

★ **Roll Call Number**

**Agenda Item Number**

29

.....  
**Date** .....  
 January 28, 2008


COMMUNICATION from the City Plan and Zoning Commission advising that at a public hearing held January 17, 2008, the members voted 14-0 in support of a motion to **APPROVE** the request from Prairie Hills at Des Moines, LLC (developer) represented by Tim Hildebrandt (officer) for approval of a preliminary subdivision plat for "Prairie Hills Des Moines" on property located at 2680 East Payton Avenue, to allow for 21 single-family lots and a large lot for multiple-family development subject to the following:

1. Compliance with all comments of the administrative review by the Permit and Development Center.
2. Provision of a note that three trees be planted with development of each of the proposed twenty single-family lots to mitigate those being removed: one street tree of 1 ½ " caliper, one ornamental in the front yard, and one rear yard over-story tree of 1 ½ " caliper.
3. Provision of conservation easements on the plat for the existing trees that will not be removed by the plat development.
4. Provision of tree protection measures, for the trees identified to remain on the plat, that will be implemented during the grading of the property.
5. Provision of conservation plantings on the bottoms of the detention basins that are not steeper than 1.5%.
6. Shift the turnaround easement for SE 27<sup>th</sup> Court to the north to the edge of the proposed Lot 21 where phase one ends.

MOVED by \_\_\_\_\_ to receive and file.

FORM APPROVED:

NOTE: The final subdivision plat will be submitted for City Council approval at a later date.

  
 Michael F. Kelley  
 Assistant City Attorney

(13-2008-1.25)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
<b>TOTAL</b>				
MOTION CARRIED			APPROVED	

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

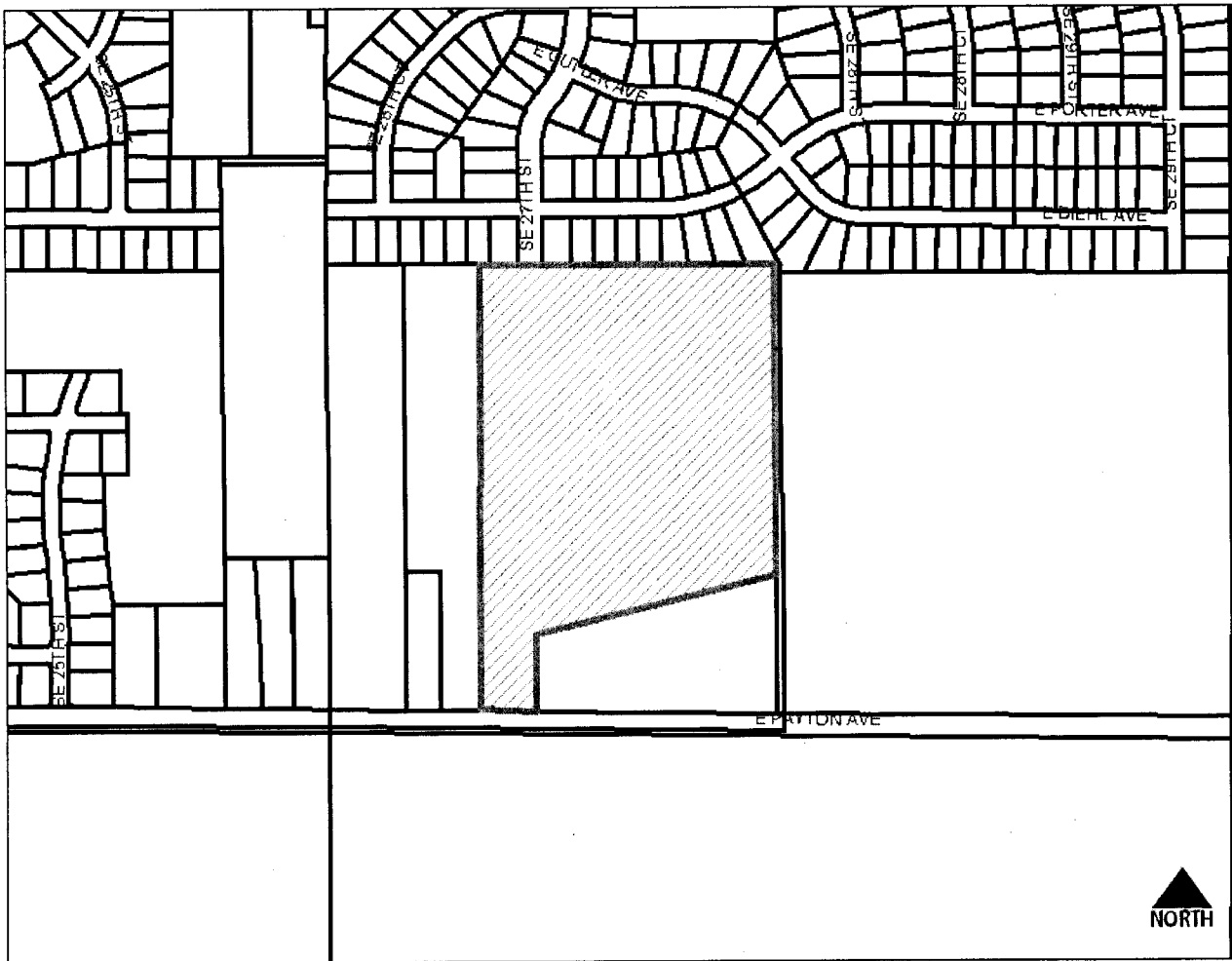
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk

Request from Prairie Hills at Des Moines, LLC (developer) represented by Tim Hildebrandt (officer) for review and approval of a preliminary subdivision plat for "Prairie Hills Des Moines" located at 2680 East Payton Avenue.				<b>File #</b> 13-2008-1.25	
<b>Description of Action</b>	Review and approval of "Prairie Hills Des Moines" preliminary subdivision plat to allow for 21 single-family lots and a large lot for multiple-family development.				
<b>2020 Community Character Plan</b>	Easter Lake New Town – Village Development Low/Medium Density Residential & General Development Zone Low Density Residential				
<b>Horizon 2025 Transportation Plan</b>	No Planned Improvements				
<b>Current Zoning District</b>	"R1-80" One-Family Residential				
<b>Proposed Zoning District</b>	N/A				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area	N/A	N/A	N/A	N/A	
<b>Plan and Zoning Commission Action</b>	<b>Approval</b>	14-0	<b>Required 6/7 Vote of the City Council</b>	Yes	
	<b>Denial</b>			No	N/A

Prairie Hills at Des Moines - Preliminary Plat - 2680 E Payton Avenue 13-2008-1.25



Date \_\_\_\_\_

January 28, 2008

Agenda Item 29

Roll Call # \_\_\_\_\_

Honorable Mayor and City Council  
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held January 17, 2008, the following action was taken:

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 14-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
David Cupp	X			
Shirley Daniels	X			
Dann Flaherty	X			
Bruce Heilman	X			
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz	X			
Kaye Lozier	X			
Jim Martin	X			
Brian Millard	X			
Mike Simonson	X			
Kent Sovern	X			
Tim Urban				X
Marc Wallace	X			

**APPROVE** the request from Prairie Hills at Des Moines, LLC (developer) represented by Tim Hildebrandt (officer) for approval of a preliminary subdivision plat for "Prairie Hills Des Moines" on property located at 2680 East Payton Avenue, to allow for 21 single-family lots and a large lot for multiple-family development subject to the following: (13-2008-1.25)

1. Compliance with all comments of the administrative review by the Permit and Development Center.
2. Provision of a note that three trees be planted with development of each of the proposed twenty single-family lots to mitigate those being removed: one street tree of 1 ½ " caliper, one ornamental in the front yard, and one rear yard over-story tree of 1 ½ " caliper.
3. Provision of conservation easements on the plat for the existing trees that will not be removed by the plat development.
4. Provision of tree protection measures, for the trees identified to remain on the plat, that will be implemented during the grading of the property.
5. Provision of conservation plantings on the bottoms of the detention basins that are not steeper than 1.5%.
6. Shift the turnaround easement for SE 27<sup>th</sup> Court to the north to the edge of the proposed Lot 21 where phase one ends.



