



**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 96<sup>th</sup> 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 96<sup>th</sup> 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 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 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-foot north of the intersection of NE 96<sup>th</sup> Street and NE 27<sup>th</sup> Avenue, within the NW ¼ of Section 27, Beaver Township.

**SEWER:** Individual Septic Systems

**WATER:** Des Moines Water Works

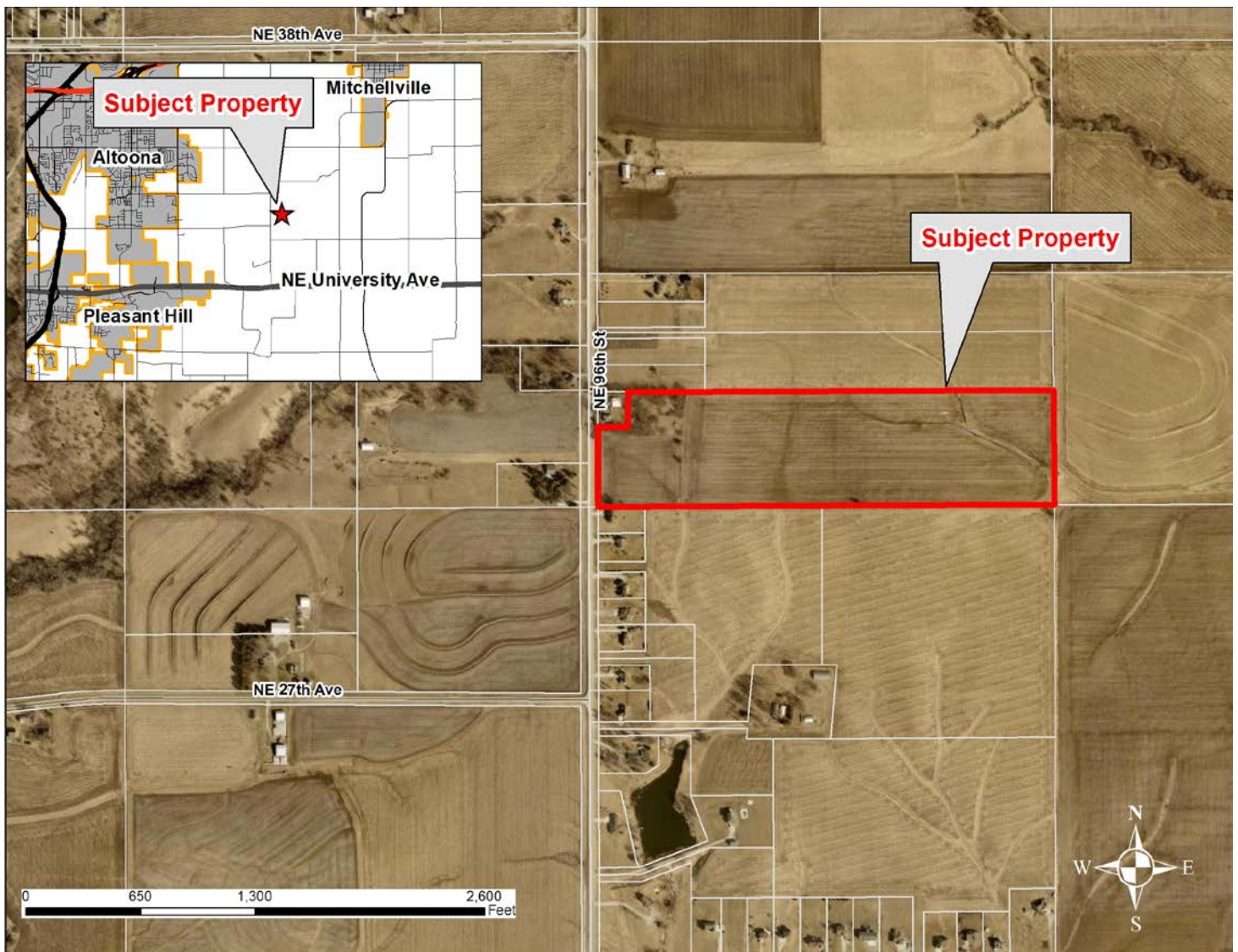
**TOWNSHIP:** Beaver

**OWNER & DEVELOPER:**

Verna H. Bowie (Owner)

James Maxwell (Developer)

