



Roll Call Number

Agenda Item Number

17

Date November 18, 2024

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING PRELIMINARY PLAT "MATILDA PLAT 1" ON PROPERTY LOCATED IN THE VICINITY OF 1201 CENTER STREET

WHEREAS, on November 7, 2024, the City of Des Moines Plan and Zoning Commission voted 12-0 to APPROVE a request from 1200 KEO WAY, LLC (Owner), represented by Mike Derkenne (Officer), for Preliminary Plat "Matilda Plat 1" on approximately 1.61 acres of property located in the vicinity of 1201 Center Street, to allow for the subdivision of an existing rowhouse development into thirty-seven (37) lots.

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.

Second by _____.

FORM APPROVED:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(PLAT-2024-000065)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, COLEMAN, GATTO, MANDELBAUM, SIMONSON, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

I, Laura Baumgartner, 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.

MOTION CARRIED APPROVED

Mayor

City Clerk

November 12, 2024

Communication from the City Plan and Zoning Commission advising that at their September 19, 2024 meeting, the following action was taken on a request from 1200 KEO WAY, LLC (developer), represented by Mike Derkenne (officer), for review and approval of a Preliminary Plat "Matilda Plat 1" on 1.61 acres of property in the vicinity of 1201 Center Street, to allow for the subdivision of an existing rowhouse development into thirty-seven (37) lots.

COMMISSION RECOMMENDATION: 12-0

After public hearing, the members voted as follows:

Commission Action:	Yes	Nays	Pass	Abstain	Absent
Francis Boggus	X				
Leah Rudolphi	X				
Kayla Berkson	X				
Chris Draper	X				
Laura Kessel	X				
Todd Garner	X				
Johnny Alcivar	X				
Justyn Lewis					X
Carolyn Jenison					X
William Page	X				
Andrew Lorentzen	X				
Emily Webb	X				
Katie Gillette	X				
Rick Trower	X				
Jane Rongerude					X

Approval of the proposed Preliminary Plat, subject to compliance with all administrative review comments.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed Preliminary Plat, subject to compliance with all administrative review comments.

STAFF REPORT TO THE PLANNING COMMISSION

GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to subdivide the subject property to allow for the sale of individual units in an existing rowhouse development.
2. **Size of Site:** 1.61 acres.
3. **Existing Zoning (site):** “MX3” Mixed-Use District.
4. **Existing Land Use (site):** The property contains thirty-seven (37) rowhouse units.
5. **Adjacent Land Use and Zoning:**
 - North* – “MX2”; Uses are eating and drinking places and office – business or professional.
 - South* – “RX2”; Uses are office – medical.
 - East* – “DX2”; Uses are office – business or professional.
 - West* – “MX2”; Uses are office – business or professional and retail sales.
6. **General Neighborhood/Area Land Uses:** The subject property is located in the northern area of downtown, generally to the southeast of Keosauqua Way, to the west of 12th Street, and to the north of Center Street. The surrounding area mostly consists of office uses with some eating and drinking places to the north of Keosauqua Way. There is a multi-family residential development to the west.
7. **Applicable Recognized Neighborhood(s):** The subject property is not located within a recognized neighborhood. However, it is located within 250 feet of the Downtown Des Moines Neighborhood Association. Notifications of the hearing for this specific item were mailed on October 28, 2024 (10 days prior to the public hearing) to the primary contact for the Neighborhood Association and to the titleholder on file with the Polk County Assessor for each property within 250 feet of the site. All Neighborhood Association mailings are sent to the primary contact designated by the recognized Neighborhood Association on file with the City of Des Moines’ Neighborhood Services Department.
8. **Relevant Zoning History:** None.
9. **PlanDSM Future Land Use Plan Designation:** Downtown Mixed Use.
10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, 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

The preliminary plat proposes to subdivide a rowhouse development so that each unit will be on its own individual lot. The developer initially planned for these units to be renter-occupied and located on a single parcel but has since decided to pursue the ability to sell units individually. Common areas, such as green space and drive aisles, will be held in common and maintained through a homeowner's association. The subject property is similar to other rowhouse developments throughout the city.

There is one driveway that permits access to the development located on Center Street. The approach and access gate to this driveway will be maintained by the HOA.