CITY PLAN AND ZONING COMMISSION  
ARMORY BUILDING  
602 ROBERT D. RAY DRIVE  
DES MOINES, IOWA 50309 -1881  
(515) 283-4182

ALL-AMERICA CITY  
1949, 1976, 1981  
2003

## STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the submitted preliminary plat subject to the following:

1. Compliance with all comments of the administrative review by the Permit and Development Center.
2. Provision of a note that three trees be planted with development of each of the proposed twenty single-family lots to mitigate those being removed: one street tree of 1 ½ " caliper, one ornamental in the front yard, and one rear yard over-story tree of 1 ½ " caliper.
3. Provision of conservation easements on the plat for the existing trees that will not be removed by the plat development.
4. Provision of tree protection measures, for the trees identified to remain on the plat, that will be implemented during the grading of the property.
5. Provision of conservation plantings on the bottoms of the detention basins that are not steeper than 1.5%.
6. Shift the turnaround easement for SE 27<sup>th</sup> Court to the north to the edge of the proposed Lot 21 where phase one ends.

## STAFF REPORT

### I. GENERAL INFORMATION

1. **Purpose of Request:** Division of the property to allow development of an assisted living project with 21 single-family residential lots to the north.
2. **Size of Site:** 18.35 acres.
3. **Existing Zoning (site):** "R1-80" One-Family Residential District and Limited "R-3" Multiple Family Residential District.
4. **Existing Land Use (site):** Undeveloped agricultural land.
5. **Adjacent Land Use and Zoning:**
  - North* – "PUD" (Tobis Park Estates), Uses are single-family dwellings.
  - South* – "R1-80", Uses are agricultural.
  - East* – "R1-80", Uses are agricultural.
  - West* – "R1-80", Uses are single-family residential acreages.
6. **General Neighborhood/Area Land Uses:** The subject property is located in the Easter Lake New Town area which is currently a transition of new mixed densities of residential development to rural acreage and agricultural uses.
7. **Applicable Recognized Neighborhood(s):** Easter Lake Area Neighborhood.
8. **Relevant Zoning History:** On January 7, 2008 the City Council rezoned a portion of the property proposed for multiple-family assisted living residential from "R1-80" to a Limited "R-3" subject to the property owner agreeing to the following conditions:
  - a) Only the following uses of structures and land shall be permitted upon the Property:
    - (i) Any use permitted in and as limited in the "R1-80" One-Family Residential District.

(ii) Assisted living residential facility or housing for older persons.

b) A tree survey detailing the species and caliper of all trees on the Property over 6 inches in caliper shall be submitted at such time that any preliminary subdivision plat is considered for the Property.

c) Prior to approval of a preliminary subdivision plat for the Property, no tree over 6 inches in diameter shall be removed from the Property without the prior written approval of the Community Development Director of the City.

d) No development of the Property shall occur prior to approval of a preliminary major subdivision plat which provides for the extension of SE 27th Street through the Property, and an east/west street connection to properties adjoining to the east and to the west of the Property.

e) The lot area per dwelling unit for development of the Property shall not be less than 3,600 square feet per dwelling unit.

f) Any Site Plan for multiple-family residential development of the Property shall provide for the improvement and dedication of SE 27th Street.

**9. 2020 Community Character Land Use Plan Designation(s):** Easter Lake New Town Plan General Development Zone Low Density Residential, Low/Medium Density Residential, and Low Density Residential.

