Polk County Zoning Commission Monday, September 26, 2022 Staff Report



Maxwell Estates Plat 1 – Major Preliminary Plat

Applicant: Verna H. Bowie (Property Owner)

James Maxwell (Applicant)

Michael Brooner, Civil Design Advantage (Surveyor)

Request: Preliminary Plat Approval of a Major Subdivision Plat

Legal Description: Parcel 'C', as shown on the Plat of Survey recorded in Book 7182, Page 186 by

the Polk County Recorder, being a part of the South ½ of the Northwest ¼ of Section 27, Township 79 North, Range 22 West of the Fifth Principal Meridian

(Beaver Township), Polk County, Iowa.

General Location: The subject property is located approximately 1,100-feet north of the

intersection of NE 96th Street and NE 27th Avenue, within the NW ¼ of Section

27, Beaver Township. (Attachment 'A')

Existing Zoning: "AG" Agricultural District

Surrounding Zoning:

North: "AG" Agricultural District
South: "AG" Agricultural District
East: "AG" Agricultural District

West: "AT" Agricultural Transition District

Waiver Request: 1. No residential block shall be longer than one thousand three hundred and twenty

(1320) feet or twelve (12) times the minimum lot width for the district, whichever is less, unless the Zoning Commission approves a longer distance in

a Neighborhood Access Plan.

GENERAL COMMENTS:

This preliminary plat (*Attachment 'B'*) proposes one (1) building lot and one (1) outlot on an existing 38.57-acre parcel. Lot 1 is proposed to be 2.00 acres, with Outlot Z being the 36.05 acres in area, and the remaining 0.57 acres (22,699 square feet) being dedicated for roadway purposes as Street Lot A. The subject property contains numerous previously constructed agricultural buildings and sheds which are located near the northwest corner of the property. Lot 1 is proposed to be developed to contain a single-family residential dwelling. Lot 1 exceeds the 140-foot minimum lot width and the 40,000 square-foot minimum lot size for a property utilizing the "Cluster Development" option within

the "AG" Agricultural District. Minimum setbacks for Lot 1 will be 50-foot front and rear yard setbacks, and fifteen (15) foot side yard setbacks.

The subject property features steady slopes throughout, with over 50-feet of elevation change from the high point at the western edge of the property to the low point near the eastern edge of the property. The proposed Lot 1 features a steady slope from the high point of 973-feet above sea level near NE 96th Street, to the low point of approximately 959-feet near the rear property line. The grade does not appear to be a significant hindrance to development of the property. Outlot Z is primarily used for row-crops, but features a grove of mature woodlands of approximately two (2) acres in area near the northwestern corner, and a natural drainage way near the northeastern corner. Preservation of the grove of trees is required per Polk County's Woodland Preservation Standards set forth by Article 7, Section 4 of the Polk County Zoning Ordinance. The drainage way is proposed to be protected with a 50-foot Drainageway Easement.

Water service will be provided by Des Moines Water Works (DMWW) via a 6-inch water main located on the east side of NE 96th Street. 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 onsite 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 the sixth lot created within the larger aliquot part (the Southwest ¼ of the Northwest ¼ of Section 27, Beaver Township), and because it requires a block-length waiver, as there is greater than 1,320 feet between proposed roadways. The proposed building lot will access existing public roadways without the need for flag lots, and there is no public benefit in creating additional roadways at this time, as there is no immediate through access for traffic circulation. Additionally, the proposed Outlot Z and adjacent ground further east that would benefit from a public road extension are zoned agricultural with limited development potential, and unlikely to be annexed at any point in the near future. If conditions in the area were to change in the future and Outlot Z were to be developed, a roadway extension would fit through the current frontage. Lot density, dimensions, frontage, and access have been reviewed, and meet all Polk County Zoning and Subdivision Requirements. Pending approval, re-submittals will be needed in order to address staff comments. At this stage, the commission's action would affirm, deny, or amend the overall plat layout.

Staff has reviewed the layout of the proposed subdivision and the requested waivers. With no remaining development rights for Outlot Z and the unique development pattern leaving the 38.57-acre parent parcel with a much greater depth than width, a street extension would serve no public purpose at this time.

