

★ Roll Call Number

Agenda Item Number

26

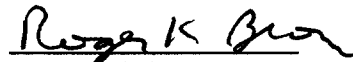
.....  
May 7, 2007

Date .....

COMMUNICATION from the City Plan and Zoning Commission advising that at a public hearing held April 19 2007, the members voted 12-0-1 in support of a motion to **APPROVE** the request from Steven Zeller and Steven Stroud (owners) for approval of a preliminary subdivision plat for "Douglas Acres Plat 9" for property located at 4660 NE 31<sup>st</sup> Street in Polk County within the two mile jurisdiction for extraterritorial review by the City of Des Moines, to allow division of the property into two lots for Suburban Estates use subject to compliance with the comments outlined in the letter from the Permit and Development Center Administrator.

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

FORM APPROVED:

  
Roger K. Brown  
Assistant City Attorney

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

(13-2007-1.25)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
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

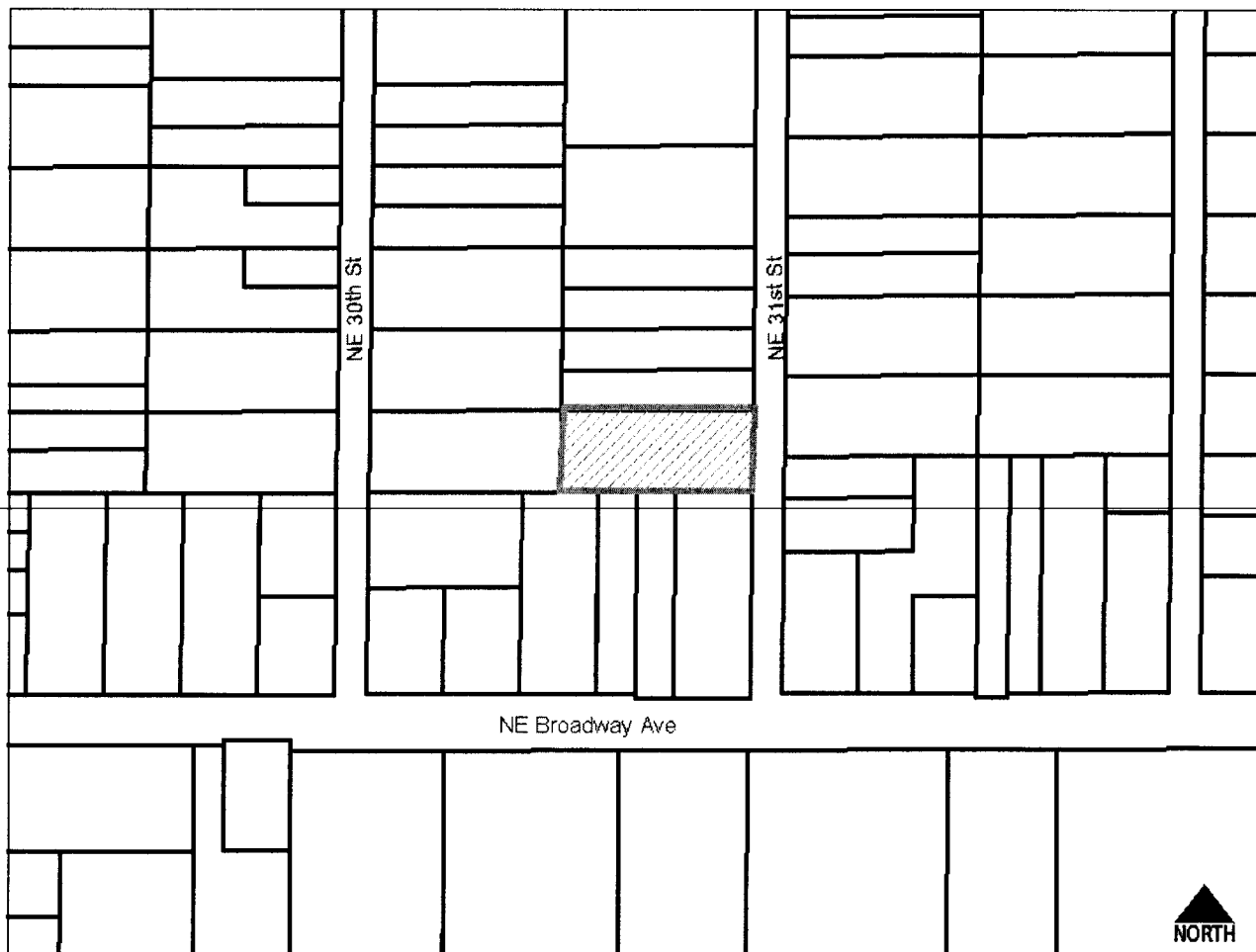
\_\_\_\_\_  
City Clerk



Request from Steven Zeller and Steven Stroud (owners) for review and approval of a preliminary subdivision plat for property located at 4660 NE 31 <sup>st</sup> Street in Polk County within the two mile jurisdiction for extraterritorial review by the City of Des Moines.				File #	
				13-2007-1.25	
<b>Description of Action</b>	Review and approval of a preliminary subdivision plat "Douglas Acres Plat 9" for subject property to allow division of the property into two lots for Suburban Estates use.				
<b>2020 Community Character Plan</b>	Not Designated.				
<b>Horizon 2025 Transportation Plan</b>	No Planned Improvements.				
<b>Current Zoning District</b>	Polk County Zoning.				
<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>	12-0-1	<b>Required 6/7 Vote of the City Council</b>	Yes	
	<b>Denial</b>			No	N/A

Douglas Acres Plat 9 - Preliminary Plat - 4660 NE 31st Street

13-2007-1.25



May 7, 2007

Date \_\_\_\_\_

Agenda Item 26

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 April 19, 2007, the following action was taken:

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 12-0-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
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			
Brook Rosenberg			X	
Mike Simonson	X			
Kent Sovern	X			
Tim Urban	X			
Marc Wallace	X			



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

**APPROVAL** of a request from Steven Zeller and Steven Stroud (owners), for approval of a preliminary subdivision plat for "Douglas Acres Plat 9" for property located at 4660 NE 31<sup>st</sup> Street in Polk County within the two mile jurisdiction for extraterritorial review by the City of Des Moines, to allow division of the property into two lots for Suburban Estates use subject to compliance with the comments outlined in the letter from the Permit and Development Center Administrator.

(13-2007-1.38)

**STAFF RECOMMENDATION AND BASIS FOR APPROVAL**

Staff recommends approval of the requested preliminary subdivision plat subject to compliance with the comments outlined in the letter from the Permit and Development Center Administrator.

## STAFF REPORT

### I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking to divide the property into two lots for single development. Lot 1 would measure 89' x 140' (12,456 square feet) and include an existing single-family dwelling. Lot 2 would be a flag lot with 40' of frontage on NWE 31<sup>st</sup> Street and 26,678 square feet of lot area. The Polk County Zoning Commission and Polk County Board of Supervisors have approved the preliminary plat as submitted.
2. **Size of Site:** 129' x 304' or 39,134 square feet (0.90 acre).
3. **Existing Zoning (site):** "SE" Suburban Estate District. (Polk County)
4. **Existing Land Use (site):** Single-family residential.
5. **Adjacent Land Use and Zoning:**
  - North* – "SE" (Polk County), Use is single-family residential.
  - South* – "SE" (Polk County), Use is single-family residential.
  - East* – "SE" (Polk County), Uses are NE 31<sup>st</sup> Street and single-family residential.
  - West* – "SE" (Polk County), Use is single-family residential.
6. **General Neighborhood/Area Land Uses:** The subject property is located in a low-density residential area in an area of unincorporated Polk County recognized as Norwoodville.
7. **Applicable Recognized Neighborhood(s):** N/A.
8. **Relevant Zoning History:** N/A.
9. **2020 Community Character Land Use Plan Designation:** N/A.
10. **Applicable Regulations:** The Commission reviews all preliminary subdivision plats within the two-mile jurisdiction of subdivision review for the City of Des Moines. 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. **Utilities:** Polk County has indicated that this plat is not in an urban service area and no date has been set for providing sanitary sewer service to the area. Therefore the properties must be served by private septic systems. The single-family dwelling on Lot 1 has an existing sewage disposal system. The proposed preliminary plat designates a portion of Lot 2 for a new septic system. The Polk County minimum lot area for a private septic system is less than one acre.

2. **Access/Parking:** The two lots in the proposed preliminary plat would each have a driveway access from NE 31<sup>st</sup> Street.

### **SUMMARY OF DISCUSSION**

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

Tim Urban: Moved, as part of the Consent Agenda, to approve the requested preliminary subdivision plat subject to compliance with the comments outlined in the letter from the Permit and Development Center Administrator.

Motion passed 12-0-1 (Brook Rosenberg abstained).

Respectfully submitted,



Erik Lundy, AICP  
Senior Planner

EML:dfa

Attachment

April 13<sup>th</sup>, 2007

Joel Romey  
Bishop Engineering Company  
3501 104<sup>th</sup> Street  
Urbandale, IA 50322

RE: Douglas Acres Plat Nine, Preliminary Plat

13-07-1.25

Dear Joel:

We have reviewed the first (1st) submittal of the preliminary plat for Douglas Acres Plat 9, located in unincorporated Polk County, and have determined that the following conditions must be satisfied before plat approval can be granted.

**Engineering**

1. Legal Description-- For subdivisions within the City of Des Moines we ask that abbreviated descriptions be supplied for adjoining property which cannot be described as a complete lot(s) of a recorded subdivision.
2. Surveyor/Engineer Certifications-- Preliminary plats in Des Moines are also required to be certified by an engineer licensed in Iowa.
3. Subsurface Features—This subdivision would not be allowed within the City of Des Moines since each of the lots is under an acre and to our knowledge, sanitary sewer is not available. Des Moines City Code Chapter 106-132(3)g. "Any lot not served by sanitary sewer shall have a lot area of not less than one acre. **Check with Polk County.**

**Planning**

4. Show addresses of Lots 1 & 2 on the plat.
5. Identify any trees 6" caliper or larger on the plat.
6. This item will appear before the Plan and Zoning Commission on April 19<sup>th</sup>, 2007.



PERMIT AND  
DEVELOPMENT CENTER  
ARMORY BUILDING  
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ALL-AMERICA CITY  
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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 "Phillip Delafield", enclosed within a hand-drawn oval. To the right of the oval, the initials "PDM" are written in a cursive style.

Phillip Delafield  
Permit & Development Administrator

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