



## **Fox Ridge Plat 1 – Major Preliminary Plat**

**Applicant:** Daryl Bailey (Purchaser/Developer) represented by Vic Piagentini with Associated Engineering Company of Iowa, Inc.

**Request:** Preliminary Plat Approval of a Major Subdivision Plat

**Legal Description:** The subject property is located in Part of the NE ¼ SW ¼ of Section 26, of Franklin Township. Said parcel contains 27.76-acres±.

**General Location:** The subject property is located south and southeast of the NE 82<sup>nd</sup> Avenue and NE Santiago Drive T-intersection and identified as District/Parcel # 230/00372-000-000. (*Attachment 'A'*)

**Existing Zoning:** “ER” Estate Residential District

**Surrounding Zoning:**

**North:** “ER” Estate Residential District & “AG” Agricultural District

**South:** “ER” Estate Residential District

**East:** “ER” Estate Residential District

**West:** “ER” Estate Residential District

**Waiver Request:** **1.** *No residential block shall be longer than 1,320-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 four (4) single-family residential lots out of an existing parcel totaling approximately 27.76-acres and zoned “ER” Estate Residential District. The subject property has multiple vacant run-down homestead buildings and is utilized as an agricultural field and open space. All of the proposed lots will have frontage along NE 82<sup>nd</sup> Avenue. The proposed subdivision is being completed in accordance with the standard development option meeting the minimum lot width of 225-feet in the “ER” District. The “ER” District requires a minimum lot size of 3-acres with minimum setback requirements of 75-feet

for the front and rear setback and a minimum side yard setback of 25-feet. Each lot has a maximum building coverage of 8%. Proposed lots 1-3 are shown as 3.04-acres each with Lot 4 identified as 17-acres.

The subject property is located partially within the floodplain identified as Zone A and located along the central southern portion of the property. The floodplain is recognized on FEMA FIRM Map #19153C0235F. The topography of the site varies with a high point elevation of 902–feet along the southwestern portion of the property and a low point elevation of 842–feet along the northeastern property boundary.

A four (4) inch water main currently exists along the south side of NE 82<sup>nd</sup> Avenue with Des Moines Water Works (DMWW) as the service provider. Des Moines Water Works is currently coordinating with the City of Bondurant on a water infrastructure improvement project to increase capacity within this area of Polk County. DMWW has responded that once this project is completed there will be adequate water available for 2 additional 1-inch connections. There is an existing meter pit on the property that can be used for a 3<sup>rd</sup> connection. The fourth connection will be “swapped out” for the removal of the current service at 10952 NE 82<sup>nd</sup> Ave. The proposed lots will be served by on-site wastewater treatment systems.

The surrounding properties to the east, south and west are zoned “ER” Estate Residential District and comprise of estate lots with existing single-family residential homes. The adjacent properties to the north are comprised of a couple single family homes that are zoned “ER” Estate Residential District with surrounding property that is zoned “AG” Agricultural District and currently is comprised of an agricultural field.

The proposed subdivision plat will require a waiver from the following requirement:

- No residential block shall be longer than 1,320-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.

The Applicant has requested a waiver from this standard. Please see *Attachment ‘C’* for the submitted waiver request.

The property lies within the two-mile review authority of the City of Bondurant and the City of Mitchellville. The Applicant’s representative will need to work with the City of Bondurant and the City of Mitchellville regarding their review of the Preliminary Plat. The certified resolutions will need to be included with the legal platting documents at the time of recording.

**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 due to the number of lots created in the ¼, ¼ Section and the requested waiver. Lot density, dimensions, frontage, access and potential waivers have been reviewed. 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. The current layout would require a waiver from the block length requirement.

The staff review took into careful consideration the intersection of NE 82<sup>nd</sup> Avenue and NE Santiago Drive and the potential for a future street extension to the south. Whenever possible, intersections on one side of an existing street shall intersect with existing intersections on the opposite side of the street. There are constraints for future development in this area, including existing topography, woodlands, existing estate residential lots platted to the west, bike trail location along the eastern boundary and FEMA Flood Zone along Santiago creek to the east and south of this location. These constraints limit the ability to make significant future street connections, and make an extension of NE Santiago Drive less viable. The existing homes adjacent to the west are estate lots similar to the proposed development, further supporting the requested proposal without street extensions to the south and east.

