CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION

Meeting Date: January 3, 2022

ITEM: Fox Ridge Townhomes Plat 1, South of Veterans Parkway and west of the Fox Valley development – Approve Final Plat to create 48 footprint lots for multi-family development, and 2 outlots – Forestar (USA) Real Estate Group, Inc. – FP-005381-2021

RESOLUTION: Approval and Release of Final Plat

Background: Branden Stubbs with Stubbs Engineering, on behalf of the applicant and property owner, Forestar (USA) Real Estate Group, Inc., requests approval of a Final Plat for the approximately 5.5-acre property generally located south of Veterans Parkway and west of the Fox Valley development. The applicant proposes to subdivide the property into forty-eight (48) footprint lots for multi-family development, one (1) outlot for storm water detention, and one (1) outlot for common area. This is the first phase of a multi-phased townhome development.

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
- *History*: The original Fox Ridge preliminary plat was approved by the City Council on July 6, 2021. The preliminary plat was revised on December 6, 2021 to include an outlot parcel located between the original Fox Ridge preliminary platted area and the existing Fox Valley Subdivision resulting in an additional lot being added to the plat. In addition to the inclusion of the ground, dimensions were added to the preliminary plat at the front setback line to confirm that all lots meet minimum lot width requirements, some streets were renamed because they were duplicates to existing street names or considered to be too similar to names that are already in use.
- *Access to Veterans Parkway:* A new street is proposed with this development (SE 25th Street) that will connect to existing Veterans Parkway to provide a secondary access to the development from the north. Existing SE Fox Valley Drive (1st phase of single-family homes) and SE Creekhill Way (future phase – unknown timing) will be extended westward and connect to SE 25th St. The existing Great Western Trail is located between the applicant's property and Veterans Parkway. The Great Western Trail property is owned by Warren County and is maintained by the Warren County Conservation Commission. Warren County has indicated that since this trail is a former railroad right of way that has been railbanked in accordance with the National Trails System Act, they are not able to dedicate the road right of way across the trail to the City of West Des Moines. Warren County has provided a right of way easement to the City. This easement will allow SE 25th Street to pass over the trail property to provide public access to the Fox Ridge site from the north.
- *Traffic Analysis Findings:* Traffic Impact Studies are not conducted for Final Plats but instead are completed at the time of the associated Preliminary Plat/site plan. Per that study, the proposed development is expected to generate less traffic than what was analyzed in earlier traffic studies for the area. The proposed north/south major collector street (SE 25th Street) through the site to Veterans Parkway needs to be constructed as planned. The majority of Fox Ridge traffic is expected to utilize this route. Without a connection to Veterans Parkway, SE Fox Valley Drive and SE Creekhill Way/SE Beaverbrook Trail would be forced to carry the bulk of the traffic for this development. The north/south connection will lessen the impact to the neighboring Fox Valley development and also allow Fox Valley traffic a new route to Veterans Parkway through the Fox Ridge development.

- *Conditions of Approval:*
    - *Parkland Dedication*: A draft Parkland Dedication Agreement has been prepared by Parks and Recreation Staff for the larger Fox Ridge development. This agreement will be provided to the applicant for review and execution and will be presented to the City Council with the next final plat for development of more lots within the Fox Ridge development. Staff recommends a condition of approval requiring that the Parkland Dedication Agreement be executed at that time.
- *Plat Validity:* Per City Code, the Final Plat must be presented to the City Council for approval within 12 months of the approval of the associated 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. This Final Plat complies with the timelines stated in City Code.

Outstanding Issues: As noted above, there is an outstanding issue regarding the Parkland Dedication Agreement for the development; however, this issue is covered with proposed condition of approval.

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

- Legal documents to establish public easements for landscape buffer, ingress/egress, sanitary sewer, and storm sewer.
- Storm Water Management Maintenance Facility Covenant and Permanent Easement Agreement for this property.

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

1. The applicant acknowledging that a fully executed Parkland Dedication Agreement for the entire Fox Ridge development must be provided and accepted by the City Council with the next final plat submitted for approval.

