CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: January 2, 2024

ITEM: Woodland Estates Development – Approval and Acceptance of Parkland Dedication Agreement – Silo 9 Plat 1, LLC

Resolution – Approval and Acceptance of Parkland Dedication Agreement

FINANCIAL IMPACT: Undetermined

BACKGROUND: The Council approved the Woodland Estates Development Plat 1 on February 21, 2022 and Plats 2 & 3 on December 18, 2023. As part of the review and approval of any development application containing residential development, parkland dedication is required to provide for recreational opportunities for the residents of this development. 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 have been Plat 3. 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 required the agreement be re-presented to the Parks Board for their consideration. The Parkland Dedication agreement was previously presented to the Park and Recreation Advisory Board at their September 21, 2021 meeting and was re-presented with the updated terms to the Board at their December 21, 2023 meeting and recommended approving.

OUTSTANDING ISSUES: None.

RECOMMENDATION: That the Council adopt a resolution approving and accepting the Woodland Estates Parkland Dedication Agreement

Lead Staff Member: Marco Alvarez, Superintendent of Parks

STAFF REVIEWS

Department Director	Ryan Penning, Director of Parks and Recreation
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Jessica Grove, Assistant City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	N/A
Dates(s) Published	N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed			
Recommendation	Yes	No	Split

RESOLUTION

A RESOLUTION APPROVING AND ACCEPTING A PARKLAND DEDICATION AGREEMENT RELATED TO THE SITE PLAN APPROVAL FOR WOODLAND ESTATES DEVELOPMENT

WHEREAS, it is the policy of the City of West Des Moines, Iowa to approve and accept agreements dedicating land for recreational purposes to satisfy the provisions of the Municipal Code; and

WHEREAS, the following document has been presented to the City for approval and acceptance;

Parkland Dedication Agreement for Woodland Estates Development

WHEREAS, it is in the best interest of the citizens of the City to approve and accept the above-described document.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT the document described is hereby approved and accepted and shall be filed with the county recorder as appropriate.

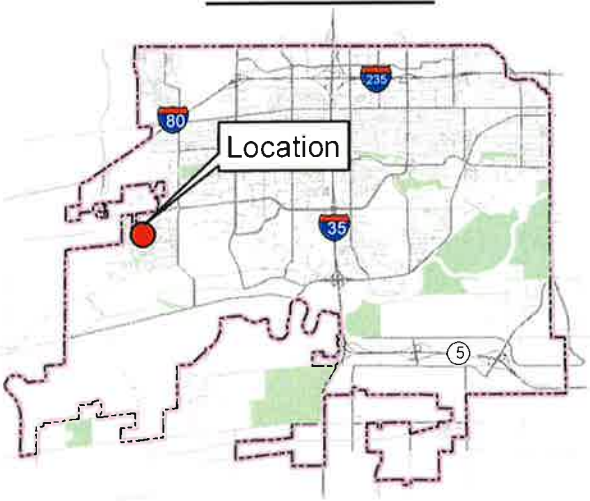
PASSED AND APPROVED this 2nd day of January, 2024.

_____
Greg Hudson, Presiding Officer

ATTEST:

_____
Ryan T. Jacobson, City Clerk

VICINITY MAP



LEGEND

Park & Greenway

N

0 1,000 2,000 Feet

THE CITY OF WEST DES MOINES	PROJECT: WOODLAND ESTATES DEVELOPMENT - PARKLAND DEDICATION AGREEMENT		
	LOCATION: S 95TH STREET AND CASCADE AVENUE		
	DRAWN BY: MAA	DATE: 12/27/2023	PROJECT NO.:	SHT. 1 of 1

Prepared by: Jessica D. Grove, City of West Des Moines Choose an item. Dept., PO Box 65320, West Des Moines, Iowa 50265-0320 515-222-3620
Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265 (515) 222-3600

SPACE ABOVE THIS LINE FOR RECORDER

PARKLAND DEDICATION AGREEMENT

DEDICATION OF PARK & GREENWAY LANDS AND PROVISION OF PUBLIC IMPROVEMENTS

Agreement between the City of West Des Moines and Silo 9 Plat 1, LLC, an Iowa limited liability company (Property Owner and Developer) for Dedication of Park & Greenway Lands and Improvements as a Condition of Approval for the Development Application for Woodland Estates Development (Plats 1 - 4)

WHEREAS, West Des Moines Municipal Code Section 10-1-4 ("Ordinance") provides that the Developer shall dedicate land for the public use for park purposes and for greenway use; and

WHEREAS, the Ordinance provides that the Developer may present a plan as an alternative to park or greenway land dedication; and

WHEREAS, said alternative plan must meet the purposes of the park and greenway dedication provisions and directly and proportionately benefit the Development seeking approval; and

WHEREAS, on December 21, 2023, the West Des Moines Parks and Recreation Advisory Board reviewed the alternative plan submitted by the Developer and has found that said plan meets the purposes of the park and greenway dedication provisions and directly and proportionately benefits the applied-for development; and

WHEREAS, this Parkland Agreement ("Agreement") entered into between the City of West Des Moines, an Iowa municipal corporation ("City") and **Silo 9 Plat 1, LLC, an Iowa limited liability company (Property Owner and Developer)**, is intended to regulate the required park and greenway lands dedication under the Ordinance by the Developer, and to maximize park

land usefulness by providing for joint dedication of lands with other developments in the same park districts.

