

Polk County Zoning Commission
Monday, November 28, 2022
Staff Report



Schmidt's Acres – Major Preliminary Plat

Applicant: Janet Freel (Trustee) Jean M Schmidt Trust
Keven Crawford, Cooper Crawford & Associates (Surveyor)

Request: Preliminary Plat Approval of a Major Subdivision Plat

Legal Description: The subject property is generally described as a portion of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 14, Township 79 North, Range 24 West of the 5th P.M., Polk County, Iowa.

General Location: The subject property is located approximately 627-feet west of the intersection of NE 52nd Avenue and NE 14th Street, within the NE $\frac{1}{4}$ of Section 14, Saylor Township. (*Attachment 'A'*)

Existing Zoning: "LDR" Low Density Residential District

Surrounding Zoning:

North: "LDR" Low Density Residential District
South: "LDR" Low Density Residential District
East: "GC" General Commercial District
West: "LDR" Low Density Residential District

GENERAL COMMENTS:

This preliminary plat (*Attachment 'B'*) is a reconfiguration of three (3) existing parcels, and proposes one (1) single-family residential lot and one (1) outlot on approximately 6.86 acres. Lot 1 is proposed to be 2.67 acres, with Outlot Z containing the remaining 4.18 acres. The subject property is entirely zoned "LDR" Low Density Residential District and is mostly covered in mature woodlands. The property contains no existing structures or dwelling units. The ground adjacent to the north, west and south is zoned "LDR" with the west and south ground containing multiple parcels with single family dwellings and the north ground containing undeveloped mature woodlands. The ground adjacent to the east is zoned "GC" General Commercial and contains several businesses that take access of NE 14th street to the east. The proposed subdivision would create a single flag lot in the southeast portion of the subject property with access taken from NE 52nd Avenue for future construction of a single-family residence, and would plat the remainder of the parcel as an outlot, which would remain unbuildable. Access to Outlot Z from NE 52nd Avenue will be maintained via a 49.85-foot ingress/egress easement on Lot 1. Outlot Z does not have frontage or the ability to extend

roadways or utilities necessary for further development. It is anticipated Outlot Z will remain as unbuildable open space.

Utilities/Natural Resources:

The subject property is undeveloped and contains a large area of existing woodlands and drainage in the northwest portion of the property. Proposed Lot 1 would contain a small area of woodlands, and the rest would be contained on the proposed outlot. The areas of mature woodlands have been identified with appropriate protection easements. The site topography gradually slopes from 934 feet in the southern portion of the property down to 914 feet in the northwest portion of the property where there is an existing surface water flowage easement.

Water service will be provided by Des Moines Water Works (DMWW) via a 4-inch water main located on the north side of NE 52nd Avenue. Des Moines Water Works has indicated there is sufficient water capacity for a new single-family residential dwelling. The proposed dwelling will be served by an on-site septic system. No new roadway improvements are proposed with the current configuration of this subdivision.

