

**COUNCIL ACTION FORM**

**REQUEST: PRELIMINARY PLAT FOR BIRCH MEADOWS SUBDIVISION**

**BACKGROUND:**

D&R Furman LLC is the property owner of 5871 Ontario Street and requests approval of a Preliminary Plat for a major subdivision of a 33.57 acre site. The property is located on the north side of Ontario, and South of the Union Pacific Railroad Line. The City Council approved a rezoning request from Agricultural (A) zoning to Suburban Residential Low Density (FS-RL) with a Master Plan on July 26, 2016. (*See Attachment B – Master Plan*).

The proposed Preliminary Plat is a layout of 74 single-family home lots (*See Attachment C*) The Preliminary Plat includes three Outlots for open space. The design includes the construction of six public streets, four of them as extensions of existing public streets from the east and two new public streets traversing the site from north to south. The frontage of Ontario Street must be improved as part of the subdivision frontage of the project and this includes extension of the existing sidewalk, street, and utilities.

**The developer has requested that the City Council approve a Waiver of street improvements for the partial extension of Ontario Street (Attachment E).** The findings to waive a subdivision requirement of Chapter 23 are found in 23.103(1) and are included as part of Attachment D. City Council would need to find that the requirement poses an extraordinary hardship or proves to be inconsistent with the purpose of the regulations due to topography or other conditions. **Staff does not believe there is evidence to make the waiver finding as the extension of the street is a required improvement consistent with purpose of Code to extend infrastructure at the time of development and to match existing patterns and meet the future needs of the City.**

**The developer also desires to enter into a development agreement for cost sharing on the extension of the current 16-inch water main that is within Ontario Street.** The site is within Southwest I Allowable Growth Area and the developer can request City Council agree to pay for the costs of oversizing of a standard 8-inch main to the required 16-inch main. Such an agreement would be part of the consideration of a final plat approval.

Staff recommends that the installation of the 16-inch water line west of Oregon Avenue be deferred until such time as it can be connected to another water service line to allow for adequate turnover of water quality. Deferring the installation would allow the developer to give financial security to the City for its future installation. The City would

then be responsible for completion of the improvement at a future date.

The proposed 74 single-family home lots will be accessed from Oregon Avenue, Tennessee Street, Maryland Street, Missouri Street, Kansas Drive and Ohio Street. No access will be allowed directly to Ontario Street. There is one access point proposed from Ontario Street leading into the subdivision. The developer located Oregon Avenue within the subdivision layout in response to staff's comments about ensuring there is a matching lot orientation to the existing homes to the east and for block spacing requirements of FS-RL zoning. The extension of Missouri Street has exceeded the overall block length limitation of 660 feet and requires the installation of a sidewalk leading from Missouri Street south to Ontario Street. This satisfies a zoning requirement for a mid-block connection to the rest of the subdivision leading south to Ontario Street.

The lots are generally consistent in size with larger lots located along the perimeter of the subdivision and smaller lots in the center. The lots range in size between .16 and .55 acres. All lots meet minimum size requirements and frontage requirements for the FS-RL zoning district. There is one through lot proposed (Lot 37) due to the presence of Ontario Street as a Minor Arterial Street. The majority of lots are configured with lots across from another lot with a handful of lots oriented perpendicular (Lots 34, 35 and 36) to the side streets off of the newly constructed Oregon Avenue.

There are three Outlots in the proposed subdivision, which total 8.05 acres. The Outlots will function as open space, storm water system and detention, and utility easement areas, with Outlot C being devoted solely to open space. Additionally, there will be a path connection from Outlot B to Missouri Street along a property line with a storm sewer easement to create a pedestrian access from Missouri Street south to Ontario Street. The west boundary of the site is also subject to a 100 foot stream buffer requirement as part of the storm water management plan. This area is part of a common open space area within Outlot A.

