

Meeting Agendas/Info

CITY COUNCIL
COMMUNICATION:

ITEM _____

01-535

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

AGENDA:

OCTOBER 22, 2001

SUBJECT:

FINAL PLAT OF THE
FINCHES

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

SUBMITTED BY:

JAMES M. GRANT
COMMUNITY
DEVELOPMENT
DIRECTOR

SYNOPSIS -

This is the final plat for The Finches Townhome project. This project consists of approximately 14 acres and is zoned Planned Unit Development (PUD) including 24 townhomes to be built on the site. The developer for this project is The Finches, LLC (Don Brown principal).

The location of this project is east of SW 30th Street in the vicinity north of Willowmere Drive. The Plan and Zoning Commission has approved the preliminary plat on June 23, 2001, and the City Council previously conditionally approved this final plat on September 10, 2001. This matter is being presented back to the City Council as the condition of this plat has not been satisfied and it has not been filed within a 30-day period from approval.

FISCAL IMPACT -

None.

RECOMMENDATION -

Approval.

BACKGROUND -

As a part of the plat, the Plan and Zoning Commission required that a sidewalk be constructed on the west side of SW 30th Street parallel to The Finches property and a retaining wall along the south property line be completed prior to the final plat being sent for approval to City Council. These two requirements have been completed, have been inspected by the Engineering Department and approved by the Permit and Development Administrator on August 30, 2001.

On September 10, 2001, this final plat was presented to the City

Council for approval, at which time this plat was conditionally approved, subject to the completion of the soil retention and providing adequate safety provisions (such as railings) for the retaining wall. The soil retention area has been completed; however, the matter of the safety feature for the retaining wall has not been completed. The developer has placed fir trees in the area between the retaining wall and the south property boundary, however, the placement of these trees do not appear to meet the intent of the condition placed on this plat by the Council.

In accordance with Section 106-104 of the Municipal Code (Subdivision Ordinance) a final plat approved by the City Council must be recorded in the office of the County Auditor within 30 days of the approval of the plat. While developer was reviewing and considering options as to how to comply with the condition of the retaining wall protection required by the City Council, the 30-day filing deadline expired. The plat is therefore required to be reconsidered and approved by the City Council before it can now be recorded. In addition, the developer has expressed a desire to have the trees that he has placed at the top of the retaining wall to be considered acceptable in satisfying the condition that was previously placed on the plat.