**Vicinity Map:**



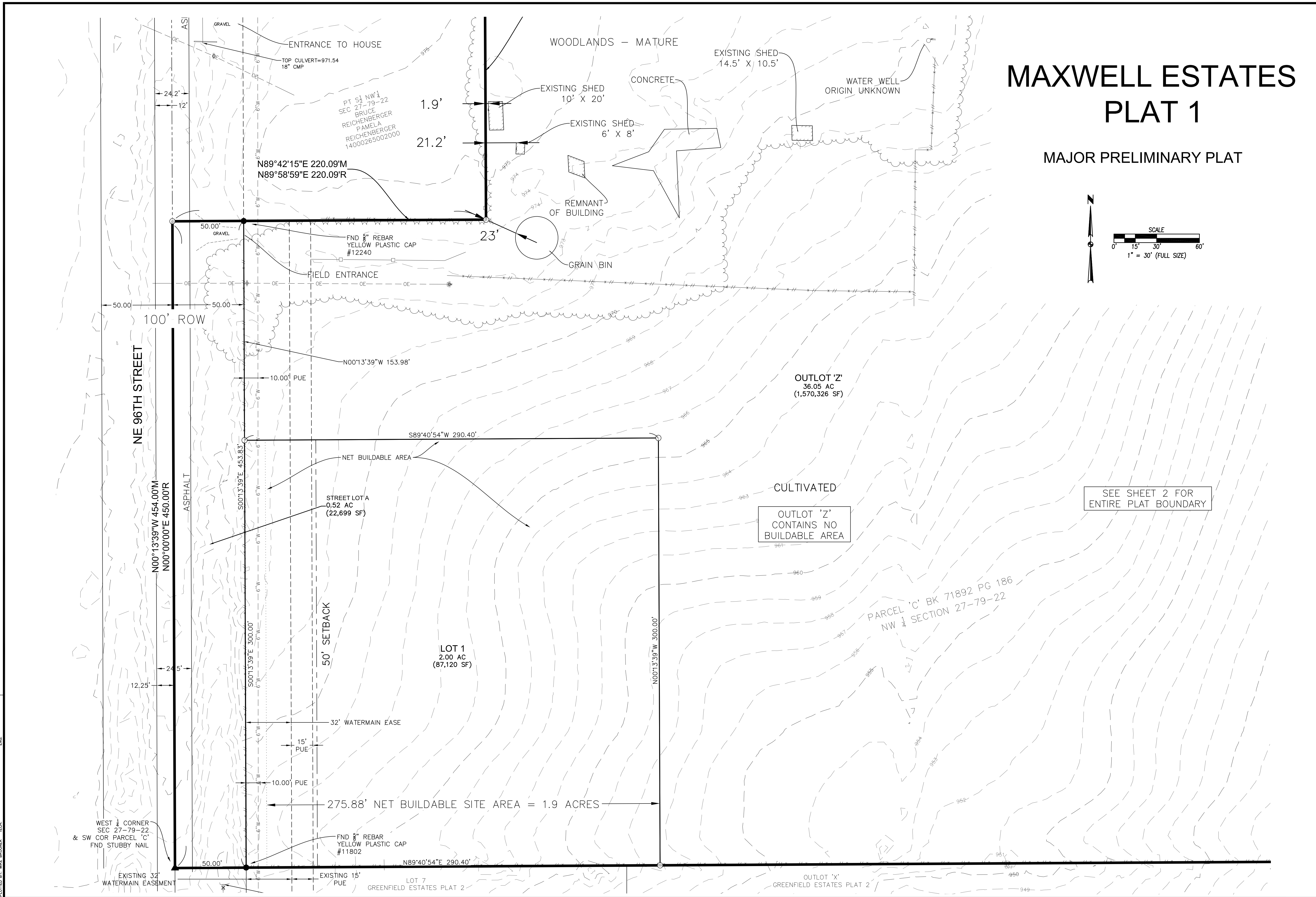






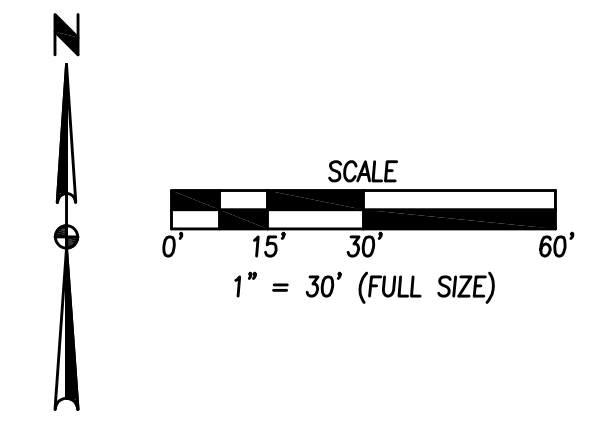


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 DATE: 8/17/2022 11:13 AM  
 PLOTTED BY: MIKE BROOKER  
 COMMENT:  
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# MAXWELL ESTATES PLAT 1

MAJOR PRELIMINARY PLAT



SEE SHEET 2 FOR  
ENTIRE PLAT BOUNDARY

	DATE	
	REVISIONS	
	TECH:	REVIEW:
	ENGINEER:	
<b>MAXWELL ESTATES PLAT 1</b> <b>MAJOR PRELIMINARY PLAT</b>		
CIVIL DESIGN ADVANTAGE POLK COUNTY, IOWA		
4121 NW URBANDALE DRIVE URBANDALE, IA 50322 PHONE: (515) 369-4400 FAX: (515) 369-4410		
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