A Storm Water Management Plan dated August 26, 2022, is on file with the City and conforms with all applicable storm water management regulations.

SUMMARY OF DISCUSSION

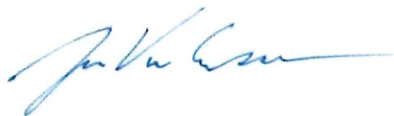
Johnny Alcivar asked if any member of the public or commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION

Will Page made a motion for approval of the proposed Preliminary Plat, subject to compliance with all administrative review comments.

THE VOTE: 12-0 (Caroline Jenison had not yet arrived)

Respectfully submitted,



Jason Van Essen
Planning & Urban Design Administrator

JMV:mrw

PRELIMINARY PLAT - MATILDA PLAT 1

DES MOINES, POLK COUNTY, IOWA

OWNER/DEVELOPER:
1500 HED WAY, LLC
215 E. 9th STREET, SUITE 200
DES MOINES, IA 50309
MIKE DEKORNE, MANAGER
PHONE: 515-284-0214

ENGINEER/SURVEYOR:
CLIPPAK & GARDNER ASSOCIATES, P.C.
2415 GRAND AVENUE
DES MOINES, IA 50312
DOUGLAS J. GALTGAVER, P.E.
PHONE: 515-284-4833
DANIEL H. HETTEL, P.L.S.
PHONE: 515-284-4833

PLAT BOUNDARY DESCRIPTION:
Lot 5 in OAKRIDGE PLAT 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, except that part divided to the City of Des Moines by Warranty Deed filed August 31, 2004 in Book 10712, Page 157,
And
Lot 6, except those parts conveyed to the City of Des Moines, Iowa by Gut Claim Deed recorded in Book 10601, Page 430 and by Special Warranty Deed recorded in Book 10273, Page 650, in OAKRIDGE PLAT 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa,
And
A parcel of land being a part of the City of Des Moines vacated public right-of-way adjacent to Lot 6 of OAKRIDGE PLAT 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa being more particularly described as follows:

Commencing at the Southwest corner of said Lot 6, thence along the South line of said Lot 6 S89°30'00"E, 65.51 feet to the Point of Beginning, thence continuing S89°25'00"E, 60.57 feet, thence 60.24 feet along a 45.00 foot radius curve, concave Northwest, chord bearing N10°45'00"E, 41.25 feet, thence N10°50'00"E, 25.31 feet to the Southeastly line of 43rd Lot 6, thence along said Southeastly line S43°07'54"W, 67.57 feet, thence along said Southeastly line S75°31'07"W, 65.48 feet to the Point of Beginning. Described Parcel contains 0.04 acres.

PLAT AREA:
70,164 SQUARE FEET (1.61 ACRES)

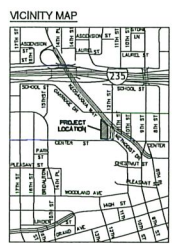
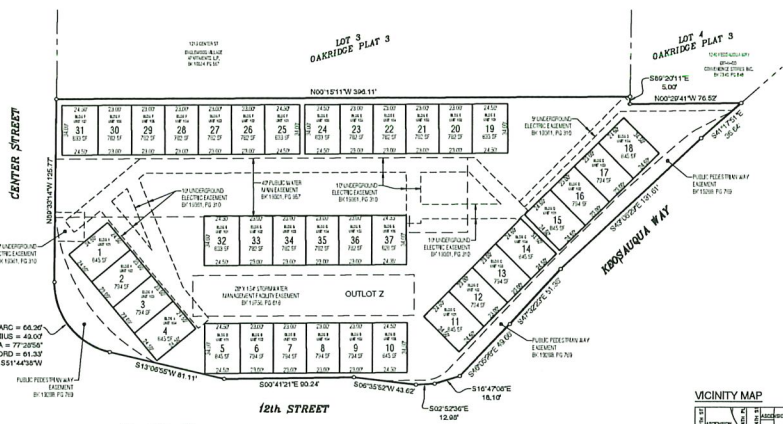
ZONING DISTRICT:
M3-MINDED USE
EXISTING & PROPOSED USE: RESIDENTIAL TOWNHOMES

