



Roll Call Number

Agenda Item Number

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Date April 25, 2016

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING APPROVAL OF A PRELIMINARY PLAT "LAKE VIEW RIDGE" ON PROPERTY LOCATED IN THE 4601 BLOCK OF SOUTHEAST 34TH STREET

WHEREAS, on April 7, 2016, the City of Des Moines Plan and Zoning Commission voted 13-0 to APPROVE Preliminary Plat "Lake View Ridge" on property located in the 4601 Block of Southeast 34th Street and owned by Raymond R. Rothfus, et al and represented by Carlisle Development, LLC (developer), John Larson (officer), to allow for subdivision into 54 lots for development of single-family dwellings, subject to the following conditions:

- 1. Compliance with all administrative comments from the Permit and Development Center.
2. Provision of a note on the Preliminary Plat that identifies all zoning conditions.
3. The SE 34th Street sidewalk shall be located along the east perimeter of the right-of-way or along the west perimeter of Lots 51-54. A public access easement shall be provided if the sidewalk is located on private property.
4. Compliance with the Tree Preservation and Mitigation Ordinance; and

WHEREAS, the final subdivision plat will be submitted for City Council approval when completed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the attached communication from the City Plan and Zoning Commission is hereby received and filed.

MOVED by _____ to receive and file.

FORM APPROVED:

Glenna K. Frank (handwritten signature)

Glenna K. Frank
Assistant City Attorney

(13-2016-1.40)

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

MOTION CARRIED APPROVED

Mayor

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.

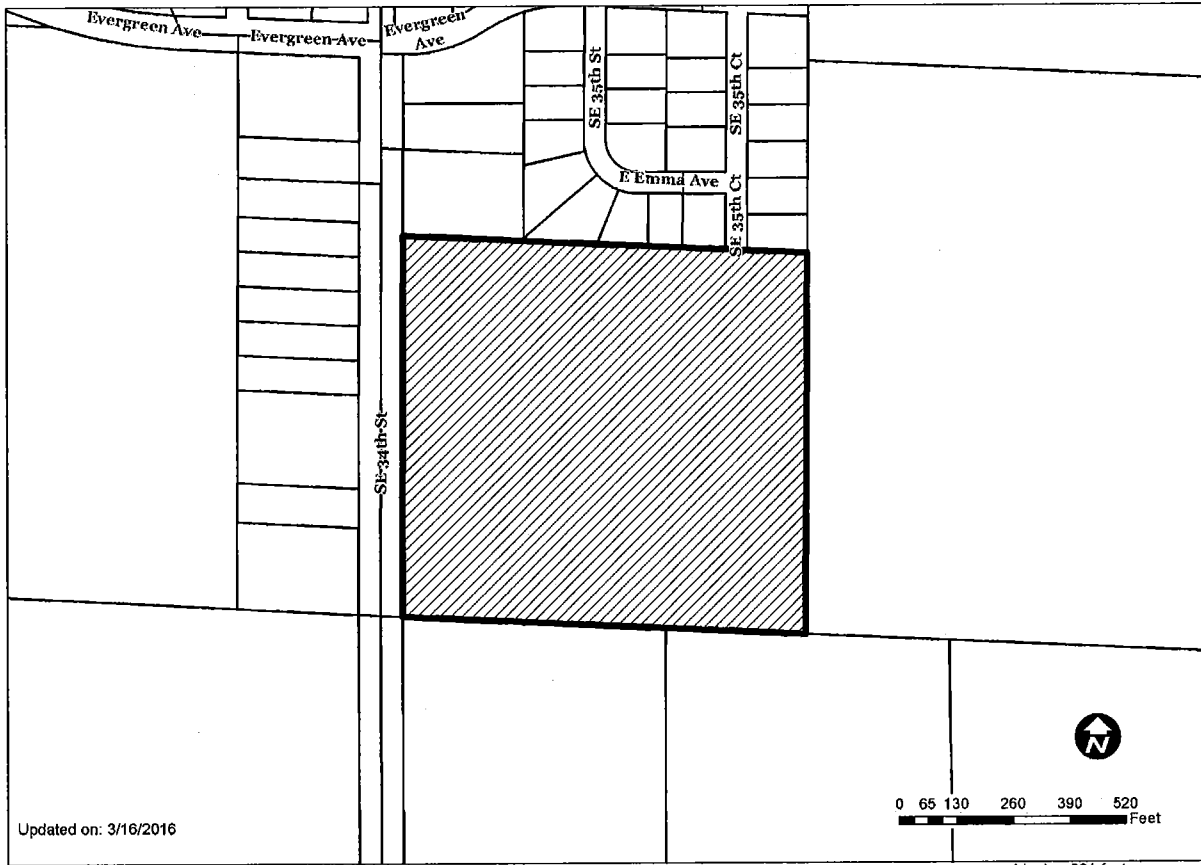
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