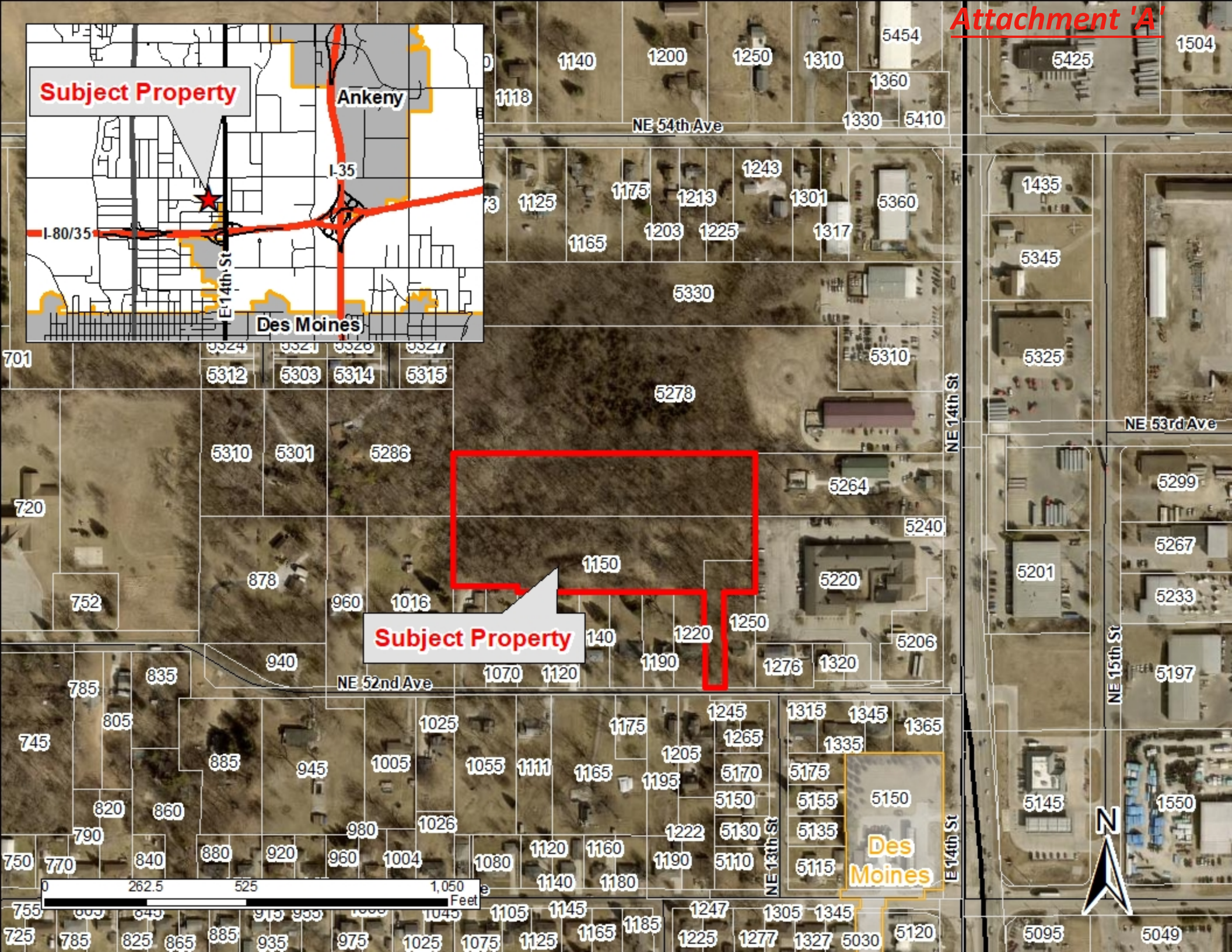
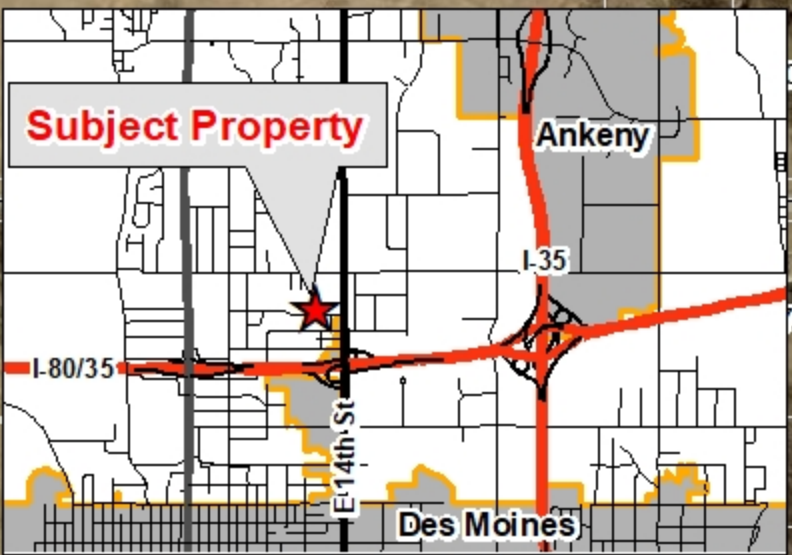
STAFF REVIEW:

Staff has reviewed this plat for compliance with the Polk County Zoning and Subdivision Ordinances as a major subdivision plat submittal. The plat is considered a major subdivision because the proposed Lot 1 represents another lot created after there has already been 5 lots created in the larger aliquot part (the Northeast ¼ of the Northeast ¼ of Section 14, Saylor Township). Following the Zoning Commission's recommendation, and addressing remaining staff comments, the applicants may forward the preliminary plat and recommendation to the Board of Supervisors for their consideration and approval. If approved by the Board of Supervisors a final plat and required legal documents may be prepared and submitted for the County's review, final approval and recording. At this stage, the Commission's recommendation would affirm, deny, or amend the overall plat layout.