WHEREFORE, be it agreed by the parties to this Agreement as follows:

1. The parkland dedication requirements are calculated as follows:
    a. Woodland Estates (Final Plat 1, Final Plat 2, Final Plat 3, Future Final Plat 4/Phasing Plan), as submitted (See Attachments B, C, D & E) with 81 proposed residential lots requires dedication of 1.44 acres (consisting of 0.56 park acres and 0.88 greenway acres) of lands to satisfy the provisions of the Ordinance. (See Attachment A for "Parkland Dedication Requirements").

2. As an alternate to land dedication, the Developer shall provide 'On Site Open Space' within the actual development site on Woodland Estates Plat 3, Outlot Z (Private Parkland), to fulfill the requirement. This area to include a recreational based open space will include a mown walking path. The Private Parkland shall allow full access to all residents of this development and cover 1.48 acres of the Parkland Dedication Requirements. (See Attachment D).

3. The Developer shall allow full access to all residents of the Woodland Estates Development to the Private Parkland. The Developer shall not adopt or enforce any restrictive covenant that restricts access in any manner to any resident of the Woodland Estates Development to the Private Parkland.

4. The Developer shall be responsible for all future maintenance, including by not limited to maintaining a mown path within the required Private Parkland. The Developer may assign this responsibility to the Woodland Estates Owners Association, Inc., a non-profit corporation (Homeowners Association) and thereafter such future maintenance shall be the sole responsibility of said Homeowners Association.

5. Failure by Developer to fully perform the obligations detailed in this Agreement is a violation of the conditions of approval for the Development Application. If such failure to perform occurs, the City may take any legal action to enforce performance and the City may deem said failure to perform to be a Municipal Infraction, as provided by Section 1-4-1 of the West Des Moines Municipal Code. The City may also elect to withhold a Certificate of Occupancy until all of the Property Owners and Developer's obligations have been fulfilled.

6. The person signing this Agreement on behalf of the Developer and Owner warrants that he or she possesses the authority to sign on behalf of the Developer and Owner or has received approval by the officials, executives, or members of the Developer and Owner to bind the Developer and Owner to the terms of this Agreement.

7. The Developer and Owner acknowledges and agree that the terms of this Agreement shall be binding upon its respective heirs, assigns, successors in interest, or lessees, if any.

8. This Agreement shall become binding upon the Parties once the City officially approves and accepts it, which approval and acceptance shall be noted on this Agreement by the signature of the Mayor and City Clerk.

Silo 9 Plat 1, LLC, an Iowa limited liability company, Owner and Developer

By: _____
Jake Ried, Manager

STATE OF IOWA)
) ss
COUNTY OF Dallas)

This record was acknowledged before me this 21 day of Dec., 2023 by **Jake Ried, Manager** of **Silo Plat 1, LLC, an Iowa limited liability company** on behalf of whom the record was executed.

SHERYL L. RICHEY
Commission Number 768799
My Commission Expires
7·13·26

Sheryl L Richey
Notary Public

CITY OF WEST DES MOINES, IOWA:

_____
Presiding Officer

ATTEST:

_____
Ryan T. Jacobson, City Clerk

STATE OF IOWA)
)ss
COUNTY OF POLK)

On this ____ day of _____, 20__, before me a Notary Public in and for said County, personally appeared Russ Trimble and Ryan T. Jacobson, to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively of the City of West Des Moines, Iowa, a municipal corporation, created and existing under the laws of the State of Iowa and that said record was signed on behalf of said municipal corporation by authority and resolution of its City Council as contained in Roll Call No. _____, passed on the _____ day of _____, 20__, and said Mayor and City Clerk acknowledged said record to be the free act and deed of said municipal corporation by it voluntarily executed.

