CONTAINING 22.98 ACRES (1,001,098 SQUARE FEET).

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

#### NOTES

- 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 CONSTRUCTION.
- THE GENERAL CONTRATOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF WORK OF ALL SUBCONTRACTOR(S) INVOLVED IN THE PROJECT.
- 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 WDM ADDENDUMS.
- 7. ALL WATER MAIN, SANITARY SEWER AND STORM SEWER ARE PUBLIC
- 8. ALL CONNECTIONS TO THE PUBLIC SEWERS SHALL BE CORE DRILLED.
- 9. THE STORMWATER DETENTION FACILITIES AND PRIVATE STORM SEWERS WILL BE MAINTAINED BY THE HOMEOWNWER'S ASSOCIATION.
- 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 WOM 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.
- 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
- 12. CONTRACTOR SHALL NOTIFY WEST DES MOINES WATER WORKS AT LEAST ONE WEEK PRIOR TO
- 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.
- CONTACT BUILDING INSPECTION (515-222-3630) A MINIMUM OF 24 HOURS IN ADVANCE FOR PRIVATE UTILITY INSTALLATION INSPECTIONS.
- PROPERTY OWNER/DEVELOPER(S) WILL BE RESPONSIBLE FOR THE INSTALLATION OF SIDEWALKS ADJACENT TO ALL PUBLIC STREETS BORDERING THE PROPERTY.

### **FEATURES** PROPOSED GROUND SURFACE CONTOUR

**LEGEND** 

TYPE SW-501 STORM INTAKE TYPE SW-502 STORM INTAKE

TYPE SW-503 STORM INTAKE

TYPE SW-401 STORM MANHOLE

WATER VALVE FIRE HYDRANT ASSEMBLY

STORM SEWER

WATERMAIN WITH SIZE SURVEY

SECTION CORNER 1/2" REBAR, YELLOW CAP #1598 (UNLESS OTHERWISE NOTED) ROW MARKER ROW RAIL PLATTED DISTANCE DEED DISTANCE CALCULATED DISTANCE CENTERLINE

SECTION LINE EASEMENT LINE LOT LINE RIGHT OF WAY BUILDING SETBACK

PLAT BOUNDARY

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**EXISTING** 

GROUND SURFACE CONTOUR

SANITARY MANHOLE

WATER VALVE BOX

WATER CURB STOP

STORM SEWER MANHOLE

FLARED END SECTION

DECIDIOUS TREE CONIFEROUS TREE

DECIDUOUS SHRUB

CONIFEROUS SHRUB

GUY ANCHOR

STREET LIGHT

ELECTRIC POWER POLE

POWER POLE W/ TRANSFORMER

STORM SEWER SINGLE INTAKE

STORM SEWER DOUBLE INTAKE

FIRE HYDRANT

TYPE SW-505 STORM INTAKE

TYPE SW-512 STORM INTAKE

TYPE SW-402 STORM MANHOLE

TYPE SW-301 SANITARY MANHOLE

DETECTABLE WARNING PANEL

SANITARY SEWER

FOUND

ELECTRIC BOX ELECTRIC TRANSFORMER ELECTRIC MANHOLE OR VAULT TRAFFIC SIGN TELEPHONE JUNCTION BOX TELEPHONE MANHOLE /VAUL TELEPHONE POLE SET GAS VALVE BOX Δ CABLE TV JUNCTION BOX MAIL BOX BENCHMARK SOIL BORING UNDERGROUND TV CABLE GAS MAIN FIBER OPTIC

UNDERGROUND ELECTRIC

SANITARY SEWER W/ SIZE

STORM SEWER W/ SIZE

WATER MAIN W/ SIZE

FIELD TILE

E T 1 TV (IV) M UNDERGROUND TELEPHONE OVERHEAD ELECTRIC --- OE-----

S I 1 - 4 ELIMINARY PARK <u>0</u>

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DRIVE, 50111 AX: (515)

S.E. CROSSROADS D GRIMES, IOWA 5 : (515) 369-4400 FA)

