CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION

Meeting Date: August 15, 2022

ITEM: South Branch Business Park, 4210 SE Army Post Road – Approve Final Plat to create two lots for development and one outlot for a private drive – SBBP JV21, L.L.C. – FP-005407-2021

RESOLUTION: Approval and Release of Final Plat

Background: Brad Kuehl, Bishop Engineering, on behalf of the applicant and property owner, SBBP JV21, L.L.C., requests approval of a Final Plat for the approximately 44.19-acre property generally located at the southwest corner of SE 42nd Street and SE Army Post Road. The applicant proposes to subdivide the property into two (2) lots for general industrial development and one (1) outlot for a private drive.

Staff Review & Comment:

- *Financial Impact:* The fee district sewer to serve this and other sites will be a city project in exchange for sewer easements and an agreement for a minimum tax for the property to pay back the costs of construction of the sewer.
- *History*: The associated Preliminary Plat was approved by the Plan and Zoning Commission on January 10, 2022, and the City Council on January 18, 2022. This Final Plat has been determined to be consistent with the associated Preliminary Plat.
- *Traffic Analysis Findings:* No traffic study was conducted in concert with the preliminary or final plat; however, a traffic study was conducted with the establishment of the South Branch Business Park Planned Unit Development; results included that the planned uses are expected to generate less traffic than previously estimated. Traffic studies will be conducted with the review of the site plan for each of the lots within the property.
- *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: There are no outstanding issues.

Recommendation: Approve the Final Plat, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Kara V. Tragesser, AICP

Approval Meeting Dates:

Plan and Zoning Commission	n/a
City Council	August 15, 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	10/18/21
Recommendation	☒ Yes ☐ No ☐ Split

Location Map

INDEX LEGEND

LOCATION:
NW 1/4 SECTION 32-78-25

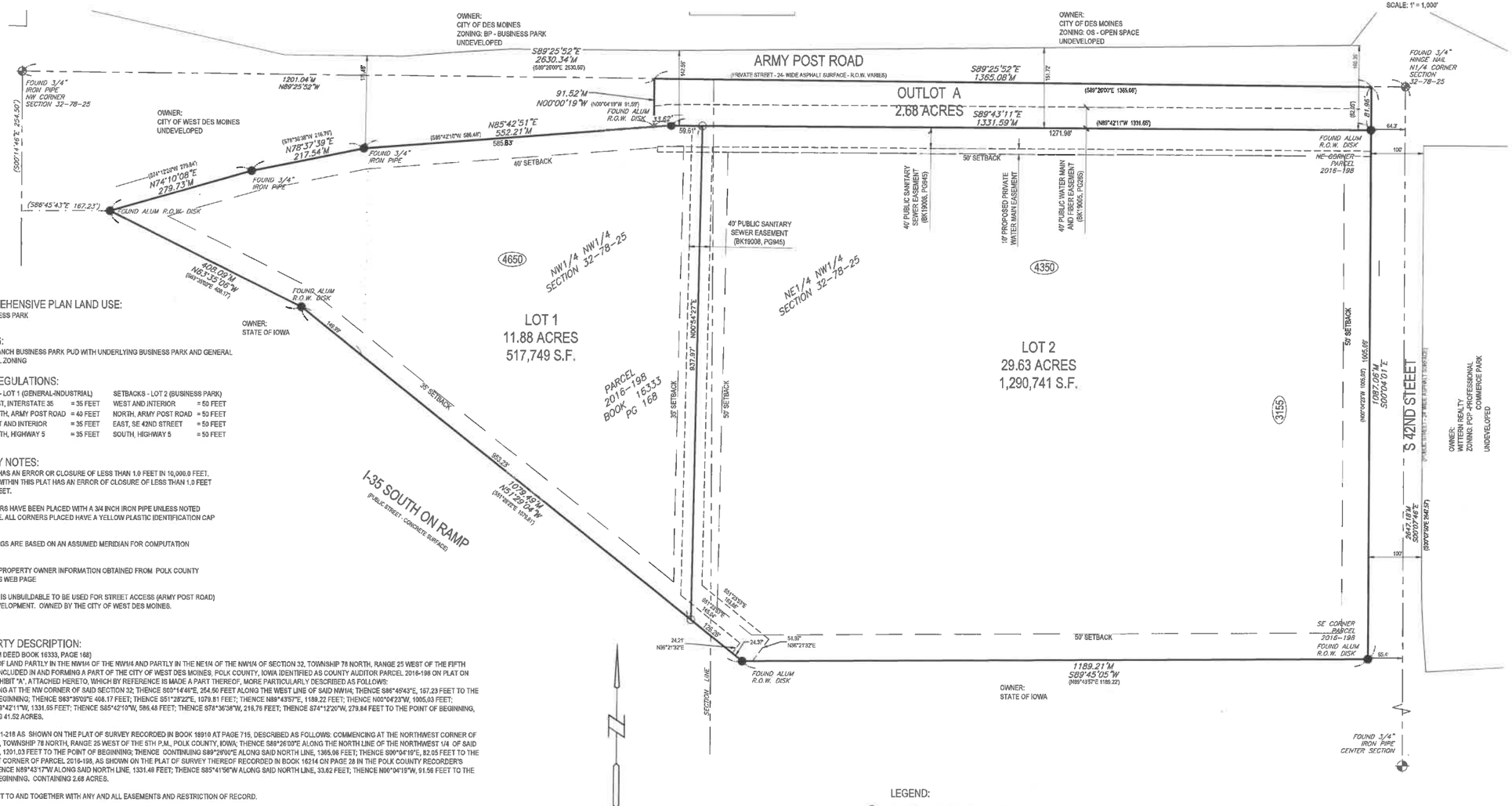
OWNER / PREPARED FOR:
SBBP JV21 LLC
5465 MILLS CIVIC PARKWAY, SUITE 2235
WEST DES MOINES, IA 50266
RYAN WIEDERSTEIN
515-554-4543