_____
Notary Public

ATTACHMENT A

PARKLAND DEDICATION REQUIREMENTS

12/5/2023

Project Location: ***Woodlands Estates***

Developer: Silo 9 Plat 1, LLC, Jake Reid

		# units	Population Multiplier	Estimated Population	Per 1000 people	Park Dedication Factor	Greenway Dedication Factor
Single Family Detached							
Description:	Final Plat 1	22	2.90	63.8			
	Final Plat 2	27	2.90	78.3			
	Final Plat 3	10	2.90	29			
	Future Plat 4	22	2.90	63.8			
	TOTAL	**81**		**234.9**			
Single Family Attached							
Description:	Townhome/Condos	0	1.63	0			
	TOTAL	**0**		**0**			
Multifamily Unit							
Description:	Apartments	0	1.73	0			
	TOTAL	**0**		**0**			
		TOTAL POPULATION		**234.9**	0.2349	2.39	3.76

Park Dedication (Acres)	0.56
Greenway Dedication (Acres)	0.88
TOTAL DEDICATION (Acres)	**1.44**

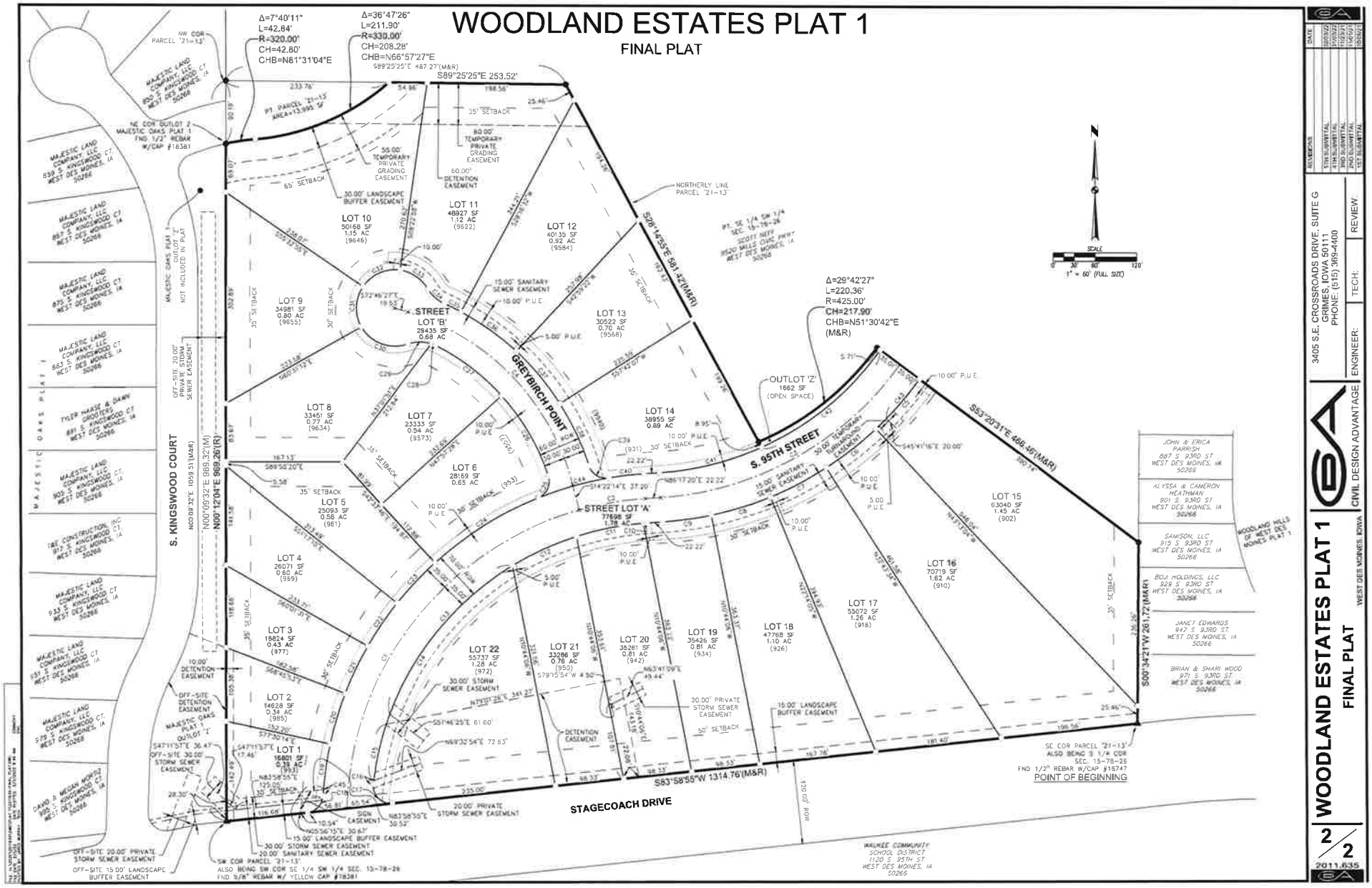
Proposed alternative to fulfill parkland requirement:
Calculations taken from Woodland Estates Final Plats 1, 2, 3 and Phasing Exhibit (Future Plat 4)

The developer has provided a location for an on-site private park located on Woodland Estates Plat 3, Outlot Z, 1.48 acres, to serve the residents of this development. The private park includes mown trails.