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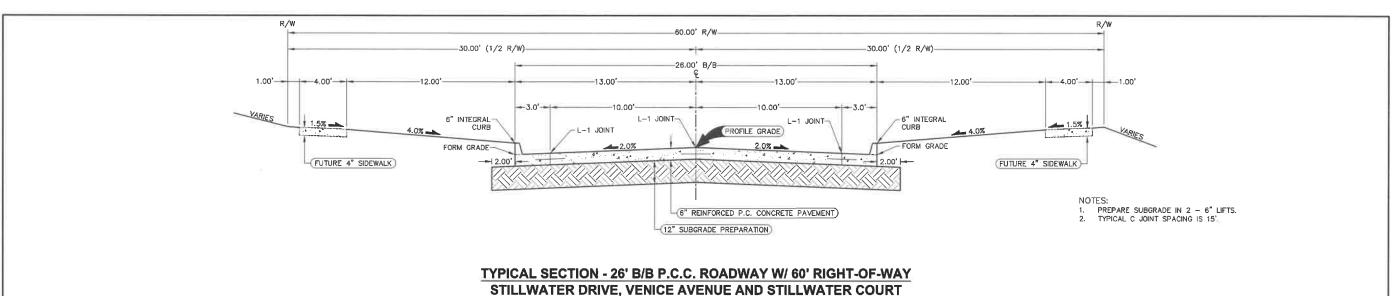
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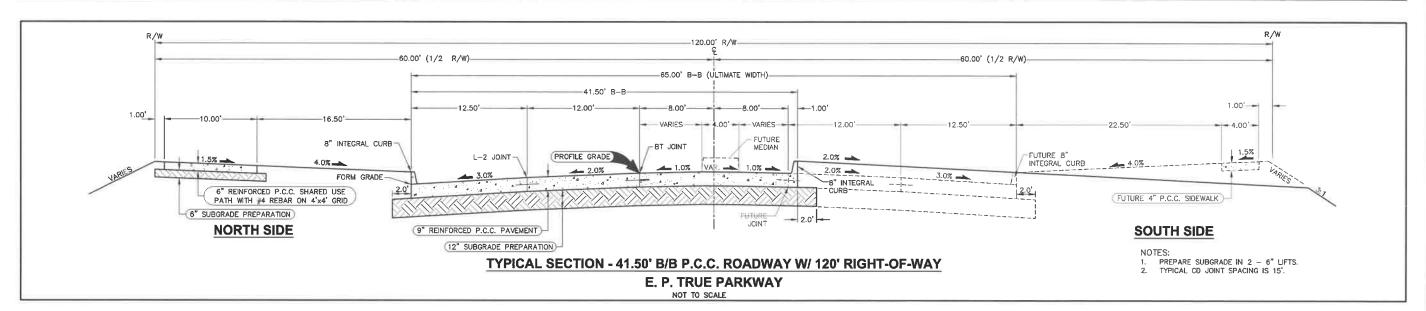
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PAVILION PARK
PRELIMINARY

