



Pagliai Compound Plat 2 – Major Preliminary Plat

- Applicant:** Christopher and Shannon Pagliai (Property Owner / Developer) represented by Terry Coady with Snyder & Associates.
- Request:** Preliminary Plat Approval of a Major Subdivision Plat
- Legal Description:** The subject property is legally described as Lot 2 in Pagliai Compound Plat 1, parts of Lots 1 and 3, Pagliai Compound Lot 1, and Parcel K of the Plat of Survey recorded in Book 8718 Page 345 being a part of the South ½ of Section 32, Township 80 North, Range 23 West, Polk County, Iowa.
- General Location:** The subject property is located on the West side of NE Berwick Drive approximately 1,000-feet North of the intersection of NE Berwick Drive and NE 70th Avenue. The current address is 7150 NE Berwick Drive (*Attachment 'A'*)
- Existing Zoning:** "AT" Agricultural Transition District
- Surrounding Zoning:**
- North:** "AT" Agricultural Transition District
 - South:** "AT" Agricultural Transition District
 - East:** "AT" Agricultural Transition District
 - West:** "AT" Agricultural Transition District and "LDR" Low Density Residential District
- Waiver Request:**
1. *Flag lots shall: (2) Have a maximum flagpole length of four hundred (400) feet. Both proposed lots will have flagpoles of greater than four hundred (400) feet.*
 2. *Flag lots shall: (3) Not exceed three (3) acres in size in areas without public sanitary sewer. Both proposed lots will exceed three (3) acres in size and will be served by on-site septic systems.*

GENERAL COMMENTS:

This preliminary plat (*Attachment 'B'*) is a re-plat of three (3) existing parcels, and proposes two (2) single-family residential lots totaling approximately 20.06-acres and zoned "AT" Agricultural Transition District. The subject property has one (1) existing home and one (1) accessory building addressed as 7150 NE Berwick Drive. Both of the proposed lots will have frontage along NE Berwick Drive. The proposed subdivision is being completed in accordance with the cluster development option meeting the minimum lot width of 140-feet in the "AT" District, and a minimum lot area of 40,000-square feet. Minimum setback requirements of 50-feet for the front and rear setback and a minimum side yard setback of 15-feet will also be maintained. Each lot has a maximum building coverage of 15%. Lot 1 is 6.44-acres in size with Lot 2 shown as 13.62-acres in size. The existing principal dwelling and accessory structure is located on the proposed Lot 1. Lot 2 will contain a development right for a new single-family residence. Each property will have 40-feet of frontage onto NE Berwick Drive, though access will come from an existing twenty (20) foot ingress/egress easement through the property addressed as 7140 NE Berwick Drive, which was established with the final plat of Pagliai Compound Plat 1.

The subject property does feature Zone AE and Zone X floodplain, and a small portion of Zone AE Floodway associated with Fourmile Creek on the far western portion of Lot 2, as identified on FEMA FIRM Map #19153C0210F. The portion of the property which is located in the floodplain and floodway would not be developable, as it is proposed to be located within a Woodland Easement and/or Drainage and Stream Buffer Easements. The site features significant elevation changes from a low point on the western edge of Lot 2 of 848-feet to a high point at NE Berwick Drive (far eastern point) of 948-feet. There is a natural drainage way that runs from the northeast corner of Lot 1 to the western edge of Lot 2. The drainage way will be preserved in a 100-foot wide Drainage & Stream Buffer Easement.

Water service will be provided by Des Moines Water Works (DMWW) via a water main located along SE Berwick Drive, and Des Moines Water Works has indicated there is sufficient water capacity for a new dwelling on the proposed Lot 2. The existing dwelling is served by an onsite septic system located west of the existing dwelling, and any new dwelling on Lot 2 will need to install an onsite septic system.

Surrounding properties on the West side of NE Berwick Drive are primarily single family dwellings, with the exception of the Woodland Heights Mobile Home Park which abuts the property to the North. Nearby properties on the East side of NE Berwick Drive are more agricultural in nature, with some residential properties near the intersection of NE Berwick Drive and NE 70th Avenue. The corporate limits of the City of Ankeny are approximately 2,000-feet West of the subject property. The corporate limits of the City of Altoona are approximately 1.7 Miles southeast of the subject property.