The rezoning of the site in July 2016, included a Master Plan (*See Attachment B - Master Plan*) defining the general arrangement of uses and conditions for development of the site. The Preliminary Plat must be found to conform to the Master Plan land use descriptions. Staff finds that the Preliminary Plat is consistent with the approved Master Plan proposed layout due to the arrangement of development and conservation areas within the proposed subdivision. Additionally, the project meets the minimum density requirement at 3.75 units per acre with development of between 70 and 80 single family homes and a minimum of 10% of the site as required open space.

The Planning & Zoning Commission held a public hearing on the Birch Meadows Preliminary Plat at its September 21st meeting. The commission voted 6-0 to recommend approval of the preliminary plat to City Council.

## **ALTERNATIVES:**

1. The City Council can approve the preliminary plat for Birch Meadows Subdivision with the following conditions:
  - A. Modify the improvement plans to have the water line extension transition from within the paved area of Ontario to the parking area of the ROW, rather than below the paving of the Ontario extension.
  - B. Prior to final plat of the final addition of the subdivision, provide to the City cash-in-escrow for the costs of the water line extension from the termination of the line at Oregon Avenue. The costs for the extension shall be to the specifications of the City and as estimated by the Public Works Director.
  - C. Direct staff to prepare a development agreement for City Council consideration at the time of final plat approval that identifies the financial obligation for the City to pay for the cost of oversizing the 8" water line to a 16" water line from Oregon Avenue to the west property. (The agreement will reduce the Developers obligation under item B.)
  - D. Deny the request for a waiver of the Ontario Street extension to the west property line of the subdivision. *(Thereby requiring full street improvements to west property line to match current conditions)*
2. The City Council can approve the preliminary plat for Birch Meadows Subdivision with design requirements constructed to existing City specifications and conditions A, B, and C and grant the waiver of street improvement requirements to allow for minimum waiver of requirements that the street taper end at the west property line, rather than start the taper at the west property line, to the specifications of the Public Works Director. *(Note that the developer has requested a waiver of the street extension from Oregon Avenue with a taper beginning at Oregon Avenue and ending approximately 300 feet short of the west property line, this is a greater waiver request than described within this alternative because the Traffic Engineer does not support a taper at the intersection.)*
3. The City Council can deny the preliminary plat for Birch Meadows Subdivision, if the Council determines the design does not meet the standards of the Municipal Code.
4. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

## **MANAGERS RECOMMENDED ACTION:**

The proposed single-family lot layout integrates with the existing single-family homes to the east with its alignment of streets and orientation of lots. Although extended block lengths and a through lot are not desirable to the City, staff finds the proposed single-family home lot layout acceptable due to the existing circumstances and proposed pedestrian connections. The general concern for the through lot is the lack of planned buffering and landscaping along the backside of the lot and the potential effect on livability. However, the proposed lot is large enough to allow for homeowners to decoratively landscape and fence the rear property line if they desire. It also follows the pattern of homes that exist to the east of the site.

The utilities to serve the site must be extended from the abutting development to the east. A 16-inch water line is needed for future system needs and to create a looped water system out to County Line Road further to the west. The developer's project on its own would need only an 8-inch line and the 16-inch line could be classified as oversizing that the City may share in the costs of per the LUPP policy for the Southwest I Allowable Growth Area. The improvement would be deferred until a later date and, therefore, cash in escrow should be accepted from the developer for the City to complete the project at a future, but undetermined date.

The Ontario Street extension is requirement of the Subdivision Code that streets are extended at the time of development and that they match existing conditions and meet future needs as well. Ontario Street is a Minor Arterial that necessitates the extension of the lane along the developer's frontage to match existing conditions and to be consistent with past practices and Subdivision standards. A painted taper would then be applied to the fully extended street to transition traffic to the remaining two lane section that continues west. The developer seeks a Waiver believing the full improvement is not needed and the conditions to the west of their property will delay any future extension. However, staff does not believe the findings for a Waiver can be made as the Ontario Street extension is consistent with purpose of the Code to meet public facility needs and there is no financial hardship attributable to the required improvement.

**Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1 which is to approve the Preliminary Plat for Birch Meadows Subdivision with the conditions, but to deny the waiver for extension of Ontario Street.**

## ADDENDUM

**Project Description.** The Preliminary Plat of “Birch Meadows Subdivision” includes 74 single family lots for development, (public street right-of-way to be dedicated to the City) and, three Outlots (Outlots A, B, C,). Outlot A (4.47 acres) is to be used as public open space and includes a storm water feature. Outlot B (3.33 acres) is indicated as an open space with a sidewalk encircling a stormwater feature and leading to the north perimeter of the lot and Outlot C (.25 acres) is shown as open space at the point where Kansas Drive and Ohio Street meet. *(See Attachment C - Preliminary Plat)*

The main access for the development is Ontario Street will intersect with the new Oregon Avenue. The proposed Plat includes the construction of Oregon Avenue, which provides direct access to three single-family lots as well as access directly to Ontario Street. Oregon Avenue is designed to allow for a north to south roadway without causing the current homes along existing east to west streets to become unintended corner lots. The remaining 71 lots will gain frontage and driveway access from Ohio Street and extensions of Kansas Drive, Missouri Street, Maryland Street and Tennessee Street from the east into the proposed development.

The proposed subdivision contains one double frontage through lot, which is located between Tennessee Street and Ontario Street. The double frontage lot can be justified in this instance as Ontario Street is a minor arterial and as such Sec. 23.401(3)(b) allows for a reverse or double frontage style lot to separate residential development or to overcome specific challenges with regard to topography. Given the current layout of nearby streets and existing development to the east of the current site staff deemed the double frontage lot along Tennessee Street as acceptable to provide for the most logical subdivision design as well as limiting additional double frontage lots to the west.

**Density.** The total development area of the subdivision is 19.06 acres with lots that range in size from .16 acres to .55 acres. Density calculations have been based on net area consistent with the allowance for the FS-RL zone, by subtracting out of the gross lot area the total area to be held as Outlots and land in the subdivision that will be dedicated to the city as public street right-of-way for the proposed streets. With a total net area of 19.06 acres the net density of 74 proposed single family homes is 3.78 dwelling units per net acre. This meets the minimum required net density of 3.75 dwelling units per net acre of the FS-RL Zone.

**Public Improvements.** The internal streets are all public and designed to the City’s local street requirements for a 26-foot paved street section within a 55-foot right-of-way. **The Ontario Street frontage of the site is not improved to City standards and requires improvements as part of the project.** Ontario Street will be improved to a three lane design extending from the east property line of the proposed subdivision to the west property line abutting Ontario Street. The three lane extension matches the improvements to the east and follows City standards for matching the design of abutting infrastructure and extending it through a developed site to meet the requirement for public improvements at the time of subdivision.

The design of the site does not require a specific turn lane configuration for the Oregon intersection. The proposed Ontario Street improvements are adequate to meet transportation needs of the subdivision and the pass by traffic along the frontage. The sidewalk will also be extended along the full frontage of the site and connect to the pathway that extends through and within Outlot B that is located along Ontario Street.

The developer is requesting a waiver (*See Attachment E*) to the street construction design requirements in requesting a reduction of the street pavement width after the Oregon Avenue intersection. Currently the requirement is to extend a full 3 lane width of pavement to the west property line of the site with only a striping taper prior to reaching the west end of the required paving so as to guide traffic in line with the two lane section of Ontario to the west. The developer desires to begin a full hard surface taper immediately after the Oregon Avenue intersection to the west which would allow the pavement width to narrow well before the western edge of the site. **The City Traffic Engineer does not desire a reduction in roadway width immediately at the Oregon Avenue intersection but instead if approved desires for it to begin further to the west which would end the taper at the west property line.**

**Water.** An existing 16-inch water main connection is located at the south east corner of the site along Ontario Street. The 16-inch water main will be required to be extended fully to the west property line of the site to meet City standards of matching and extending existing infrastructure through new development. The 16-inch main reflects the intent to extend this major line to the west for eventual looping of the line to the south to interconnect this area of the City.