During review of the proposal on the subject property and surrounding properties it was noted that the Developer owns a property directly to the west, 10503 NE 82<sup>nd</sup> Avenue, and operates an illegal home occupation from this property in the form of an excavation company. This has been addressed with the Developer and steps are being taken to bring the property into compliance. Staff will not move the final plat forward for approval until compliance has been reached and a consent agreement has been signed.

**RECOMMENDATION:**

The limited options for future street connectivity in this area due to the constraints identified above provided support towards the waiver request. Staff recommends approval of the Preliminary Plat of Fox Ridge Plat 1, as well as the requested waiver to the maximum block length standard, with the following conditions noted below.

1. The existing run down buildings and junk on the site shall be removed and cleaned up prior to final plat approval.
2. The illegal home occupation located on the Developer's residential property at 10503 NE 82<sup>nd</sup> Avenue shall be brought into compliance with a consent agreement signed prior to final plat approval.

**Attachment 'A'**

**Fox Ridge Plat 1  
Preliminary Plat**

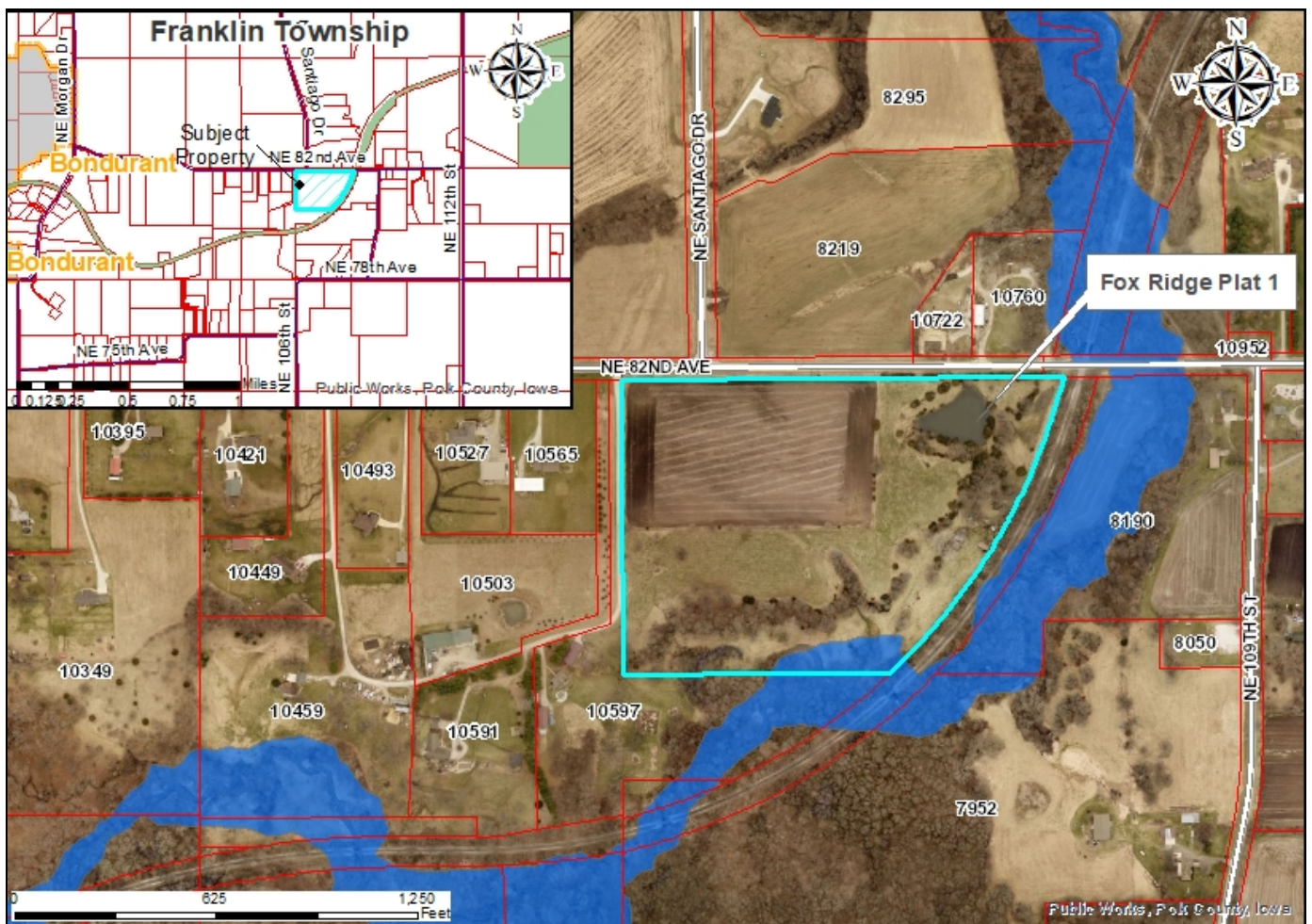
**PLAT INFORMATION:** This major subdivision plat proposes four (4) single-family residential lots on approximately 27.76 acres of land zoned "ER" Estate Residential District. The subject property is located south and southeast of the NE 82<sup>nd</sup> Avenue and NE Santiago Drive T-intersection within Section 26 of Franklin Township.