Lead Staff Member: Brian Portz

Approval Meeting Dates:

Plan and Zoning Commission	n/a
City Council	January 3, 2022

Staff Report Reviews:

City Council	☒ Director	☒ Legal Department
	☐ Appropriations/Finance	☑ Agenda Acceptance

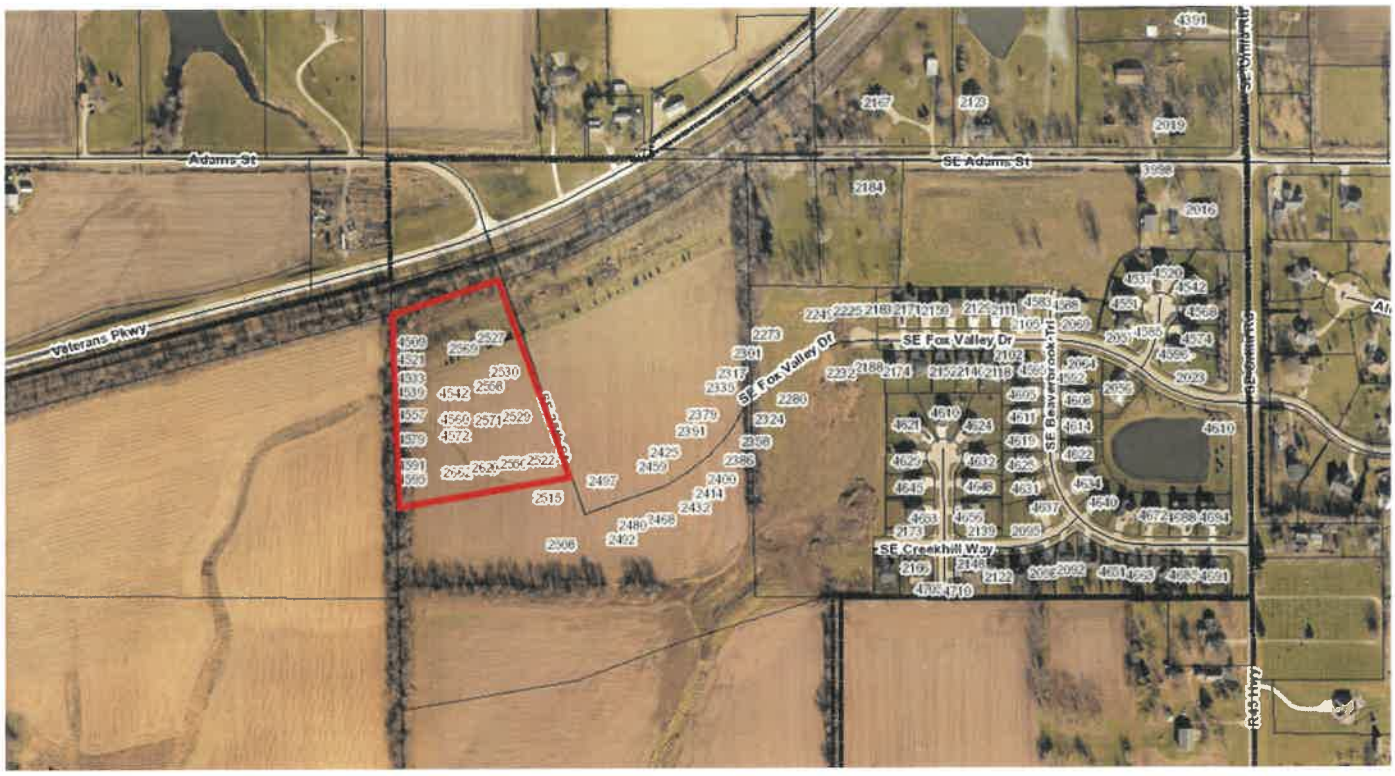
Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	n/a
Date(s) of Mailed Notices	n/a

Council Subcommittee Review (if applicable)