The proposed subdivision plat will require the following waivers for Lots 1 and 2:

- 1. Flag lots shall: (2) Have a maximum flagpole length of four hundred (400) feet. Both proposed lots will have flagpoles of greater than four hundred (400) feet.***

2. Flag lots shall: (3) Not exceed three (3) acres in size in areas without public sanitary sewer. Both proposed lots will exceed three (3) acres in size and will be served by on-site septic systems.

The Applicant has requested a waiver from this standard stating the following reasons, and the submitted letter is included as *Attachment 'C'*.

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 waivers. 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.

Staff has reviewed the layout of the proposed subdivision and the requested waivers. While the length of flagpole stems and the size of the proposed flag lots are not encouraged per the intent of flagpole standards, the proposed subdivision will correct a lack of frontage from "Parcel K", and will allow an additional residential dwelling to be constructed. The property owner has also acquired additional property, currently associated with 7150 NE Berwick Drive, eliminating the need for an additional waiver to the lot frontage requirements for a flag lot.

RECOMMENDATION:

Staff recommends approval of the Preliminary Plat of Pagliai Compound Plat 2, as well as the requested waivers to the maximum flagpole length and size of a flag-lot parcel for Lots 1 and 2.

Attachment 'A'

Pagliai Compound Plat 2
Major Preliminary Plat

PLAT INFORMATION: This subdivision plat proposes two (2) single-family residential lots on approximately 20.06 acres zoned "AT" Agricultural Transition District.