**TOWNSHIP:** Franklin                      **Water:** DMWW                      **SEWER:** Individual Wastewater Systems

**OWNERS:** Randy S. and Lisa M. Wolfe                      **DEVELOPER:** Daryl Bailey

**SURVEYOR/ENGINEER:** Associated Engineering Company of Iowa

Vicinity Map:



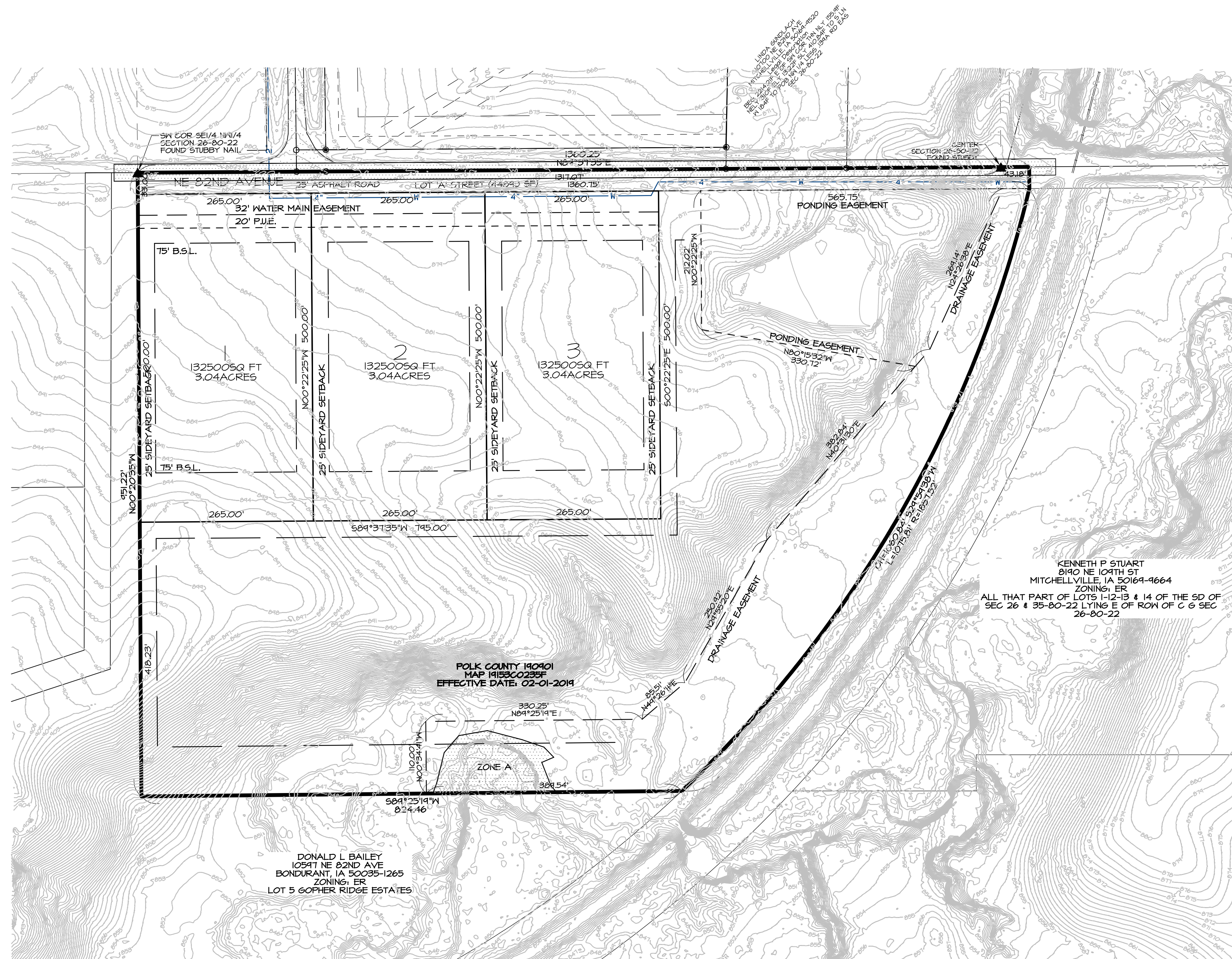
# MAJOR PRELIMINARY PLAT

## FOX RIDGE

### PLAT I

SHEET 1 OF 1

PLOTTED: Fri Jul 23 2021 0:53:26PM



#### OWNER/DEVELOPER

Daryl Bailey  
10541 NE 82nd Avenue  
Bondurant, IA 50035  
Phone #: (515) 208-0494

#### ZONING

ER - ESTATE RESIDENTIAL DISTRICT

#### BULK REGULATIONS

DEVELOPMENT OPTION: SINGLE FAMILY  
FRONT YARD SETBACK- 75'  
REAR YARD SETBACK- 75'  
SIDE YARD SETBACK- 25'

#### LEGAL DESCRIPTION

All that part of Lots One (1), Twelve (12), Thirteen (13) and Fourteen (14) of a Subdivision of the East 1/2 of the Southwest 1/4 of Section 26, Township 80 North, Range 22, West of the Railroad Right-of-Way in Polk County, Iowa subject to legally established highways

#### GENERAL NOTES

- IT SHALL BE THE DEVELOPER'S RESPONSIBILITY TO APPLY FOR AND OBTAIN ANY STORM WATER DISCHARGE PERMITS FROM THE IOWA DEPARTMENT OF NATURAL RESOURCES IF SAID PERMITS ARE REQUIRED OF THIS PROJECT.
- STORM RUNOFF: DURING CONSTRUCTION & GRADING INDIVIDUAL LOT OWNERS WILL ALTER EXISTING TOPOGRAPHY AND SHALL BECOME RESPONSIBLE, THE LOT OWNER THEMSELVES ARE RESPONSIBLE NOT THE DEVELOPER OF THE PLAT OR THE ENGINEER OF THE PLAT FOR THE FOLLOWING:
  - INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR ENSURING POST DEVELOPMENT RUNOFF FROM THEIR SITE DOES NOT ADVERSELY AFFECT DOWNSTREAM DRAINAGE FACILITIES OR PROPERTY OWNERS.
  - INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR GRADING THEIR LOT TO CONVEY RUNOFF GENERATED FROM THEIR LOT AND RUNOFF GENERATED FROM ADJACENT LOTS IN SUCH A MANNER AS TO "NOT":
