CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION

Meeting Date: March 18, 2024

ITEM: Browns Woods Hollow Plat 2, SE Hollow Court west of Veterans Parkway - Accept Surety and Release Final Plat to create 18 lots for Single-Family development, one (1) outlot for wetlands, one (1) lot for Parkland and two (2) street lots – Browns Woods, LLC – FP-006232-2023

RESOLUTION: ACCEPT SURETY AND APPROVE AND RELEASE FINAL PLAT

Background: The applicant and property owner, Browns Woods, LLC, requests approval of a Final Plat for the approximately 7-acre property generally located west of Veterans Parkway at SE Hollow Court. The applicant proposes to subdivide the property into 18 lots for detached Single-Family development, one (1) lot for parkland, one (1) outlot for wetlands and two (2) street lots for dedication to the City.

Staff Review & Comment:

- *Financial Impact:* Undetermined
- *History*: The associated Preliminary Plat was approved by the Plan and Zoning Commission on June 8, 2020, and the City Council on June 15, 2020. This Final Plat has been determined to be consistent with the associated Preliminary Plat. A Final Plat for 25 lots for single family residential development was approved July 20, 2020, as Browns Woods Hollow Plat 1 which vested the 2020 approval of the Preliminary Plat.
- Public Utility Easements (PUEs): The applicant is requesting approval to allow public utility easements in the front yard. These are easements for electric service, telephone, cable, gas, and services for the residences. City Code provides that these easements be located in rear yards and side yards to avoid having transformers and connection boxes in the front yard. The applicant indicates that there are topographic issues and water flowage easements which make it difficult to place the easements in the rear yard. The City Council approved the placement in the front yard as part of Browns Woods Hollow Plat 1. This plat will be a continuation of that allowed.

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 public streets, public sidewalk, public sanitary sewer, and public storm sewer, including all appurtenances associated with said improvements.
- A deed for Lot(s) A, B, and C to be dedicated as public street right-of-way and parkland.
- Storm Water Management Maintenance Facility Covenant and Permanent Easement Agreement for this property.

Recommendation: Accepting Surety and Approving and Releasing the Final Plat, subject to the applicant meeting all City Code requirements, and the following condition of approval:

1. The City Council waiving the requirement for the placement of Public Utility Easements in the rear and side yards and allowing these utilities to be located within the front yard.

Lead Staff Member: Kara Tragesser

Approval Meeting Dates:

Plan and Zoning Commission	June 8, 2020
City Council	March 18, 2024

Staff Report Reviews:

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

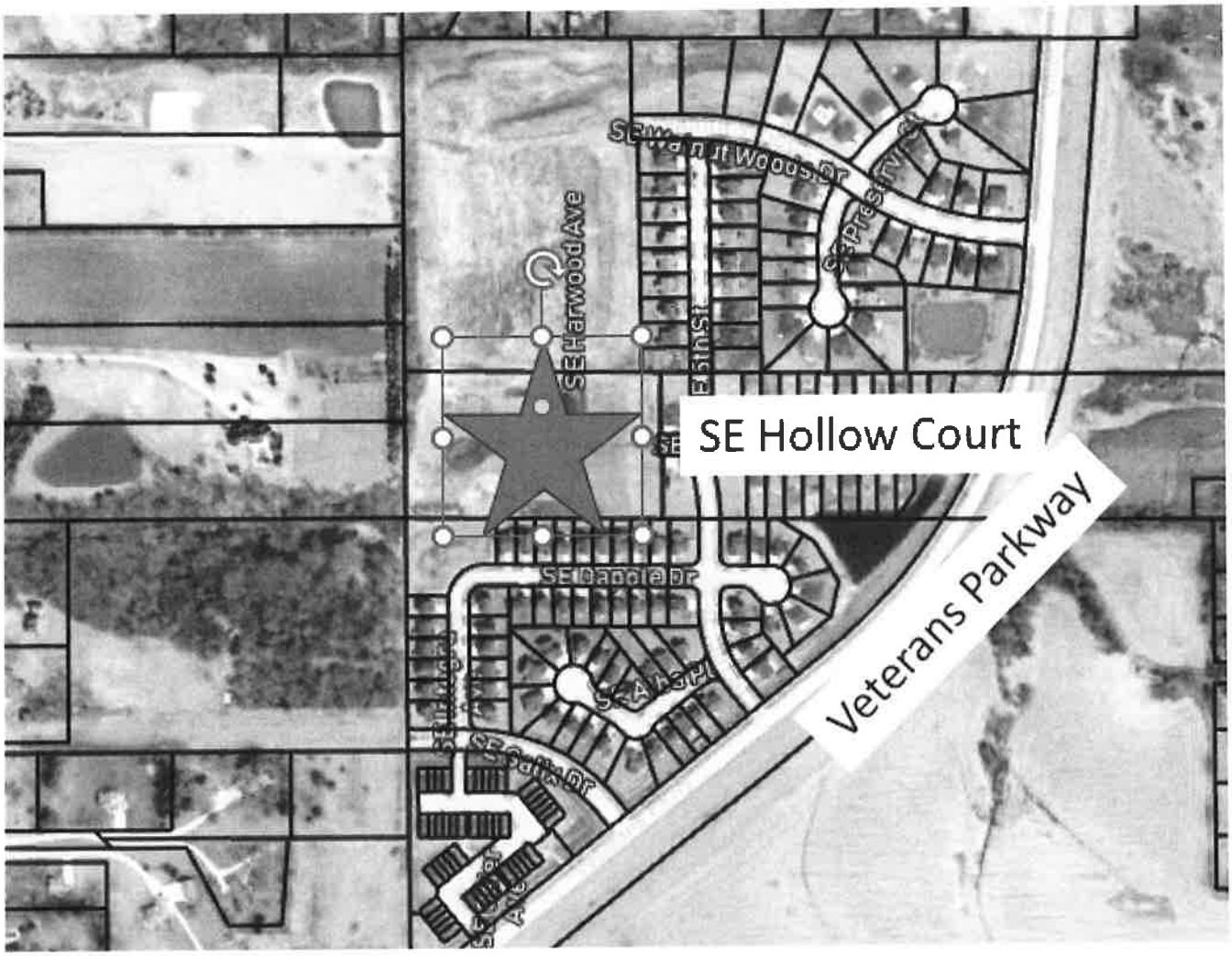
Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	Click or tap to enter a date.
Date(s) of Mailed Notices	Click or tap to enter a date.

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning			
Date Reviewed	12/4/23			
Recommendation	Yes ☒	No ☐	Split ☐	No Discussion ☐

Location Map



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, ACCEPTING SURETY AND APPROVING AND RELEASING THE BROWNS WOODS HOLLOW PLAT 2 FINAL PLAT FOR THE PURPOSE OF CREATING EIGHTEEN (18) LOTS FOR SINGLE-FAMILY DEVELOPMENT, ONE (1) LOT FOR PARKLAND, ONE (1) OUTLOT FOR WETLANDS, AND TWO (2) PUBLIC 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, Browns Woods, LLC, requests approval of a Final Plat for the approximately 7-acre property generally located west of Veterans Parkway at SE Hollow Court and legally described in attached Exhibit "B". The applicant proposes to subdivide the property into eighteen (18) lots for Single-Family development, one (1) lot for parkland dedication to the City, one (1) outlot for wetlands, 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 June 8, 2020; 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 June 15, 2020; 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 the extension of SE Hollow Court, SE Hardwood Avenue, public sanitary sewer, public storm sewer, and public sidewalks within the plat boundaries; and

WHEREAS, the applicant has supplied a Warranty Deed to the City of West Des Moines for Street Lot(s) A and B to be dedicated as public street right-of-way; and

WHEREAS, the applicant has supplied a deed to the City of West Des Moines for Lot C to be dedicated for parkland; and

WHEREAS, the City Council approves and accepts the following easements and agreements related to the final plat: storm water facility maintenance agreements, storm sewer easement, sanitary sewer easement, trail easement, and public utility easement; and

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

Lot 1	549 SE Hollow Court
Lot 2	565 SE Hollow Court
Lot 3	579 SE Hollow Court
Lot 3	2460 SE Hardwood Ave
Lot 4	629 SE Hollow Court
Lot 4	2475 SE Hardwood Ave
Lot 5	657 SE Hollow Court
Lot 6	685 SE Hollow Court
Lot 7	733 SE Hollow Court
Lot 8	751 SE Hollow Court
Lot 9	787 SE Hollow Court
Lot 10	762 SE Hollow Court
Lot 11	748 SE Hollow Court
Lot 12	646 SE Hollow Court
Lot 13	618 SE Hollow Court
Lot 14	594 SE Hollow Court
Lot 15	582 SE Hollow Court
Lot 16	570 SE Hollow Court
Lot 17	558 SE Hollow Court
Lot 18	542 SE Hollow Court

WHEREAS, property subject of this action is zoned Browns Woods Hollow Planned Unit Development and meets all requirements of the City's Zoning Code.