PREPARED BY:
LARRY HYLER PLS
BISHOP ENGINEERING
3501 104TH ST
URBANDALE, IA 50322

SOUTH BRANCH BUSINESS PARK
FINAL PLAT

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

VICINITY MAP
SCALE: 1" = 1,000'



COMPREHENSIVE PLAN LAND USE:
BP: BUSINESS PARK

ZONING:
SOUTH BRANCH BUSINESS PARK PUD WITH UNDERLYING BUSINESS PARK AND GENERAL INDUSTRIAL ZONING

BULK REGULATIONS:

SETBACKS - LOT 1 (GENERAL-INDUSTRIAL)		SETBACKS - LOT 2 (BUSINESS PARK)	
- WEST, INTERSTATE 35	= 35 FEET	WEST AND INTERIOR	= 50 FEET
- NORTH, ARMY POST ROAD	= 40 FEET	NORTH, ARMY POST ROAD	= 50 FEET
- EAST AND INTERIOR	= 35 FEET	EAST, SE 42ND STREET	= 50 FEET
- SOUTH, HIGHWAY 5	= 35 FEET	SOUTH, HIGHWAY 5	= 50 FEET

SURVEY NOTES:
THIS PLAT HAS AN ERROR OR CLOSURE OF LESS THAN 1.0 FEET IN 10,000.0 FEET. EACH LOT WITHIN THIS PLAT HAS AN ERROR OF CLOSURE OF LESS THAN 1.0 FEET IN 5,000.0 FEET.

ALL CORNERS HAVE BEEN PLACED WITH A 3/4 INCH IRON PIPE UNLESS NOTED OTHERWISE. ALL CORNERS PLACED HAVE A YELLOW PLASTIC IDENTIFICATION CAP NO. 14775.

ALL BEARINGS ARE BASED ON AN ASSUMED MERIDIAN FOR COMPUTATION PURPOSES

ADJACENT PROPERTY OWNER INFORMATION OBTAINED FROM POLK COUNTY ASSESSORS WEB PAGE

OUTLOT "A" IS UNBUILDABLE TO BE USED FOR STREET ACCESS (ARMY POST ROAD) TO THE DEVELOPMENT. OWNED BY THE CITY OF WEST DES MOINES.