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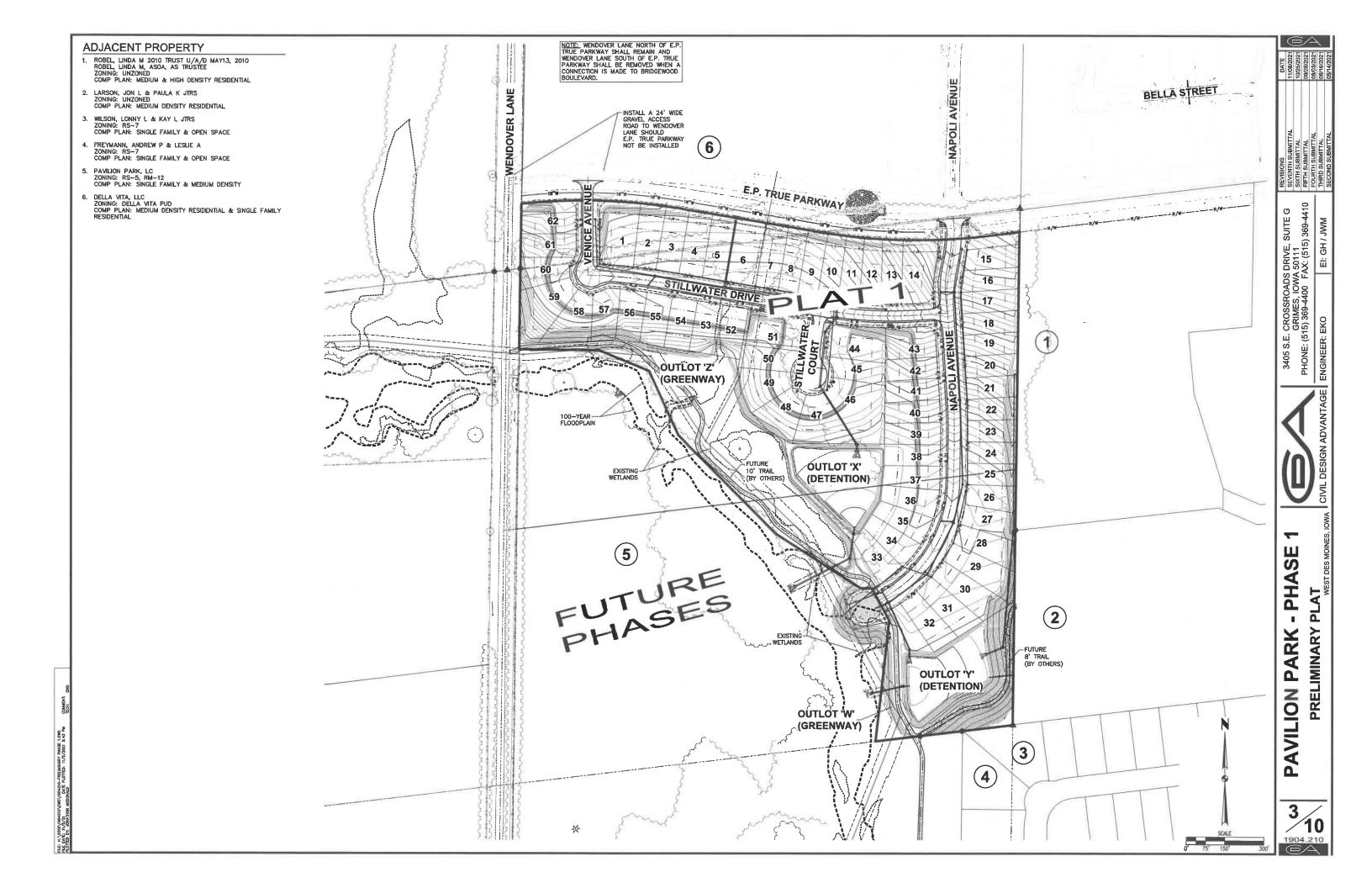
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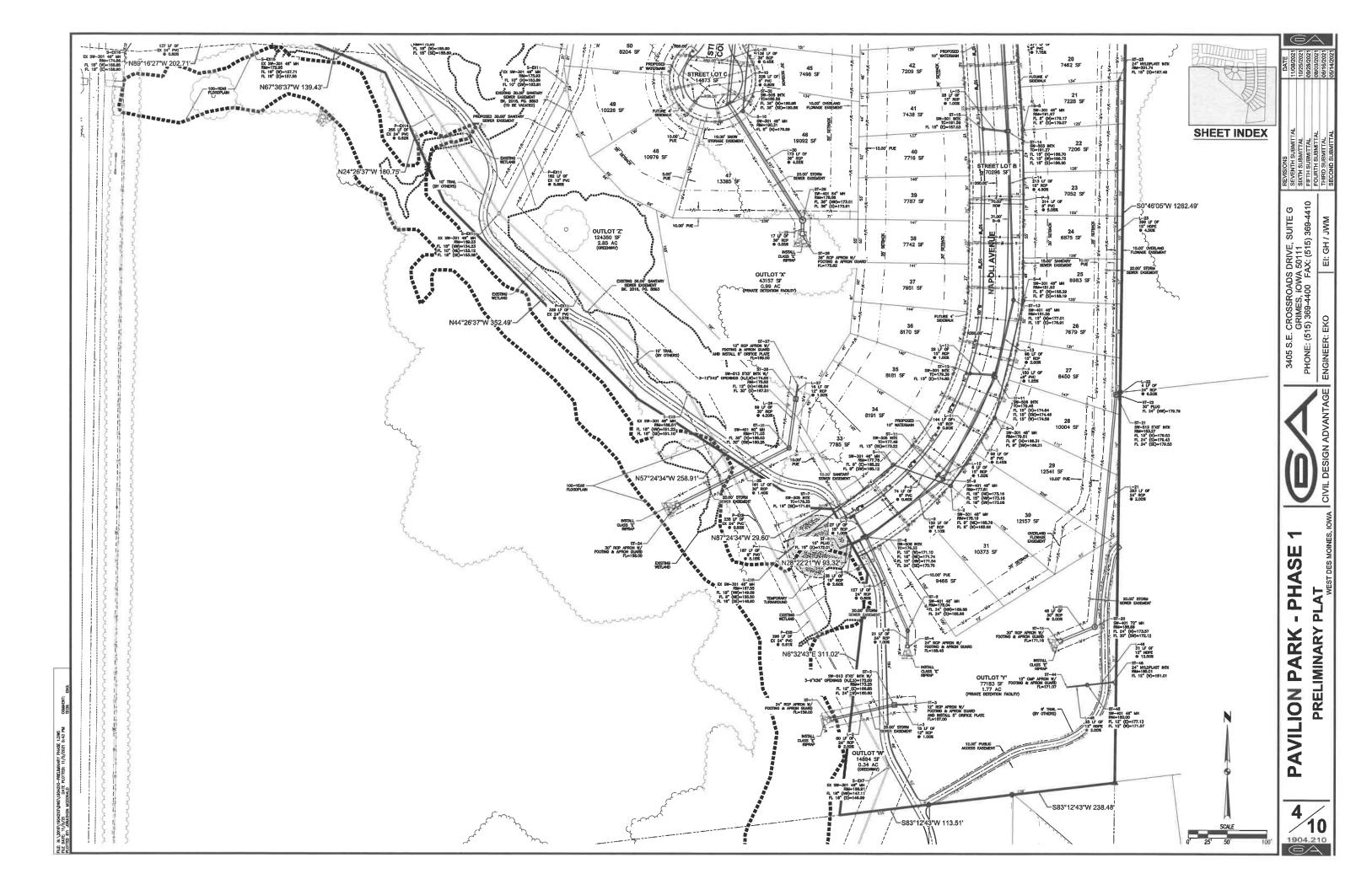
**PLAT** 