Carlisle Development, LLC (developer) represented by John Larson (officer) on property located in the 4601 Block of Southeast 34th Street. . The subject property is owned by Raymond R. Rothfus, et al.				File # 13-2016-1.40	
Description of Action		Approval of a Preliminary Plat "Lake View Ridge", to allow the land to be subdivided into 54 lots for development of single-family dwellings subject to conditions.			
2020 Community Character Plan		Current: Low Density Residential. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan		SE 36 th Street extension of new street from East Watrous Avenue to Easter Lake Drive.			
Current Zoning District		Limited "R1-70" One-Family Low-Density Residential District and "FSO" Freestanding Signs Overlay District.			
Proposed Zoning District		N/A.			
Consent Card Responses		In Favor	Not In Favor	Undetermined	% Opposition
Inside Area					
Outside Area					
Plan and Zoning Commission Action		Approval	13-0	Required 6/7 Vote of the City Council	
		Denial		Yes	
				No	X

Carlisle Development, LLC, 4601 Block of Southeast 34th Street

13-2016-1.40





April 18, 2016

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 7, 2016, the following action was taken regarding a request from Carlisle Development, LLC (developer) represented by John Larson (officer) for review and approval of a Preliminary Plat "Lake View Ridge" on property located in the 4601 Block of Southeast 34th Street, to allow the land to be subdivided into 54 lots for development of single-family dwellings. The subject property is owned by Raymond R. Rothfus, et al.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
JoAnne Corigliano	X			
David Courard-Hauri	X			
Jacqueline Easley	X			
Tim Fitzgerald	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Greg Jones	X			
Sasha Kamper				X
William Page	X			
Mike Simonson	X			
CJ Stephens	X			
Greg Wattier	X			

APPROVAL of the proposed Preliminary Plat subject to the following conditions:
(13-2016-1.40)

1. Compliance with all administrative comments from the Permit and Development Center.
2. Provision of a note on the Preliminary Plat that identifies all zoning conditions.

3. The SE 34th Street sidewalk shall be located along the east perimeter of the right-of-way or along the west perimeter of Lots 51-54. A public access easement shall be provided if the sidewalk is located on private property.
4. Compliance with the Tree Preservation and Mitigation Ordinance.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed preliminary plat subject to the following conditions:

4. Compliance with all administrative comments from the Permit and Development Center.
5. Provision of a note on the Preliminary Plat that identifies all zoning conditions.
6. The SE 34th Street sidewalk shall be located along the east perimeter of the right-of-way or along the west perimeter of Lots 51-54. A public access easement shall be provided if the sidewalk is located on private property.
4. Compliance with the Tree Preservation and Mitigation Ordinance.

STAFF REPORT TO THE PLANNING COMMISSION

GENERAL INFORMATION

1. **Purpose of Request:** The proposed preliminary plat would allow the subdivision of the property into 54 lots for single-family dwellings. Each lot would have a minimum width of 70 feet.
2. **Size of Site:** 18.997 acres.
3. **Existing Zoning (site):** Limited "R1-70" One-Family Low-Density Residential District.
4. **Existing Land Use (site):** Agricultural production.
5. **Adjacent Land Use and Zoning:**
 - North** - "R1-90" & "R1-80"; Uses are single-family dwellings.
 - South** - "R1-90"; Use is agricultural production.
 - East** - "A-1"; Use is agricultural production.
 - West** - "R1-90" & "R1-80"; Uses are single-family dwellings.
6. **General Neighborhood/Area Land Uses:** Low-density single-family residential uses and agricultural production.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Easter Lake Area Neighborhood. The neighborhood association was notified of the public hearing by mailing of the Preliminary Agenda on March 22, 2016 and the Final Agenda on April 1, 2016. Additionally, separate notifications of the hearing for this specific item were mailed on March 28 (10 days prior to the public hearing) to the Easter Lake Area

Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division on the date of the mailing. The Easter Lake Area Neighborhood Association notices were mailed to Jim Bollard, 4007 SE 26th Street, Des Moines, IA 50320.