The property lies within the two-mile review jurisdiction of Des Moines and Ankeny. Both entities have been notified of the request. Ankeny has not responded at this time, while the City of Des Moines has provided detailed review comments back to the applicants. Certified resolutions from each city, either approving or waiving their review authority, shall be provided at the time of final plat and recording.

RECOMMENDATION:

Staff recommends approval of the Preliminary Plat of Schmidt's Acres.



Subject Property

Des Moines

PRELIMINARY PLAT APPROVAL:
 APPROVED APPROVED WITH CONDITIONS
SEE EXHIBIT 'A'
 IN ACCORDANCE WITH CHAPTER 106, DES MOINES MUNICIPAL CODE, AS AMENDED
 DATE _____ DEVELOPMENT SERVICES DIRECTOR _____

SURVEYOR'S NOTES

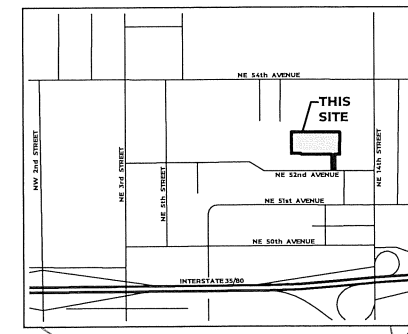
1. ALL LOT CORNERS SHALL BE SET WITHIN ONE YEAR OF RECORDING.
2. THIS PLAT BOUNDARY HAS AN ERROR OF CLOSURE OF LESS THAN 1 IN 10,000.
3. EACH LOT IN THIS PLAT HAS AN ERROR OF CLOSURE OF LESS THAN 1 IN 5,000.
4. BEARINGS BASED ON AN ASSUMED BEARING.

UTILITY CONTACTS

MIDAMERICAN ENERGY
 GAS - 888-427-5632
 ELECTRIC - 888-427-5632
 CENTURYLINK
 800-244-1111
 POLK COUNTY PUBLIC WORKS
 AARON PUTNAM
 515-286-3705
 WATER
 DES MOINES WATER WORKS
 515-283-8700
 customerservice@dmww.com

NOTES

1. ANY NEW ENTRANCES WILL REQUIRE A POLK COUNTY ENTRANCE PERMIT.
2. MAILBOXES WITHIN THE ROAD RIGHT-OF-WAY SHALL BE OF A BREAKAWAY DESIGN.
3. ANY SUBSURFACE DRAINAGE FACILITIES THAT ARE DISTURBED SHALL BE RESTORED OR REROUTED BY THE PROPERTY OWNER.
4. POST DEVELOPMENT RUNOFF WILL NOT ADVERSELY AFFECT DOWNSTREAM FACILITIES OR PROPERTY OWNERS.
5. DUE TO SOIL TYPES, LIMITATIONS AND DISTURBANCE, ALTERNATE SPECIFIC SYSTEMS MAY BE REQUIRED. INDIVIDUAL WASTEWATER TREATMENT SYSTEMS SHALL BE DESIGNED BY AN ENGINEER.
6. SERVICE TO ALL UTILITIES LOCATED ON THE OPPOSITE SIDE OF THE ROADWAY MUST BORED UNDER THE ROADWAY AT THE OWNER'S EXPENSE.
7. THE INTENT OF THE WOODLAND PROTECTION EASEMENTS IS TO COVER THE REQUIRED 4.60 ACRES OF MATURE WOODLANDS PROTECTION AREA.
8. DES MOINES PLAN & ZONING COMMISSION MEETING HELD ON NOVEMBER 17, 2022.
9. POLK COUNTY TO ASSIGN ADDRESS.
10. THE INTENT OF THE PLAT IS TO CREATE A BUILDABLE LOT AND MEET ALL THE REQUIREMENTS OF THE POLK COUNTY ZONING & SUBDIVISION ORDINANCES.