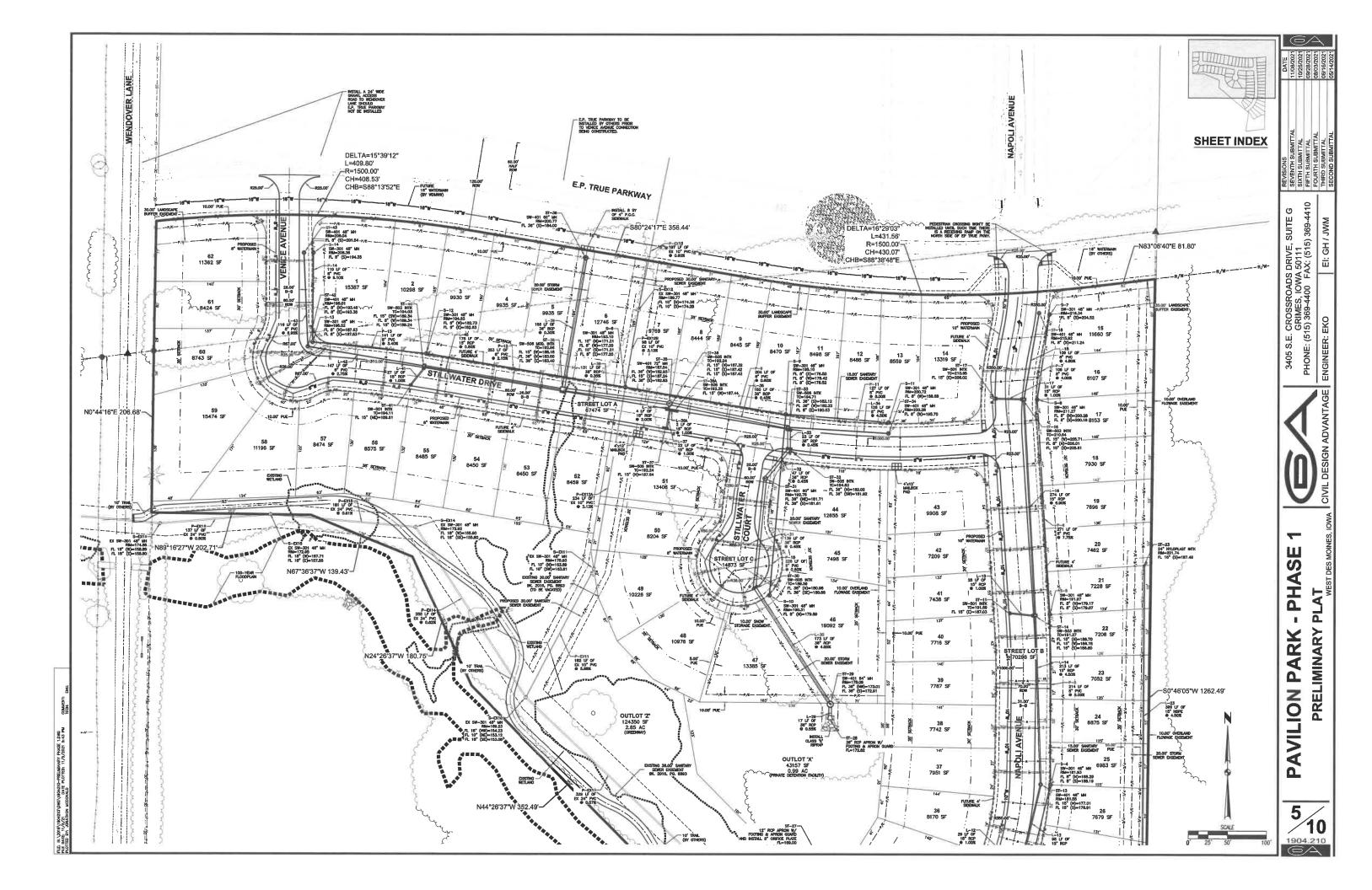
3405 S.E. CROSSROADS DRIVE, SUITE G GRIMES, IOWA 50111 PHONE: (515) 369-4400 FAX: (515) 369-4410