**10. Applicable Regulations:** The Commission shall determine if such preliminary plat conforms to the standards and requirements outlined in Chapter 354 of the Iowa Code, and the City Subdivision Ordinance and shall approve, conditionally approve or reject such plat within 45 days after the date of submission to the City Permit and Development Center. Unless the applicant agrees in writing to an extension of time, the preliminary plat shall be deemed approved if the Commission does not act within such 45-day period. The Commission's action for approval or conditional approval shall be null and void unless the final plat is submitted to the City Permit and Development Center within 270 days after the date of such action; provided, however, that the Permit and Development Administrator may grant, upon written request of the applicant, up to a 90-day extension for submittal of the final plat to the City Permit and Development Center.

## **II. ADDITIONAL APPLICABLE INFORMATION**

**1. Natural Site Features:** The subject property is predominantly tilled agricultural land with heavy fence line vegetation along the western boundary and some vegetation along the drainage way that forms the southeastern boundary. The respective City Code chapters require that mature trees are to be identified on any Subdivision Plat or Site Plan submitted for approval. A tree survey detailing the species and caliper of all trees on the property over 6 inches in caliper was required to be submitted with any preliminary subdivision plat as part of the conditions accepted with the rezoning. Also, this zoning condition required that prior to approval of a preliminary subdivision plat for the property, no tree over 6 inches in diameter shall be removed from the property without the prior written approval of the Community Development Director of the City.

The submitted preliminary plat provides the required tree survey, with a majority of the trees being Cottonwood, Mulberry, Willow, Box Elder, and Elm species. The plat proposes 62 caliper inches of specimen trees for removal comprised mostly of Cherry, Maple, Hackberry, and Mulberry species. Most of these removals are a result of grading necessary for street development or for stormwater detention. Staff recommends that three trees be provided with

development of each of the proposed single-family Lots 1-20 to mitigate those being removed: one street tree of 1 ½" caliper, one ornamental in the front yard, and one rear yard over-story tree of 1 ½" caliper.

Should additional trees be removed for the development of Lot 21, they will be reviewed for mitigation at the time of a Site Plan review. The Zoning conditions for Lot 21 allow only assisted living or elderly housing as the only uses outside the "R1-80" District regulations. Independent multiple-family residential housing for the elderly will require the Commission to review a Site Plan under design guidelines for multiple-family residential. A Site Plan for a solely assisted living project would be reviewed administratively.

Staff recommends that conservation easements be provided for the existing trees that will not be removed by the plat development. The plat needs to further identify protection measures that will be implemented during the grading of the property in accordance with the plat. The plat indicates there are trees the east edge of Lot 21 that are identified to remain that will be impacted by grading proposed for the stormwater detention pond. The plat needs to identify how these will be protected during grading and constructions.

- 2. Drainage/Grading:** A majority of the subject property drains to the south and east into an existing open drainage creek. Some of the northern portion of the property drains generally toward the north. Grading/soil erosion protection plans and stormwater management plans in accordance with the respective Ordinances are required with any Subdivision Plat or Site Plan submitted. Public storm sewer improvements are proposed within the public street system. There are proposed detention ponds on the north side of Lots 1 and 8, the west side of Lots 9, 10, and 11; and both the northwest corner and southeast corners of Lot 21. Engineering is recommending that conservation plantings be used on the bottoms of the detention basins that are not steeper than 1.5%. Without these plantings the basins will become marshy and difficult to mow. The plantings would absorb surface water and not require mowing as frequently.

Much of the proposed grading is for street development or stormwater detention. However, there is a significant amount of grading for the building envelope and private drive on Lot 21 as well. The submitted plat has included measures for soil erosion protection. A DNR approved Storm Water Pollution Prevention Plan is also required prior to commencement of grading on the property.

- 3. Utilities:** All necessary utilities are being extended from surrounding properties to serve the proposed development.
- 4. Traffic/Street System:** The subject property is an essential piece to providing a north/south connector from East Payton Avenue for the greater surrounding neighborhood area. The submitted plat provides the extension of SE 27<sup>th</sup> Court from East Payton Avenue to connect with the stubbed end in the "Tobis Park Estates" PUD to the north. This plat also provides an east/west local street serving the proposed single-family residential lots while also providing a connection to future developments to the east. There is also a proposed street connection to the west to serve future development to the west.

Easements are provided for temporary turn-arounds necessary at the dead ends of phased construction on public street. Staff recommends that the turnaround easement for SE 27<sup>th</sup> Court be shifted north to the edge of the proposed Lot 21 where phase one ends. This will allow the extension of the public street in accordance with the zoning condition requiring the street dedication and improvement of SE 27<sup>th</sup> Court.

An 8' wide bike trail is provided on the East side of SE 27<sup>th</sup> Court and across to the northwest corner of the plat, connecting to a trail easement provided with the plat to the north.

**SUMMARY OF DISCUSSION**

Erik Lundy: Presented staff report and recommendation. Staff required the site be platted in its entirety to know what is anticipated. One critical aspect was maintaining the north/south access. Noted there are an east fence line and a west fence line and a drainage way that runs east to west along the south boundary of the property. Noted there is a big ridge at the center of the property. Indicated the layout contemplates single family lots along the north edge. There is a lot of grading proposed. Some of the drainage aspects serve both elements the plat and the assisted living facility. Trees along the eastern edge are getting removed for grading and along the west. Staff noted concern of extensive grading at the southeast edge and they did not identify conservation easement for the trees to be identified for protection.

Dann Flaherty: Asked if the applicant would be required to leave trees in place until the grading begins.

Erik Lundy: Noted some of the grading is to serve site development and also for the site overall. Most grading will likely happen up front to get soil erosion improvements in place.

Tom Wolvers, Design Alliance Architects, 14225 University Ave, Waukee: Spoke with the applicant who is willing to comply with all staff recommendations. Noted they want to save as many trees as possible and they have the opportunity in the future to not only follow the tree mitigation process, but also add additional landscaping requirements that are in the Code and they intend to comply with all staff recommendations.

Bruce Heilman: Asked if the Senior living portion of the site was going to be graded to shift the drainage to the west and north; if that was the reason for the retention pond at the northwest corner. Asked if everything to the east, which currently drains to the east into the drainage way, would continue to drain east and they would continue to do the work along the drainage way so the proposed plan would maintain the general redirection of drainage to the west and the north.

Tom Wolvers: Affirmed the comments.

**CHAIRPERSON OPENED THE PUBLIC HEARING**

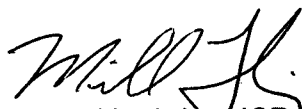
*There was no one in the audience to speak on this item.*

**CHAIRPERSON CLOSED THE PUBLIC HEARING**

Fran Koontz: Moved staff recommendation.

Motion passed 14-0.

Respectfully submitted,

  
Michael Ludwig, AICP  
Planning Administrator

MGL:dfa

Attachment

January 11<sup>th</sup>, 2008

Steve Venard  
Bishop Engineering Company  
3501 104<sup>th</sup> Street  
Urbandale, IA 50322

RE: Preliminary Plat, Prairie Hills of Des Moines

13-08-1.25

Dear Steve:

We have reviewed the second (2<sup>nd</sup>) submittal of the preliminary plat for Prairie Hills of Des Moines, and have determined that the following conditions must be satisfied before plat approval can be granted.