FLOOD ZONE DESIGNATION:
FEMA FLOOD INSURANCE RATE MAP NO. 19150C0235P
MAP EFFECTIVE DATE: FEBRUARY 1, 2019
THE PROPERTY LIES WITHIN NO-SCREEN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN

SHEET INDEX:
1. PLAT BOUNDARY, NOTES, CERTIFICATIONS, ETC.
2. EXISTING SITE IMPROVEMENTS & TOPOGRAPHY
3. DWELLING STRUCTURE LOCATIONS

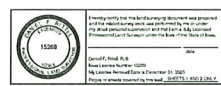
LOT ADDRESSING:
ALL LOTS ARE ADDRESSED AS 1201 CENTER STREET WITH A BUILDING LETTER AND UNIT NUMBER FOLLOWING. SEE DIAGRAM FOR BUILDINGS AND UNITS.

- NOTES:**
1. BOUNDARIES OF THE PROPERTY WERE ESTABLISHED PER THAT RETRACEMENT SURVEY FILED IN BOOK 18132 AT PAGE 62A.
 2. ALL EXISTING STRUCTURES AND OTHER IMPROVEMENTS ON THE PROPERTY ARE TO REMAIN.
 3. NO NEW IMPROVEMENTS OR GRADINGS ARE PROPOSED FOR THIS SUBDIVISION. COMMON LOT LINES ARE INTENDED TO BE CENTERED WITHIN THE COMMON WALLS OF THOSE TOWNHOME UNITS THROUGH WHICH THEY PASS.
 4. OUTLOT Z IS TO BE CONVEYED TO AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION AS COMMON SPACE.



P&Z MEETING DATE & CONDITIONS OF APPROVAL:
P&Z DATE: 11/07/2021

- CONDITIONS:**
1. XXX
 2. XXX
 3. XXX



1	PLAT BOUNDARY, NOTES, CERTIFICATIONS, ETC.
2	EXISTING SITE IMPROVEMENTS & TOPOGRAPHY
3	DWELLING STRUCTURE LOCATIONS

PERMISSIVE PLAT APPROVAL

APPROVED APPROVED WITH CONDITIONS - SEE EXHIBIT "X"

IN ACCORDANCE WITH CHAPTER 106, DES MOINES HANDBOOK CODES AS FOLLOWS:

DEVELOPMENT SERVICES DIRECTOR: _____ DATE: _____



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

CGA City of Des Moines, Iowa
DESIGNED: _____ DATE: _____
DRAWN: _____ DATE: 10/22/2021
CHECKED: _____ DATE: _____
APPROVED: _____ DATE: _____