RECOMMENDATION:

Staff recommends approval of the Preliminary Plat of Maxwell Estates Plat 1, as well as the requested block length waiver.

Attachment 'A'

Maxwell Estates Plat 1 Major Preliminary Plat

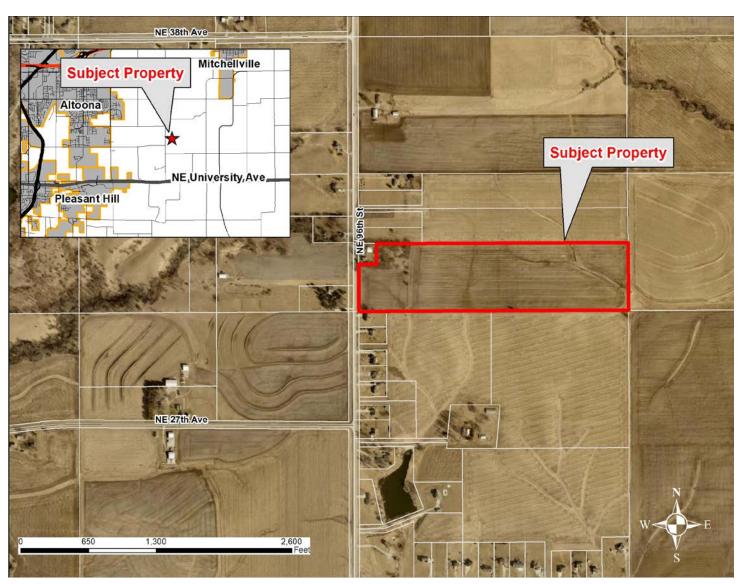
PLAT INFORMATION: This subdivision plat proposes one (1) single-family residential lot and one (1) outlot on approximately 38.57 acres zoned "AG" Agricultural District. The subject property is located approximately 1,100-feet north of the intersection of NE 96th Street and NE 27th Avenue, within the NW ¼ of Section 27, Beaver Township.

SEWER: Individual Septic Systems **WATER:** Des Moines Water Works

TOWNSHIP: Beaver **OWNER & DEVELOPER:** Verna H. Bowie (Owner)

James Maxwell (Developer)

Vicinity Map:



MAXWELL ESTATES PLAT 1

MAJOR PRELIMINARY PLAT

PLAT DESCRIPTION

CHANGE OF TITLE BOOK 7324 PAGE 223

PARCEL 'C', AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 7182, PAGE 186, BEING APART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN POLK COUNTY, IOWA.

OWNER/DEVELOPER

VERNA H BOWIE 11221 SE 6TH AVE RUNNELLS, IA 50237-1076 ATTENTION JAMES MAXWELL 515-729-3135

ENGINEER / SURVEYOR

CIVIL DESIGN ADVANTAGE 4121 NW URBANDALE DRIVE URBANDALE, IA 50322 515 369-4400 SURVEYOR: MICHAEL BROONER

SITE ADDRESS (LOT 1)

NO ADDRESS

AREA SUMMARY

ST LOT 'A' 0.52 ACRES (22,699 S.F.) OUTLOT 'Z' 36.05 ACRES (1,570,326 S.F.) 2.00 ACRES (87,120 S.F.) 38.57 ACRES (1,680,146 S.F.)