### Engineering

1. **Legal Description**—Our comment on the review of the 1<sup>st</sup> submittal was "For the adjoining property to the south, we disagree with the inclusion of the 31 link wide strip." The Polk County Assessor's website does not include this strip in its description for the Lemar Koethe property with the address 2750 East Payton Avenue, which is the property adjoining this subdivision to the south. The 31 link strip does appear in the legal description found in Polk County Recorder's book 12240 page 868 which is the warranty deed for the land conveyed to Robert Wayne Willet and which compromises the proposed subdivision of Prairie Hills.
2. **Surveyor/Engineer Certification**—Please update the license renewal date on the plan.
3. **Easements**—A storm sewer easement is needed for the storm sewer across the south end of Outlot 'X'.
4. **Subsurface Features**—Show the invert elevation of the existing sanitary sewer manhole in SE 27<sup>th</sup> Street just north of the north boundary of this subdivision.
5. **Outlot Use and Ownership**—The ground (bike trail) west of the west R.O.W. line of SE 27<sup>th</sup> Street south of East Hart Avenue is designated as Outlot 'X' (private). The Municipal Code, section 106-75(b)(6) states "...outlot areas set aside for future development, all assigned a progressive letter with the proposed



PERMIT AND  
DEVELOPMENT CENTER  
ARMORY BUILDING  
602 ROBERT D. RAY DRIVE  
DES MOINES, IOWA 50309-1881  
(515) 283-4200

ALL-AMERICA CITY  
1949, 1976, 1981  
2003



use clearly designated.” Possibly Outlot ‘X’ will be conveyed to the adjoining titleholders to the west?

6. Soils Report—The soils report we received is for the Prairie Hills Assisted Living Facility (PN 071497 A). The last sentence of the first paragraph (Project Information) states “A geotechnical report has been prepared and issued separately for the construction of SE 27<sup>th</sup> Street and E. Wall Avenue (now E. Southlawn Drive) (ABE PN 071497). Please submit a copy of this report for our review.
7. Drainage Report and Recommendations—We do not agree with the choice of 90 as the value for the runoff curve number in the calculating the 24-hour 1.25 inch rain. Our copy of the Soil Conservation Service technical release no. 55, table 2-2, hydrologic soil type B, lists CN’s of 92 for commercial and business areas (85% impervious), 88 for industrial districts (72% impervious) and 75 for residential areas with average lot sizes of ¼ acre (10,890 sq. ft). We are concerned that the small size of perforations (as small as 3/8 inch) proposed for the release of the 1.25-inch rain will be prone to clogging. Consider the use of filter fabric and permanent aggregate backfill around the perforated pipe as illustrated in figure 8 (a) on page 9 of 2C-12 Detention Basin Outlet Structures of the Iowa Stormwater Management Manual. In the design of the 100-year release rate for detention basin No. 2, we do not understand why an 18-inch cmp is proposed with an 11-inch orifice when the proceeding calculations showed that 15-inch cmp had sufficient capacity.

The bottom of detention basin No. 1 has a proposed slope of 07% and that of basin No. 6 is barely steeper than 1%. Our experience with slopes flatter than 1.5% are likely to become marshy and difficult to mow. Either steepen the grades, provide paved channels or consider conservation plantings.

See the attached checklist for the review of the Stormwater Pollution Prevention Plan (SWPPP).

8. Grading Permit Requirements—A grading permit is required. A reproducible copy of the grading/SWPPP plan may be used as the basis for the erosion control plan with the addition of the information required by erosion control ordinance (see Municipal Code Sec. 42-87. Application data required.) submittal of an application for grading permit and payment of fees.

## **Planning**

9. Amend the note on the preliminary plat pertaining to “proposed zoning” to R-3 multi family residential. The zoning was approved

by City Council on January 7<sup>th</sup>, 2008. Place the following Zoning Conditions on the plan:

-Only the uses of Assisted Living Residential Facility or housing for older persons and single family residential is allowed on this property

-Prior to approval of a preliminary subdivision plat for the property, no tree over 6 inches in diameter shall be removed from the property without the written approval of the Community Development Director of the City.

-No development of the property shall occur prior to approval of a preliminary major subdivision plat which provides for the extension of SE 27<sup>th</sup> Street through the property, and an east/west street connection to properties adjoining to the east and to the west line of the property.

-The lot area per dwelling unit for development of the Property shall not be less than 3,600 sq. ft. per dwelling unit.

