CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION

Meeting Date: December 18, 2023

ITEM: Woodland Estates Plat 2, North of the intersection of S. 95th Street and Cascade Avenue – Accept Surety and Approve Final Plat to create 27 lots for Single-Family development and 2 street lots – Silo 9 Plat 1, LLC – FP-006163-2023

RESOLUTION: ACCEPT SURETY AND APPROVE AND RELEASE FINAL PLAT

Background: Jared Murray with Civil Design Advantage, on behalf of the applicant and property owner, Silo 9 Plat 1, LLC, requests approval of a Final Plat for the approximately 26-acre property generally located North of the intersection of S 95th Street and Cascade Avenue. The applicant proposes to subdivide the property into twenty-seven (27) lots for Single-Family detached residential and two (2) street lots for dedication 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.
- *History*: The associated Preliminary Plat was approved by the Plan and Zoning Commission on May 8, 2023, and the City Council on May 15, 2023. This Final Plat has been determined to be consistent with the associated Preliminary Plat. This final plat is phase 2 of an intended subdivision of the approximately 80-acre property locally known as the Neff property.
- *Traffic Analysis Findings:* Traffic Impact Studies are not conducted for Final Plats but instead are completed at the time of the associated Preliminary Plat. Per that study, the key findings are summarized below.
    1. The development is expected to generate more traffic than the previously assumed March 2023 traffic analysis, but less traffic than what was assumed in earlier studies. Lane configurations for the major roadways downstream of the site, as recommended in the March 2023 and earlier traffic analysis, remain adequate.
    2. S. 95th Street is a major collector roadway that is ultimately planned to extend from Mills Civic Parkway to Grand Avenue. As recommended in previous traffic studies, S. 95th Street should be a 2-lane roadway, widening to 3-lanes at Mills Civic Parkway and Stagecoach Drive to provide left-turn lanes. The June 2015 analysis noted that a 3-lane section may be needed at Cascade Avenue, as well, but a 2-lane section through this intersection would be acceptable based on the currently projected volumes.
    3. Single-family driveways are not recommended on S. 95th Street due to the heavier volumes/speed on the major collector street, as well as the horizontal curve at the south end of the site. Driveways located on S. 95th Street shall be designed to allow drivers to enter onto S. 95th Street via a forward movement. (See following first bullet under Development Aspects.)

- *Development Aspects:*
  - *Driveways on S. 95th Street:* S. 95th Street is classified as a Major Collector. City Code 9-15-6.B.2, "prohibits the backing or backward movement of vehicles from a driveway...onto a major thoroughfare, including all thoroughfares designated as arterial or major collector streets." The anticipated traffic volumes, speed of vehicles and the curve of the road are safety concerns. Those lots fronting S. 95th Street will need to implement a house &/or driveway design in such a manner to allow drivers to utilize a forward movement when entering onto S. 95th Street. A note has been added to the plat drawing and Staff recommends a condition of approval to ensure awareness of this aspect. The developer has indicated that as part of the sale of a lot they will raise awareness of the forward only movement.
  - *Public Utility Easements (PUEs):* 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."*

    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, overall, it would be more detrimental to tree preservation and the costs to route utilities back and forth from the front and back and would greatly increase the 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 is in agreement that there is adequate justification and supports the request for front yard PUEs.
  - *Private Parkland:* All residential developments with four or more dwellings are required to provide park amenities. An alternate plan was previously reviewed by the Park Board based on a total of 67 single-family lots within the full Woodland Estates development. Since then, the number of lots has increased to 81 single-family lots within the full approximately 80-acre Woodland Estates development, the developer is required to provide 1.44 acres of parkland (Parkland at 0.56 acres and 0.88 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 on their own development site, with a maintained open area for informal activities such as soccer. This park land will be privately owned and maintained by the homeowner's association. The development specific Parkland Dedication Agreement will need to be approved by the Parks Board, executed by the owner/developer and provided to staff prior to City Council consideration of the associated Final Plat that includes these improvements. The February 21, 2022, approval of the Woodland Estates Plat 1 Final Plat included a condition of approval requiring the provision of the executed Parkland Dedication Agreement with the plat which contains the park ground, which would be

Plat 3, also presented for consideration at this meeting. Changes to the terms of the original agreement in regard to the total number of lots within the subdivision and the amenities to be provided have been made that requires the agreement be re-presented to the Parks Board for their consideration. Included on this agenda, is a request to amend this original condition to allow provision of the agreement prior to issuance of any building permits for above ground construction of any home on any lot within either Woodland Estates Plat 2 or Plat 3. This request to amend the original condition of approval is being made due to the fact that control of the timing for the agreement to be presented to the Parks Board lies with Parks and Recreation staff and is not in the control of the developer.

- *Surety for Public Improvements:* The developer has been working to complete construction of the public improvements associated with this plat but has not completed all inspection punch list items. The developer has provided the city surety to ensure completion of the improvements. Staff recommends a condition of approval restricting issuance of building permits until vehicle accesses acceptable to the city's Fire Marshal are in place and useable. Additionally, staff recommends a condition of approval prohibiting the issuance of any occupancy permit, temporary or final, until the public improvements are 100% complete and accepted by the City Council.

- *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. The applicant is providing surety thus the Final Plat complies with the timelines stated in City Code.

Outstanding Issues: There are no outstanding issues.