    - DAMAGE DOWN STREAM PROPERTY.
    - RESTRICT OFF SITE FLOW FROM BEING CONVEYED ACROSS THEIR LOT.
    - CHANGE THE GENERAL DIRECTION OF FLOW OF RUNOFF.
  - INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR ENSURING THEIR SITE IS GRADED TO PROTECT THEIR PRIVATE PROPERTY FROM ANY AND ALL DAMAGE FROM STORM RUNOFF GENERATED ONSITE OR OFF SITE.
  - INDIVIDUAL LOT OWNERS SHALL NOT GRADE ANY PORTION OF THEIR LOT TO CAUSE RUNOFF TO BECOME CONCENTRATED FLOW WITHOUT PROVIDING PROTECTION FOR DOWNSTREAM PROPERTY.
- RELOCATION OF ANY ENTRANCE OR UTILITY TO CONFORM TO THE REQUIREMENTS OF THIS PLAT WILL BE AT THE DEVELOPER'S EXPENSE.
- ALL MAILBOXES LOCATED IN POLK COUNTY RIGHT-OF-WAY MUST BE OF BREAKAWAY DESIGN.
- UTILITY EASEMENTS ARE DEDICATED FOR THE USE OF ANY PUBLIC UTILITY.
- SEWER SYSTEM: LATERAL FIELD AND SEPTIC TANK, ALTERNATE WASTE WATER SYSTEMS MAY BE REQUIRED.
- DUE TO SOIL TYPES, LIMITATIONS, AND DISTURBANCE, ALTERNATIVE SEPTIC SYSTEMS MAY BE REQUIRED. INDIVIDUAL WASTEWATER TREATMENT SYSTEMS SHALL BE DESIGNED BY AN ENGINEER.
- THE INDIVIDUAL OWNERS ARE RESPONSIBLE FOR MAINTENANCE OF THE DRAINAGE EASEMENT ON THEIR PROPERTY.
- DRAINAGE EASEMENT CROSSING: ANY CULVERTS TO BE USED FOR CROSSING DRAINAGE EASEMENTS MUST BE DESIGNED BY A LICENSED PROFESSIONAL ENGINEER.
- SUBSURFACE DRAINAGE FACILITIES: ANY SUBSURFACE DRAINAGE FACILITIES THAT ARE DISTURBED, MUST BE RESTORED OR REROUTED BY THE PROPERTY OWNER.
- ZONING: AGRICULTURAL
- WATER: DES MOINES WATER WORKS
- ALL SERVICES TO UTILITIES LOCATED ON THE OPPOSITE SIDE OF THE ROADWAY MUST BE BORED UNDER THE ROADWAY AT THE LOT OWNERS EXPENSE.
- LOTS A, B & C SHALL BE DEEDED TO POLK COUNTY FOR ROADWAY PURPOSES.
- ACCESS RESTRICTIONS:

POLK COUNTY 180401  
MAP 18582223P  
EFFECTIVE DATE: 02-01-2019

KENNETH P STUART  
810 NE 104TH ST  
MITCHELLVILLE, IA 50164-4664  
ZONING: ER  
ALL THAT PART OF LOTS 1-12-13 & 14 OF THE SD OF  
SEC 26 & 35-80-22 LYING E OF ROW OF C 6 SEC  
26-80-22

DONALD L BAILEY  
10541 NE 82ND AVE  
BONDURANT, IA 50035-1265  
ZONING: ER  
LOT 5 GOPHER RIDGE ESTATES

#### VICINITY SKETCH



#### CERTIFICATION

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME AND I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.  
LICENSE NUMBER: DATE: 3/2018 PAGES COVERED BY THIS SEAL: THIS PAGE ONLY

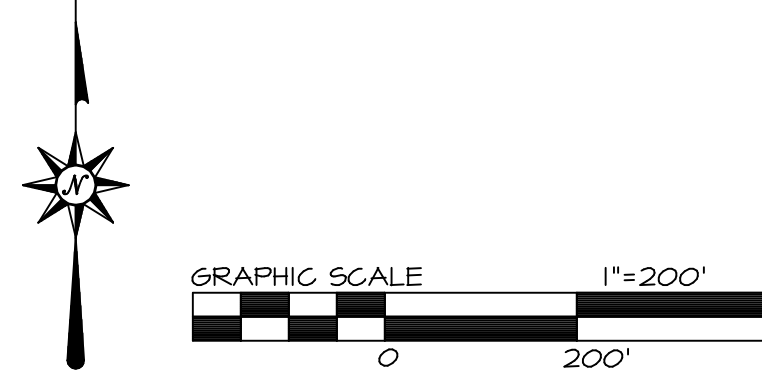
SIGNED: GREGORY L. ROSS P.L.S. 13286 DATE: \_\_\_\_\_