-Any site plan for multiple-family residential development of the Property shall provide for the improvement and dedication of SE 27<sup>th</sup> Street.

10. On the grading plan and tree inventory survey page, remove the previously platted "motor court" shown on the property immediately to the west of the subject parcel (Ken Rogness' property) so the Plan and Zoning Commission does not think that the lots are platted, buildable parcels.
11. Make sure that the proposed SE 27<sup>th</sup> Street is built up to the phase II boundary line. The proposed temporary turnaround shown on the plat appears to be located short of the phase II boundary line.
12. Based on staff calculations, 62" caliper inches of desirable tree species will be removed as a result of the grading of this project. Show/detail tree protection measures on the preliminary plat (grading plan sheet), such as protective fencing, etc.) A copy of tree protection notes is enclosed for your use, and should be placed on the plat.
13. Staff is requesting tree conservation easements to be placed on the 20 ft. immediately to the east of the westernmost plat boundary to preserve the stand of existing, mature trees. Staff is also requesting a 20 ft. wide area be allotted for a tree conservation along the western side of the easternmost plat boundary, to again preserve the stand of existing and mature trees.

Please submit **two (2) review copies** of the revised plat satisfying the above listed items. Failure to resubmit such amended plat within 90 days from the date of this letter shall cause the application to lapse, and will require the payment of a new application fee to resume the application process.

If you have any questions contact Ryan Moffatt @ 283-4975 or email him @ [rlmoffatt@dmgov.org](mailto:rlmoffatt@dmgov.org).