8. Relevant Zoning History: On March 7, 2016, by Roll Call Number 16-0418 the City Council rezoned the property from "R1-90" District to a Limited "R1-70" District. Below are the conditions of approval and analysis.

- 1) A berm shall be provided along SE 34th Street to the satisfaction of the Planning Administrator and fencing shall be prohibited in the area west of the eastern edge of the berm.

The plat shows a berm and plantings that comply with this requirement.

- 2) No same house plan shall be built on adjacent lots.

This is enforced at the permitting stage. However, a note should be added to the plat to identify this requirement along with all of the zoning conditions.

- 3) Each house shall have a full basement.

This is enforced at the permitting stage. However, a note should be added to the plat to identify this requirement along with all of the zoning conditions.

- 4) Each house shall have a minimum three-car attached garage except for Lots 31 and 32 shall have a minimum two-car attached garage.

This is enforced at the permitting stage. However, a note should be added to the plat to identify this requirement along with all of the zoning conditions.

- 5) The front façade of any house constructed must contain one of the following:
 - a. A front porch of not less than 60 square feet; or
 - b. 1/3 to 1/2 stone or brick masonry.

This is enforced at the permitting stage. However, a note should be added to the plat to identify this requirement along with all of the zoning conditions.

- 6) Windows on the street façade of any house constructed shall have either of the following:
 - a. Shutters on each side; or
 - b. Trim border not less than 4" in width.

This is enforced at the permitting stage. However, a note should be added to the plat to identify this requirement along with all of the zoning conditions.

- 7) Roof on any house constructed shall be of asphalt type shingles or cedar shakes. Standard 3-tab shingles are prohibited.

This is enforced at the permitting stage. However, a note should be added to the plat to identify this requirement along with all of the zoning conditions.

- 8) Single story homes shall be constructed with a minimum of 1400 square feet of above grade finished floor area. Except that any home constructed on a lot that has frontage on SE 34th Street shall have a minimum of 1600 square feet of above grade finished floor area.

This is enforced at the permitting stage. However, a note should be added to the plat to identify this requirement along with all of the zoning conditions.

- 9) 1½-story homes shall be constructed with a minimum of 1600 square feet of above grade finished floor area with a minimum of 1000 square feet on the first floor. Except that any home constructed on a lot that has frontage on SE 34th Street shall have a minimum of 1800 square feet of above grade finished floor area.

This is enforced at the permitting stage. However, a note should be added to the plat to identify this requirement along with all of the zoning conditions.

- 10) 2-story homes shall be constructed with a minimum of 1800 square feet of above grade finished floor area. Except that any home constructed on a lot that has frontage on SE 34th Street shall have a minimum of 2000 square feet of above grade finished floor area.

This is enforced at the permitting stage. However, a note should be added to the plat to identify this requirement along with all of the zoning conditions.

- 11) Exterior material for any home constructed shall be masonry (brick or stone), vinyl of no less than .042 thickness, cedar or cement fiber board.

This is enforced at the permitting stage. However, a note should be added to the plat to identify this requirement along with all of the zoning conditions.

- 12) Any chain link fence shall have black vinyl-cladding.

This is enforced at the permitting stage. However, a note should be added to the plat to identify this requirement along with all of the zoning conditions.

- 13) A 6-foot wide public sidewalk shall be provided through the development providing enhanced east-west pedestrian connectivity to the satisfaction of the Planning Administrator.

A 6-foot wide sidewalk is shown on the south side of the proposed east-west street in compliance with this requirement.

- 14) Pedestrian access shall be provided along SE 34th Street connecting the 6-foot walk within the development to a future Easter Lake trail connection to the south.