PROPERTY DESCRIPTION:
(QUIT CLAIM DEED BOOK 16333, PAGE 168)
A PARCEL OF LAND PARTLY IN THE NW1/4 OF THE NW1/4 AND PARTLY IN THE NE1/4 OF THE NW1/4 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA IDENTIFIED AS COUNTY AUDITOR PARCEL 2016-198 ON PLAT ON SURVEY EXHIBIT "A", ATTACHED HERETO, WHICH BY REFERENCE IS MADE A PART THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NW CORNER OF SAID SECTION 32; THENCE S00°14'46"E, 254.50 FEET ALONG THE WEST LINE OF SAID NW1/4; THENCE S86°45'43"E, 167.23 FEET TO THE POINT OF BEGINNING; THENCE S63°35'03"E 408.17 FEET; THENCE S51°28'22"E, 1079.81 FEET; THENCE N89°43'57"E, 1189.22 FEET; THENCE N00°04'23"W, 1005.03 FEET; THENCE N89°42'11"W, 1331.55 FEET; THENCE S85°42'10"W, 586.48 FEET; THENCE S78°36'38"W, 216.76 FEET; THENCE S74°12'20"W, 279.84 FEET TO THE POINT OF BEGINNING, CONTAINING 41.52 ACRES.
AND
PARCEL 2021-218 AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 18910 AT PAGE 715, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., POLK COUNTY, IOWA; THENCE S88°26'00"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 32, 1201.03 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°26'00"E ALONG SAID NORTH LINE, 1365.08 FEET; THENCE S00°04'10"E, 82.05 FEET TO THE NORTHEAST CORNER OF PARCEL 2016-198, AS SHOWN ON THE PLAT OF SURVEY THEREOF RECORDED IN BOOK 16214 ON PAGE 28 IN THE POLK COUNTY RECORDER'S OFFICE; THENCE N89°43'17"W ALONG SAID NORTH LINE, 1331.48 FEET; THENCE S85°41'56"W ALONG SAID NORTH LINE, 33.62 FEET; THENCE N00°04'18"W, 91.58 FEET TO THE POINT OF BEGINNING. CONTAINING 2.68 ACRES.

ALL SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS AND RESTRICTION OF RECORD.

SAID TRACT CONTAINS 44.19 ACRES (1,925,116 SQUARE FEET) MORE OR LESS.

GRAPHIC SCALE
100 0 50 100 200
SCALE: 1" = 100'

LEGEND:
- ● PROPERTY CORNER - FOUND AS NOTED
- ○ PROPERTY CORNER- PLACED 3/4" IRON PIPE WITH YELLOW PLASTIC CAP ID #14775
- SECTION CORNER - FOUND AS NOTED
- × CUT "X" IN PAVEMENT
- ( ) PREVIOUSLY RECORDED DIMENSION
- ⬭ ADDRESS
- ROW RIGHT OF WAY

IOWA ONE CALL
1-800-292-8989
www.iowaonecall.com

UTILITY NOTE:
THE LOCATION OF THE UTILITIES INDICATED ON THE PLANS HAVE BEEN TAKEN FROM THE FIELD SURVEY, EXISTING PUBLIC RECORDS, AND PLANS PROVIDED BY OTHERS. SURFACE UTILITY LOCATIONS HAVE BEEN FIELD LOCATED BY BISHOP ENGINEERING, UNLESS OTHERWISE NOTED. ALL UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE LOCATIONS ONLY. BISHOP ENGINEERING DOES NOT GUARANTEE THE UNDERGROUND LOCATION OF ANY UTILITIES SHOWN. IT SHALL BE THE DUTY OF THE CONTRACTOR TO DETERMINE THE LOCATION AND DEPTH OF ANY UNDERGROUND UTILITIES SHOWN AND IF ANY ADDITIONAL UTILITIES, OTHER THAN THOSE SHOWN ON THE PLANS, MAY BE PRESENT. A REQUEST WAS MADE TO IOWA ONE CALL FOR UTILITY PROVIDERS TO VERIFY, LOCATE, AND MARK THEIR UTILITIES IN THE FIELD.