ATTACHMENT B

WOODLAND ESTATES PLAT 1

FINAL PLAT



REVISIONS	DATE
5TH SUBMITTAL	12/07/22
4TH SUBMITTAL	5/10/22
3RD SUBMITTAL	11/12/21
2ND SUBMITTAL	10/12/21
1ST SUBMITTAL	10/05/21

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

ENGINEER: TECH: REVIEW:

CIVIL DESIGN ADVANTAGE

WOODLAND ESTATES PLAT 1
FINAL PLAT
WEST DES MOINES, IOWA

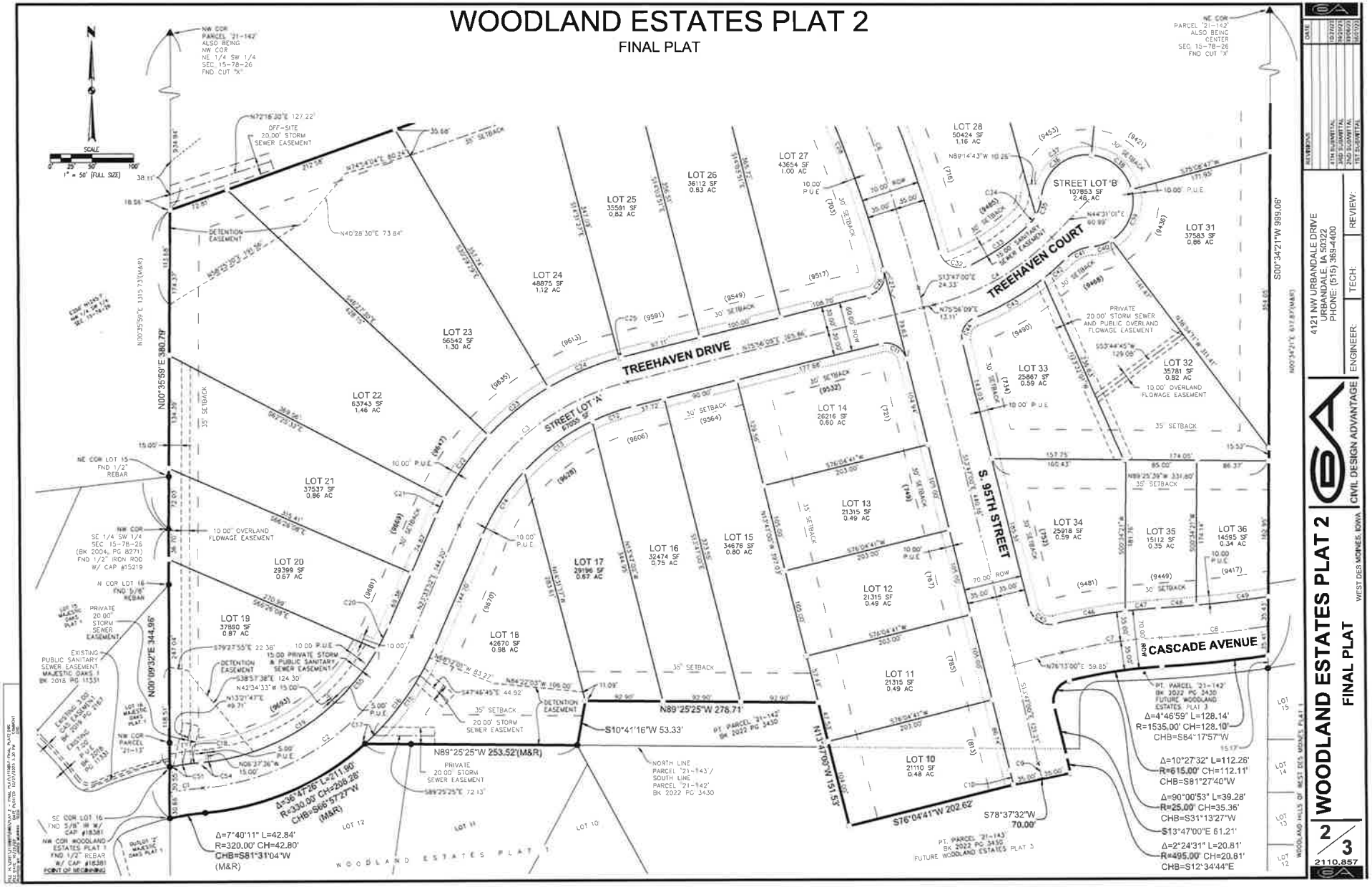
2/2

2011.635

ATTACHMENT C1

WOODLAND ESTATES PLAT 2

FINAL PLAT



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

ENGINEER: TECH: REVIEW:

CIVIL DESIGN ADVANTAGE

WEST DES MOINES, IOWA

WOODLAND ESTATES PLAT 2

FINAL PLAT

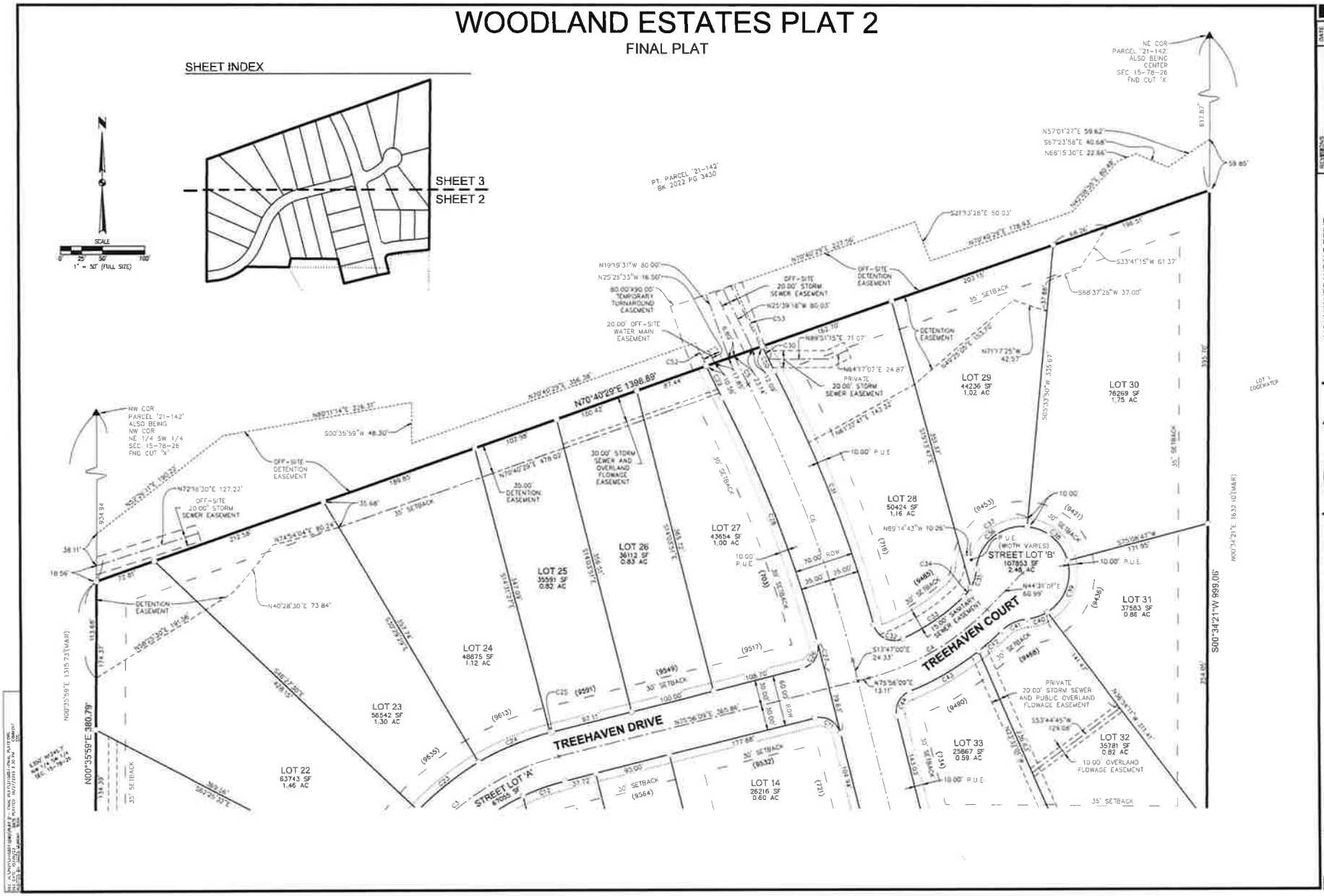
2 / 3

2110.857

ATTACHMENT C2

WOODLAND ESTATES PLAT 2

FINAL PLAT



SEQUENCE	DATE
4TH SUBMITTAL	10/27/23
3RD SUBMITTAL	09/05/23
2ND SUBMITTAL	06/06/23
1ST SUBMITTAL	05/05/23

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

ENGINEER: TECH: REVIEW:

CIVIL DESIGN ADVANTAGE

WEST DES MOINES, IOWA

WOODLAND ESTATES PLAT 2

FINAL PLAT

3/3

2110.857

ATTACHMENT D

WOODLAND ESTATES PLAT 3

FINAL PLAT

INDEX LEGEND

LOCATION: 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

PROPRIETORS: NEFF, SCOTT B LIVING TRUST U/A 02/05/2015
6901 PECKHAM STREET #123
JOHNSTON IA 50131

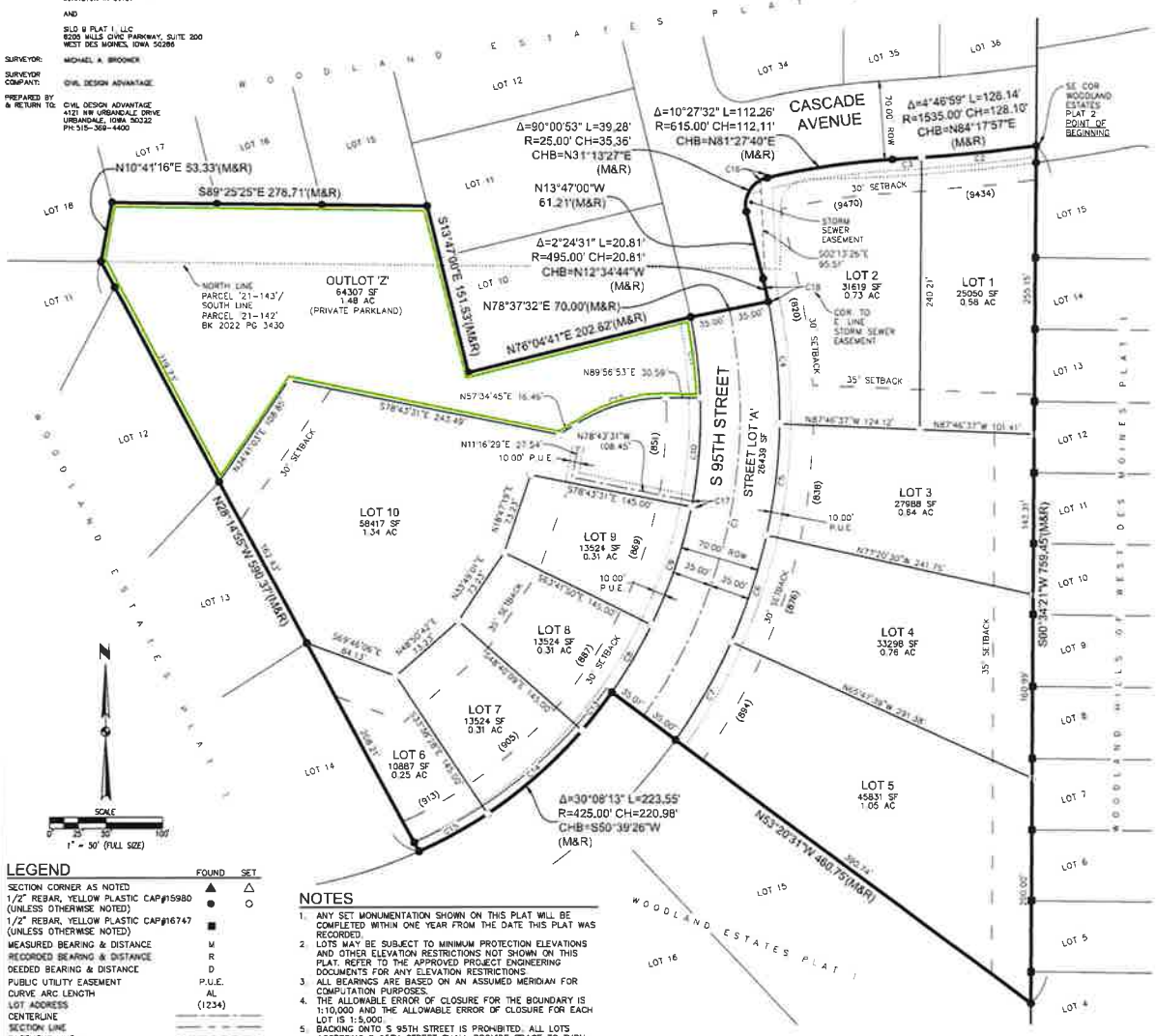
AND

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

SURVEYOR: MICHAEL A. BROOKER

SURVEYOR COMPANY: CIVIL DESIGN ADVANTAGE

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



LEGEND

	FOUND	SET
SECTION CORNER AS NOTED	▲	△
1/2" REBAR, YELLOW PLASTIC CAP#15980 (UNLESS OTHERWISE NOTED)	●	○
1/2" REBAR, YELLOW PLASTIC CAP#16747 (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		

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)

OWNERS

PARCEL '21-143' TITLE HOLDER
NEFF, SCOTT B LIVING TRUST U/A 02/05/2015
6901 PECKHAM STREET #123
JOHNSTON IA 50131

AND

PARCEL '21-142' TITLE HOLDER
SILO 9 PLAT 1, LLC
6205 MILLS CIVIC PARKWAY, SUITE 200
WEST DES MOINES, IOWA 50266

DEVELOPER

SILO 9 PLAT 1, LLC (CONTRACT BUYER)
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 20, 2023

AREA ABOVE RESERVED FOR RECORDING STAMP

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)

PLAT DESCRIPTION

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 SOUTHEAST CORNER OF WOODLAND ESTATES PLAT 2; THENCE SOUTH 00°34'21" WEST ALONG THE EAST LINE OF SAID PARCELS '21-142' AND '21-143', A DISTANCE OF 759.45 FEET TO THE NORTHERLY LINE OF WOODLAND ESTATES PLAT 1, AN OFFICIAL PLAT IN SAID CITY OF WEST DES MOINES; THENCE NORTH 53°20'31" WEST ALONG SAID NORTHERLY LINE, 460.75 FEET; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE AND A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 425.00 FEET, WHOSE ARC LENGTH IS 223.55 FEET AND WHOSE CHORD BEARS SOUTH 50°39'26" WEST, 220.98 FEET; THENCE NORTH 28°14'55" WEST ALONG SAID NORTHERLY LINE, 590.37 FEET TO THE SOUTHERLY LINE OF WOODLAND ESTATES PLAT 2, AN OFFICIAL PLAT IN SAID CITY OF WEST DES MOINES; THENCE NORTH 10°41'16" EAST ALONG SAID SOUTHERLY LINE, 53.33 FEET; THENCE SOUTH 89°25'25" EAST ALONG SAID SOUTHERLY LINE, 278.71 FEET; THENCE SOUTH 13°47'00" EAST ALONG SAID SOUTHERLY LINE, 151.53 FEET; THENCE NORTH 76°04'41" EAST ALONG SAID SOUTHERLY LINE, 202.62 FEET; THENCE NORTH 78°37'32" EAST ALONG SAID SOUTHERLY LINE, 70.00 FEET; THENCE NORTHERLY ALONG SAID SOUTHERLY LINE AND A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 495.00 FEET, WHOSE ARC LENGTH IS 20.81 FEET AND WHOSE CHORD BEARS NORTH 12°34'44" WEST, 20.81 FEET; THENCE NORTH 13°47'00" WEST ALONG SAID SOUTHERLY LINE, 61.21 FEET; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE AND A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.28 FEET AND WHOSE CHORD BEARS NORTH 31°13'27" EAST, 35.36 FEET; THENCE EASTERLY ALONG SAID SOUTHERLY LINE AND A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 615.00 FEET, WHOSE ARC LENGTH IS 112.26 FEET AND WHOSE CHORD BEARS NORTH 81°27'40" EAST, 112.11 FEET; THENCE EASTERLY ALONG SAID SOUTHERLY LINE AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1535.00 FEET, WHOSE ARC LENGTH IS 126.14 FEET AND WHOSE CHORD BEARS NORTH 84°17'57" EAST, 126.10 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.37 ACRES (364,407 SQUARE FEET).

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

VICINITY MAP (NOT TO SCALE)

WEST DES MOINES, IOWA

CURVE DATA

CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	47°02'41"	460.00'	377.70'	S12°06'52"W	367.18'
C2	3°48'40"	1535.00'	102.10'	N83°48'47"E	102.08'
C3	0°58'19"	1535.00'	26.04'	N86°12'16"E	26.04'
C4	12°27'44"	495.00'	107.66'	N05°08'36"W	107.45'
C5	11°34'15"	495.00'	99.96'	N06°52'23"E	99.79'
C6	11°32'51"	495.00'	99.76'	N18°25'56"E	99.60'
C7	11°32'03"	495.00'	99.65'	N29°58'23"E	99.48'
C8	9°17'10"	425.00'	68.88'	S30°56'45"W	68.81'
C9	15°01'41"	425.00'	111.47'	S16°47'19"W	111.15'
C10	13°03'20"	425.00'	96.84'	S04°44'49"W	96.63'
C11	9°35'37"	425.00'	71.16'	S06°34'40"E	71.08'
C12	32°22'08"	150.00'	84.74'	N73°45'49"E	83.62'
C13	5°44'31"	425.00'	42.59'	S38°27'35"W	42.57'
C14	15°01'41"	425.00'	111.47'	S48°50'42"W	111.15'
C15	9°22'01"	425.00'	69.48'	S61°02'33"W	69.40'
C16	13°43'46"	25.00'	5.99'	S69°22'01"W	5.98'
C17	0°40'27"	425.00'	5.00'	N10°56'15"E	5.00'
C18	1°28'26"	495.00'	12.73'	N12°06'41"W	12.73'