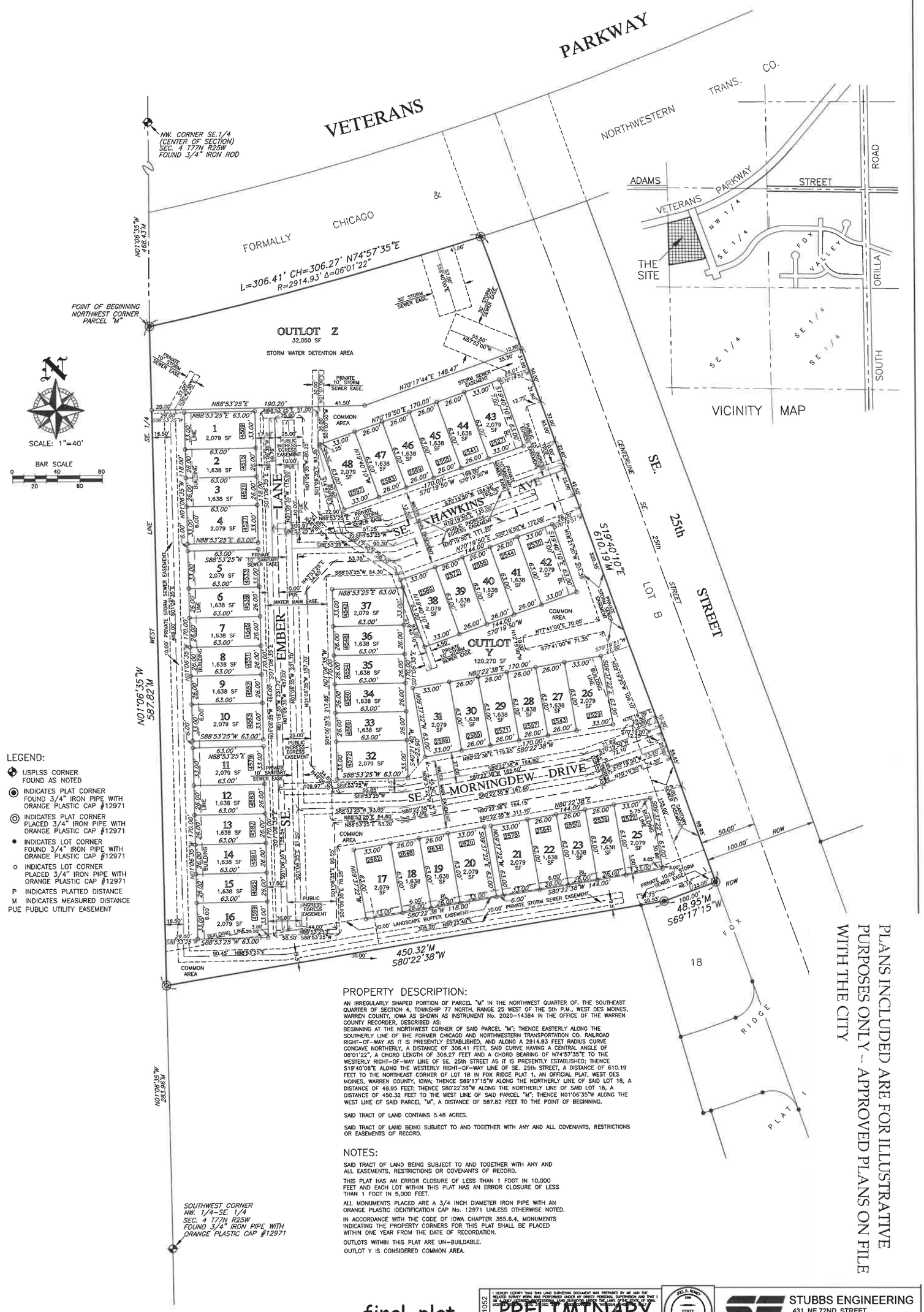
Subcommittee	Development & Planning
Date Reviewed	n/a
Recommendation	☐ Yes ☐ No ☐ Split

Location Map



INDEX LEGEND	
LOCATION:	PARCEL "M" NE. FRAC. 1/4 SEC 4-79-25
REQUESTOR:	D R HORTON
PROPRIETORS:	FORESTAR (USA)REAL ESTATE GROUP INC. 2221 EAST LAMAR BOULEVARD SUITE 790 ARLINGTON TEXAS 76006
SURVEYOR:	JOEL R. ROMEY
COMPANY & RETURN TO:	RACCOON VALLEY LAND SURVEYING LLC 33235 L AVENUE ADEL IOWA 50003 PHONE: 515.493.8317

FOX RIDGE TOWNHOMES
PLAT 1



LEGEND:

- USPLSS CORNER FOUND AS NOTED
- INDICATES PLAT CORNER FOUND 3/4" IRON PIPE WITH ORANGE PLASTIC CAP #12971
- INDICATES PLAT CORNER PLACED 3/4" IRON PIPE WITH ORANGE PLASTIC CAP #12971
- INDICATES LOT CORNER FOUND 3/4" IRON PIPE WITH ORANGE PLASTIC CAP #12971
- INDICATES LOT CORNER PLACED 3/4" IRON PIPE WITH ORANGE PLASTIC CAP #12971
- P INDICATES PLATTED DISTANCE
- M INDICATES MEASURED DISTANCE
- PUE PUBLIC UTILITY EASEMENT