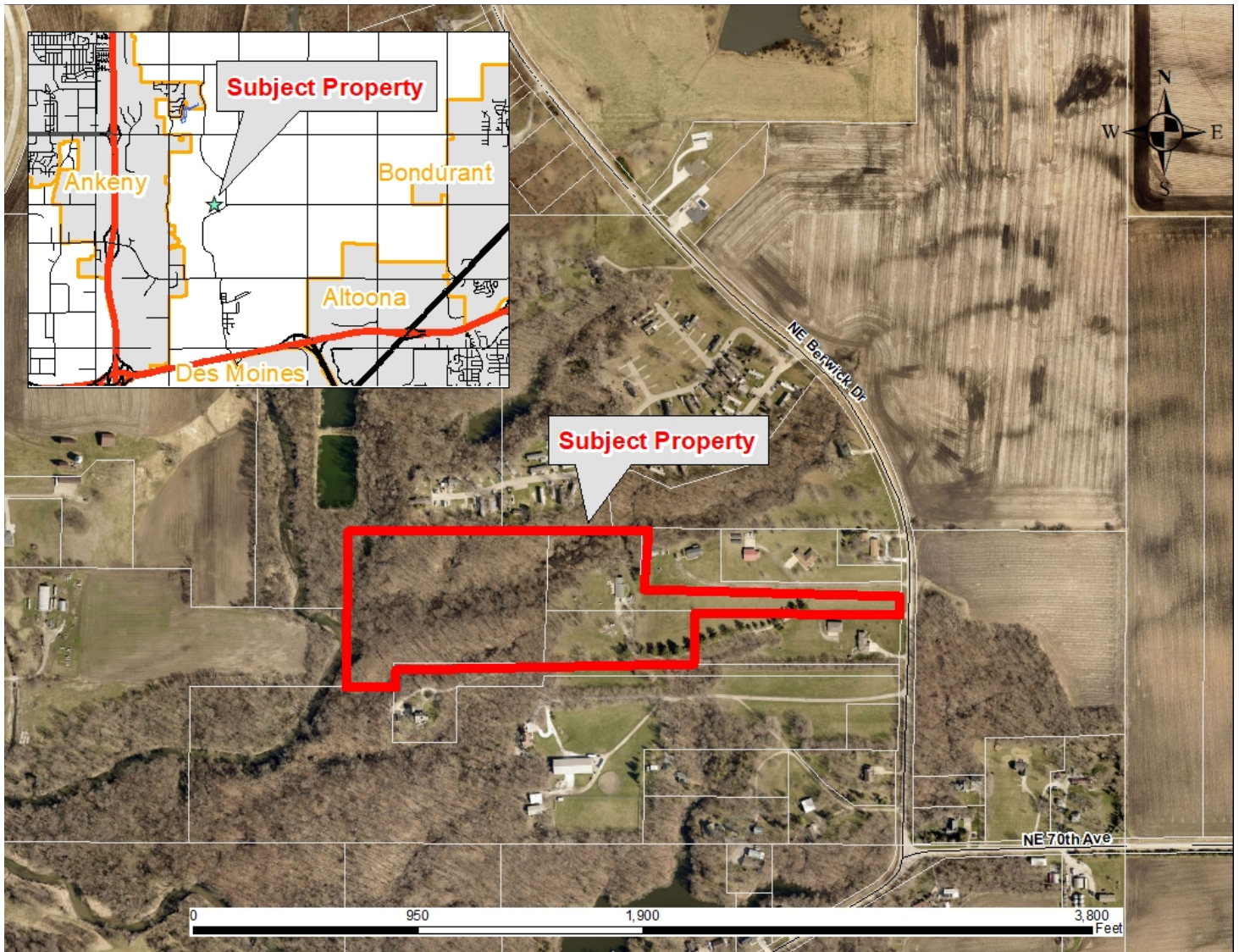
SEWER: Individual Septic Systems

WATER: Des Moines Water Works

TOWNSHIP: Douglas

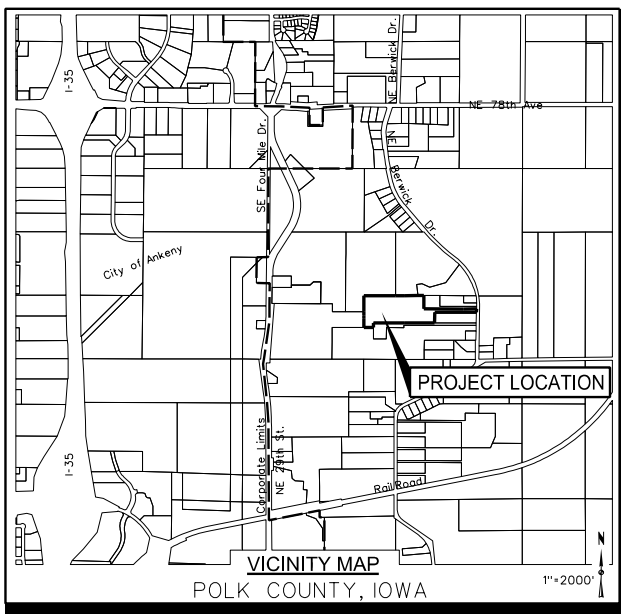
OWNER & DEVELOPER: Christopher and Shannon Pagliai

Vicinity Map:



PAGLIAI COMPOUND PLAT 2

Attachment 'B'



PLAT DESCRIPTION

LOT TWO (2) IN PAGLIAI COMPOUND PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA.

AND

LOT 1 EXCEPT THE EAST 870 FEET THEREOF, THE PAGLIAI COMPOUND PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA.

AND

PARCEL "K" OF PLAT OF SURVEY RECORDED IN BOOK 8718 AT PAGE 345, BEING PART OF THE S1/2 OF SECTION 32, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA.

AND

PARCEL NO. 2019-47 AS SHOWN IN PLAT OF SURVEY RECORDED JUNE 3, 2019, IN BOOK 17351, PAGE 280, IN THE OFFICE OF THE POLK COUNTY RECORDER, BEING PART OF LOT 1, PAGLIAI COMPOUND PLAT 1, AN OFFICIAL PLAT, POLK COUNTY, IOWA.

SUBJECT TO EASEMENTS, PLATS, COVENANTS, AND RESTRICTIONS OF RECORD.

AND

PARCEL NO. 2016-208 AS SHOWN IN PLAT OF SURVEY RECORDED DECEMBER 3, 2018, IN BOOK 17165, PAGE 879, IN THE OFFICE OF THE POLK COUNTY RECORDER, BEING A PART OF LOT 3, PAGLIAI COMPOUND PLAT 1, AN OFFICIAL PLAT, POLK COUNTY, IOWA.