DWELLING UNITS

LOT 1: OUTLOT 'Z': 0

BUILDABLE AREA

1.9 ACRES OUTLOT 'Z' : 0
TOTAL 1.9 1.9 ACRES

DATE OF SURVEY

AUGUST 11, 2022

EXISTING TAX PARCEL

DISTRICT/PARCEL 140/00265-006-000

NOTES

- ANY SET MONUMENTATION SHOWN ON THIS PLAT WILL BE COMPLETED WITHIN ONE YEAR FROM THE DATE THIS PLAT WAS RECORDED.
- 2. MAILBOXES WITHIN THE ROAD RIGHT-OF-WAY SHALL BE OF A BREAKAWAY DESIGN.
- 3. FUTURE DEVELOPMENT OF THE PROPERTY IS SUBJECT TO ARTICLE 7, SECTION 4, "NATURAL RESOURCE PROTECTION. WOODLANDS" OF THE POLK COUNTY ZONING CODE, WHICH PRESERVES WOODED AREAS OF THE PROPERTY.
- 4. ANY SUBSURFACE DRAINAGE FACILITIES THAT ARE DISTURBED MUST BE RESTORED OR REROUTED BY THE PROPERTY OWNER.
- SERVICES TO ALL UTILITIES LOCATED ON THE OPPOSITE SIDE OF THE ROADWAY MUST BE BORED UNDER THE ROADWAY AT THE LOT OWNER'S EXPENSE.
- 6. MAINTENANCE OF ALL DRAINAGE EASEMENTS TO BE THE RESPONSIBILITY OF THE PROPERTY OWNER. 7. CULVERTS TO BE USED FOR CROSSING DRAINAGE EASEMENTS MUST BE DESIGNED BY A LICENSED
- PROFESSIONAL ENGINEER. 8. STREET LOT 'A' SHALL BE DEDICATED TO POLK COUNTY FOR ROADWAY PURPOSES.
- 9. POST DEVELOPMENT RUNOFF WILL NOT ADVERSELY AFFECT DOWNSTREAM DRAINAGE FACILITIES OR PROPERTY OWNERS.
- 10. DUE TO SOIL TYPES, LIMITATIONS, AND DISTURBANCE, ALTERNATIVE SEPTIC SYSTEMS MAY BE REQUIRED. INDIVIDUAL WASTEWATER TREATMENT SYSTEMS SHALL BE DESIGNED BY AN
- 11. UTILITY SERVICE TO SUBDIVISION WILL BE AS FOLLOWS: WATER: SOUTHEAST POLK RURAL WATER WASTEWATER: ON-SITE WASTEWATER TREATMENT
- SYSTEM. ELECTRIC - MIDAMERICIAN ENERGY 12. SUBJECT PROPERTY IS LOCATED IN UNSHADED
- ZONE 'X', AN AREA OF MINIMAL FLOODING, AS SHOWN ON THE FLOOD INSURANCE RATE MAPS FOR POLK COUNTY, IOWA, COMMUNITY PANEL NUMBER 19153C0125F EFFECTIVE 2/1/2019.
- 13. ANY NEW ENTRANCES OR MODIFICATIONS TO EXISTING ENTRANCES WILL REQUIRE A POLK COUNTY ENTRANCE
- 14. ANY WORK IN THE ROW OTHER THAN FOR AN ENTRANCE SHALL REQUIRE A POLK COUNTY ROW
- 15. YOUNG WOODLAND AREAS SHALL BE PROTECTED OR MITIGATED AT A MINIMUM OF 50% AND MATURE

WOODLAND AREAS AT A MINIMUM OF 75%.

- 16. ALL PRE-EXISTING SEPTIC SYSTEMS MUST MEET ALL SETBACK REQUIREMENTS ACCORDING TO CHAPTER 69 OF THE IOWA ADMINISTRATIVE CODE. IF ANY PART OF A PRE-EXISTING SEPTIC SYSTEM CROSSES THE LOT LINES A MUTUAL EASEMENT AGREEMENT MUST BE MADE AND APPROVED BY BOTH PARTIES, OR SEPTIC SYSTEMS MUST BE ON ITS OWN LOT 10' BACK FROM PROPERTY LINES. ALL SEPTIC SYSTEMS SHALL BE ENGINEERED BY A LICENSED ENGINEER, AND SOIL ANALYSIS AND SEPTIC DESIGN BE BROUGHT IN AS PART OF PERMITTING. ANY DISCHARGING SYSTEMS SHALL DISCHARGE 10' ON ITS OWN LOT OR A MUTUAL EASEMENT AGREEMENT BY BOTH PARTIES AGREED UPON. AN DISCHARGING SYSTEMS THAT COULD AFFECT THE WATERS OF THE STATE MAY REQUIRE UV LIGHTS. POLK COUNTY MAY REQUIRE UV LIGHTS AND BE MORE RESTRICTIVE IF DEEMED NECESSARY. ALL FUTURE AND PRESENT SEPTIC SYSTEMS MUST MEET CODE REQUIREMENTS OF CHAPTER 69 OF THE IOWA ADMINISTRATIVE CODE.
- 17. ELEVATIONS SHOWN ARE NAVD 88 WITH CONTOURS DEVELOPED FROM LIDAR DATA AND FIELD SURVEY.