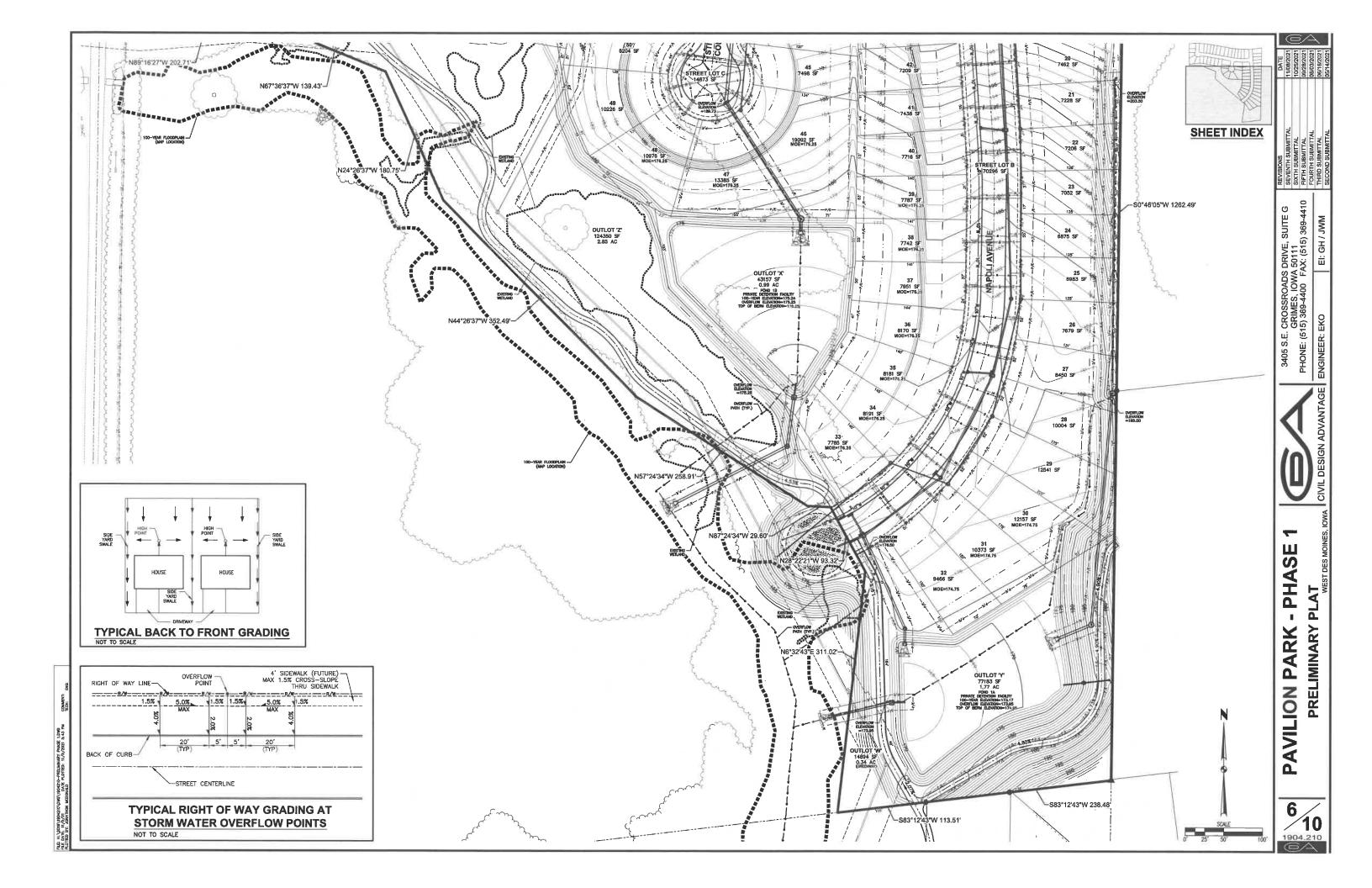
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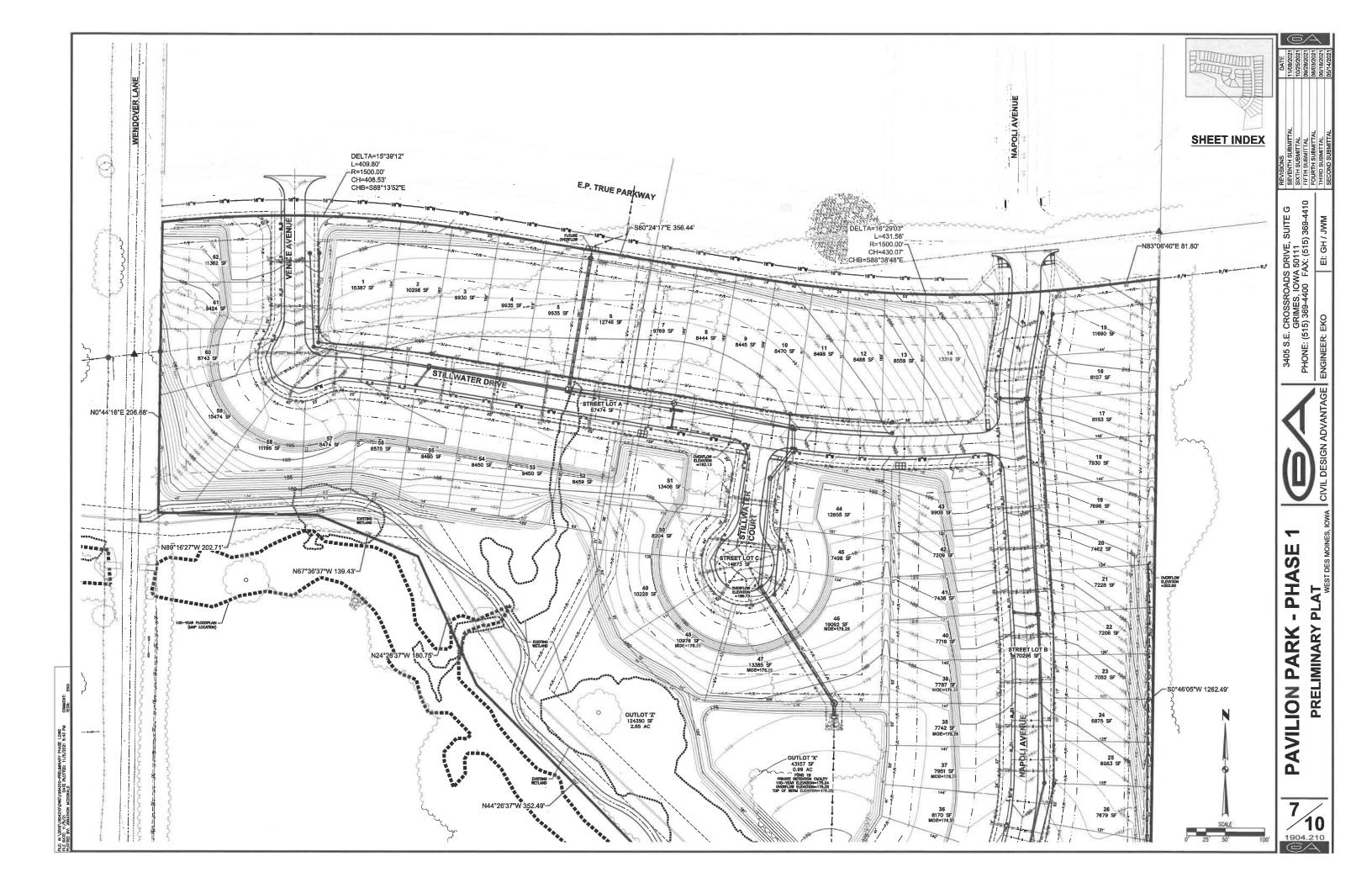
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# PAVILION PARK - PHASE 1