NOW, THEREFORE, the City Council does approve the Browns Woods Hollow Plat 2 Final Plat (FP-006232-2023), 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. 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 upon fulfillment of the condition of approval.

PASSED AND ADOPTED on March 18, 2024.

_____

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 March 18, 2024, by the following vote.

Exhibit A: Conditions of Approval

1. The City Council waiving the requirement for the placement of Public Utility Easements in the rear and side yards and allowing these utilities to be located within the front yard.

Exhibit B: Legal Description

A part of the Southwest ¼ of the Northwest ¼ of Section 26, Township 78 North, Range 25 West of the 5th P.M., city of West Des Moines, Polk County, Iowa, that is more particularly described as follows:

Beginning at the West ¼ corner of Section 26, Township 78 North, Range 25 West of the 5th P.M., city of West Des Moines, Polk County, Iowa, said point also being the Southeast corner of Lot 6, Fairmont Estates, an official plat, and the Northwest corner of Willow Creek Villas Plat 2, an official plat; thence N00°22'28"W, 420.19 feet along the West line of said Section 26, and along the East line of said Fairmont Estates; thence S89°34'26"E, 732.70 feet to the Northwest corner of Lot 14, Browns Woods Hollow Plat 1, an official plat; thence S00°25'34"W, 175.00 feet along the West line of said Browns Woods Hollow Plat 1 to the North right-of-way line of SE Hollow Court, as it is presently established; thence N89°34'26"W, 5.00 feet along said West line, and along said North right-of-way line; thence S00°25'34"W, 60.00 feet along said West line to the South right-of-way line of said SE Hollow Court; thence S89°34'26"E, 11.56 feet along said West line, and along said South right-of-way line; thence S00°25'34"W, 181.56 feet along said West line to the North line of said Willow Creek Villas Plat 2, and to the Southwest corner of Lot 15, Browns Woods Hollow Plat 1; thence N89°51'14"W, 733.40 feet along said North line to the West ¼ corner of said Section 26, and to the Point of Beginning.

Said tract of land contains 7.030 acres more or less.

Said tract of land being subject to any and all easements of record

FINAL PLAT
BROWNS WOODS HOLLOW PLAT 2

INDEX LEGEND

LOCATION : NW¼ SEC. 26-78-25
REQUESTOR: VENTURE HOMES BY STEPHEN R GRUBB I, LLC
PROPRIETOR: VENTURE HOMES BY STEPHEN R GRUBB I, LLC
SURVEYOR: KEVEN J. CRAWFORD, P.L.S.
SURVEYOR COMPANY: COOPER CRAWFORD & ASSOCIATES, LLC
475 S. 50th STREET, SUITE 800
WEST DES MOINES, IOWA 50265
RETURN TO: COOPER CRAWFORD & ASSOCIATES, LLC

