



Date August 25, 2014

COMMUNICATION from the City Plan and Zoning Commission advising that at a public hearing held July 17, 2014, the members voted 10-0 in support of a motion to APPROVE the request from Landmark Development Services, Inc. (developer), represented by Bill Spencer, for review and approval of a Preliminary Subdivision Plat "Skyline Plat 1" on property located in the 3400 block of West McKinley Avenue, to allow division of the property into five (5) lots for single-family development, subject to the following conditions:

- 1. Compliance with all platting requirements of the Permit and Development Center.
2. Outlots that are proposed for accommodating extension of future development and future street Right-of-Way shall be maintained by an owner's association or by covenants applied to each residential property owner. Portions of the proposed Outlot "X" which were amended to serve a common drainage purpose shall alternatively be integrated into the adjoining development lots.

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

FORM APPROVED:

Glenna K. Frank
Assistant City Attorney

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

(13-2014-1.28)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, 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



August 11, 2014

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 August 7, 2014, the following action was taken regarding a request from Landmark Development Services, Inc. (developer) represented by Bill Spencer for review and approval of a Preliminary Subdivision Plat "Skyline Plat 1" on property located in the 3400 block of McKinley Avenue. The subject property owner is Priority Excavating, LLC.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 10-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano	X			
Jacqueline Easley	X			
Tim Fitzgerald	X			
Dann Flaherty				X
Jann Freed	X			
John "Jack" Hilmes	X			
Ted Irvine				X
Greg Jones	X			
William Page				X
Christine Pardee	X			
CJ Stephens	X			
Vicki Stogdill				X
Greg Wattier	X			

**APPROVAL** of the proposed Preliminary Plat subject to the following conditions:  
(13-2014-1.28)

1. Compliance with all platting requirements of the Permit and Development Center.
2. Outlots that are proposed for accommodating extension of future development and future street Right-of-Way shall be maintained by an owner's association or by covenants applied to each residential property owner. Portions of the proposed Outlot

“X” which were amended to serve a common drainage purpose shall alternatively be integrated into the adjoining development lots:

## **STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Staff recommends approval of the proposed Preliminary Plat subject to the following conditions:

1. Compliance with all platting requirements of the Permit and Development Center.
2. Outlots that are proposed for accommodating extension of future development and future street Right-of-Way shall be maintained by an owner's association or by covenants applied to each residential property owner. Portions of the proposed Outlot “X” which were amended to serve a common drainage purpose shall alternatively be integrated into the adjoining development lots.

## **STAFF REPORT TO THE PLANNING COMMISSION**

### **I. GENERAL INFORMATION**

1. **Purpose of Request:** The subject property is located on the northeast corner of Stanton Avenue and McKinley Avenue. The applicant is proposing to subdivide the property into five (5) lots that front McKinley Avenue to the west. The preliminary plat also includes two (2) Outlots. Outlot “Y” would be located at the northwest corner of the site and would be reserved to facilitate the logical development of the property to the north. Outlot “X” would be located at the northeast portion of the site and would contain a storm water detention basin. A portion of Outlot “X” would also be reserved to facilitate the construction of a street when the adjoining properties develop. Engineering staff is recommending that the basin portions of the Outlot “X” be incorporated into the adjoining parcels with an easement requiring collective maintenance of the basin for all property owners in the development.

On July 17, 2008, the Plan and Zoning Commission conditionally approved the “Deer Ridge Valley” preliminary plat. This plat consisted of the subject property and additional land to the north and east. It contained 18 lots for single-family residential development and had a total area of 8.23 acres. This plat has expired and is no longer valid. The multiple properties that comprised the “Deer Ridge Valley” plat are no longer controlled by a single owner.

On February 4, 2010, the Plan and Zoning Commission conditionally approved the “Skyline Plat 1” preliminary plat in a similar configuration to the current proposed preliminary plat. This plat expired and is no longer valid.

2. **Size of Site:** 2.39 acres.
3. **Existing Zoning (site):** “R1-80” One-Family Residential District.
4. **Existing Land Use (site):** Undeveloped land.
5. **Adjacent Land Use and Zoning:**

**North** – “R1-80”, Uses are undeveloped land and single-family residential.

**South** – “R1-70”, Uses are Stanton Avenue and single-family residential.

**East** – “R1-80”, Use is undeveloped land.

**West** – “M-3”, Uses are relocated McKinley Avenue and the Des Moines International Airport.

6. **General Neighborhood/Area Land Uses:** The subject property is located in an area that includes a mix of low-density residential developments to the north of the Des Moines International Airport.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Southwestern Hills Neighborhood and within 250 feet of the Fairground Neighborhood. All neighborhoods were notified of the Commission meeting by mailing of the Preliminary Agenda on July 28, 2014. A Final Agenda was mailed to the neighborhood associations on August 1, 2014. The Southwestern Hills Neighborhood Association mailings were sent to George Davis, 3124 Southwest 29<sup>th</sup> Street, Des Moines, IA 50321.
8. **Relevant Development History:** On July 17, 2008, the Plan and Zoning Commission approved the preliminary plat for “Deer Ridge Valley” subject to the following conditions:
  1. Provision of one 1½-inch caliper street tree, one 2-inch caliper overstory tree within the front yard, and one 2-inch overstory tree within the rear yard per lot.
  2. Provision of the following tree protection notes for the preservation easements on the preliminary plat and for all trees being preserved:

Within the buffer and tree protection zones, none of the existing trees that are a minimum 4 inches in trunk diameter and a minimum of 4-feet in height shall be removed or destroyed and any existing underbrush shall be preserved to the maximum extent feasible as follows:

- (1) Buffer and tree protection zones will be designated in the field and certified by the Development Zoning Division of the City of Des Moines prior to commencement of excavation, grading or construction.
- (2) Barriers defining the buffer and tree protection zones shall be constructed of orange fencing a minimum of four (4) feet in height, secured with metal T-posts, no closer than six (6) feet from the trunk or one-half (½) of the drip line of any existing tree within the buffer and tree protection zones, whichever is greater.
- (3) There shall be no storage or movement of equipment, material, debris or fill within the fenced buffer and tree protection zones.
- (4) There shall be no cut or fill over a four-inch depth within the drip line of any tree in the buffer and tree protection zones, unless a qualified arborist or forester has evaluated and approved the disturbance.
- (5) During the construction stage of development, the applicant shall prevent the cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of vegetation within the buffer and tree protection zones.
- (6) No damaging attachment, wires, signs or permits may be fastened to any tree within the buffer and tree protection zones.

- (7) The installation of utilities, irrigation lines or any underground fixture within the buffer and tree protection zones requiring excavation deeper than six (6) inches shall be accomplished by boring under the root system of existing trees at a minimum depth of twenty-four (24) inches. The auger distance is established from the face of the tree (outer bark) and is scaled from tree diameter at breast height as described in the chart below.

<u>Tree diameter</u>	<u>Auger Distance from face of tree</u>
0-2 inches	1 foot
3-4 inches	2 feet
5-9 inches	5 feet
10-14 inches	10 feet
15-19 inches	12 feet
Over 19 inches	15 feet

- (8) The removal of utilities, irrigation lines or any underground fixture within the buffer and tree protection zones requiring excavation deeper than six (6) inches shall be accomplished by methods approved by the Planning Director that protect the life of the vegetation.
- (9) The destruction of any trees within the buffer and tree protection zones that meet or exceed the required diameter and height shall require the owner to plant new trees with a total caliper equal to the caliper of the tree removed.

3. Provision of 4-foot-wide sidewalks along all public street frontages, including McKinley and Stanton Avenues.
4. Provision of a note stating Lots 1 through 6 shall share drive approaches, with Lots 1 and 2 sharing a common approach, Lots 3 and 4 sharing a common approach, and Lots 5 and 6 sharing a common approach.
5. The boundaries of Lot 11 must be altered to provide 80 feet of frontage within 30 feet of the proposed street.
6. Compliance with all platting requirements of the Permit and Development Center.

On February 4, 2010 the Plan and Zoning Commission approved the preliminary plat for "Skyline Plat 1", subject to the following conditions:

1. Provision of a note stating that one street tree shall be provided per lot.
2. Provision of a note stating Lots 2-3 and Lots 4-5 shall share drive approaches.
3. Provision of a note stating that Lot 1 shall be limited to one drive approach to Stanton Avenue.
4. Compliance with all platting requirements of the Permit and Development Center.

Both Plats have since expired.

**9. 2020 Community Character Land Use Plan Designation: 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. **Urban Design:** The subject property is adjoined by vacant land to the north and east. In order to ensure the orderly development of the larger area, staff requested the applicant model the Skyline Plat after the expired Deer Ridge Valley Plat. The submitted plat shows how the proposed lot layout would allow for a logical lot and street layout for the land to the north and east in the future.
2. **Natural Site Features:** The site generally slopes downward from the southwest to the northeast and contains a mix of groundcover-type vegetation. There are trees near the southeast and northeast perimeter of the site. However, they appear to be located on neighboring properties. The applicant is required to verify if any of these trees are located on the subject property.

Development of this site is subject to the City's Tree Removal and Mitigation Ordinance, which requires mitigation plantings for any tree removed that is larger than 12-inches in diameter and of an approved species

3. **Drainage/Grading:** The submitted Preliminary Plat shows grading for lots and storm water management. The topography of the site requires a storm water basin to be located in the northeast corner of the development. The basin is designed to temporarily hold water from larger storm events and to release it at a limited rate to the northeast. The developer will be required by the Permit and Development Center to execute a Stormwater Management Facilities Maintenance Covenant and Permanent Easement Agreement or have a homeowners association created that requires the future owners of Lots 1 through 5 to be responsible for maintaining the proposed storm water facilities. It is recommended by Engineering staff that the basin be removed from the proposed Outlot and integrated into the adjoining development parcels that will be privately owned.
4. **Utilities:** The plat indicates there is an existing 50-foot-wide north/south public sanitary sewer easement crossing the eastern portion of the site. There is also a 30-foot-wide east/west storm sewer easement across the northern portion of the site.
5. **Traffic/Street System:** The proposed development would be bound by McKinley Avenue to the west and Stanton Avenue to the south. The development would also have access to a future street to the east when the adjoining properties develop. A portion of proposed Outlot "X" would be needed for this future street as shown on the submitted plat. The developer is required to provide an easement for this future right-of-way. The owner of Outlot "X" or an owners association will be required to maintain the land until a street is constructed.

Staff believes that the number of driveways along McKinley Avenue should be kept to a minimum given the level of traffic on the street. Therefore the developer proposes that Lots 2-3 and Lots 4-5 share common drive approaches and that Lot 1 be limited to one drive approach to Stanton Avenue.

The submitted plat states that 4-foot-wide sidewalks will be provided along McKinley and Stanton Avenues. Per the administrative review comments by traffic, the standard is now a five-foot wide sidewalk.

## **SUMMARY OF DISCUSSION**

Greg Jones asked if anyone was present to speak on this item. None were present or requested to speak.

## **COMMISSION ACTION:**

CJ Stephens moved staff recommendation to approve the proposed Preliminary Plat subject to the following conditions:

1. Compliance with all platting requirements of the Permit and Development Center.
2. Outlots that are proposed for accommodating extension of future development and future street Right-of-Way shall be maintained by an owner's association or by covenants applied to each residential property owner. Portions of the proposed Outlot "X" which were amended to serve a common drainage purpose shall alternatively be integrated into the adjoining development lots.

Motion passed 10-0.

Respectfully submitted,



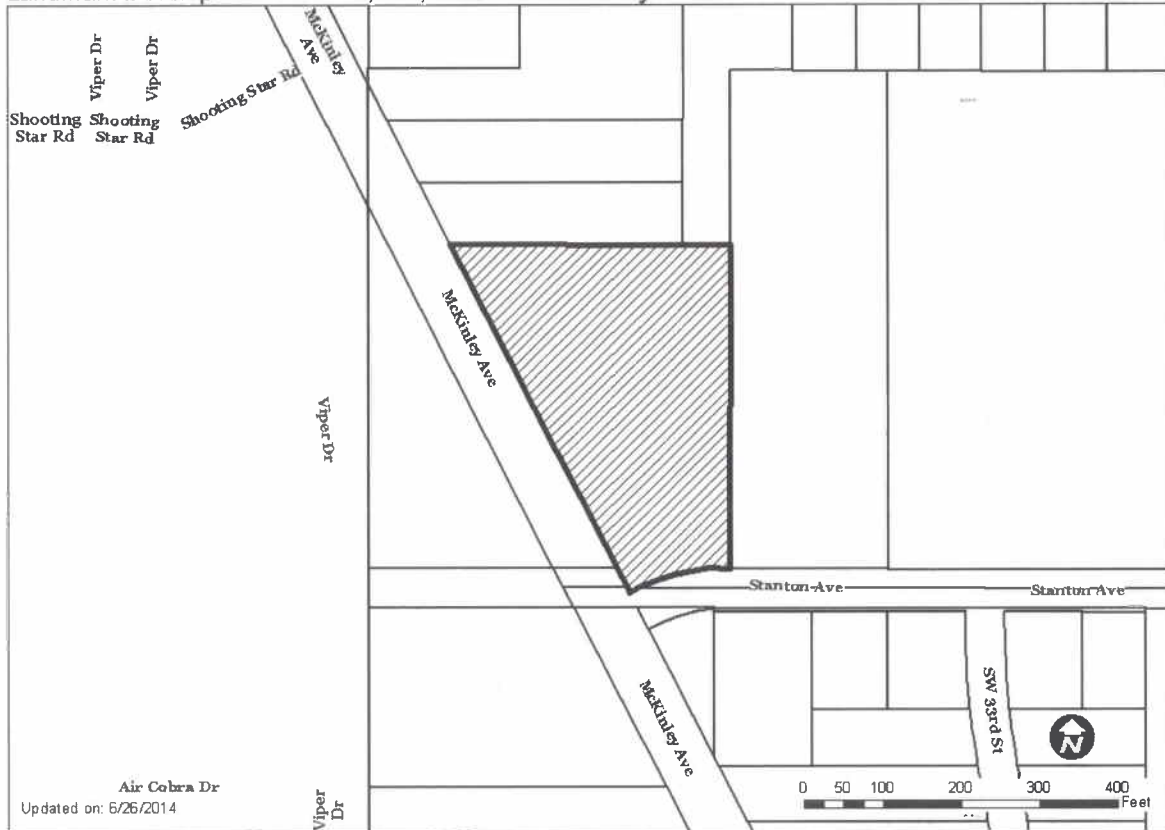
Michael Ludwig, AICP  
Planning Administrator

MGL:clw

Attachment

Request from Landmark Development Services, Inc. (developer) represented by Bill Spencer for property located in the 3400 block of West McKinley Avenue. The subject property is owned by Priority Excavating, LLC.				<b>File #</b>	
				13-2014-1.28	
<b>Description of Action</b>	Approval of a Preliminary Subdivision Plat "Skyline Plat 1", to allow division of the property into five (5) lots for single-family development subject to conditions.				
<b>2020 Community Character Plan</b>	Low Density Residential (current).				
<b>Horizon 2035 Transportation Plan</b>	No planned improvements.				
<b>Current Zoning District</b>	"R1-80" One-Family Residential District.				
<b>Proposed Zoning District</b>	"R1-80" One-Family Residential District.				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area					
<b>Plan and Zoning Commission Action</b>	Approval	10-0	<b>Required 6/7 Vote of the City Council</b>	Yes	
	Denial			No	X

Landmark Development Services, Inc., 3400 West Mckinley Avenue 13-2014-1.28



1 inch = 139 feet