UNDISTURBED AREA

100-YEAR-FLOODPLAIN (MAP LOCATION)

OUTLOT 'Z'

UNDISTURBED

CONSTRUCTION MEASURE)
(TYP.)

WETLAND (POST CONSTRUCTION MEASURE)

## **EROSION AND SEDIMENT CONTROL PLAN**

WETLAND (POST

DA #2 10.40 AC

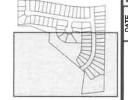
DETENTION BASIN (POST CONSTRUCTION MEASURE)

TSB #2

INSTALL TEMPORARY STANDPIPE, SEE DETAIL #2

**OUTLOT 'X'** 

CONSTRUCTION MEASURE)



#### SHEET INDEX



WEST DES MOINES. IOWA

#### STABILIZATION QUANTITIES

ITEM NO.	ITEM	UNIT	TOTAL
1	SILT FENCE	LF	5,803
2	SEEDING, FERTILIZING, AND MULCHING	AC	19.84
3	INLET PROTECTION DEVICES	EA	18
4	CONCRETE WASHOUT PIT	EA	1
5	10" CMP OR HDPE TEMPORARY STANDPIPE	EA	2

#### DISCHARGE POINT SUMMARY

DISCHARGE POINT #1 DIRECTLY INTO FOX CREEK TOTAL AREA DISTURBED TO DISCHARGE POINT STORAGE VOLUME REQUIRED (# OF ACRES*3600 CU FT)	8.56 ACRES 30,816 CU FT
VOLUME PROVIDED IN SILT FENCE (1,941 LF @ 4.5 CU FT/LF OF FENCE) VOLUME PROVIDED IN TSB #1 TOTAL VOLUME PROVIDED	8,735 CU FT 51,777 CU FT 60,512 CU FT
DISCHARGE POINT #2 DIRECTLY INTO FOX CREEK TOTAL AREA DISTURBED TO DISCHARGE POINT STORAGE VOLUME REQUIRED (# OF ACRES*3600 CU FT)	10.40 ACRES 37,440 CU FT
VOLUME PROVIDED IN SILT FENCE (1,442 LF @ 4.5 CU FT/LF OF FENCE) VOLUME PROVIDED IN TSB #2 TOTAL VOLUME PROVIDED	6,489 CU FT 41,107 CU FT 47,596 CU FT
DISCHARGE POINT #3 DIRECTLY INTO FOX CREEK TOTAL AREA DISTURBED TO DISCHARGE POINT STORAGE VOLUME REQUIRED (# OF ACRES*3500 CU FT)	2.59 ACRES 9,324 CU FT

VOLUME PROVIDED IN SILT FENCE (2,420 LF ● 4.5 CU FT/LF OF FENCE) 10,890 CU FT TOTAL VOLUME PROVIDED 10,890 CU FT

## NOTES:

IF DEWATERING IS NEEDED FOR ANY REASON, DISCHARGE OF WATER OFFSITE IS TO CONFORM WITH THE GENERAL PERMIT #2 REQUIREMENT.