SUBJECT TO EASEMENTS, PLATS, COVENANTS, AND RESTRICTIONS OF RECORD.

| | | | |
|------------|------------|----------|---------------------|
| MARK | REVISION | DATE | BY |
| Engineer | Checked By | TLC | Scale: 1" = 100' |
| Technician | Date | 04/02/21 | Field Bk: 1 of 2 |
| JDP | Date | 12/02/13 | Project No: 1210213 |

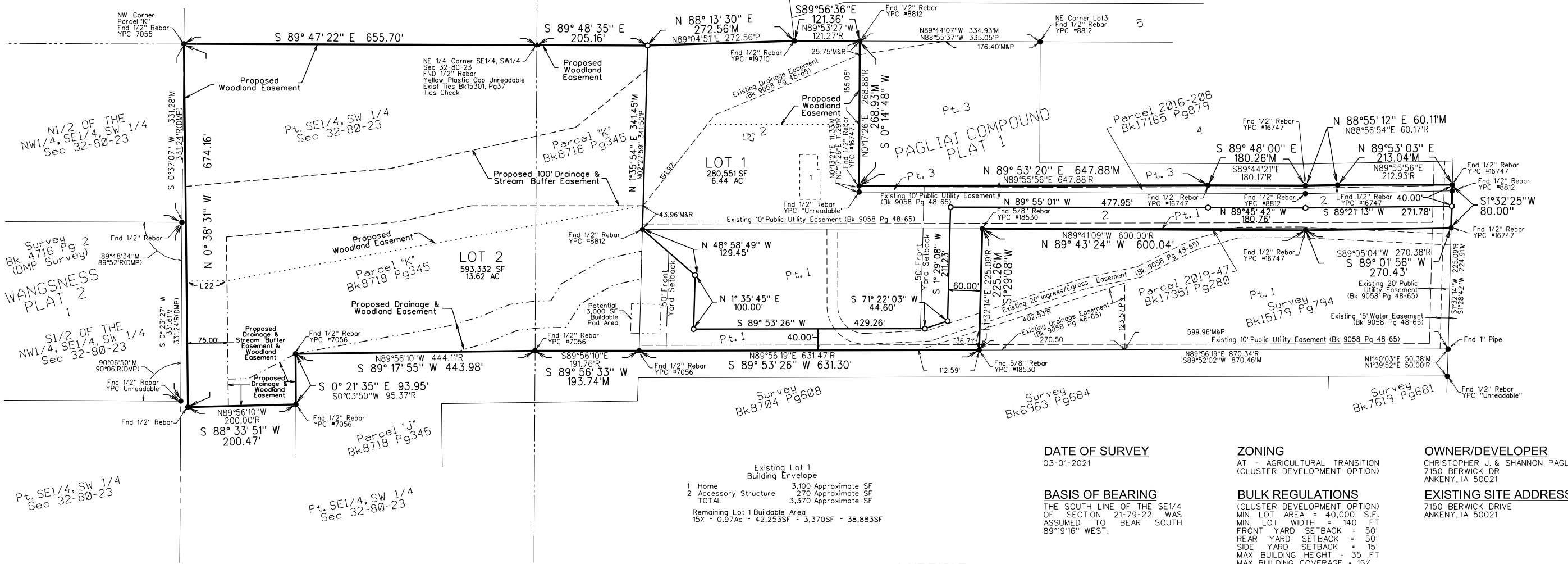
PAGLIAI COMPOUND PLAT 2

PRELIMINARY PLAT

POLK COUNTY, IOWA

2727 S.W. SNYDER BLVD.
ANKENY, IOWA 50023
515-964-2020 | www.snyder-associates.com

SNYDER & ASSOCIATES, INC.



Existing Lot 1 Building Envelope

| | |
|-----------------------|----------------------|
| 1 Home | 3,100 Approximate SF |
| 2 Accessory Structure | 270 Approximate SF |
| TOTAL | 3,370 Approximate SF |

Remaining Lot 1 Buildable Area
15% = 0.97ac = 42,253SF = 3,370SF = 38,883SF

DATE OF SURVEY
03-01-2021

BASIS OF BEARING
THE SOUTH LINE OF THE SE1/4 OF SECTION 1-21-79-22 WAS ASSUMED TO BEAR SOUTH 89°19'16" WEST.

ZONING
AT - AGRICULTURAL TRANSITION (CLUSTER DEVELOPMENT OPTION)

BULK REGULATIONS
(CLUSTER DEVELOPMENT OPTION)
MIN. LOT AREA = 40,000 S.F.
MIN. LOT WIDTH = 140 FT
FRONT YARD SETBACK = 50'
REAR YARD SETBACK = 50'
SIDE YARD SETBACK = 15'
MAX BUILDING HEIGHT = 35 FT
MAX BUILDING COVERAGE = 15%