LEGEND FOUND SET SECTION CORNER AS NOTED 1/2" REBAR, YELLOW PLASTIC CAP #15980 (UNLESS OTHERWISE NOTED) MEASURED BEARING & DISTANCE RECORDED BEARING & DISTANCE DEEDED BEARING & DISTANCE **MPE** MINIMUM PROTECTION ELEVATION P.U.E. PUBLIC UTILITY EASEMENT CENTERLINE SECTION LINE EASEMENT LINE TELEPHONE LINE CABLE TELEVISION LINE FIBER OPTICS LINE WATERMAIN STORM SEWER SANITARY SEWER DECIDUOUS TREE WOOD FENCE _____ G ____ GAS LINE ELECTRIC LINE ——— Е ——— OVERHEAD ELECTRIC LINE GAS MANHOLE FLARED END SECTION CLEANOUT (P-TANK) GAS APPARATUS AIR CONDITIONER TELEPHONE PEDESTAL WATER VALVE FIRE HYDRANT ELECTRIC TRANSFORMER ELECTRIC METER BOARD MAIL BOX POWER POLE TELEVISION PEDESTAL SANITARY SEWER MANHOLE STORM SEWER MANHOLE ROUND STORM SEWER INTAKE STORM SEWER INTAKE FLAG POLE \Box BUSH CONIFEROUS TREE SEPTIC TANK

UTILITY CONTACTS

CENTURYLINK SADIE HULL 2103 E. UNIVERSITY AVE DES MOINES, IA 50317 (918) 547-0147

4845 NE 22ND STREET DES MOINES, IA 50313 (515) 252-6972 SOUTHEAST POLK RURAL

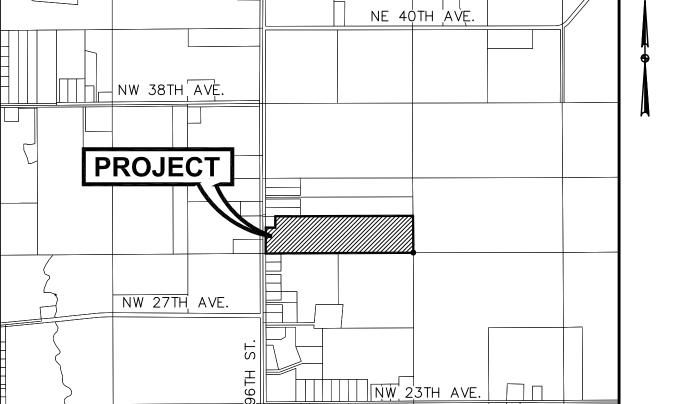
MIDAMERICAN ENERGY

JAMIE NEER

WATER DISTRICT ED CLARK 660 NW 66TH AVE DES MOINES, IA (515) 289-2643

VICINITY MAP

(NOT TO SCALE)



UTILITY WARNING

ANY UTILITIES SHOWN HAVE BEEN LOCATED FROM MAPS AND RECORDS OBTAINED BY THIS SURVEYOR. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL THE UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION SHOWN.

ZONING

AGRICULTURAL DISTRICT

BULK REGULATIONS

CLUSTER DEVELOPMENT

MINIMUM LOT SIZE: 40,000 SF MINIMUM LOT WIDTH: 140' FRONT SETBACK: 50' SIDE SETBACK: 15' REAR SETBACK: 50' MAXIMUM BUILDING HEIGHT: 35' MAXIMUM BUILDING COVERAGE: 15%

> MICHAEL A BROONER 15980

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

MICHAEL A. BROONER, P.L.S.

SHEETS 1-3

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022 PAGES OR SHEETS COVERED BY THIS SEAL:

8-17-2022

DATE

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DRIVI 322 (515)

DALE IA 500 FAX:

4121 NW URBANE URBANDALE, E: (515) 369-4400

PHONE: (51

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