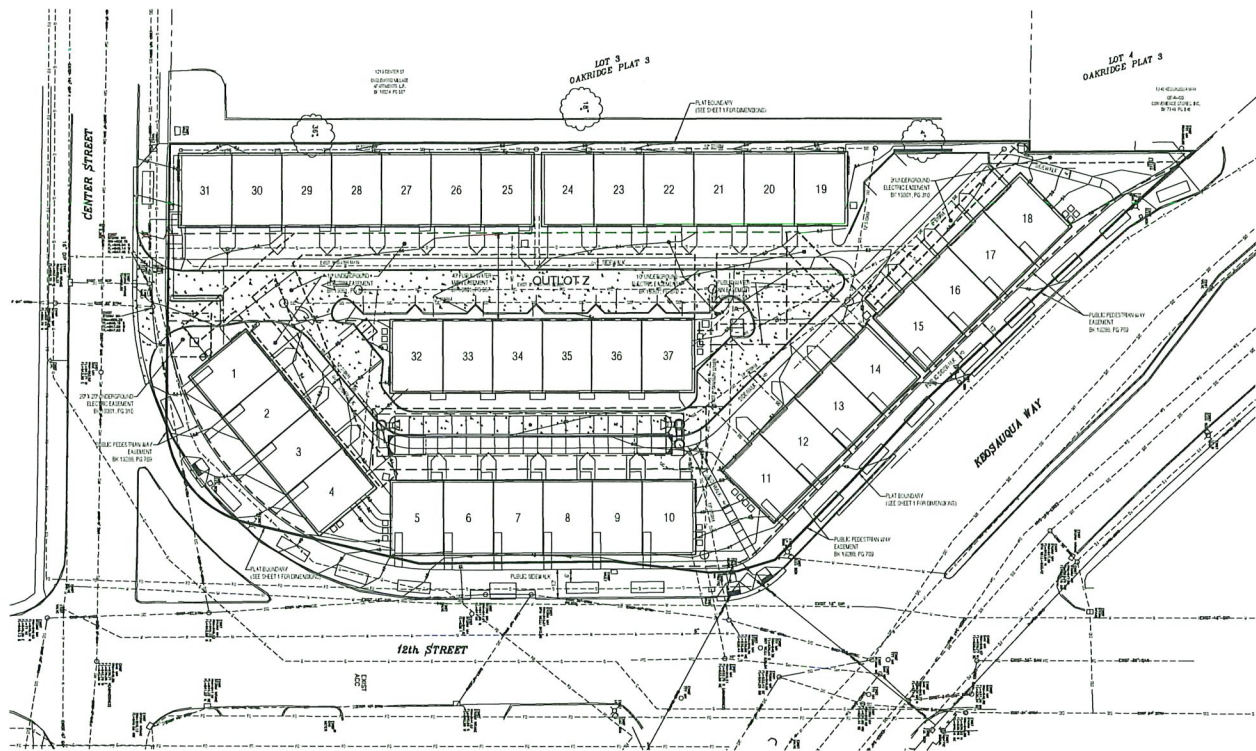
MATILDA PLAT 1

DES MOINES, POLK COUNTY, IOWA

PRELIMINARY PLAT

PROJECT NO.: 24633-0211
SHEET NO.: 1 OF 3

PRELIMINARY PLAT - MATILDA PLAT 1
DES MOINES, POLK COUNTY, IOWA



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE



DESIGNED	DATE
DRAWN	DATE
CHECKED	DATE
APPROVED	DATE

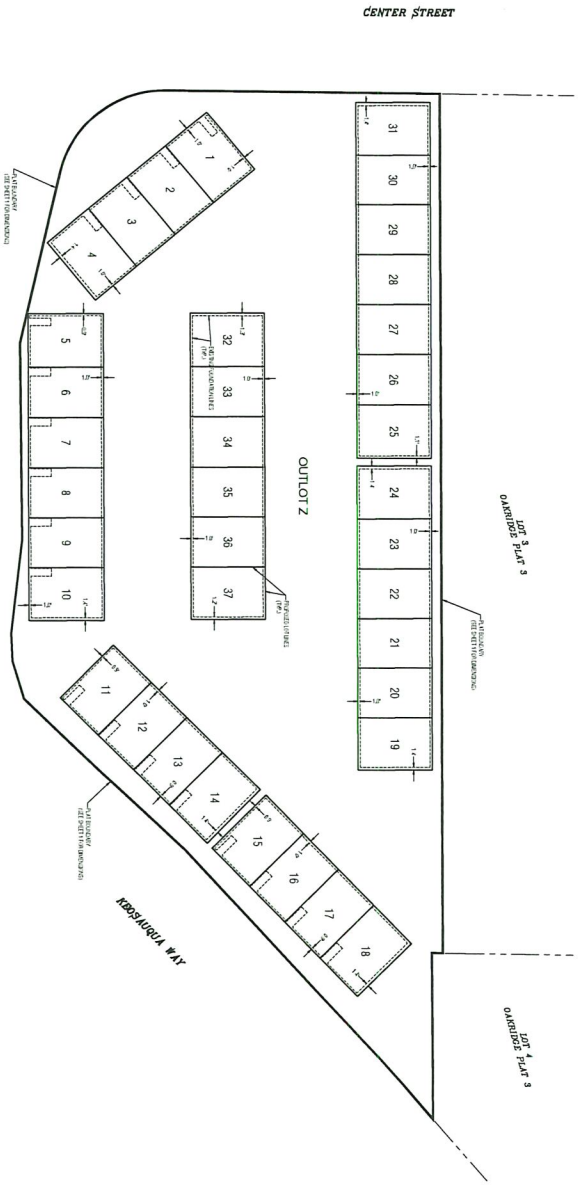
MATILDA PLAT 1
DES MOINES, POLK COUNTY, IOWA