- DISTURBED AREAS SHALL BE TEMPORARILY SEEDED OR MULCHED IMMEDIATELY WHENEVER CLEARING, GRADING, EXCAVATING, OR OTHER EARTH DISTURBING ACTIVITIES HAVE PERMANENTLY OR TEMPORARILY CEASED AND WILL NOT RESUME FOR A PERIOD EXCEEDING 14 CALENDAR DAYS.
- 3. SWPPP MANAGER: CASCADE EROSION SOLUTIONS CONTACT: JEFF PEZZETTI

<u>SWPPP LEGEN</u>	D	
DRAINAGE ARROW	X.XX %	CONCRETE WASHOUT PIT
GRADING LIMITS		
FILTER SOCK		UNDISTURBED AREA
SILT FENCE	• • • • •	RIPRAP
DITCH CHECK		
NLET PROTECTION	0	GRAVEL ENTRANCE

PORTABLE RESTROOM

R TEMPORARY STANDPIPE

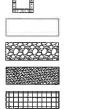
STAGING AREA

TEMPORARY SEDIMENT BASIN









OUTLOT

- GRADING LIMITS

UNDISTURBED

SILT FENCE

8.56 AC

31

OUTLOT Y

DETENTION BASIN (POST CONSTRUCTION MEASURE)

RIPRAP (POST CONSTRUCTION MEASURE) (TYP.)

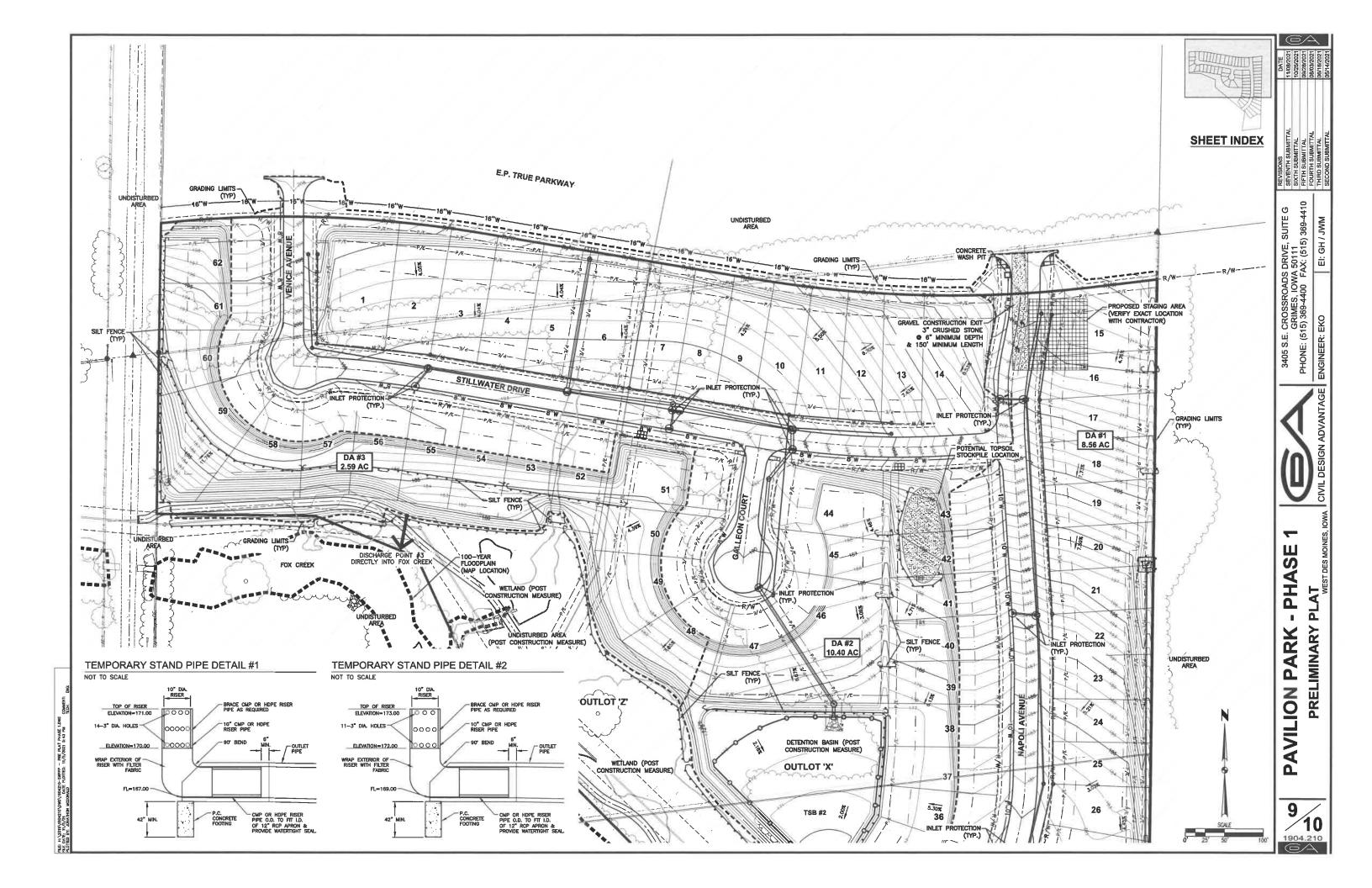
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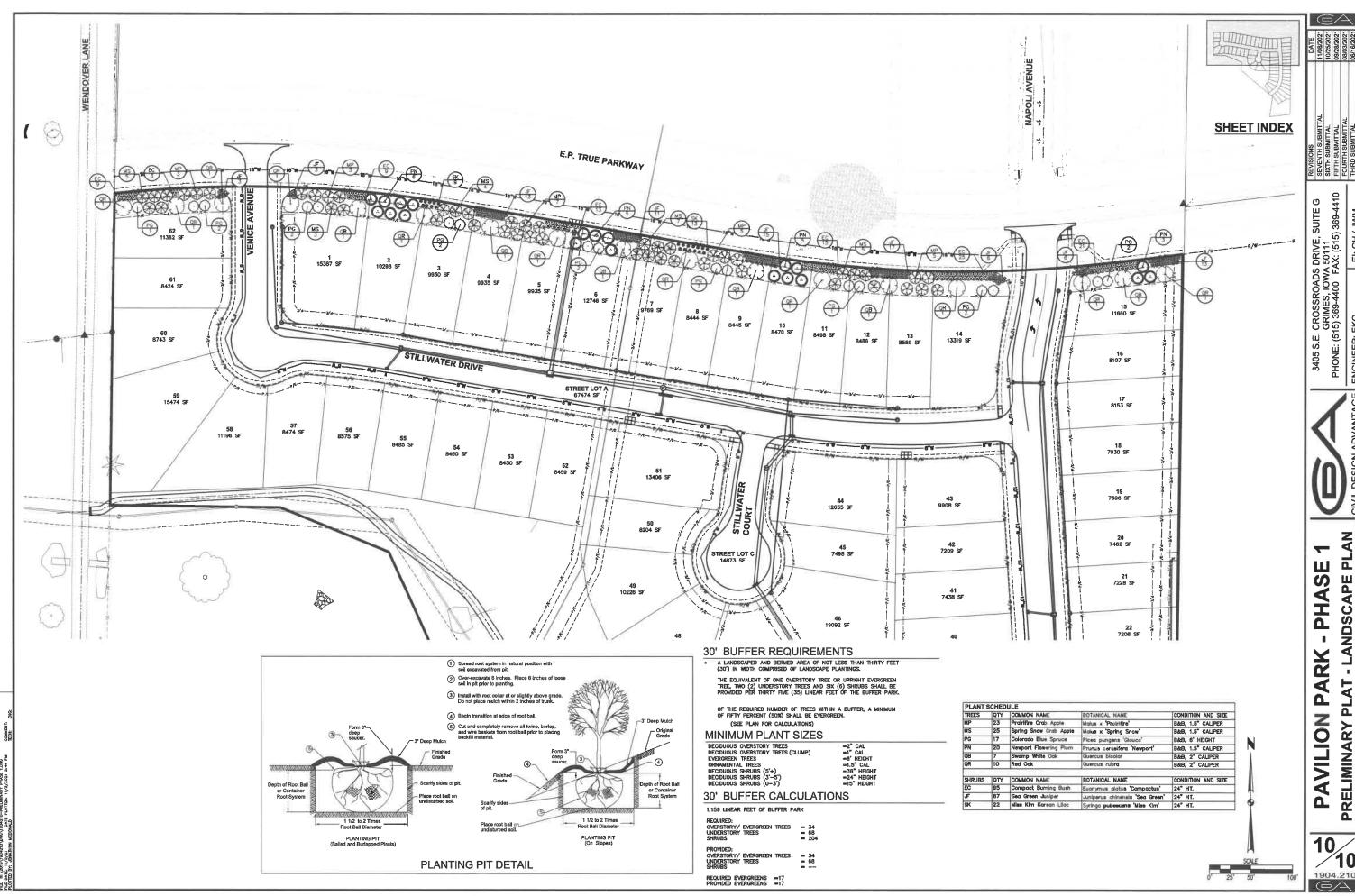
3405 S.E.

S PHA **PLAT PRELIMINARY** 

PARK AVILION **D** 

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PLAN LANDSCAPE

EI: GH / JWM

ENGINEER: EKO

**PLAT PRELIMINARY** 

10/ 1904.210

# A RESOLUTION OF THE PLAN AND ZONING COMMISSION NO. PZC-21-092

WHEREAS, pursuant to the provisions of Title 9, Zoning and Title 10, Subdivision Regulations of the West Des Moines Municipal Code, the applicant, Land Development Services, Inc., and property owners, Pavilion Park, L.C. & Della Vita, LLC, request approval of the Preliminary Plat for the purpose of subdividing that approximately 23-acre property generally located west of 9075 & 9076 Lindas Lane as depicted on the location map included in the staff report. The applicant proposes the creation of 62 lots for single family residential development, 2 outlots for storm water detention, 2 outlots for greenway dedication, and 3 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-005096 -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 November 22, 2021.

ABSENT:

Recording Secretary

ATTEST:

	Plan and Zoning Commission
	oing resolution was duly adopted by the Plan and Zoning is Moines, Iowa, at a regular meeting on <u>November 22, 2021,</u> by th
AYES:	
NAYS:	
ABSTENTIONS:	

Erica Andersen, Chair