PROPERTY DESCRIPTION:

AN IRREGULARLY SHAPED PORTION OF PARCEL "M" IN THE NORTHWEST QUARTER OF. THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, WARREN COUNTY, IOWA AS SHOWN AS INSTRUMENT No. 2020-14384 IN THE OFFICE OF THE WARREN COUNTY RECORDER, DESCRIBED AS:
BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL "M"; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF THE FORMER CHICAGO AND NORTHWESTERN TRANSPORTATION CO. RAILROAD RIGHT-OF-WAY AS IT IS PRESENTLY ESTABLISHED, AND ALONG A 2914.93 FEET RADIUS CURVE CONCAVE NORTHERLY, DISTANCE OF 306.41 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 06°01'22", A CHORD LENGTH OF 306.27 FEET AND A CHORD BEARING OF N74°57'35"E TO THE WESTERLY RIGHT-OF-WAY LINE OF SE. 25th STREET AS IT IS PRESENTLY ESTABLISHED; THENCE S19°40'06"E ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SE. 25th STREET, A DISTANCE OF 610.19 FEET TO THE NORTHEAST CORNER OF LOT 18 IN FOX RIDGE PLAT 1, AN OFFICIAL PLAT, WEST DES MOINES, WARREN COUNTY, IOWA; THENCE S69°17'15"W ALONG THE NORTHERLY LINE OF SAID LOT 18, A DISTANCE OF 48.95 FEET; THENCE S80°22'38"W ALONG THE NORTHERLY LINE OF SAID LOT 18, A DISTANCE OF 450.32 FEET TO THE WEST LINE OF SAID PARCEL "M"; THENCE N01°06'35"W ALONG THE WEST LINE OF SAID PARCEL "M", A DISTANCE OF 587.82 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 5.48 ACRES.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL COVENANTS, RESTRICTIONS OR EASEMENTS OF RECORD.

NOTES:

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS OR COVENANTS OF RECORD.

THIS PLAT HAS AN ERROR CLOSURE OF LESS THAN 1 FOOT IN 10,000 FEET AND EACH LOT WITHIN THIS PLAT HAS AN ERROR CLOSURE OF LESS THAN 1 FOOT IN 5,000 FEET.

ALL MONUMENTS PLACED ARE A 3/4 INCH DIAMETER IRON PIPE WITH AN ORANGE PLASTIC IDENTIFICATION CAP No. 12971 UNLESS OTHERWISE NOTED.

IN ACCORDANCE WITH THE CODE OF IOWA CHAPTER 355.6.4, MONUMENTS INDICATING THE PROPERTY CORNERS FOR THIS PLAT SHALL BE PLACED WITHIN ONE YEAR FROM THE DATE OF RECORDATION.

OUTLOTS WITHIN THIS PLAT ARE UN-BUILDABLE.

OUTLOT Y IS CONSIDERED COMMON AREA.

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

final plat

P.N. 21052

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME AND THE SURVEY WORK WAS PERFORMED UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

PRELIMINARY

SIGNED: _____ DATE: _____

JOEL R. ROMEY P.L.S. 12971

JOEL R. ROMEY IOWA 12971 LICENSED PROFESSIONAL LAND SURVEYOR

STUBBS ENGINEERING
431 NE 72ND STREET
PLEASANT HILL IA 50327
PHONE 515.979.8499

Prepared by: Brian Portz, 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 #

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, ACCEPTANCING SURETY AND APPROVING AND RELEASING THE FOX RIDGE TOWNHOMES PLAT 1 FINAL PLAT FOR THE PURPOSE OF CREATING FORTY EIGHT (48) FOOTPRINT LOTS FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENT, AND TWO (2) OUTLOTS

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, Forestar (USA) Real Estate Group, Inc. requests approval of a Final Plat for the approximately 5.5-acre property generally located south of Veterans Parkway and west of the Fox Valley development and legally described in attached Exhibit 'B'. The applicant proposes to subdivide the property into forty eight (48) lots for attached townhome residential development, one (1) outlot for storm water detention, and one (1) outlot for common area; 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;

WHEREAS, this Final Plat complies with Iowa Code Chapters 354 and 414, the Comprehensive Plan and City Code; and

WHEREAS, the West Des Moines Plan and Zoning Commission reviewed the original Preliminary Plat and recommended approval on June 28, 2021; and

