



Roll Call Number

Agenda Item Number

23

Date April 21, 2025

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING PRELIMINARY PLAT "RUBY ROSE RIDGE TOWNHOMES," ON 5.7 ACRES OF PROPERTY LOCATED IN THE VICINITY OF 2401 EAST 50TH COURT, TO ALLOW FOR THE SUBDIVISION OF THE PROPERTY FOR A TOWNHOME DEVELOPMENT WITH SIXTY-FIVE (65) LOTS

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 21, 2025, its members voted 11-0 to recommend **APPROVAL** of a Preliminary Plat "Ruby Rose Ridge Townhomes" on 5.7 acres of property located in the vicinity of 2401 East 50th Court, to allow for the subdivision of the property for a townhome development with sixty-five (65) lots.

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 ADOPT.

SECOND BY _____.

APPROVED AS TO FORM:

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

(PLAT-2024-000013)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
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

April 10, 2025

Communication from the City Plan and Zoning Commission advising that at their April 3, 2025 meeting, the following action was taken on request from Kenyon Hill Ridge, LLC (developer), represented by Dean Quirk (officer), for review and approval of a Preliminary Plat “Ruby Rose Ridge Townhomes” on 5.7 acres of property located in the vicinity of 2401 East 50th Court, to allow for the subdivision of the property for a townhome development with sixty-five (65) lots.

COMMISSION RECOMMENDATION: 11-0

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 Public Hearing Site Plan and 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

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to subdivide the subject property into sixty-five (65) lots for a future townhome development.
2. **Size of Site:** 5.7 acres.
3. **Existing Zoning (site):** “PUD” - Ruby Rose Ridge.
4. **Existing Land Use (site):** The property is currently vacant undeveloped land.
5. **Adjacent Land Use and Zoning:**
 - North* – “PUD”; Uses are single-household residential.
 - South* – “R-2, LDR”; Uses are a church and golf course.
 - East* – “LDR”; Uses are single-household residential.
 - West* – “PUD”; Uses are single-household residential.
6. **General Neighborhood/Area Land Uses:** The subject property is located in the northeastern area of Des Moines, generally to the east of East 50th Court, to the west of Northeast 51st Street, and to the north of Northeast 23rd Avenue. The surrounding area mostly consists of low density residential, multi-family residential, and a private golf course.
7. **Applicable Recognized Neighborhood(s):** The subject property is not located within a recognized neighborhood.
8. **Relevant Zoning History:** Ruby Rose Ridge PUD Final Concept Plan was approved on October 18, 2021.
9. **PlanDSM Future Land Use Plan Designation:** Low-Medium Density Residential.
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 an existing 5.7-acre parcel into sixty-five (65) individual lots for townhomes. There would be a mix of attached townhouse buildings ranging from four (4) to six (6) units.

The applicant is proposing a private road street system that would be maintained by the development's HOA.

The proposed development would conform to the approved Ruby Rose Ridge PUD on file.

SUMMARY OF DISCUSSION

Michael Delp presented the staff report and recommendation.

Jason Van Essen reiterated this request pertains to plating individual lots for the townhome units so they can be sold. The overall development was already approved when the PUD Conceptual Plan was approved.

Michael Delp noted that the approved PUD established the uses and layout. This action allows the townhomes to have separate parcels for ownership purposes.

Tamijna Wilson, 4017 33rd Street, representing the developer, stated that nothing has changed from the approved PUD.

CHAIRPERSON OPENED PUBLIC HEARING

Micca Gwyler, 5090 NE 23rd Avenue, requests that a privacy fence be required to separate the development and bordering area homes that will adjoin their backyards.

Phil Williams, 2306 E 50th Court, spoke in opposition to development. He noted that he saw approval of this project in 2021 and this was before anyone had bought or built homes in this area. They were not informed that this area would be multi-family. He asked if the private streets throughout the development were being determined tonight.

Jason Van Essen stated that the private street layout had been approved. They are noted in description of the item to give context.

Phil Williams expressed concerns about property ownership versus rental status and the potential impact on his property value. He questioned the necessity of two driveways due to possible traffic hazards and raised issues about headlights from the turn area shining into his bedroom and front room.

Jason Van Essen explained that Mr. Williams lives in a master planned development that includes townhomes. The construction sequence in a planned community is unpredictable. In this case, many of the detached houses were constructed before the townhomes. Aligned driveways are generally safer than offset ones. There are streets in the area that "T" into other streets that mimic the pattern proposed here with the private drives. Noted he has seen no evidence that these types of developments lower property values.

Phil Williams questioned whether the area should be classified as a street due to its two-way traffic flow with both an entrance and exit. He expressed concern about potential traffic hazards near the main road and nearby intersection.

Jason Van Essen stated it is a private drive and has been reviewed by the City's Traffic and Transportation Division and they did not have concerns.

Phil Williams asked what would happen if it became a safety concern after the completion of the development.

Jason Van Essen explained that this development was reviewed and has met the adopted development standards, which are based on best practices and past experience. While one can never predict the future, this has been reviewed and meets the standards.

Phil Williams suggested that if 150 cars were added to this complex how it could create a traffic problem.

Jason Van Essen stated he did not see this as being a problem.

Phil Williams asked what the next step would be to try to stop this from happening, such as starting a petition within the neighborhood.

Jason Van Essen clarified that no further steps are required, as the development rights were previously established. The current decision pertains only to subdividing the site. Noted that the developer could build this project on a single lot if the plan was to have common ownership. They are choosing to create individual lots for each unit so there can be separate ownership.

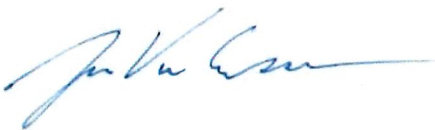
Phil Williams would like it noted of the neighbors' concerns for traffic safety should a problem arise in the future.

COMMISSION ACTION

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

THE VOTE: 11-0

Respectfully submitted,

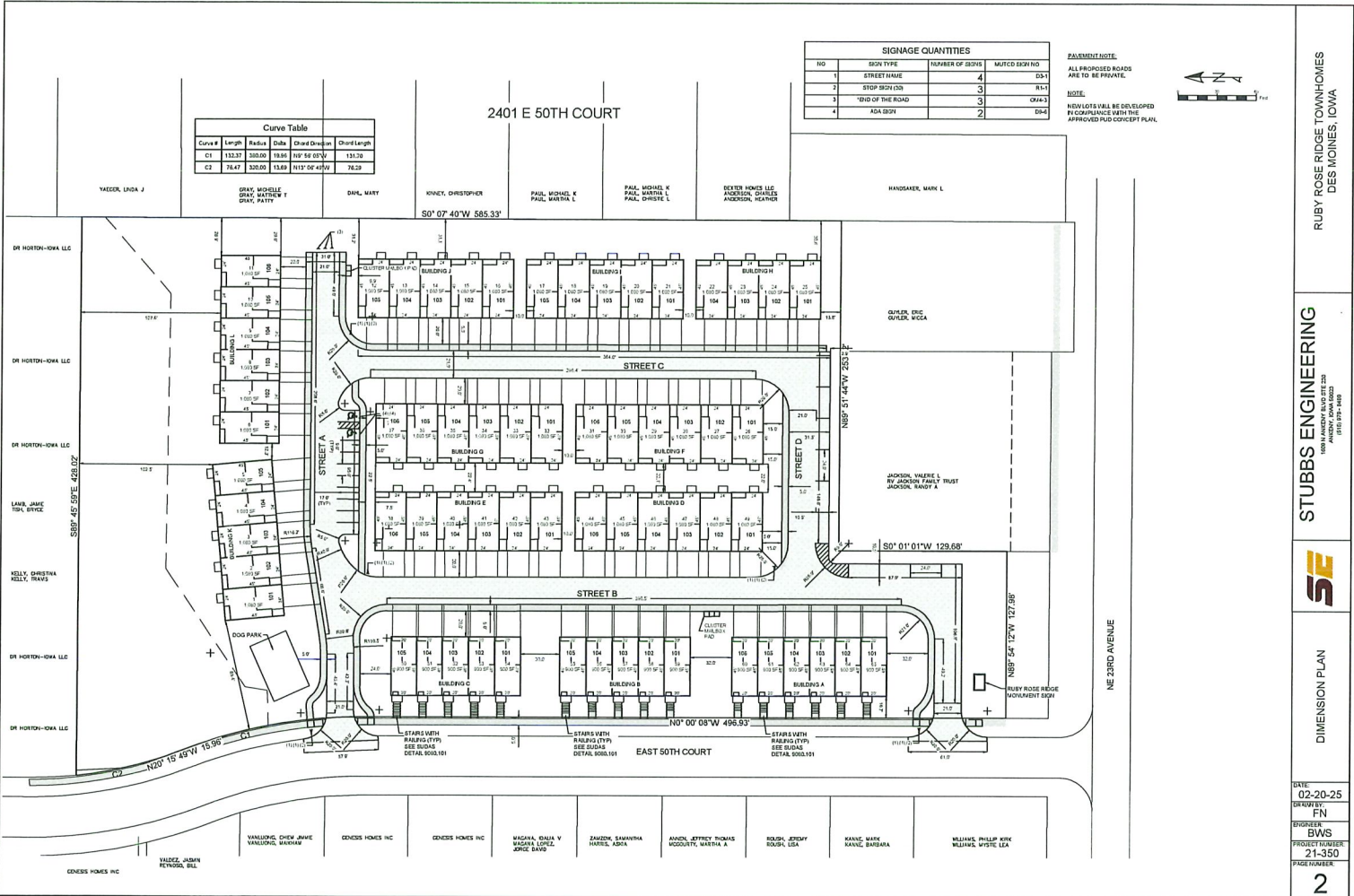


Jason Van Essen

Planning & Urban Design Administrator

JMV:mrw



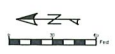


Curve #	Length	Radius	Delta	Chord Distance	Chord Length
C1	133.37	330.00	18.96	N49° 59' 05" W	131.30
C2	78.47	320.00	15.69	N11° 06' 45" W	78.29

SIGNAGE QUANTITIES			
NO	SIGN TYPE	NUMBER OF SIGNS	MUTCD SIGN NO.
1	STREET NAME	4	2-3A1
2	STOP SIGN (OS)	3	811
3	'END OF THE ROAD'	3	0M43
4	ADA SIGN	2	084

PAVEMENT NOTE:
ALL PROPOSED ROADS ARE TO BE PRIVATE.

NOTE:
NEW LOTS WILL BE DEVELOPED IN COMPLIANCE WITH THE APPROVED PUD CONCEPT PLAN.



2401 E 50TH COURT

EAST 50TH COURT

NE 23RD AVENUE

**RUBY ROSE RIDGE TOWNHOMES
DES MOINES, IOWA**

STUBBS ENGINEERING
NEW ANDREW ROAD #200
ANOKY, IOWA 50002
(515) 281-9944

DIMENSION PLAN

DATE: 02-20-25
DRAWN BY: FN
ENGINEER: BWS
PROJECT NUMBER: 21-350
PAGE NUMBER: 2

CERTIFICATION

I HEREBY CERTIFY THAT THE PORTION OF THIS TECHNICAL SUBMISSION PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF IOWA.

PRELIMINARY

BY: **KEVIN J. HANSEN**, IOWA REG. NO. 3683
 MY LICENSE EXPIRES DATE IS: **JUNE 30, 2025**
 PORTION OF SHEET COVERED BY THIS SEAL.

PLANTING REQUIREMENTS

TREE MITIGATION
 1. RATIO OF REMOVED TREE IN FEET TO BE REPLACED TREES TO BE REPLACED TREES
 AT LEAST 12 AND LESS THAN 18 1:1
 AT LEAST 18 AND LESS THAN 24 1:1
 AT LEAST 24 AND LESS THAN 30 2:1
 FOR EACH INCH OF 24 FEET ABOVE 24 FEET, OR 24 FEET, ADDITIONAL REPLACEMENT TREES SHALL BE PROVIDED:
 1" DIA. TREE = 2 REPLACEMENT
 1 1/2" DIA. TREE = 3 REPLACEMENT
 2" DIA. TREE = 4 REPLACEMENT
 3" DIA. TREE = 6 REPLACEMENT

STREET TREES
 1. Street tree per 30 ft of street frontage
 Required street trees: 100.4 ft = 3.34 street trees

OPEN SPACES
 Minimum of 15% of lot shall have a mature canopy cover, 244544 SF x 15% = 36682 SF
 Shade on Openings = 1200 SF
 Ornamental or Upright Tree = 100 sf
 Evergreen or Coniferous Tree = 300 sf

Provided:
 Shade tree = 31 trees (31000 sf)
 Evergreen trees = 3 trees (900 sf)
 Total = 31400 sf

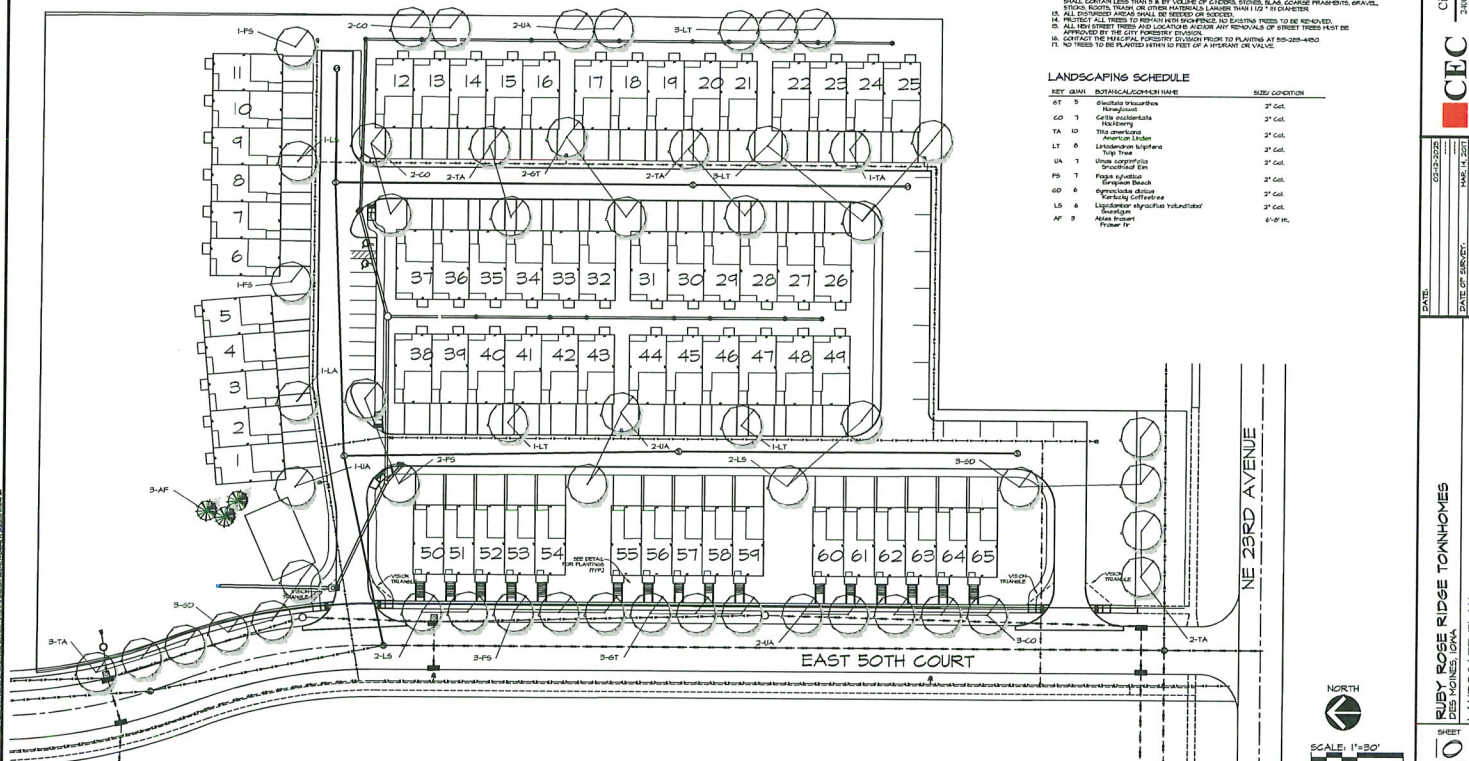
REQUIRED:
 14 TREES
 PROVIDED:
 14 TREES

PLANTING NOTES

1. ALL SITE PLANNING AND LANDSCAPING SHALL MEET THE REQUIREMENTS OF THE STATEWIDE URBAN DESIGN AND SPECIFICATIONS (UDAS) BY THE CITY OF DES MOINES ADDRESS FORM AND LANDSCAPE PLAN.
2. ALL PLANT MATERIAL SHALL AT LEAST MEET MINIMUM REQUIREMENTS SHOWN IN THE "AMERICAN STANDARD FOR LANTANA SPECIES" (ANSI Z603.02).
3. CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS FOR A PERIOD OF ONE YEAR FROM DATE OF INSTALLATION.
4. CONTRACTOR SHALL REMOVE THE TREE SPACES ONE YEAR AFTER INSTALLATION.
5. NO PLANT MATERIAL SHALL BE DISTRIBUTED WITHOUT APPROVAL OF THE LANDSCAPE ARCHITECT.
6. ALL TREES, SHRUBS, PERENNIALS AND GRASS SHALL BE PLANTED WITH AT LEAST 2" SPACED BARK MULCH.
7. THE CONTRACTOR SHALL VERIFY THE LOCATION AND PROTECT ALL UTILITIES AND STRUCTURES DAMAGED TO UTILITIES AND STRUCTURES SHALL BE REPAIRED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE OWNER OF THE UTILITY.
8. THE CONTRACTOR SHALL OBTAIN APPROVAL OF PLANTS FOR LANDSCAPE ARCHITECT'S APPROVAL BEFORE COMMENCEMENT OF WORK.
9. THE REQUIRED LANDSCAPING, BOTH EXISTING AND PROPOSED, MUST BE MAINTAINED FOR THE LIFE OF THE CONTRACT OF OCCUPANCY.
10. NO STAKING OF TREES ALLOWED.
11. ALL LINES, TREE AND BURLAP SHALL BE REMOVED FROM THE ROOTBALL OF TREES PRIOR TO PLANTING.
12. TOPSOIL SHALL BE A LOAM SANDY LOAM CLAY LOAM OR LOAM SANDY CLAY LOAM LOAMY SAND. OTHER SOILS MAY BE USED IF DISAPPROVED BY AN AGRICULTURIST OR SOIL SCIENTIST AND APPROVED BY THE REQUIRED INSURANCE COMPANY. SOIL SHALL NOT BE A MIXTURE OF CONTAMINATED TOPSOIL, SAND, AND OTHER SOILS. THERE IS NO FERTILIZER, PESTICIDES, OR OTHER CHEMICALS IN THE TOPSOIL.
13. ALL DISTURBED AREAS SHALL BE RESEED OR SOILED.
14. PROTECT ALL TREES TO REMAIN WITH PROPER CARE AND MAINTENANCE. TREES TO BE REMOVED APPROVED BY THE CITY FORESTRY DIVISION.
15. ALL NEW STREET TREES AND LANDSCAPING AND/OR ANY REMOVALS OF STREET TREES MUST BE APPROVED BY THE CITY FORESTRY DIVISION PRIOR TO PLANTING AT 10:00 AM-4:00 PM.
16. CONTACT THE MUNICIPAL FORESTRY DIVISION PRIOR TO PLANTING AT 10:00 AM-4:00 PM.
17. NO TREES TO BE PLANTED WITHIN 10 FEET OF A HYDRANT OR VALVE.

LANDSCAPING SCHEDULE

KEY	QUANTITY	BOTANICAL/COLOR NAME	SIZE	COMMENTS
GT	2	Greenhouse Transplants		
GO	7	Red-twigged Dogwood	2" Cal.	
TA	10	Tree Anemone	2" Cal.	
LT	8	Liquidambar styraciflua	2" Cal.	
UA	1	Ulmus americana	2" Cal.	
PS	7	Prunella serotina	2" Cal.	
GO	6	Greenhouse Transplants	2" Cal.	
LS	6	Liquidambar styraciflua	2" Cal.	
AF	3	Alnus incana	6" H.P.H.	



Civil Engineering Consultants, Inc.
 2400 46th Street, Unit 12, Urbandale, Iowa 50202
 515-276-6884 | mail@cecinc.com

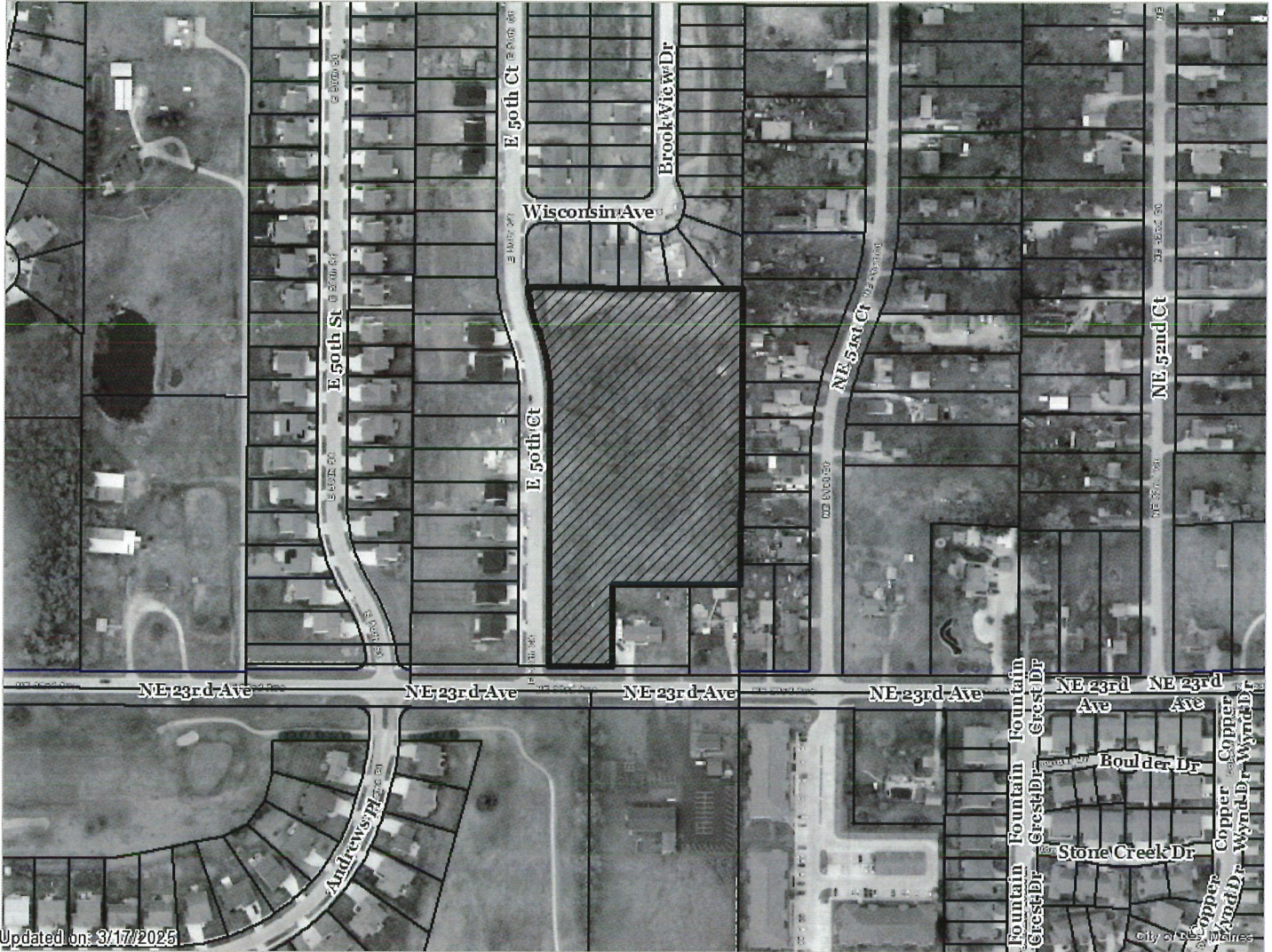
CEC
 DATE: 02-22-2024
 DATE OF REVISION: NONE
 DRAWN BY: KEVIN J. HANSEN
 CHECKED BY: KEVIN J. HANSEN

RUBY ROSE RIDGE TOWNHOMES
 LANDSCAPE PLAN
 SHEET 10
 SCALE: 1"=50'
 E-4248

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Kenyon Hill Ridge Vicinity of 2401 East 50th Court

PLAT-2024-000013



Updated on: 3/17/2025

City of Des Moines