MAJOR PRELIMINARY PLAT

SCHMIDT'S ACRES
OWNER/APPLICANT

JANET FREEL (TRUSTEE)
 15750 NW 5TH COURT
 DES MOINES, IA 50313
 515-371-3890 jrfreel@mchsi.com

ZONING

LDR - LOW DENSITY RESIDENTIAL DISTRICT

UTILITIES

WATER - DES MOINES WATER WORKS
 WASTEWATER - SEPTIC

BULK REGULATIONS

MIN. LOT SIZE: 12,000 SQ FT
 MIN. LOT WIDTH: 75'

PRINCIPAL BUILDING SETBACKS

FRONT - 35'
 REAR - 35'
 SIDE - 10'
 MAX BUILDING COVERAGE - 30%

LEGAL DESCRIPTION

PARCEL 'D' OF THE PLAT OF SURVEY OF THE SOUTH 10.00 RODS OF LOT 7 OF THE OFFICIAL PLAT OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA RECORDED AT BOOK 8367 PAGE 71 IN THE OFFICE OF THE POLK COUNTY, IOWA RECORDER'S OFFICE

AND
 A TRACT OF LAND BEING A PART OF LOT 10 OF THE OFFICIAL PLAT OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA. SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

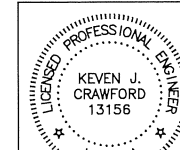
BEGINNING AT THE NORTHEAST CORNER OF LOT 10 OF THE OFFICIAL PLAT OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA; THENCE S00°32'20"W, 198.54 FEET ALONG THE EAST LINE OF SAID LOT 10; THENCE N89°47'40"W, 80.62 FEET; THENCE S00°30'17"E, 250.02 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NE 5th AVENUE AS IT IS PRESENTLY ESTABLISHED; THENCE N89°47'40"W, 49.85 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE; THENCE N00°23'48"W, 250.01 FEET; THENCE N89°47'40"W, 498.23 FEET; THENCE N00°13'06"W, 14.00 FEET; THENCE N89°47'40"W, 163.97 FEET TO THE WEST LINE OF SAID LOT 10; THENCE N00°04'52"W, 182.06 FEET ALONG SAID WEST LINE, TO THE NORTHWEST CORNER OF SAID LOT 10; THENCE S89°58'24"E, 793.85 FEET ALONG NORTH LINE OF SAID LOT 10, TO THE NORTHEAST CORNER OF SAID LOT 10 AND TO THE POINT OF BEGINNING.

SAID TRACTS OF LAND CONTAIN 6.856 ACRES MORE OR LESS
 SAID TRACT OF LAND SUBJECT TO ALL EASEMENTS OF RECORD.

LEGEND

- | | | | |
|---|-------------------|---|--|
| — | EXISTING/PROPOSED | — | PLAT BOUNDARY |
| — | ST-18" | — | STORM SEWER & SIZE |
| — | SAN" | — | SANITARY SEWER & SIZE |
| — | W" | — | WATER MAIN & SIZE |
| ○ | | ○ | MANHOLE |
| □ | | □ | STORM INTAKE |
| △ | | △ | FIRE HYDRANT |
| ▽ | | ▽ | VALVE |
| ▲ | | ▲ | F.E.S. |
| — | | — | EXISTING CONTOURS |
| — | | — | PROPOSED CONTOURS |
| — | | — | SILT FENCE OR APPROVED FILTRATION SOCK |