CURVE TABLE

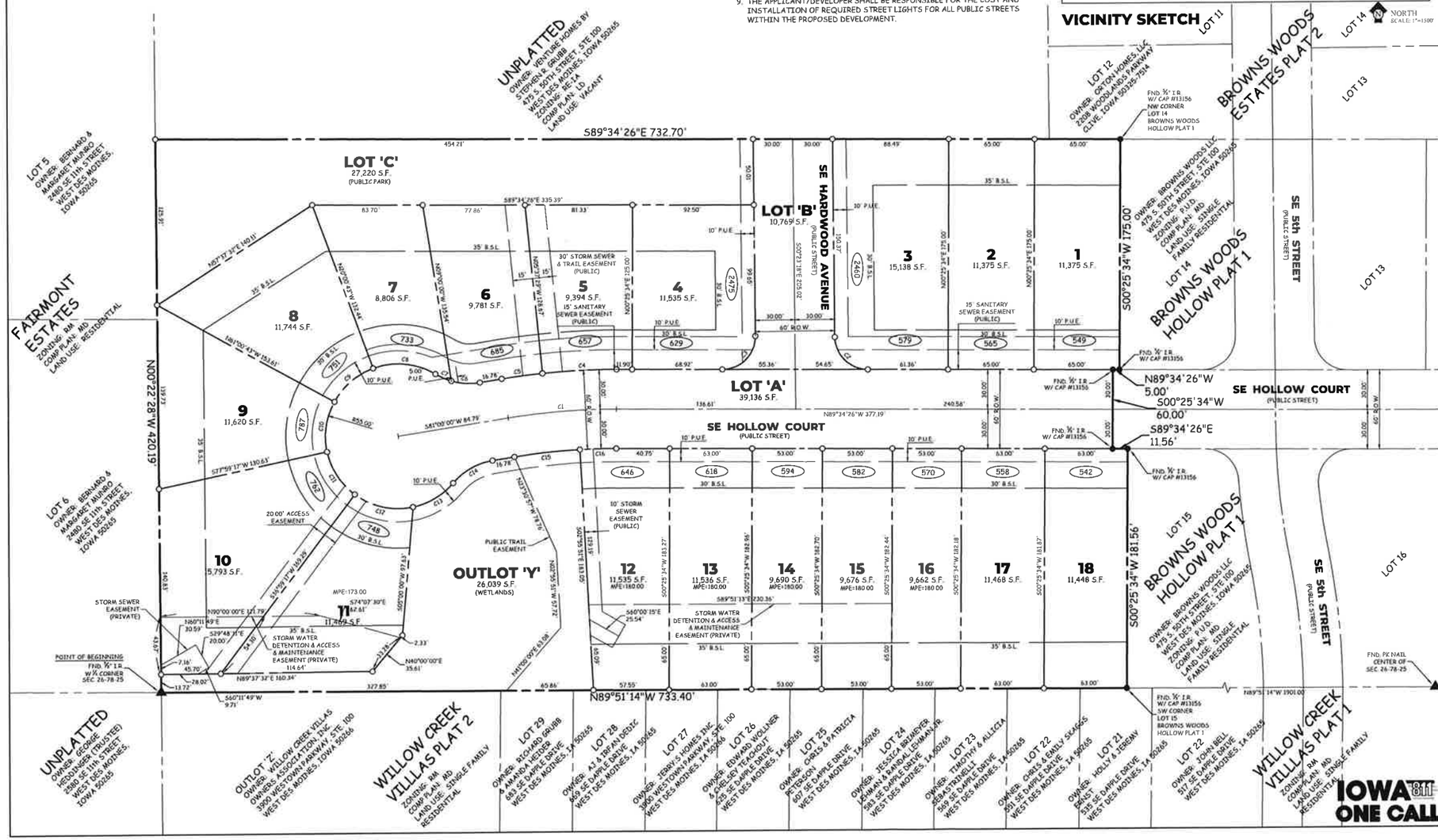
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CH. BEARING
C1	009°25'34"	500.00	82.26	41.22	82.17	S85°42'47"W
C2	089°11'08"	25.00	38.91	24.65	35.10	S44°58'52"E
C3	090°48'52"	25.00	39.63	25.36	35.61	N45°01'08"E
C4	006°03'03"	530.00	55.97	28.01	55.95	N87°24'02"E
C5	003°22'31"	530.00	31.22	15.62	31.22	N82°41'15"E
C6	025°08'32"	50.00	21.94	11.15	21.77	S86°25'44"E
C7	015°13'31"	50.00	13.29	6.68	13.25	S66°14'42"E
C8	051°22'46"	55.00	49.32	26.46	47.68	S84°19'20"E
C9	041°00'00"	55.00	39.36	20.56	38.52	N49°29'17"E
C10	041°00'00"	55.00	39.36	20.56	38.52	N08°29'17"E
C11	041°00'00"	55.00	39.36	20.56	38.52	N32°30'43"W
C12	048°37'46"	55.00	46.68	24.85	45.29	N77°19'35"W
C13	037°43'35"	55.00	36.21	18.79	35.56	S59°29'44"W
C14	040°22'03"	50.00	35.23	18.38	34.50	S60°48'58"W
C15	006°04'09"	470.00	49.79	24.92	49.76	S84°02'05"W
C16	003°21'25"	470.00	27.54	13.77	27.53	S88°44'52"W

SURVEYOR'S NOTES

1. ALL LOT CORNERS SHALL BE SET WITHIN ONE YEAR OF RECORDING.
2. THIS PLAT BOUNDARY HAS AN ERROR OF CLOSURE OF LESS THAN 1 IN 10,000.
3. EACH LOT IN THIS PLAT HAS AN ERROR OF CLOSURE OF LESS THAN 1 IN 5,000.
4. BEARINGS BASED ON AN ASSUMED BEARING.