PRELIMINARY PLAT

PROJECT NO.
2488-0111
SHEET
2 OF 3

PRELIMINARY PLAT - MATILDA PLAT 1

DES MOINES, FOLK COUNTY, IOWA



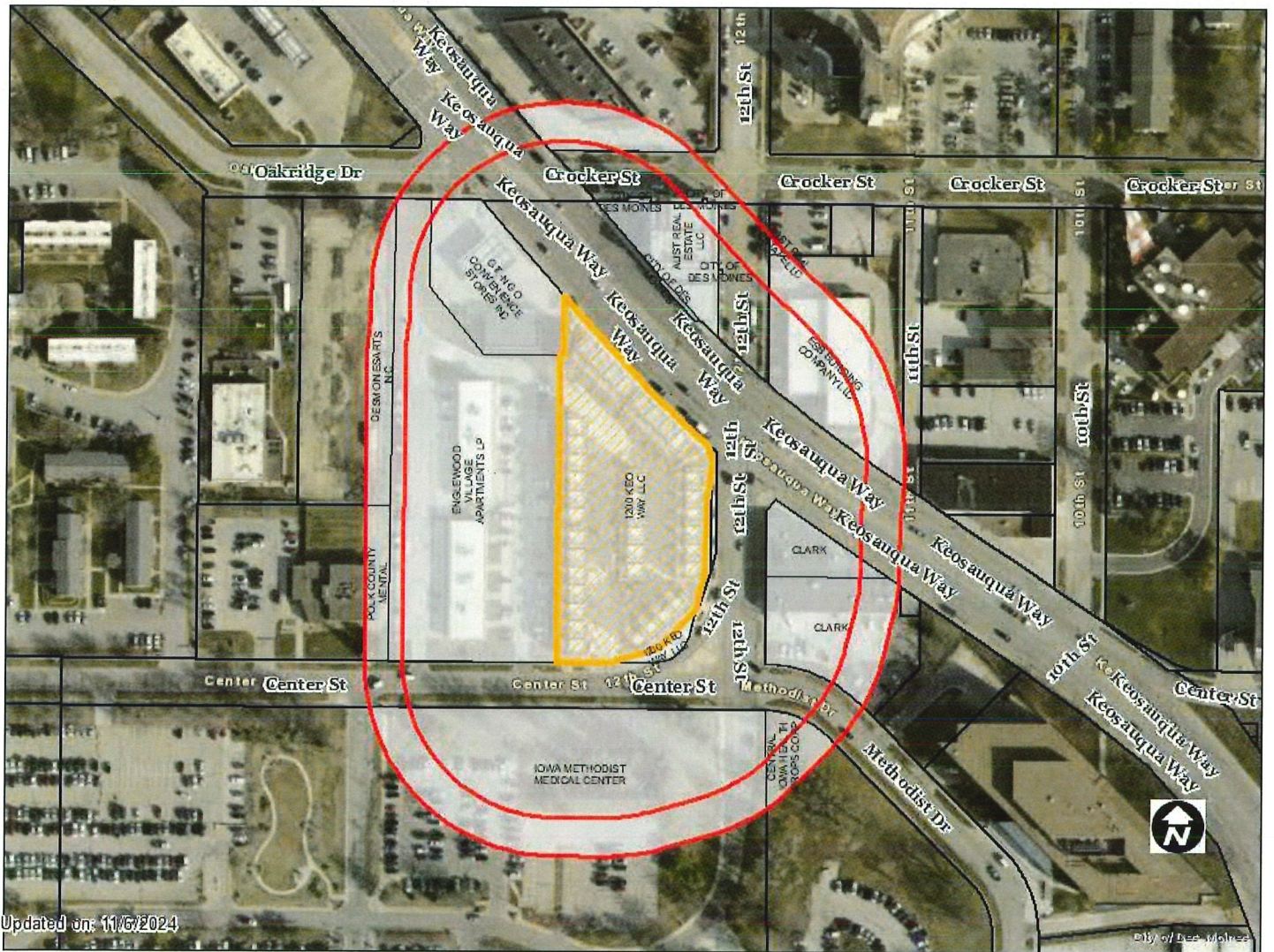
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BY: [Signature]	CHECKED: [Signature]	DATE: 01/21/2023	PROJECT: MATILDA PLAT 1
		MATILDA PLAT 1 DES MOINES, FOLK COUNTY, IOWA	
PRELIMINARY PLAT		PRELIMINARY PLAT	
2023/01/21		2023	