MICHAEL A. BROOKER 15980 IOWA LICENSED PROFESSIONAL LAND SURVEYOR

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. BROOKER, P.L.S. DATE

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

REVISIONS	DATE
4TH SUBMITTAL	10/3/23
3RD SUBMITTAL	9/5/23
2ND SUBMITTAL	5/30/23
1ST SUBMITTAL	3/27/23

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

ENGINEER: TECH: REVIEW:

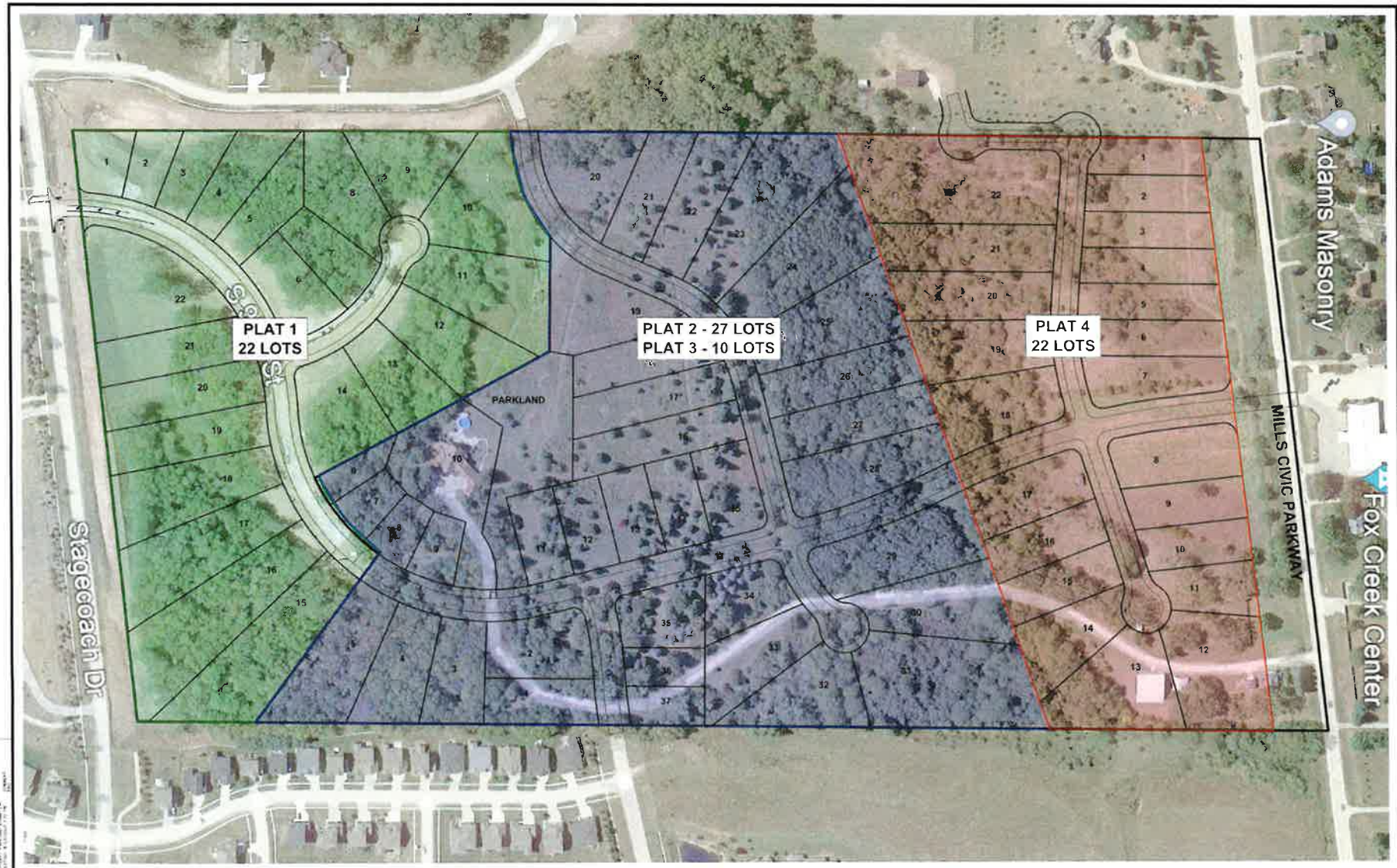
CIVIL DESIGN ADVANTAGE

WOODLAND ESTATES PLAT 3
FINAL PLAT
WEST DES MOINES, IOWA

1/1

2110.857

ATTACHMENT E



WOODLAND ESTATES
PHASING EXHIBIT
WEST DES MOINES, IOWA

CIVIL DESIGN ADVANTAGE
4121 NW URBANDALE DRIVE
URBANDALE, IA 50322
PHONE: (515) 369-4400
ENGINEER
TECH

1
1
2110.857