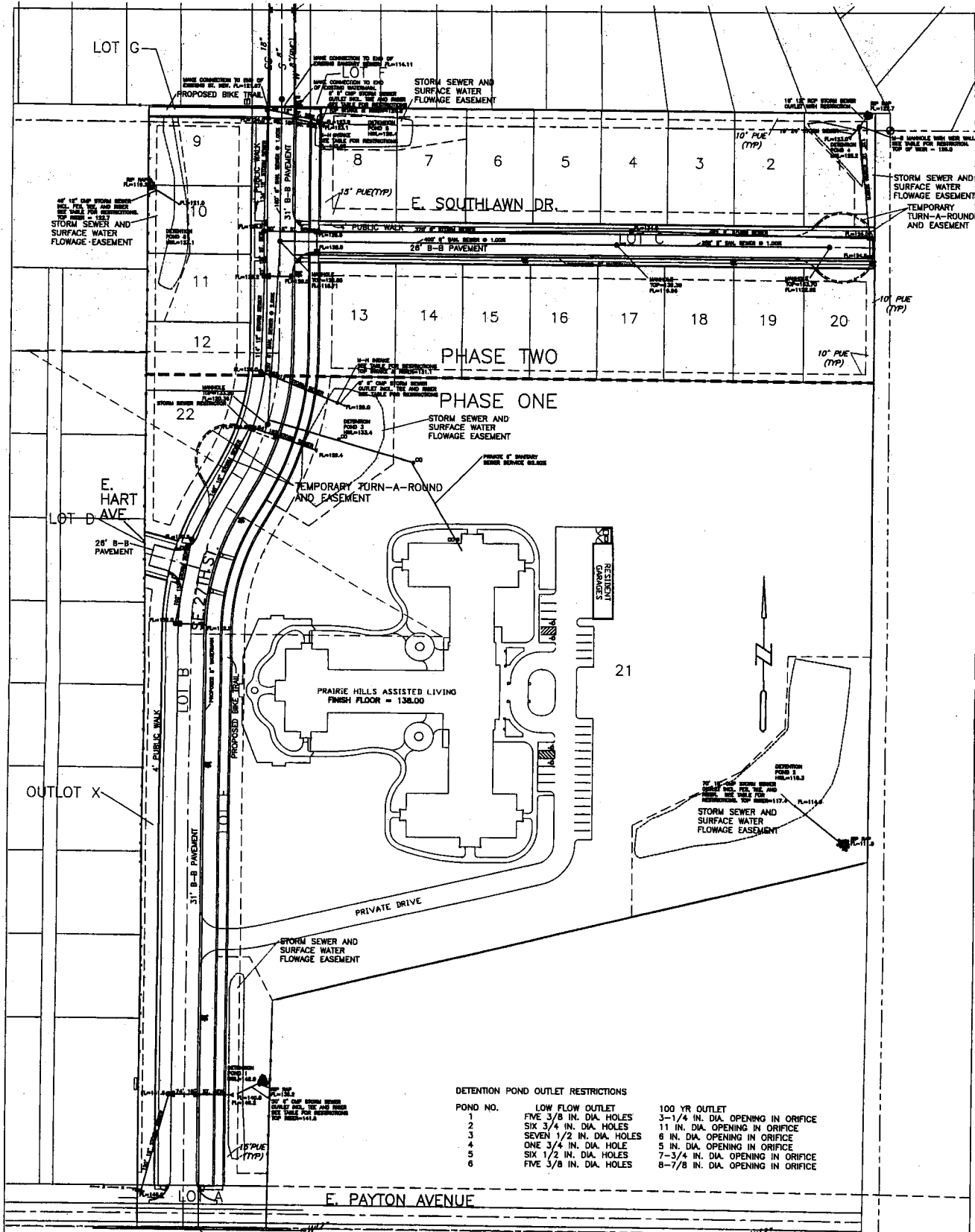
Sincerely,

A handwritten signature in black ink, appearing to read "P. Delafield", enclosed within an oval-shaped scribble.

Phillip Delafield  
Permit & Development Administrator

Enclosure

# PRELIMINARY PLAT OF PRAIRIE HILLS DES MOINES



**DETENTION POND OUTLET RESTRICTIONS**

POND NO.	LOW FLOW OUTLET	100 YR OUTLET
1	FIVE 3/8 IN. DIA. HOLES	3-1/4 IN. DIA. OPENING IN ORIFICE
2	SIX 3/4 IN. DIA. HOLES	11 IN. DIA. OPENING IN ORIFICE
3	SEVEN 1/2 IN. DIA. HOLES	8 IN. DIA. OPENING IN ORIFICE
4	ONE 3/4 IN. DIA. HOLE	5 IN. DIA. OPENING IN ORIFICE
5	SIX 1/2 IN. DIA. HOLES	7-3/4 IN. DIA. OPENING IN ORIFICE
6	FIVE 3/8 IN. DIA. HOLES	8-7/8 IN. DIA. OPENING IN ORIFICE

**BENCHMARK:**  
 CITY OF DES MOINES ENGINEERING DEPARTMENT RECORDS SECTION  
 12/15/2007 12:06 PM CST



**UTILITY NOTE:**  
 THE LOCATION OF THE UTILITIES SHOWN ON THIS PLAN ARE BASED ON EXISTING PUBLIC RECORDS AND ARE APPROXIMATE LOCATIONS. THE EXACT LOCATION OF ALL UTILITIES MUST BE ASCERTAINED IN THE FIELD. IT SHALL BE THE DUTY OF THE CONTRACTOR TO DETERMINE WHETHER ANY ADDITIONAL FACILITIES OTHER THAN THOSE SHOWN ON THIS PLAN MAY BE PRESENT.

3 OF 3	07/05/52	12/15/2007 12:06 PM CST	12/15/2007 12:06 PM CST
--------	----------	-------------------------	-------------------------

## PRELIMINARY PLAT OF PRAIRIE HILLS DES MOINES

### UTILITY PLAN

**Bishop Engineering**  
 "Planning Your Successful Development"

3501 104th Street  
 Des Moines, Iowa 50322-9825  
 Phone (515) 274-6667 Fax (515) 274-6227  
 Civil Engineering & Land Surveying Established 1959

20