OWNER/DEVELOPER
CHRISTOPHER J. & SHANNON PAGLIAI
7150 BERWICK DR
ANKENY, IA 50021

EXISTING SITE ADDRESS
7150 BERWICK DRIVE
ANKENY, IA 50021

POLK COUNTY GENERAL NOTES

- SOURCE OF WATER SUPPLY - DES MOINES WATER WORKS.
- STREET LIGHTS AND SIDEWALKS WILL BE THE RESPONSIBILITY OF THE LOT OWNERS IF ANNEXED INTO THE CITY OF ANKENY.
- POST DEVELOPMENT RUNOFF WILL NOT ADVERSELY AFFECT DOWNSTREAM DRAINAGE FACILITIES OR PROPERTY OWNERS.
- ALL SERVICES TO UTILITIES LOCATED ON THE OPPOSITE SIDE OF THE ROADWAY MUST BE BORED UNDER THE ROADWAY AT LOT OWNER'S EXPENSE.
- ANY SUBSURFACE DRAINAGE FACILITIES THAT ARE DISTURBED MUST BE RESTORED OR REROUTED BY THE PROPERTY OWNER.
- MAILBOXES WITHIN THE ROAD RIGHT-OF-WAY ARE TO BE OF BREAKAWAY DESIGN.
- MAINTENANCE OF ALL DRAINAGE AND STREAM BUFFER EASEMENTS TO BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
- CULVERTS TO BE USED FOR CROSSING DRAINAGE EASEMENTS MUST BE DESIGNED BY A LICENSED PROFESSIONAL ENGINEER. ANY NEW ENTRANCES OR MODIFICATIONS TO EXISTING ENTRANCES WILL REQUIRE A POLK COUNTY ENTRANCE PERMIT.
- ANY WORK IN THE RIGHT-OF-WAY OTHER THAN FOR AN ENTRANCE SHALL REQUIRE A POLK COUNTY ROW GRANT PERMIT.
- SEWAGE DISPOSAL WILL BE VIA ON-SITE SEPTIC SYSTEMS TO BE DESIGNED BY A PROFESSIONAL ENGINEER. ALTERNATIVE SYSTEMS MAY BE REQUIRED DUE TO SOIL TYPES, LIMITATIONS AND DISTURBANCE.
- MATURE WOODLANDS EASEMENT IS AN AREA DESIGNATED TO BE 75% PROTECTED AND UNDISTURBED, PER POLK COUNTY ZONING ORDINANCE, ARTICLE 7, SECTION 4 NATURAL RESOURCE PROTECTION, WOODLANDS. THE RESOURCE CALCULATION FOR THIS SUBDIVISION PLAT CONTAINS 13.40 ACRES OF MATURE WOODLANDS WITHIN LOTS 1 AND 2. THE 75% PROTECTED AREA REQUIRED FOR MATURE WOODLANDS ON THIS SITE EQUALS 10.05 ACRES OF MATURE WOODLANDS BEING PROTECTED AND IS SHOWN ON SURVEY.

FLOOD HAZARD

THE PROPERTY SHOWN IS LOCATED WITHIN AN AREAS HAVING ZONE DESIGNATIONS OF "X" - (NO SHADING) AREA MINIMAL FLOOD HAZARD.

"X" - (SHADING) 0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE

"AE" - SPECIAL FLOOD HAZARD AREAS WITH BASE FLOOD ELEVATION

"AH" - (HATCHED) SPECIAL FLOOD HAZARD AREA REGULATORY FLOODWAY

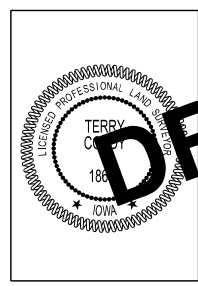
AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 19153C0210F WITH EFFECTIVE DATE OF FEBRUARY 01, 2019.

LINE TABLE

| | | |
|-----|-------------|---------|
| L1 | N79°42'39"E | 288.72' |
| L2 | N73°24'29"E | 60.08' |
| L3 | N67°45'57"E | 60.88' |
| L4 | N82°50'11"E | 48.45' |
| L5 | N88°39'23"E | 27.68' |
| L6 | N32°29'38"E | 37.48' |
| L7 | N60°02'44"E | 89.44' |
| L8 | N77°18'09"E | 73.24' |
| L9 | S1°35'11"W | 51.60' |
| L10 | S77°18'09"W | 52.93' |
| L11 | S60°02'44"W | 69.59' |
| L12 | S32°29'38"W | 51.90' |
| L13 | S88°39'23"W | 51.82' |
| L14 | S82°50'11"W | 39.30' |
| L15 | S67°45'57"W | 56.73' |
| L16 | S73°24'29"W | 62.54' |
| L17 | S89°17'55"W | 298.38' |
| L18 | N0°38'31"W | 50.00' |
| L19 | N88°33'51"E | 37.85' |
| L20 | N62°12'38"E | 98.97' |
| L21 | S88°33'51"W | 125.46' |
| L22 | S89°21'29"W | 75.00' |

