Thomsen Estates – Preliminary Plat

Applicant:
Matteson A. Thomsen (Owner), represented by Tharen Helgerson with Nilles Associates, Inc.

Request:
Preliminary plat approval of a major subdivision plat

Legal Description:
The subject property is located in the Part of the NE ¼ NW ¼ of Section 27, of Elkhart Township. Said parcel contains 28.15 acres+.

General Location:
The property is located approximately ¼ mile east of the NE 46th Street and NE 134th Avenue intersection. The property has the following Geoparcel# of 8123-27-126-001. (Attachment ‘A’)

Existing Zoning:   “ER” Estate Residential District

Surrounding Zoning:
North:   "AG" Agricultural District
East:    "ER" Estate Residential District
South:   "AG" Agricultural District
West:    "ER" Estate Residential District

Waiver Request:
•  Access for more than one (1) building lot shall not access on a gravel roadway.
•  Allowance of a residential block longer than 1,320-feet.
See Attachment ‘B’ for submitted waiver requests.

GENERAL COMMENTS:

This preliminary plat (Attachment ‘C’) proposes two (2) single-family residential lots and one (1) outlot on approximately 28.15-acres. The property is zoned "ER" Estate Residential District and is being developed utilizing the Standard Development Option. The subject property has approximately 933 feet of frontage along NE 134th Avenue that is a local two-lane gravel road maintained by Polk County. NE 134th Avenue terminates approximately ½ mile east of the subject properties eastern boundary. The property extends to the south approximately 1,318-
feet. Lot 1 of the proposed subdivision plat has an approximately 623-foot frontage along NE 134\textsuperscript{th} Avenue and a 20.48-acre lot size. Lot 2 has a 310-foot frontage along NE 134\textsuperscript{th} Avenue creating a 3.89-acre rectangular parcel. Adjacent to the south of Lot 2 is a proposed Outlot 2A that the developer intends to retain with Lot 2.

A waiver is being requested from the \textit{Polk County Subdivision Ordinance, Subdivision Plat Design Standards, Section 2 Access, (A) (3)}. This requirement states the following:

\begin{quote}
Access for more than one (1) building lot shall not access on a gravel roadway. If development for more than one (1) lot is proposed on existing gravel roadway, improvements across the frontage of the development to make the road hard surfaced shall be provided by the developer.
\end{quote}

The waiver is to the limitation of one (1) access onto a gravel road. Both of the proposed lots are planned to have access onto NE 134\textsuperscript{th} Avenue. The waiver is also being requested for the block length. A layout of the proposed development is included as Attachment ‘C’. The subject property is located adjacent to the southeast of the City of Elkhart Corporate Limits.

The topography of the site varies significantly with a high point of 947-feet identified throughout the southwestern portions of the property. The low point is 895-feet located along the defined floodplain boundary of the drainageway that meanders through the property. The subject property is located within the Zone A Special Flood Hazard Area. Significant tree cover exists along the floodplain and generally throughout the property. Future improvements to the property is subject to Article 7, Section 4, “Natural Resource Protection, Woodlands” of the Polk County Zoning Ordinance, which would require a maximum of 75 percent of the existing mature woodlands to be preserved and 50 percent of existing young woodlands to be preserved or mitigation on the property. Water service is provided by Des Moines Water Works. Sewer service is not available and individual wastewater systems will be required.

\textbf{STAFF REVIEW:}

Staff has reviewed this plat for compliance with the Polk County Zoning and Subdivision Ordinances as a major subdivision plat submittal. The current Zoning Ordinance allows one single family home to have access onto a gravel road. The addition of a second lot and two single family homes would trigger the requirement for an existing gravel roadway to be improved by the developer therefore making the road hard surfaced. Polk County does not plan to improve this roadway in the future. The plat is proposing two lots that will take access onto NE 134\textsuperscript{th} Avenue and would appear to have minimal impact on the roadway. The surrounding properties to the north of the subject property are zoned “AG” Agricultural District and have limited development potential in the future within Unincorporated Polk County. Six (6) single-family homes currently take access onto NE 134\textsuperscript{th} Avenue between the intersection of NE 46\textsuperscript{th} Street and NE 134\textsuperscript{th} Avenue and the terminus of NE 134\textsuperscript{th} Avenue. The limited future use of the gravel road due to the termination of the street and that Polk County does not plan to improve or extend support the requested waiver. The topography of the subject property and adjacent properties, along with the drainageways in this area, would restrict the extension of connecting residential streets to meet the block length requirement.
Lot density, dimensions, frontage, access, and 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.

This plat is within the two-mile extraterritorial review jurisdiction of the City of Elkhart, and the jurisdiction may choose to waive their review or review this subdivision through their processes. Staff notified the City of Elkhart of the preliminary plat submittal, but have not received comments to date.

**RECOMMENDATION:**
Staff recommends approval of the Preliminary Plat of Thomsen Estates as well as the requested waiver from the requirement to construct hard surface improvements to a gravel road if a development of more than one (1) lot is proposed on an existing gravel roadway and the waiver from the block length requirement.
Thomsen Estates
Preliminary Plat

PLAT INFORMATION: This major preliminary subdivision plat proposes two (2) single-family residential lots, one (1) outlot, and one (1) street lot on 28.15 acres of land zoned “ER” Estate Residential District.

SEWER: Individual septic systems

TOWNSHIP: Elkhart

WATER: Des Moines Water Works

OWNER/DEVELOPER: Matteson A. Thomsen

Vicinity Map:
November 26, 2019

Polk County Zoning Commission
Polk County Planning Division
5885 NE 14th Street
Des Moines, Iowa 50313

RE: Thomsen Estates – Preliminary Plat Submittal

Honorable Members of the Zoning Commission:

On behalf of Ms. Thomsen, we are requesting the Zoning Commission to waive the following requirement for a major subdivision:

**Polk County Subdivision Ordinance, Article 5 Subdivision Plat Design Standards, Section 18. Blocks (A):**

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.

The purpose of this subdivision is to create 2 buildable lots that will have adequate existing street frontage. We feel that the block length requirement is not necessary given the location of the property on a dead-end road, the existing terrain of the property and the lack of future development potential in the area.

If you should have any questions or require any additional information, please feel free to contact me to discuss such items further. Thank you very much for your time and consideration.

Sincerely,

Tharen J. Helgerson, PLS

NILLES ASSOCIATES, INC.

Phone: 515-418-7250
Email: tharen@nillesinc.com
November 26, 2019

Polk County Zoning Commission
Polk County Planning Division
5885 NE 14th Street
Des Moines, Iowa 50313

RE: Thomsen Estates – Preliminary Plat Submittal

Honorable Members of the Zoning Commission:

On behalf of Ms. Thomsen, we are requesting the Zoning Commission to waive the following requirement for a major subdivision:

*Polk County Subdivision Ordinance, Subdivision Plat Design Standards, Section 2. Access, (A)(3), Access for more than one (1) building lot shall not access on a gravel roadway. If development for more than one (1) lot is proposed on existing gravel roadway, improvements across the frontage of the development to make the road hard surfaced shall be provided by the developer.*

The purpose of this subdivision is to create 2 buildable lots that will have adequate existing street frontage. We feel that improving the street to make it hard surfaced is not necessary given the location of the property on a dead end road, the existing terrain of the property and the lack of future development potential in the area.

If you should have any questions or require any additional information, please feel free to contact me to discuss such items further. Thank you very much for your time and consideration.

Sincerely,

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