The plat includes a 6-foot wide sidewalk along the east side of SE 34th Street along the existing roadway. Staff recommends that a 6-wide walk be provided at the back of the right-of-way or on the western perimeter of the lots that front SE 34th Street.

SE 34th Street is a rural cross section street and the grade changes caused by the ditch along the roadway limit the potential locations a sidewalk can be placed. If the sidewalk is constructed on private property a public access easement must be granted. The sidewalk would end at the southern perimeter of the development. When the land to the south is developed that project will be required to extend the sidewalk south to the vicinity of the planned Easter Lake trail connection.

9. 2020 Community Character Land Use Plan Designation: Low Density Residential.

10. Applicable Regulations: In consideration of the criteria set forth in Chapter 18B of the Iowa Code and in accordance with Section 106-102 of the Subdivision Ordinance, the Commission shall determine if a Preliminary Minor Plat conforms to the standards and requirements outlined in I.C. § 354.1 et seq., and Chapter 106 of the City Code and shall approve, conditionally approve or reject such plat within 45 days after the date of submission thereof 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.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Natural Site Features:** The site has been used for row crop production for an extended period. Some fence row tree growth has occurred. Development of the site must comply with the Tree Preservation and Mitigation Ordinance contained in Chapter 42, Article X, of the City Code. A tree survey has been submitted and identifies the need to plant 35 mitigation trees. The proposed mitigation plantings includes 18 understory trees and 7 evergreen trees. Deciduous overstory trees are generally required for mitigation plantings. However, understory trees and evergreen trees can be used to substitute up to 30% of the required plantings at a ratio of 2 evergreen trees per 1 overstory tree and 3 understory trees per 1 overstory tree. The proposal does not comply with the substitution ratios. Staff recommends approval subject to compliance with the Tree Preservation and Mitigation Ordinance.
- 2. Utilities:** Water, sanitary sewer and storm sewer lines are available in the SE 34th Street right-of-way to the west and in the SE 35th Court right-of-way to the north. Mid-American Energy has indicated that gas and electric lines are available in the SE 34th Street right-of-way to serve the development.
- 3. Drainage/Grading:** Any development of the site must comply with the City's Stormwater Management requirements to the satisfaction of the City's Permit and Development Center. All grading is subject to an approved grading permit and soil erosion control plan. The plat includes storm water detention easements at the rear of Lots 3-6, 40, 41, 48, 49 and 50. Storm water flowage easements are located on the rear of Lots 1, 2, 7-19 and 28-36. Lots 40, 41, 48 and 49 include storm water easements along one of their side property lines.
- 4. Traffic/Street System:** The Preliminary Plat shows the site would be served by an east/west street that would extend from SE 34th Street to the eastern edge of the development and an extension of SE 25th Court from the neighborhood to the north to the southern edge of the development. A cul-de-sac and loop street would also be constructed. The proposed east/west and north/south through streets should include traffic calming features, except that a traffic circle will not be considered.

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The developer is responsible for coordinating the installation of new street lighting with the City and MidAmerican Energy. This includes preparing a lighting layout and photometric analysis showing that City lighting level standards are met. Light levels on streets classified as residential/local must be 0.2 foot-candles; collector streets must be 0.6 foot-candles. The City's Traffic and Transportation Division must review and approve the photometric analysis. The property owner must work with MidAmerican Energy on the installation. All new street lighting must be steel poles fed underground. All costs associated with the installation of the streetlights are the responsibility of the property owner. The property owner is responsible for "buying down" the cost of these lights to the MidAmerican Energy wood pole/overhead rate.

SUMMARY OF DISCUSSION

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

COMMISSION ACTION:

Will Page moved staff recommendation for approval of the proposed preliminary plat subject to the following conditions:

1. Compliance with all administrative comments from the Permit and Development Center.
2. Provision of a note on the Preliminary Plat that identifies all zoning conditions.
3. The SE 34th Street sidewalk shall be located along the east perimeter of the right-of-way or along the west perimeter of Lots 51-54. A public access easement shall be provided if the sidewalk is located on private property.
4. Compliance with the Tree Preservation and Mitigation Ordinance.

Motion passed 13-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment