

Date July 28, 2008

COMMUNICATION from the City Plan and Zoning Commission advising that at a public hearing held July 17, 2008, the members voted 12-0 in support of a motion to APPROVE the request from James Ellis (owner) for review and approval of an amendment to the approved preliminary subdivision plat, "Deer Ridge Valley", for property located at 3301 Stanton Avenue, allowing the property to be divided into 18 lots for single-family residential development 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

★ Roll Call Number

08-1314

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- (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.

MOVED by Kiernan to receive and file.

FORM APPROVED:

[Signature]

Michael F. Kelley
Assistant City Attorney

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

(13-2008-1.19)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

[Signature]
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.

[Signature]

City Clerk