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

- Surety in lieu of public improvements associated with the construction of S. 95th Street and Treehaven Drive, public storm and public sanitary sewer, including all appurtenances associated with said improvements.
- A deed for Street Lots A and B to be dedicated as public street right-of-way.
- Legal documents to establish public easements for Storm Sewer, Sanitary Sewer, Overland Flowage, Storm Sewer & Overland Flowage, Public Utility Easement, Offsite Storm Sewer, Offsite Detention, and Offsite Public Temporary Turnaround.
- Surety for the installation of public sidewalks.
- 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 developer acknowledging that vehicles backing out onto S. 95th Street is prohibited. The developer agrees to inform and require buyers of lots that front to and/or access directly to S. 95th Street that all turns onto S. 95th Street must be in a forward movement. Additionally, the developer shall implement measures during the sale of the lot and their approval of a dwelling's layout on the lot to be such to ensure that the design of the garage(s) and driveway accommodates and promote vehicles to be able to orient for forward movement from the lot onto S. 95th Street.

2. The City Council granting allowance of the placement of Public Utility Easements (PUEs) in the front yard of all lots.
3. The developer acknowledging and agreeing that no building permits for any construction shall be issued until vehicle accesses to the satisfaction of the City's Fire Marshal have been constructed and open to the public.
4. The developer acknowledging and agreeing that no occupancy permits, temporary or final shall be issued for any home within this plat's boundaries until construction of the public improvements are complete and accepted by the City Council.
5. The developer agreeing that the required Parkland Dedication Agreement shall be approved by the City Council prior to the issuance of any building permits for above ground construction on any lot within Plat 2.

Lead Staff Member: Kate Devine

Approval Meeting Dates:

Plan and Zoning Commission	n/a
City Council	December 18, 2023

Staff Report Reviews:

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

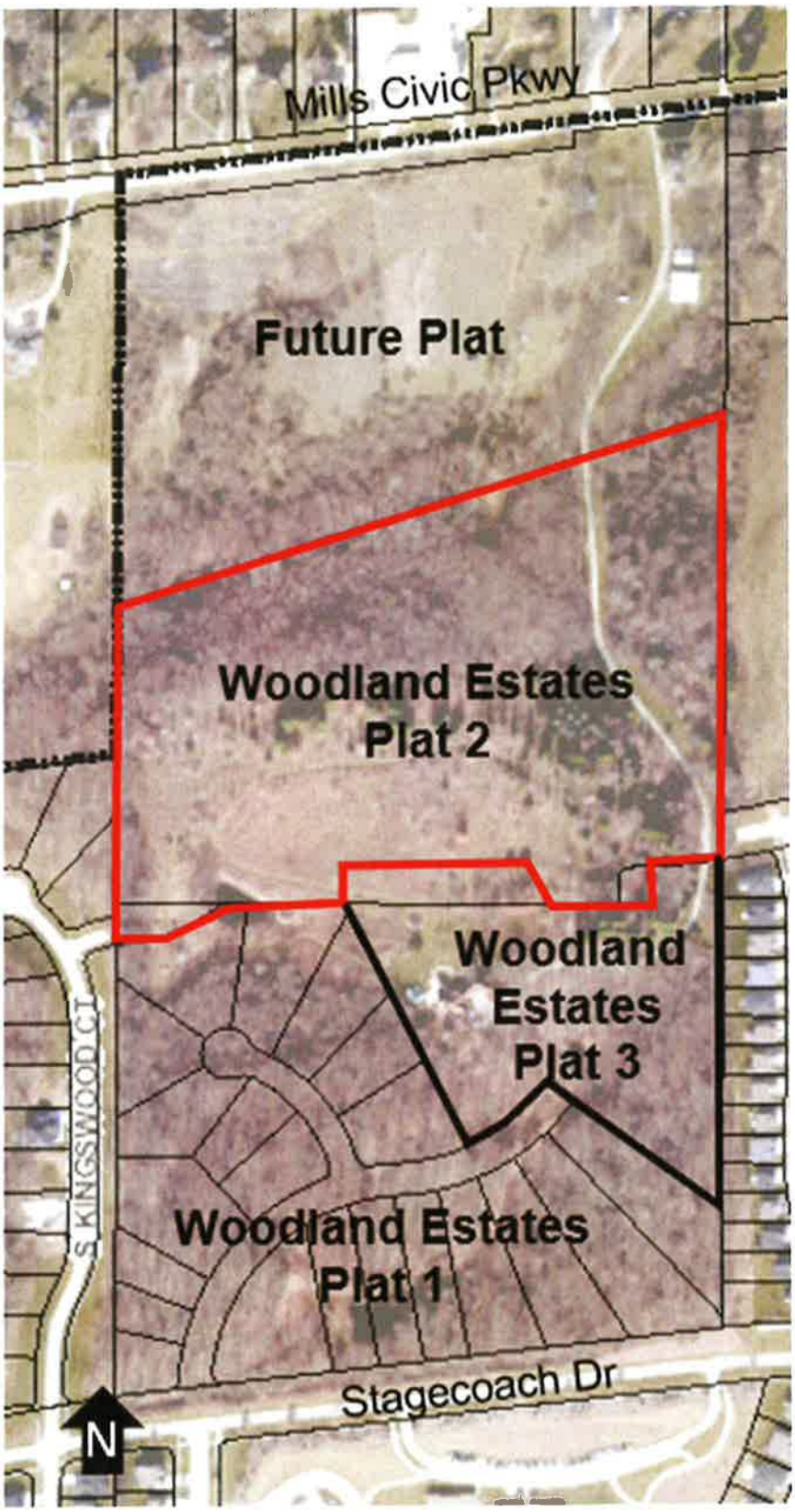
Publications (if applicable)