NOTES

1. ALL SANITARY SEWER, STORM SEWER AND OVERLAND FLOWAGE EASEMENTS ARE PUBLIC, UNLESS OTHERWISE NOTED.
2. LOTS 'A' AND 'B' TO BE DEEDED TO THE CITY OF WEST DES MOINES FOR STREET PURPOSES. LOT 'C' TO BE DEEDED TO THE CITY OF WEST DES MOINES FOR PARKLAND.
3. OUTLOT 'Y' TO BE USED FOR WETLANDS AND OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
4. THIS SITE IS WITHIN ZONE 'X' (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS REFERENCED ON FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 19153C0340F, MAP EFFECTIVE DATE FEBRUARY 1, 2019.
5. THE CONTRACTOR/OWNER OF EACH LOT SHALL SUBMIT A FOOTPRINT AND ELEVATION OF ANY PROPOSED RESIDENCE TO THE CITY OF WEST DES MOINES PRIOR TO RECIEVING A BUILDING PERMIT.
6. DECKS WILL NOT BE ALLOWED TO ENCROACH INTO EASEMENTS.
7. HOME BUILDER AND PLUMBING CONTRACTOR SHALL VERIFY SANITARY SERVICE STUB-OUT ELEVATIONS PRIOR TO HOUSE CONSTRUCTION TO ENSURE BASEMENT FLOOR ELEVATIONS WILL PROVIDE ADEQUATE FALL IN SERVICE PIPE (2% MINIMUM).
8. SPOT ELEVATIONS REPRESENT THE GRADE AT A POINT WHERE THE EASEMENTS CROSS LOT LINES.
9. THE APPLICANT/DEVELOPER SHALL BE RESPONSIBLE FOR THE COST AND INSTALLATION OF REQUIRED STREET LIGHTS FOR ALL PUBLIC STREETS WITHIN THE PROPOSED DEVELOPMENT.



OWNER/APPLICANT

BROWNS WOODS, LLC
475 S. 50th STREET, SUITE 100
WEST DES MOINES, IOWA 50265-6980
ATTN: STEPHEN GRUBB
(515) 327-1700

ZONING

EXISTING: BROWNS WOODS HOLLOW - PUD - RESIDENTIAL SINGLE FAMILY (RS-5)
PROPOSED: BROWNS WOODS HOLLOW - PUD - RESIDENTIAL SINGLE FAMILY (RS-5)

COMPREHENSIVE PLAN LAND USE

EXISTING: MD - MEDIUM DENSITY RESIDENTIAL
PROPOSED: MD - MEDIUM DENSITY RESIDENITAL

LAND USE DENSITY

EXISTING: AGRICULTURE (0 UNITS/ACRE)
PROPOSED: SINGLE FAMILY DETACHED TOWNHOMES (2.6 UNITS/ACRE)

SETBACKS

FRONT-30'
REAR-35'
SIDE-7' MIN. (14' TOTAL)

LEGAL DESCRIPTION

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LEGEND

	PLAT BOUNDARY
▲	SECTION CORNER
●	FOUND CORNER, AS NOTED
O	SET CORNER 5/8" I.R. W/ YELLOW CAP #13156
I.R.	IRON ROD
G.P.	GAS PIPE
D.	DEEDED DISTANCE
M.	MEASURED DISTANCE
R.	PREVIOUSLY RECORDED DISTANCE
P.U.E.	PUBLIC UTILITY EASEMENT
(3333)	ADDRESS
B.S.L.	BUILDING SETBACK LINE
N.R.	NOT RADIAL

CERTIFICATION

LICENSED PROFESSIONAL ENGINEER & LAND SURVEYOR
KEVEN J. CRAWFORD
13156
IOWA

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

KEVEN J. CRAWFORD, P.E., P.L.S. IOWA LICENSE NO. 13156
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024
PAGES OR SHEETS COVERED BY THIS SEAL:
THIS SHEET ONLY

COOPER CRAWFORD & Associates
Civil Engineers & Land Surveyors
475 S. 50th STREET, SUITE 800, WEST DES MOINES, IOWA 50265
PHONE: (515) 224-1344 FAX: (515) 224-1345

DATE: X-X-2023
REVISIONS: X-X-XXXX
SCALE: 1"=40'
AS-BUILT: ---
JOB NUMBER CC 2244

FINAL PLAT
Browns Woods Hollow Plat 2

SHEET 1 OF 1