#### LEGEND

- |                           |                                    |                                 |                               |                             |                          |                            |                            |                          |                             |                      |                      |                         |                 |                        |                        |                        |                        |                        |                                |                            |                        |                           |                           |                           |                                |                                |                      |                           |                         |                                  |                               |                         |                       |                         |                          |                              |                       |                             |
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| ● MONUMENT FOUND AS NOTED | ○ SET 1/2" IR W/ ORANGE CAP #13286 | ▲ SECTION CORNER FOUND AS NOTED | ▲ SECTION CORNER SET AS NOTED | ○ SANITARY MANHOLE AS NOTED | ○ STORM MANHOLE AS NOTED | ○ TRAFFIC MANHOLE AS NOTED | ○ UTILITY MANHOLE AS NOTED | ○ PHONE MANHOLE AS NOTED | ○ ELECTRIC MANHOLE AS NOTED | ○ GAS METER AS NOTED | ○ GAS VALVE AS NOTED | ○ UTILITY POLE AS NOTED | ○ WELL AS NOTED | ○ FIREHYDRANT AS NOTED | ○ EXISTING WATER VALVE | ○ PROPOSED WATER VALVE | ○ CURB INTAKE AS NOTED | ○ AREA INTAKE AS NOTED | ○ HANDICAPPED PARKING AS NOTED | ○ ELECTRIC TRANSFORMER BOX | ○ UTILITY BOX AS NOTED | ○ PERK TEST SITE AS NOTED | ○ EXISTING SPOT ELEVATION | ○ PROPOSED SPOT ELEVATION | ○ MEASURED DISTANCE OR BEARING | ○ RECORDED DISTANCE OF BEARING | --- EXISTING CONTOUR | --- 100' PROPOSED CONTOUR | -X- FENCE LINE AS NOTED | -TVC- BURIED TELEVISION AS NOTED | -UE- BURIED ELECTRIC AS NOTED | -O- OVER-HEAD UTILITIES | -G- GAS MAIN AS NOTED | -W- WATER MAIN AS NOTED | -S- STORM SEWER AS NOTED | -SS- SANITARY SEWER AS NOTED | -TT- BURIED TELEPHONE | -UC- BURIED CABLE/UTILITIES |
|---------------------------|------------------------------------|---------------------------------|-------------------------------|-----------------------------|--------------------------|----------------------------|----------------------------|--------------------------|-----------------------------|----------------------|----------------------|-------------------------|-----------------|------------------------|------------------------|------------------------|------------------------|------------------------|--------------------------------|----------------------------|------------------------|---------------------------|---------------------------|---------------------------|--------------------------------|--------------------------------|----------------------|---------------------------|-------------------------|----------------------------------|-------------------------------|-------------------------|-----------------------|-------------------------|--------------------------|------------------------------|-----------------------|-----------------------------|

**ASSOCIATED ENGINEERING**  
**AEC COMPANY OF IOWA**  
1830 SE Princeton Dr. Ste M. Grimes, IA 50111  
Phone: (515) 255-3156 Fax: (515) 255-3157

PROJECT #: 206754  
FIRST SUBMITTAL DATE: 2/23/19  
REVISED 4/6/19 PER COUNTY COMMENTS DATED 3/6/19



## Attachment 'C'

### Jennifer Ellison

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**From:** Vic Piagentini <vicp@aecofiowa.com>  
**Sent:** Friday, July 23, 2021 1:27 PM  
**To:** Christopher Meeks; Jennifer Ellison  
**Cc:** dbaileycvt@gmail.com  
**Subject:** 210368 (FOX RIDGE PLAT 1) Major Preliminary Plat  
**Attachments:** 210368 (FOX RIDGE PLAT 1) Major Preliminary Plat Application.pdf; 210368A1 (FOX RIDGE PLAT 1) Major Preliminary Plat.pdf; 210368 (FOX RIDGE PLAT 1) Residential Development Calculation Worksheet....pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Attached is the first submittal of FOX RIDGE PLAT 1.

The owner is requesting a waiver of the 1320 block requirement. The owner is proposing 4 lots on 24.49 acres, more or less. The waiver is being requested for the following reasons.

1. The development calculations would allow for a total of 6 buildable lots. The cost to provide a cul-de-sac to add 2 more lots would not be cost effective for this development.
2. This area of the county has a limited supply of water. DSM Water works indicated there is enough water for the 4 proposed lots but not any more.
3. A road would not provide connectivity to adjacent parcel's. The land to the west and south are in the official plat of GOPHER RIDGE ESTATES that have already been developed as single family homes.
4. The plat as shown meets the character of the existing neighbor's lots.
5. There is a small amount of flood plane located at the rear of the site along with a bike trail that parallels the east side of the site.
6. Topographic relief has a elevation ranging from 885' at the Northwest corner of the plat to 843' at the south center side of the plat.

Thank you,

**Vic Piagentini**

#### **Associated Engineering Company of Iowa**

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Phone: (515) 255-3156  
Fax: (515) 255-3157  
Cell: (515) 201-4502