LEGEND

| Survey | Found | Set |
|--|-------|-----|
| Section Corner | ▲ | △ |
| 1/2" Rebar, Yellow Plastic Cap #18643 (Unless Otherwise Noted) | ● | ○ |
| ROW Marker | ■ | □ |
| ROW Rail | ○ | ○ |
| Control Point | ○ | ○ |
| Bench Mark | ○ | ○ |
| Platted Distance | — | — |
| Measured Bearing & Distance | — | — |
| Recorded As | — | — |
| Deed Distance | — | — |
| Calculated Distance | — | — |
| Yellow Plastic Cap | — | — |
| Centerline | — | — |
| Section Line | — | — |
| 1/4 Section Line | — | — |
| 1/4 1/4 Section Line | — | — |
| Easement Line | — | — |



I hereby certify that this land surveying document was prepared and the related work was performed by me or I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Terry J. Snyder, Date

License Number 18643
My License Renewal Date Is December 31, 2021

Pages or sheets covered by this seal:
Sheets 1 & 2 of 2

Project No: 1210213

Sheet 1 of 2



May 18, 2021

Polk County Zoning Commission
5885 NE 14th Street
Des Moines, IA 50313

RE: PAGLIAI COMPOUND PLAT 2
POLK COUNTY, IOWA
S&A PROJECT NO. 121.0213

Dear Members of the Zoning Commission:

On behalf of the property owners Christopher J. & Shannon Pagliai we are requesting that the Commission grant two waivers regarding a Flag Lot as identified in Polk County Subdivision Ordinance, Article 5, Section 19 (J). Item (J)(2.) states that the maximum flagpole length for a flag lot is 400 feet and item (J)(3) states that a Flag Lot not to exceed 3 acres in size in areas without public sanitary sewer. On behalf of the property owners we are requesting that these two requirements be waived for Pagliai Compound Plat 2 for the following reasons.

1. The Chris and Shannon acquired their home at 7150 NE Berwick Drive (Lot 2 of Pagliai Compound Plat 1) on February 14, 2003.
2. There is an existing tax parcel identified as District Tax Parcel 200/22456-009-000 which lies west of their existing home. This parcel is described as Parcel "K" (being 11.60 acres) recorded on February 27, 2001 in book 8718 page 354. This property currently has no access to public roadway. Parcel "K" lies approximately 1,500 feet west of NE Berwick Drive. The most economical way to provide access is through the Pagliai's property. In order to provide this access, Polk County Subdivision Ordinance requires that each parcel must have a minimum of 40 foot of frontage along a public roadway.
3. Therefore, the Pagliai's purchased Parcel "K" and purchased enough property from the existing property lying north and south of the Pagliai's flag pole portion of their property so that there would be a total of 80 feet wide flagpole owned by the Pagliai's. This would allow 40 feet frontage for their current home and 40 feet of frontage to be used by Parcel "K" as required by Polk County Ordinance. However, in order to combine all these parcel and provide the frontage needed for Parcel "K" access, a subdivision plat would be needed.
4. The proposed subdivision of Pagliai Compound Plat 2 is creating two lots and both lots are considered to be Flag Lots. One Flag Lot (Lot 1) would be designated for their existing home and the second Flag Lot (Lot 2) would be designated for the area referred to as Parcel "K". Due to the circumstance of Parcel "K" location without having public access, we are requesting the waiver of the flag pole length for Lot 1 and Lot 2 to allow access to Parcel "K". Also we are requesting a waiver of the lot size for each Flag Lot (Lot 1 and Lot 2) for Pagliai Compound Plat 2 because of the existing size of each parcel.

Thank you for your consideration of this request.

Sincerely,
SNYDER & ASSOCIATES, INC.

A handwritten signature in blue ink that reads 'Terry Coady'.

Terry Coady, PLS
Enclosure

cc: Chris Pagliai, Owner