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	9/18/23			
Recommendation	Yes ☒	No ☐	Split ☐	No Discussion ☐

Location Map



WOODLAND ESTATES PLAT 2

FINAL PLAT

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

AREA ABOVE RESERVED FOR RECORDING STAMP

INDEX LEGEND

LOCATION: PT. PARCEL '21–13'
PT. PARCEL '21–142'
PT. PARCEL '21–143'
SW1/4 SEC 15–78–26
WEST DES MOINES, DALLAS COUNTY, IOWA

REQUESTOR: SILO 9 PLAT 1, LLC

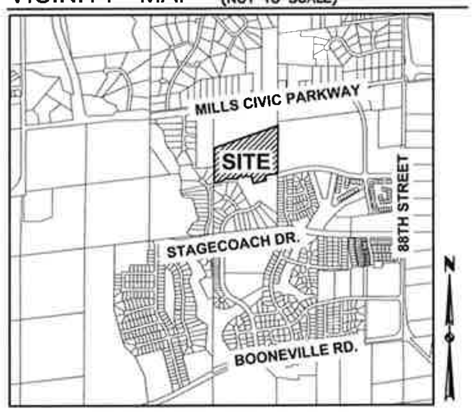
PROPRIETOR: SILO 9 PLAT 1, LLC
6205 MILLS CIVIC PARKWAY, SUITE 200
WEST DES MOINES, IOWA 50266

SURVEYOR: MICHAEL A. BROONER

SURVEYOR COMPANY: CIVIL DESIGN ADVANTAGE

PREPARED BY & RETURN TO: CIVIL DESIGN ADVANTAGE
4121 NW URBANDALE DRIVE
URBANDALE, IOWA 50322
PH: 515–369–4400

VICINITY MAP (NOT TO SCALE)



WEST DES MOINES, IOWA

LEGEND

	FOUND	SET
SECTION CORNER AS NOTED	▲	△
1/2" REBAR, YELLOW PLASTIC CAP#15980 (UNLESS OTHERWISE NOTED)	●	○
MEASURED BEARING & DISTANCE	M	
RECORDED BEARING & DISTANCE	R	
DEEDED BEARING & DISTANCE	D	
PUBLIC UTILITY EASEMENT	P.U.E.	
CURVE ARC LENGTH	AL	
LOT ADDRESS	(1234)	
CENTERLINE		
SECTION LINE		
EASEMENT LINE		
BUILDING SETBACK LINE		
PLAT BOUNDARY		

OWNER/DEVELOPER

SILO 9 PLAT 1, LLC
CONTACT: JAKE RIED
6205 MILLS CIVIC PARKWAY, SUITE 200
WEST DES MOINES, IOWA 50266
PH. (515) 202–5690

ENGINEER / SURVEYOR

CIVIL DESIGN ADVANTAGE
4121 NW URBANDALE DRIVE
URBANDALE, IA 50322

DATE OF SURVEY

JULY 19, 2023

ZONING

R–1: SINGLE–FAMILY RESIDENTIAL DISTRICT

BULK REGULATIONS

SETBACKS
FRONT YARD = 30 FT
REAR YARD = 35 FT
SIDE YARD = 7 FT (14 FT TOTAL)

MINIMUM LOT WIDTH = 50 FT (ADDITIONAL 25 FT FOR CORNER LOTS)

MINIMUM LOT FRONTAGE = 40 FT

MINIMUM LOT AREA = 7,500 SF

COMPREHENSIVE LAND USE

DETACHED RESIDENTIAL (DR)

NOTES

1. ANY SET MONUMENTATION SHOWN ON THIS PLAT WILL BE COMPLETED WITHIN ONE YEAR FROM THE DATE THIS PLAT WAS RECORDED.
2. LOTS MAY BE SUBJECT TO MINIMUM PROTECTION ELEVATIONS AND OTHER ELEVATION RESTRICTIONS NOT SHOWN ON THIS PLAT. REFER TO THE APPROVED PROJECT ENGINEERING DOCUMENTS FOR ANY ELEVATION RESTRICTIONS.
3. ALL BEARINGS ARE BASED ON AN ASSUMED MERIDIAN FOR COMPUTATION PURPOSES.
4. THE ALLOWABLE ERROR OF CLOSURE FOR THE BOUNDARY IS 1:10,000 AND THE ALLOWABLE ERROR OF CLOSURE FOR EACH LOT IS 1:5,000.
5. BACKING ONTO S 95TH STREET IS PROHIBITED. ALL LOTS ACCESSING S 95TH STREET SHALL PROVIDE SPACE TO TURN AROUND ON SITE.
6. PRELIMINARY PLAT APPROVAL: MAY, 15, 2023 (CASE PP–005911–2023)