WHEREAS, the City Council approved the original Preliminary Plat on July 6, 2021; and

WHEREAS, the West Des Moines Plan and Zoning Commission reviewed the revised Preliminary Plat and recommended approval on November 22, 2021; and

WHEREAS, this Final Plat has been reviewed and determined to be generally consistent with the associated Revised Preliminary Plat approved by the City Council on December 6, 2021; and

WHEREAS, on this day the City Council held a duly noticed meeting to consider the Final Plat application; and

WHEREAS, there are no public improvements required of this Final Plat; and

WHEREAS, the necessary public easements have been established for landscape buffer, ingress/egress, sanitary sewer, and storm sewer; and

WHEREAS, the City Council is accepting 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 = 4509 SE Ember Lane
Lot 2 = 4515 SE Ember Lane
Lot 3 = 4521 SE Ember Lane
Lot 4 = 4527 SE Ember Lane
Lot 5 = 4533 SE Ember Lane
Lot 6 = 4539 SE Ember Lane
Lot 7 = 4545 SE Ember Lane
Lot 8 = 4551 SE Ember Lane
Lot 9 = 4557 SE Ember Lane
Lot 10 = 4563 SE Ember Lane
Lot 11 = 4579 SE Ember Lane
Lot 12 = 4583 SE Ember Lane
Lot 13 = 4587 SE Ember Lane
Lot 14 = 4591 SE Ember Lane
Lot 15 = 4595 SE Ember Lane
Lot 16 = 4599 SE Ember Lane
Lot 17 = 2662 SE Morningdew Drive
Lot 18 = 2648 SE Morningdew Drive
Lot 19 = 2634 SE Morningdew Drive
Lot 20 = 2620 SE Morningdew Drive
Lot 21 = 2578 SE Morningdew Drive
Lot 22 = 2564 SE Morningdew Drive
Lot 23 = 2550 SE Morningdew Drive
Lot 24 = 2536 SE Morningdew Drive
Lot 25 = 2522 SE Morningdew Drive
Lot 26 = 2529 SE Morningdew Drive
Lot 27 = 2543 SE Morningdew Drive
Lot 28 = 2557 SE Morningdew Drive
Lot 29 = 2571 SE Morningdew Drive
Lot 30 = 2585 SE Morningdew Drive
Lot 31 = 2599 SE Morningdew Drive
Lot 32 = 4572 SE Ember Lane
Lot 33 = 4566 SE Ember Lane
Lot 34 = 4560 SE Ember Lane
Lot 35 = 4554 SE Ember Lane
Lot 36 = 4548 SE Ember Lane
Lot 37 = 4542 SE Ember Lane
Lot 38 = 2586 SE Hawkins Avenue
Lot 39 = 2572 SE Hawkins Avenue
Lot 40 = 2558 SE Hawkins Avenue
Lot 41 = 2544 SE Hawkins Avenue
Lot 42 = 2530 SE Hawkins Avenue
Lot 43 = 2527 SE Hawkins Avenue

Lot 44 = 2541 SE Hawkins Avenue
Lot 45 = 2555 SE Hawkins Avenue
Lot 46 = 2569 SE Hawkins Avenue
Lot 47 = 2583 SE Hawkins Avenue
Lot 48 = 2597 SE Hawkins Avenue

WHEREAS, property subject of this action is zoned Residential Medium Density (RM-12) and meets all requirements of the City's Zoning Code.

NOW, THEREFORE, the City Council does approve the Fox Ridge Townhomes Plat 1 Final Plat (FP-005381-2021), 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. This resolution does release the Final Plat for recordation. The City Council of West Des Moines, Iowa directs the City Clerk to release said document for recordation.

PASSED AND ADOPTED on January 3, 2022.

_____
Russ Trimble, Mayor

ATTEST:

_____
Ryan 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 20, 2021, by the following vote.

Exhibit A: Conditions of Approval

1. The applicant acknowledging that a fully executed Parkland Dedication Agreement for the entire Fox Ridge development must be provided and accepted by the City Council with the next final plat submitted for approval.

Exhibit B: Legal Description

AN IRREGULARLY SHAPED PORTION OF PARCEL "M" IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 25 WEST OF THE 5th P.M., WEST DES MOINES, WARREN COUNTY, IOWA AS SHOWN AS INSTRUMENT No. 2020-14384 IN THE OFFICE OF THE WARREN COUNTY RECORDER, DESCRIBED AS:

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