LICENSED PROFESSIONAL LAND SURVEYOR LARRY D. HYLER, P.L.S. No. 14775 IOWA

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

SIGNED: _____ DATE: 7-18-2022
LARRY D. HYLER, P.L.S. 14775
LICENSE RENEWAL DATE: DEC. 31, 2022
PAGES OR SHEETS COVERED BY THIS SEAL: 1 OF 1

Bishop Engi
"Planning Your Successful Develo
3501 104t
Des Moines, Iow
Phone: (515)276-0467
Civil Engineering & Land Surveying
Established 1959

SOUTH BRANCH BUSINESS PARK
WEST DES MOINES, IOWA
FINAL PLAT

REFERENCE NUMBER:
DRAWN BY:
CHECKED BY:
REVISION DATE:
PROJECT NUMBER: 190562
SHEET NUMBER: 1 OF 1

7/18/2022 10:28:11 AM M:\LAND PROJECTS 2019\190562 I-35 AND HIGHWAY 5 BUSINESS PARK\DWG\FINAL PLAT.DWG

Prepared by: Kara Tragesser, 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, APPROVING AND RELEASING THE SOUTH BRANCH BUSINESS PARK FINAL PLAT FOR THE PURPOSE OF CREATING 2 (TWO) LOTS FOR INDUSTRIAL DEVELOPMENT AND 1 (ONE) OUTLOT FOR PRIVATE DRIVE

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, SBBP JV21, L.L.C., requests approval of a Final Plat for the approximately 44.19-acre property generally located at the southwest corner of S. 42nd Street and SE Army Post Road and legally described in attached Exhibit 'B'. The applicant proposes to subdivide the property into 2 (two) lots for industrial development and 1 (one) outlot for a private drive; 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 associated Preliminary Plat and recommended approval on January 10, 2022; and

WHEREAS, this Final Plat has been reviewed and determined to be generally consistent with the associated Preliminary Plat that was approved by the City Council on January 18, 2022; 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 the developer for this Final Plat; and

WHEREAS, there are no new public easements being established with this plat; and

WHEREAS, the City Council approves of the following address assignment(s);

Lot 1 = 4650 SE Army Post Road Lot 2 = 4350 SE Army Post Road

WHEREAS, property subject of this action is zoned South Branch Business Park Planned Unit Development and meets all requirements of the City's Zoning Code.

NOW, THEREFORE, the City Council does approve the South Branch Business Park 1 Final Plat (FP-005407-2021), 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 August 15, 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 August 15, 2022, by the following vote.

Exhibit A: Conditions of Approval

None

Exhibit B: Legal Description

(QUIT CLAIM DEED BOOK 16333, PAGE 168) A PARCEL OF LAND PARTLY IN THE NW1/4 OF THE NW1/4 AND PARTLY IN THE NE1/4 OF THE NW1/4 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA IDENTIFIED AS COUNTY AUDITOR PARCEL 2016-198 ON PLAT ON SURVEY EXHIBIT "A", ATTACHED HERETO, WHICH BY REFERENCE IS MADE A PART THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NW CORNER OF SAID SECTION 32; THENCE S00°14'46"E, 254.50 FEET ALONG THE WEST LINE OF SAID NW1/4; THENCE S86°45'43"E, 167.23 FEET TO THE POINT OF BEGINNING; THENCE S63°35'09"E 408.17 FEET; THENCE S51°28'22"E, 1079.81 FEET; THENCE N89°43'57"E, 1189.22 FEET; THENCE N00°04'23"W, 1005.03 FEET; THENCE N89°42'11"W, 1331.65 FEET; THENCE S85°42'10"W, 586.48 FEET; THENCE S78°36'38"W, 216.76 FEET; THENCE S74°12'20"W, 279.84 FEET TO THE POINT OF BEGINNING, CONTAINING 41.52 ACRES. AND PARCEL 2021-218 AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 18910 AT PAGE 715, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., POLK COUNTY, IOWA; THENCE S89°26'00"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 32, 1201.03 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°26'00"E ALONG SAID NORTH LINE, 1365.08 FEET; THENCE S00°04'19"E, 82.05 FEET TO THE NORTHEAST CORNER OF PARCEL 2016-198, AS SHOWN ON THE PLAT OF SURVEY THEREOF RECORDED IN BOOK 16214 ON PAGE 28 IN THE POLK COUNTY RECORDER'S OFFICE; THENCE N89°43'17"W ALONG SAID NORTH LINE, 1331.49 FEET; THENCE S85°41'56"W ALONG SAID NORTH LINE, 33.62 FEET; THENCE N00°04'19"W, 91.59 FEET TO THE POINT OF BEGINNING. CONTAINING 2.68 ACRES. ALL SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS AND RESTRICTION OF RECORD. SAID TRACT CONTAINS 44.19 ACRES (1,925,116 SQUARE FEET) MORE OR LESS.