CERTIFICATION



I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

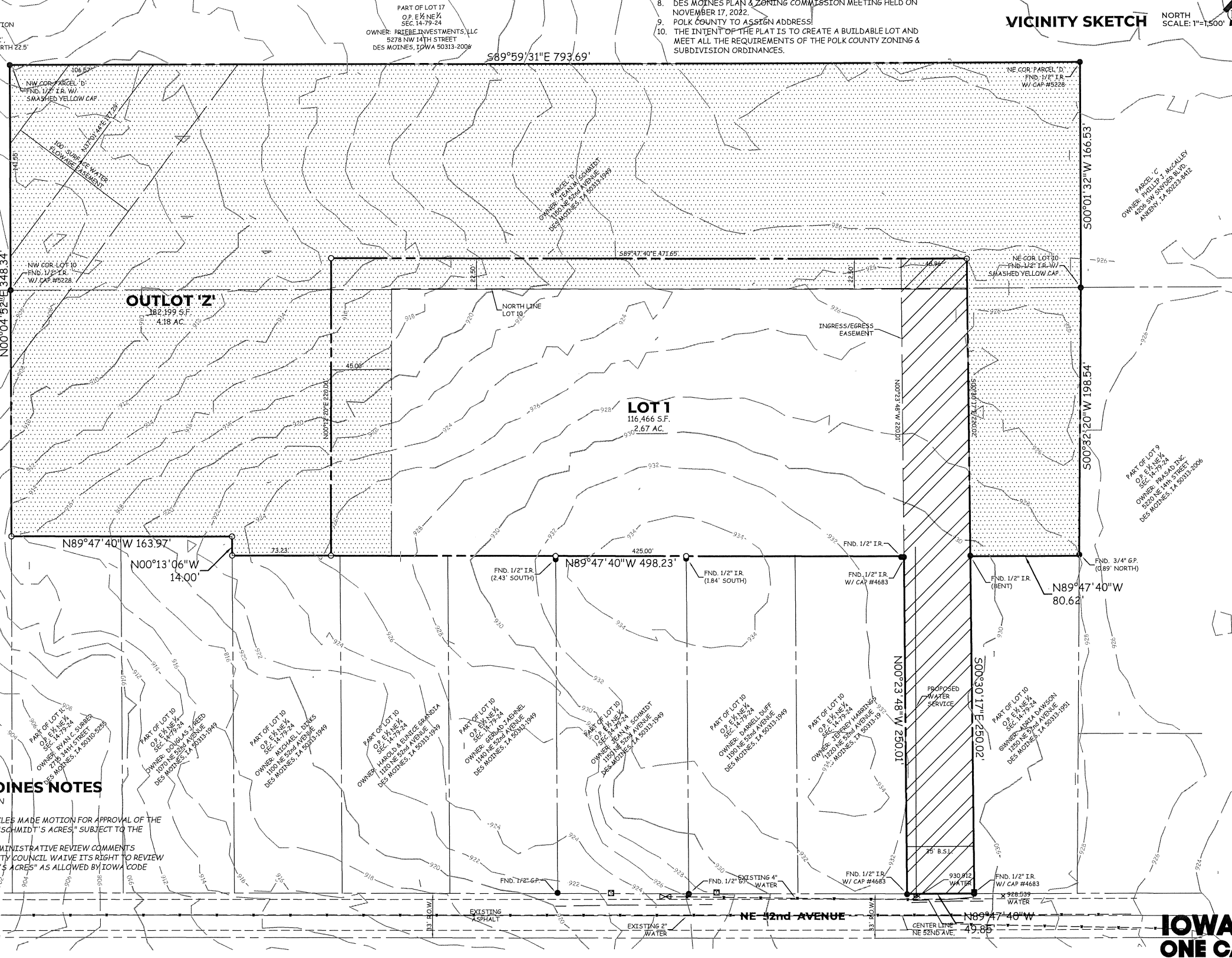
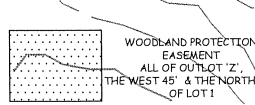
KEVEN J. CRAWFORD, P.E. IOWA LICENSE NO. 13156
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022
 PAGES OR SHEETS COVERED BY THIS SEAL:
 This sheet only

COOPER CRAWFORD & Associates
 Civil Engineers & Land Surveyors

475 S. 50th STREET, SUITE 800, WEST DES MOINES, IOWA 50265
 PHONE: (515) 224-1344 FAX: (515) 224-1345

DATE: 7-27-2022
 REVISIONS:
 JOB NUMBER
CC 2616

MAJOR PRELIMINARY PLAT
 SCHMIDT'S ACRES
 SHEET 1 OF 1



CITY OF DES MOINES NOTES

PLAN AND ZONING COMMISSION
 DATE: 11/17/2022
 COMMISSION ACTION: DORY BRILES MADE MOTION FOR APPROVAL OF THE REQUESTED PRELIMINARY PLAT "SCHMIDT'S ACRES" SUBJECT TO THE FOLLOWING CONDITIONS:
 1. COMPLIANCE WITH ALL ADMINISTRATIVE REVIEW COMMENTS
 2. RECOMMENDS THAT THE CITY COUNCIL WAIVE ITS RIGHT TO REVIEW THE FINAL PLAT "SCHMIDT'S ACRES" AS ALLOWED BY IOWA CODE SECTION 354.8(2)
 THE NOTE: 13-0