1200 KEO WAY LLC Vicinity of 1201 Center Street

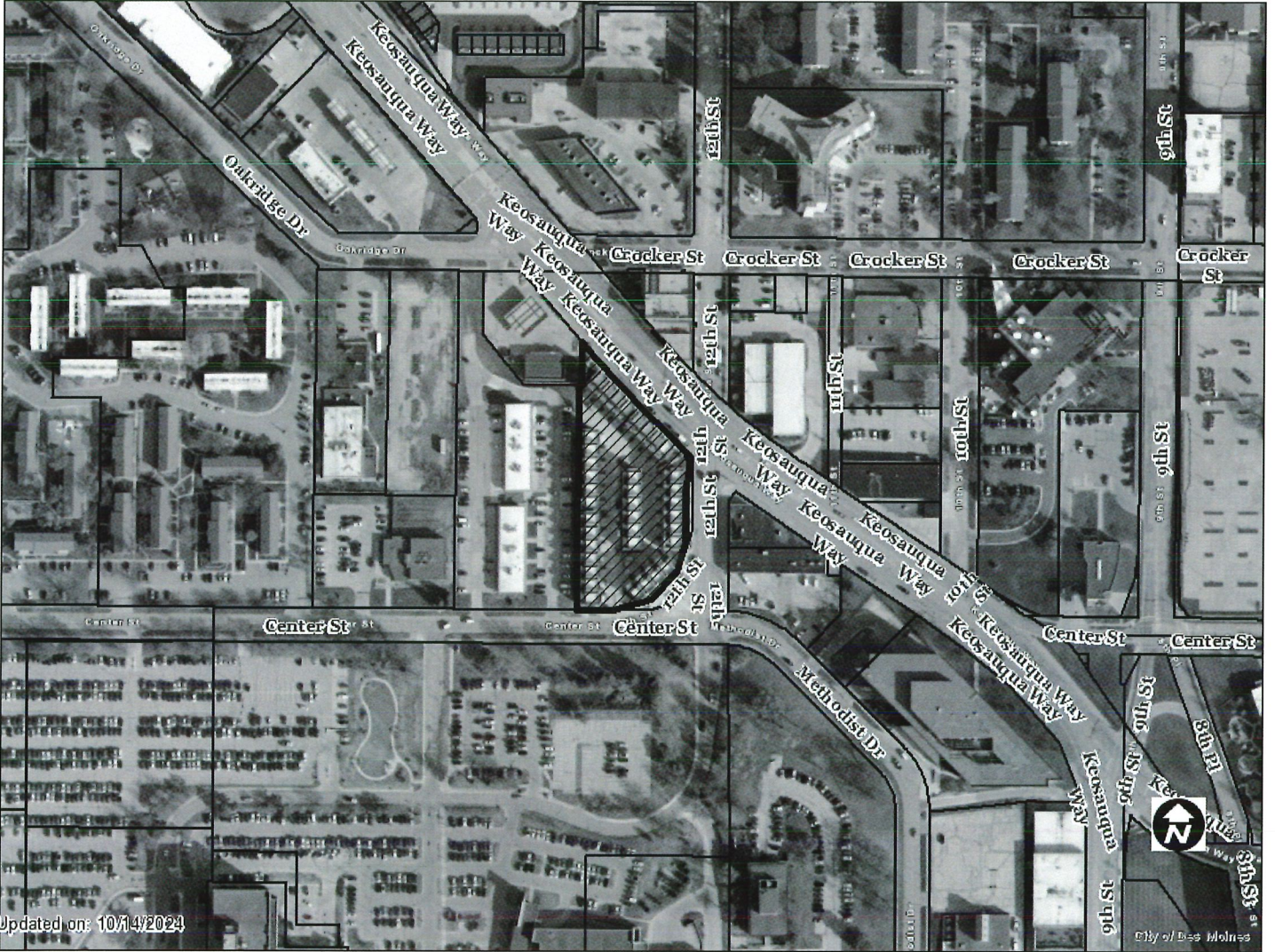
PLAT-2024-000065



Updated on: 11/6/2024

1200 KEO WAY LLC Vicinity of 1201 Center Street

PLAT-2024-000065



Updated on: 10/14/2024