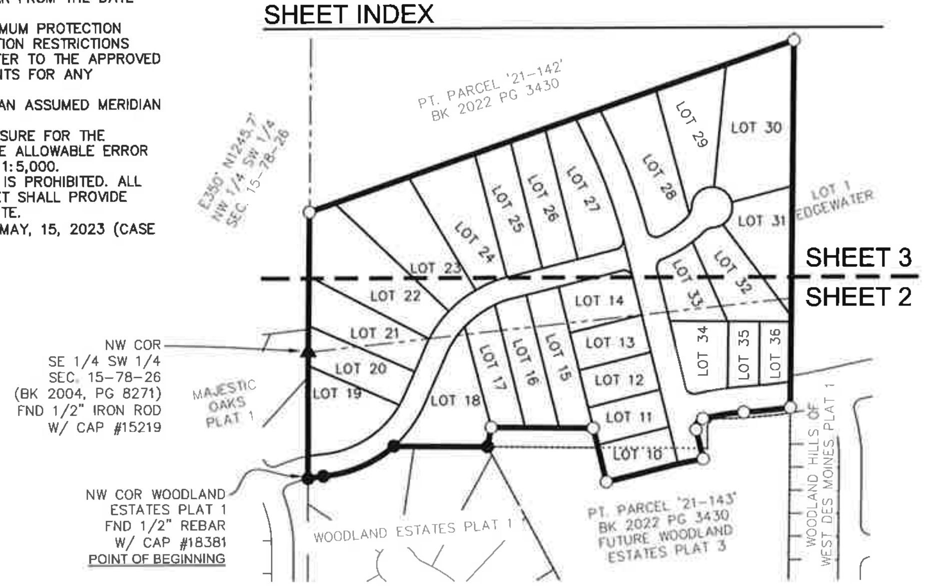
PLAT DESCRIPTION

A PART OF PARCEL '21–13' AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2021, PAGE 14902, BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND A PART OF PARCEL '21–142' AND PARCEL '21–143' AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2022, PAGE 3430, BEING A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ALL IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF WOODLAND ESTATES PLAT 1, AN OFFICIAL PLAT IN SAID CITY OF WEST DES MOINES; THENCE NORTH 00°09'32" EAST ALONG THE WEST LINE OF SAID PARCEL '21–13' AND THE WEST LINE OF SAID PARCEL '21–142', A DISTANCE OF 344.96 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 00°35'59" EAST ALONG THE WEST LINE OF SAID PARCEL '21–142', A DISTANCE OF 380.79 FEET; THENCE NORTH 70°40'29" EAST, 1398.89 FEET TO THE EAST LINE OF SAID PARCEL '21–142'; THENCE SOUTH 00°34'21" WEST ALONG SAID EAST LINE, 999.06 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1535.00 FEET, WHOSE ARC LENGTH IS 128.14 FEET AND WHOSE CHORD BEARS SOUTH 84°17'57" WEST, 128.10 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 615.00 FEET, WHOSE ARC LENGTH IS 112.26 FEET AND WHOSE CHORD BEARS SOUTH 81°27'40" WEST, 112.11 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.28 FEET AND WHOSE CHORD BEARS SOUTH 31°13'27" WEST, 35.36 FEET; THENCE SOUTH 13°47'00" EAST, 61.21 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 495.00 FEET, WHOSE ARC LENGTH IS 20.81 FEET AND WHOSE CHORD BEARS SOUTH 12°34'44" EAST, 20.81 FEET; THENCE SOUTH 78°37'32" WEST, 70.00 FEET; THENCE SOUTH 76°04'41" WEST, 202.62 FEET; THENCE NORTH 13°47'00" WEST, 151.53 FEET; THENCE NORTH 89°25'25" WEST, 278.71 FEET; THENCE SOUTH 10°41'16" WEST, 53.33 FEET TO THE NORTHERLY LINE OF SAID WOODLAND ESTATES PLAT 1; THENCE NORTH 89°25'25" WEST ALONG SAID NORTHERLY LINE, 253.52 FEET; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE AND A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 330.00 FEET, WHOSE ARC LENGTH IS 211.90 FEET AND WHOSE CHORD BEARS SOUTH 66°57'27" WEST, 208.28 FEET; THENCE WESTERLY ALONG SAID NORTHERLY LINE AND A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 320.00 FEET, WHOSE ARC LENGTH IS 42.84 FEET AND WHOSE CHORD BEARS SOUTH 81°31'04" WEST, 42.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 26.18 ACRES (1,140,324 SQUARE FEET).

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

SHEET INDEX



CURVE DATA

CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD	CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	6°35'07"	350.00'	40.23'	N82°03'36"E	40.21'	C29	1°33'40"	1535.00'	41.82'	S26°20'57"E	41.82'
C2	61°47'18"	300.00'	323.52'	N54°27'31"E	308.07'	C30	0°40'14"	1465.00'	17.15'	S26°12'13"E	17.15'
C3	52°22'17"	300.00'	274.22'	N49°45'00"E	264.77'	C31	12°02'37"	1535.00'	322.66'	N21°06'28"W	322.07'
C4	31°25'07"	300.00'	164.51'	N60°13'35"E	162.45'	C32	99°59'12"	25.00'	43.63'	N65°04'46"W	38.30'
C5	1°24'53"	1500.00'	37.04'	S26°25'20"E	37.04'	C33	18°36'52"	270.00'	87.72'	S55°37'12"W	87.33'
C6	13°20'48"	1500.00'	349.41'	S20°27'23"E	348.62'	C34	16°03'05"	50.00'	14.01'	S38°17'13"W	13.96'
C7	10°28'25"	650.00'	118.82'	N81°27'13"E	118.66'	C35	26°01'14"	50.00'	22.71'	S17°15'03"W	22.51'
C8	4°59'12"	1500.00'	130.55'	N84°11'50"E	130.51'	C36	91°19'24"	55.00'	87.66'	S49°54'08"W	78.67'
C9	2°24'31"	460.00'	19.34'	S12°34'44"E	19.34'	C37	77°06'07"	65.00'	87.47'	S57°00'47"W	81.02'
C10	2°24'31"	425.00'	17.87'	S12°34'44"E	17.87'	C38	69°34'57"	55.00'	66.79'	N49°38'41"W	62.76'
C11	90°16'52"	25.00'	39.39'	S58°55'25"E	35.44'	C39	73°13'47"	55.00'	70.30'	N21°45'41"E	65.61'
C12	11°10'17"	270.00'	52.64'	N70°21'00"E	52.56'	C40	26°33'51"	55.00'	25.50'	N71°39'30"E	25.27'
C13	21°36'04"	270.00'	101.79'	N53°57'50"E	101.19'	C41	39°21'11"	50.00'	34.34'	N65°15'50"E	33.67'
C14	19°35'56"	270.00'	92.36'	N33°21'50"E	91.91'	C42	6°16'06"	330.00'	36.10'	N48°43'18"E	36.08'
C15	24°59'52"	330.00'	143.98'	N36°03'48"E	142.84'	C43	16°31'50"	330.00'	95.21'	N60°07'16"E	94.88'
C16	15°41'08"	330.00'	90.34'	N38°11'12"E	90.06'	C44	82°10'10"	25.00'	35.85'	N27°18'06"E	32.86'
C17	2°31'58"	330.00'	14.59'	N47°17'45"E	14.59'	C45	89°59'16"	25.00'	39.26'	N58°46'37"W	35.35'
C18	5°40'32"	380.00'	37.64'	S82°30'54"W	37.63'	C46	7°09'30"	685.00'	85.58'	S79°48'30"W	85.53'
C19	55°16'37"	270.00'	260.49'	S57°42'51"W	250.50'	C47	3°18'11"	685.00'	39.49'	S85°02'21"W	39.48'
C20	6°30'41"	270.00'	30.68'	S26°49'12"W	30.67'	C48	1°47'37"	1465.00'	45.86'	S85°47'37"W	45.86'
C21	4°00'37"	330.00'	23.10'	S25°34'10"W	23.09'	C49	3°24'24"	1465.00'	87.11'	S83°11'37"W	87.09'
C22	15°58'02"	330.00'	91.96'	S35°33'29"W	91.67'	C50	1°15'42"	1465.00'	32.26'	N26°29'56"W	32.26'
C23	15°58'02"	330.00'	91.96'	S51°31'31"W	91.67'	C51	2°17'16"	380.00'	15.17'	S80°49'16"W	15.17'
C24	15°58'02"	330.00'	91.96'	S67°29'32"W	91.67'	C52	1°07'31"	1535.00'	30.15'	N25°00'21"W	30.15'
C25	0°27'36"	330.00'	2.65'	S75°42'21"W	2.65'	C53	3°08'28"	1465.00'	80.31'	S24°17'52"E	80.30'
C26	90°55'39"	25.00'	39.67'	S30°28'19"W	35.64'	C54	1°58'45"	270.00'	9.33'	N84°21'47"E	9.33'
C27	1°12'31"	1465.00'	30.90'	N14°23'15"W	30.90'	C55	17°20'54"	270.00'	81.75'	S38°45'00"W	81.44'
C28	12°08'17"	1465.00'	310.36'	S21°03'39"E	309.78'						

LICENSED PROFESSIONAL LAND SURVEYOR
MICHAEL A. BROONER
15980
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.

MICHAEL A. BROONER, P.L.S. DATE

LICENSE NUMBER 15980
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024
PAGES OR SHEETS COVERED BY THIS SEAL:
SHEETS 1 THROUGH 3

REVISIONS
5TH SUBMITTAL
4TH SUBMITTAL
3RD SUBMITTAL
2ND SUBMITTAL
1ST SUBMITTAL

4121 NW URBANDALE DRIVE
URBANDALE, IA 50322
PHONE: (515) 369-4400

REVIEW:
TECH:
ENGINEER:

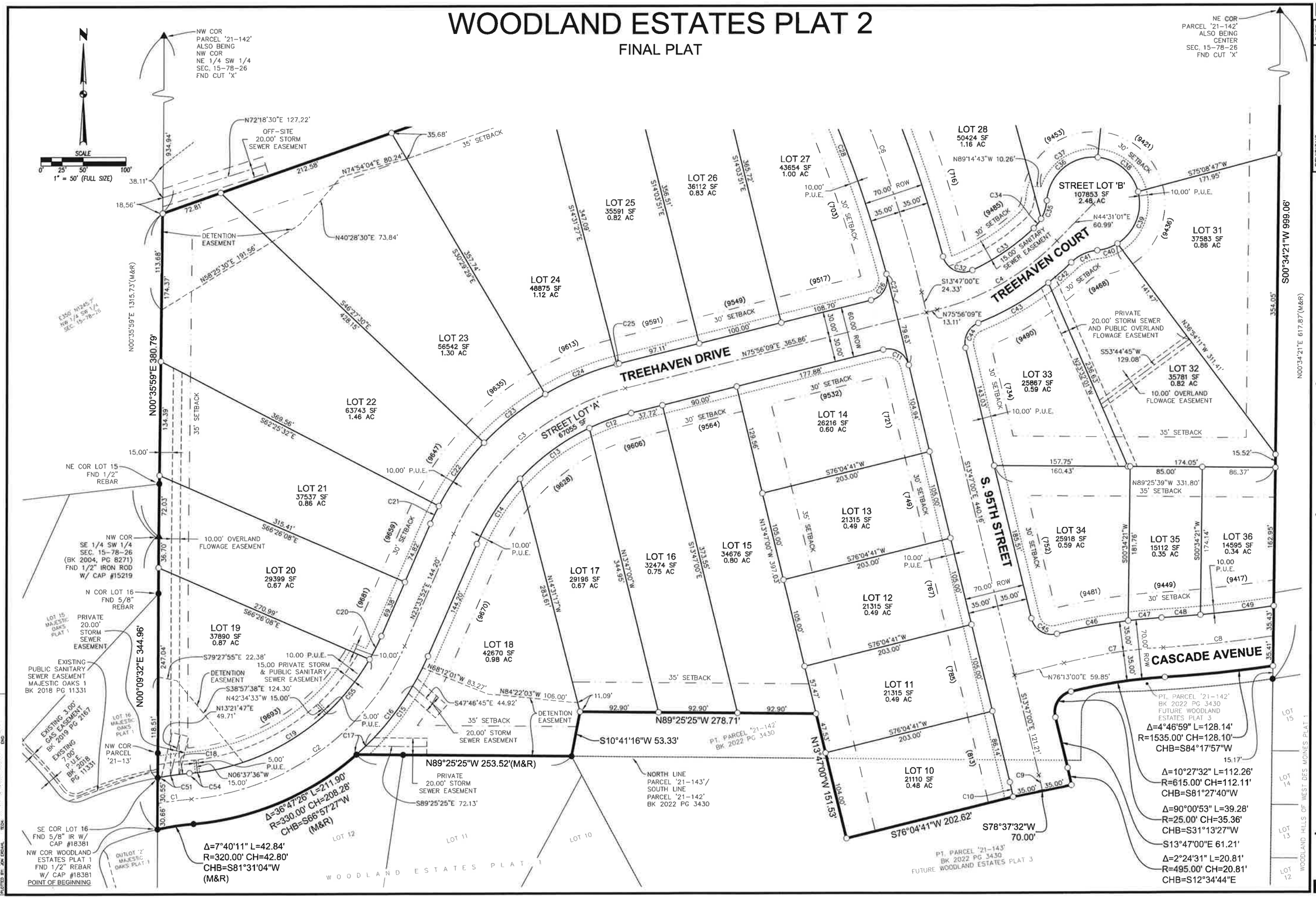
CIVIL DESIGN ADVANTAGE

WOODLAND ESTATES PLAT 2
FINAL PLAT
WEST DES MOINES, IOWA

1/3
2110.857

WOODLAND ESTATES PLAT 2

FINAL PLAT



REVISIONS	DATE
5TH SUBMITTAL	12/11/23
4TH SUBMITTAL	10/27/23
3RD SUBMITTAL	08/29/23
2ND SUBMITTAL	06/06/23
1ST SUBMITTAL	05/01/23

4121 NW URBANDALE DRIVE
URBANDALE, IA 50322
PHONE: (515) 369-4400

ENGINEER: TECH: REVIEW:

CIVIL DESIGN ADVANTAGE

WOODLAND ESTATES PLAT 2

FINAL PLAT

WEST DES MOINES, IOWA

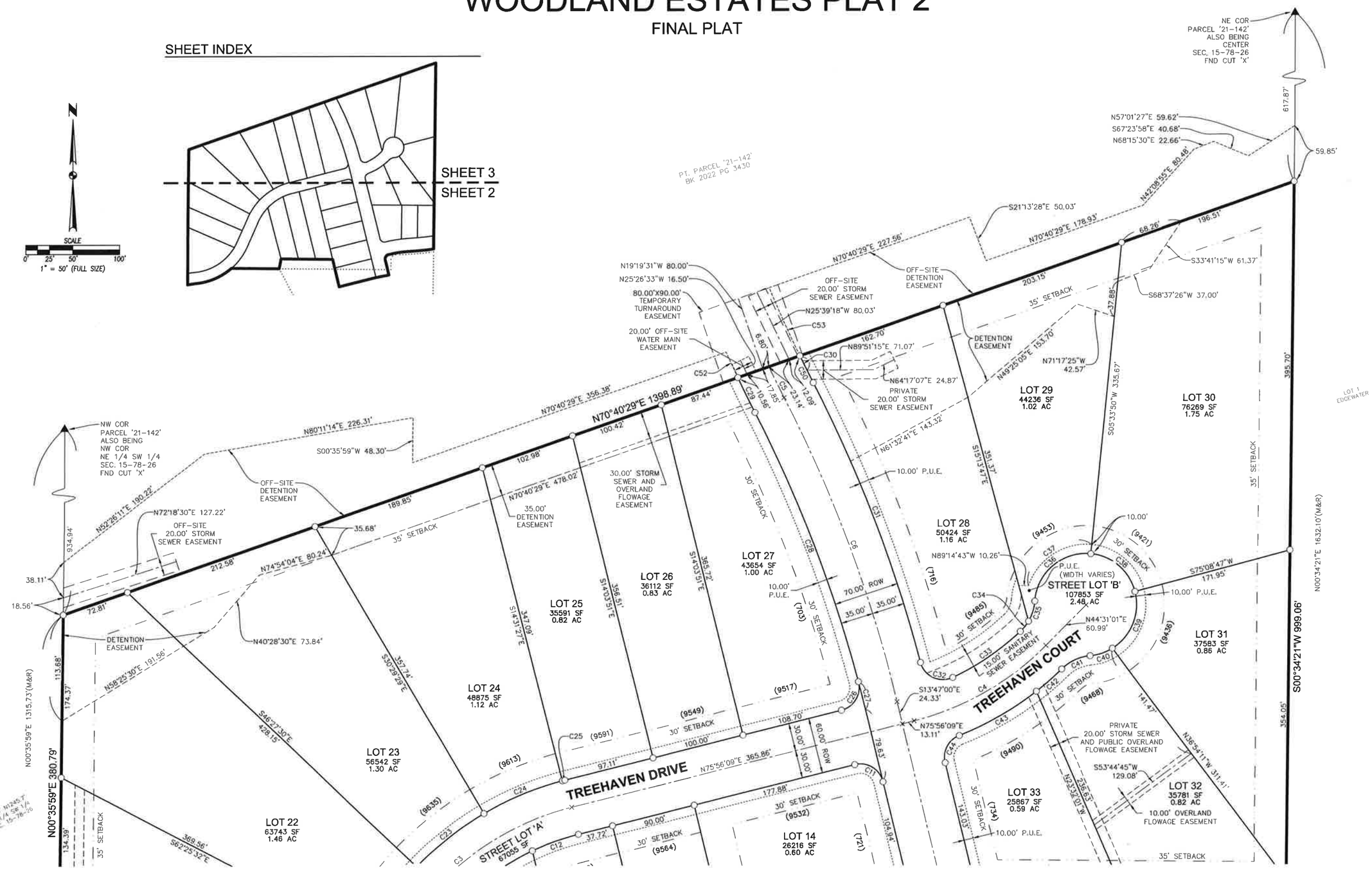
2/3

2110.857

WOODLAND ESTATES PLAT 2

FINAL PLAT

SHEET INDEX



REVISIONS	DATE
5TH SUBMITTAL	12/11/23
4TH SUBMITTAL	10/27/23
3RD SUBMITTAL	09/28/23
2ND SUBMITTAL	09/06/23
1ST SUBMITTAL	08/01/23

4121 NW URBANDALE DRIVE
URBANDALE, IA 50322
PHONE: (515) 369-4400

ENGINEER: TECH: REVIEW:

CIVIL DESIGN ADVANTAGE

WOODLAND ESTATES PLAT 2
FINAL PLAT
WEST DES MOINES, IOWA

3/3

2110.857

F.B. G:\2021\2110857\DWG\PLAT 2 - FINAL PLAT\2110857-FINAL PLAT.DWG
FILE DATE: 12/11/23 DATE PLOTTED: 12/13/2023 12:05 PM COMMENT: ONE
PLOTTED BY: JON EBRAHL TECH:

F350 N1245.7' NW 1/4 SW 1/4 SEC. 15-78-26

Prepared by: Kate Devine, 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, ACCEPTING SURETY AND APPROVING AND RELEASING THE WOODLAND ESTATES PLAT 2 FINAL PLAT FOR THE PURPOSE OF CREATING TWENTY-SEVEN (27) LOTS FOR SINGLE-FAMILY DEVELOPMENT AND TWO (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, Silo 9 Plat 1, LLC, request approval of a Final Plat for the approximately 26-acre property generally located at north intersection of S 95th Street and Cascade Avenue and legally described in attached Exhibit "B". The applicant proposes to subdivide the property into twenty-seven (27) lots for Single-Family development and two (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, 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 May 8, 2023; 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 May 15, 2023; and

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

WHEREAS, the City Council is accepting surety in lieu of constructing public improvements associated with the construction of S. 95th Street and Treehaven Drive, public sanitary sewer, and public storm sewer within the plat boundaries; and

WHEREAS, the necessary easements have been established for Storm Sewer, Sanitary Sewer, Overland Flowage, Storm Sewer & Overland Flowage, Public Utility Easement, Offsite Storm Sewer, Offsite Detention, and Offsite Public Temporary Turnaround; and

WHEREAS, the City Council is accepting surety for the construction of sidewalks within the plat; and

WHEREAS, the applicant has supplied warranty deed to the City of West Des Moines for Street Lots A and B to be dedicated as public street right-of-way; 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 assignment(s);

Lot 10 – 813 S. 95th Street

Lot 11 – 785 S. 95th Street

Lot 12 – 767 S. 95th Street

Lot 13 – 749 S. 95th Street

Lot 14 – 721 S. 95th Street or 9532 Treehaven Drive

Lot 15 – 9564 Treehaven Drive

Lot 16 – 9606 Treehaven Drive

Lot 17 – 9628 Treehaven Drive

Lot 18 – 9670 Treehaven Drive

Lot 19 – 9693 Treehaven Drive

Lot 20 – 9681 Treehaven Drive

Lot 21 – 9659 Treehaven Drive

Lot 22 – 9647 Treehaven Drive

Lot 23 – 9635 Treehaven Drive

Lot 24 – 9613 Treehaven Drive

Lot 25 – 9591 Treehaven Drive

Lot 26 – 9549 Treehaven Drive

Lot 27 – 703 S. 95th Street or 9517 Treehaven Drive

Lot 28 – 716 S. 95th Street or 9485 Treehaven Court

Lot 29 – 9453 Treehaven Court

Lot 30 – 9421 Treehaven Court

Lot 31 – 9436 Treehaven Court

Lot 32 – 9468 Treehaven Court

Lot 33 – 734 S. 95th Street or 9490 Treehaven Court

Lot 34 – 752 S. 95th Street or 9481 Cascade Avenue

Lot 35 – 9449 Cascade Avenue

Lot 36 – 9417 Cascade Avenue

WHEREAS, property subject of this action is zoned Single-Family Residential District (R-1) and meets all requirements of the City's Zoning Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1: The City Council does approve the Woodland Estates Plat 2 Final Plat (FP-006163-2023), 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.

SECTION 2: 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 December 18, 2023.

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Russ Trimble, Mayor

ATTEST:

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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 18, 2023, by the following vote.

Exhibit A: Conditions of Approval

1. The developer acknowledging that vehicles backing out onto S. 95th Street is prohibited. The developer agrees to inform and require buyers of lots that front to and/or access directly to S. 95th Street that all turns onto S. 95th Street must be in a forward movement. Additionally, the developer shall implement measures during the sale of the lot and their approval of a dwelling's layout on the lot to be such to ensure that the design of the garage(s) and driveway accommodates and promote vehicles to be able to orient for forward movement from the lot onto S. 95th Street.
2. The City Council granting allowance of the placement of Public Utility Easements (PUEs) in the front yard of all lots.
3. The developer acknowledging and agreeing that no building permits for any construction shall be issued until vehicle accesses to the satisfaction of the City's Fire Marshal have been constructed and open to the public.
4. The developer acknowledging and agreeing that no occupancy permits, temporary or final shall be issued for any home within this plat's boundaries until construction of the public improvements are complete and accepted by the City Council.
5. The developer agreeing that the required Parkland Dedication Agreement shall be approved by the City Council prior to the issuance of any building permits for above ground construction on any lot within Plat 2.

Exhibit B: Legal Description

A PART OF PARCEL '21-13' AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2021, PAGE 14902, BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND A PART OF PARCEL '21-142' AND PARCEL '21-143' AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2022, PAGE 3430, BEING A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ALL IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF WOODLAND ESTATES PLAT 1, AN OFFICIAL PLAT IN SAID CITY OF WEST DES MOINES; THENCE NORTH 00°09'32" EAST ALONG THE WEST LINE OF SAID PARCEL '21-13' AND THE WEST LINE OF SAID PARCEL '21-142', A DISTANCE OF 344.96 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 00°35'59" EAST ALONG THE WEST LINE OF SAID PARCEL '21-142', A DISTANCE OF 380.79 FEET; THENCE NORTH 70°40'29" EAST, 1398.89 FEET TO THE EAST LINE OF SAID PARCEL '21-142'; THENCE SOUTH 00°34'21" WEST ALONG SAID EAST LINE, 999.06 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1535.00 FEET, WHOSE ARC LENGTH IS 128.14 FEET AND WHOSE CHORD BEARS SOUTH 84°17'57" WEST, 128.10 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 615.00 FEET, WHOSE ARC LENGTH IS 112.26 FEET AND WHOSE CHORD BEARS SOUTH 81°27'40" WEST, 112.11 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.28 FEET AND WHOSE CHORD BEARS SOUTH 31°13'27" WEST, 35.36 FEET; THENCE SOUTH 13°47'00" EAST, 61.21 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 495.00 FEET, WHOSE ARC LENGTH IS 20.81 FEET AND WHOSE CHORD BEARS SOUTH 12°34'44" EAST, 20.81 FEET; THENCE SOUTH 78°37'32" WEST, 70.00 FEET; THENCE SOUTH 76°04'41" WEST, 202.62 FEET; THENCE NORTH 13°47'00" WEST, 151.53 FEET; THENCE NORTH 89°25'25" WEST, 278.71 FEET; THENCE SOUTH 10°41'16" WEST, 53.33 FEET TO THE NORTHERLY LINE OF SAID WOODLAND ESTATES PLAT 1; THENCE NORTH 89°25'25" WEST ALONG SAID NORTHERLY LINE, 253.52 FEET; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE AND A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 330.00 FEET, WHOSE ARC LENGTH IS 211.90 FEET AND WHOSE CHORD BEARS SOUTH 66°57'27" WEST, 208.28 FEET; THENCE WESTERLY ALONG SAID NORTHERLY LINE AND A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 320.00 FEET, WHOSE ARC LENGTH IS 42.84 FEET AND WHOSE CHORD BEARS SOUTH 81°31'04" WEST, 42.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 26.18 ACRES (1,140,324 SQUARE FEET).

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