Due to concerns about a long extended dead end run of a 16-inch line and the effects on water quality, the developer and City staff recommend that the extension west of Oregon Avenue be deferred for installation. The 16-inch line would be installed from the existing 16-inch portion along Ontario to the Oregon intersection to properly serve subdivision whereby it would cease continuing west. The reason for this request is to eliminate a dead end on the water main which can lead to poor water quality. A dead end would occur at this time of the line is extended due to lack of additional connection to the west of the site.

The developer has requested cost sharing for the oversizing cost difference between an 8-inch line and the required 16-inch. The developer would be required to place the cost equal to 8-inches of the water main in escrow with the City. The additional 8-inches would be paid for by the City upon such time as the 16 inch main is necessary to be installed extending to the west property line of the site.

**Sanitary Sewer.** A sanitary sewer main connection is available at the south east end of the proposed plat along Ontario Street which will provide sanitary sewer service to the entire development. The City has concluded that sanitary sewer capacity is available to serve the proposed subdivision.

**Transit.** Cy Ride currently has a bus turnaround location at the intersection of Ontario Street and California Avenue which is located east of this site approximately 700 feet from the proposed intersection with Oregon Avenue. Cy Ride currently has no plans to extend service beyond that point. As such this subdivision will not have direct Cy Ride service from within the subdivision. Pedestrian access to the California Drive Cy Ride stop is available from the proposed subdivision site.

**Street Trees.** A street tree planting plan has been submitted that includes street trees planted along all proposed streets within the development. No trees are proposed along the Ontario Street frontage. Chapter 23 of the Municipal Code, requires street trees for residential subdivisions along both sides of the street within a subdivision at a spacing of 30-50 feet on center to allow for the growth of the tree canopy, however, adjusted spacing is permitted by the code for obstructions in the right-of-way including driveway locations, underground utilities, and the location of street lights. Adequate spacing is available in most areas for street tree planting on the proposed plat.

**Sidewalks & Pedestrian Trails** Sidewalks are proposed on both sides of all proposed streets as well as a sidewalk along Ontario Street that can be accessed from the north at two separate locations connecting to the rest of the sidewalk network of the development. Missouri Street exceeds the 660 foot maximum for block length between Ohio Avenue and Oregon Avenue per Municipal Code requirements in 23.403. A sidewalk extending from Missouri Street south to Ontario Street within a 7' pedestrian easement along lot lines as proposed satisfies the requirement for a mid-block pedestrian connection in the event that a block length exceeds 660 feet, thus allowing for the current block length of Missouri Street to comply.

**Open Space and Pedestrian Connections.** Open Space areas are proposed by the applicant for the subdivision with the creation of the three Outlots for a total of 8.05 acres of open space proposed for the development. The FS zoning requires that 10% of the gross development area be designated as common open space which is intended for usable outdoor area for the residents of the development. Outlot A will feature open space for use by residents of the development. Outlot B contains sidewalk throughout the lot and encircling a water detention feature. Outlot C will feature usable open space for residents of the development. Staff would consider Outlots A, B and C as usable open space for the development for a total of 8.05 acres or 23.98% of the gross area of the development which meets the minimum requirement.

A residential sidewalk is planned for the area along the property lines of Lot 29, 30, 44, 45, 53 and 54 within a 7-foot pedestrian access easement from Outlot B north to Missouri Drive with a cross connection to the north side of Missouri Drive. This easement is relatively narrow with one foot of clearance on side of the walkway, but does allow for the minimum widths to ensure passage within the walkway.

**Storm Water Management.** The Public Works Department has reviewed the submitted Storm Water Management Plan for this subdivision and has determined that the storm water detention as proposed will be sufficient for the projected needs of the

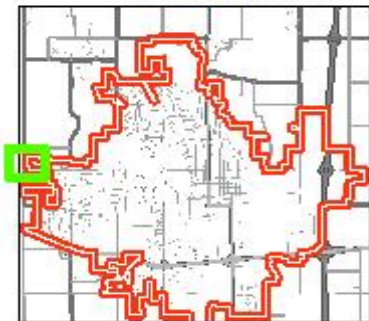
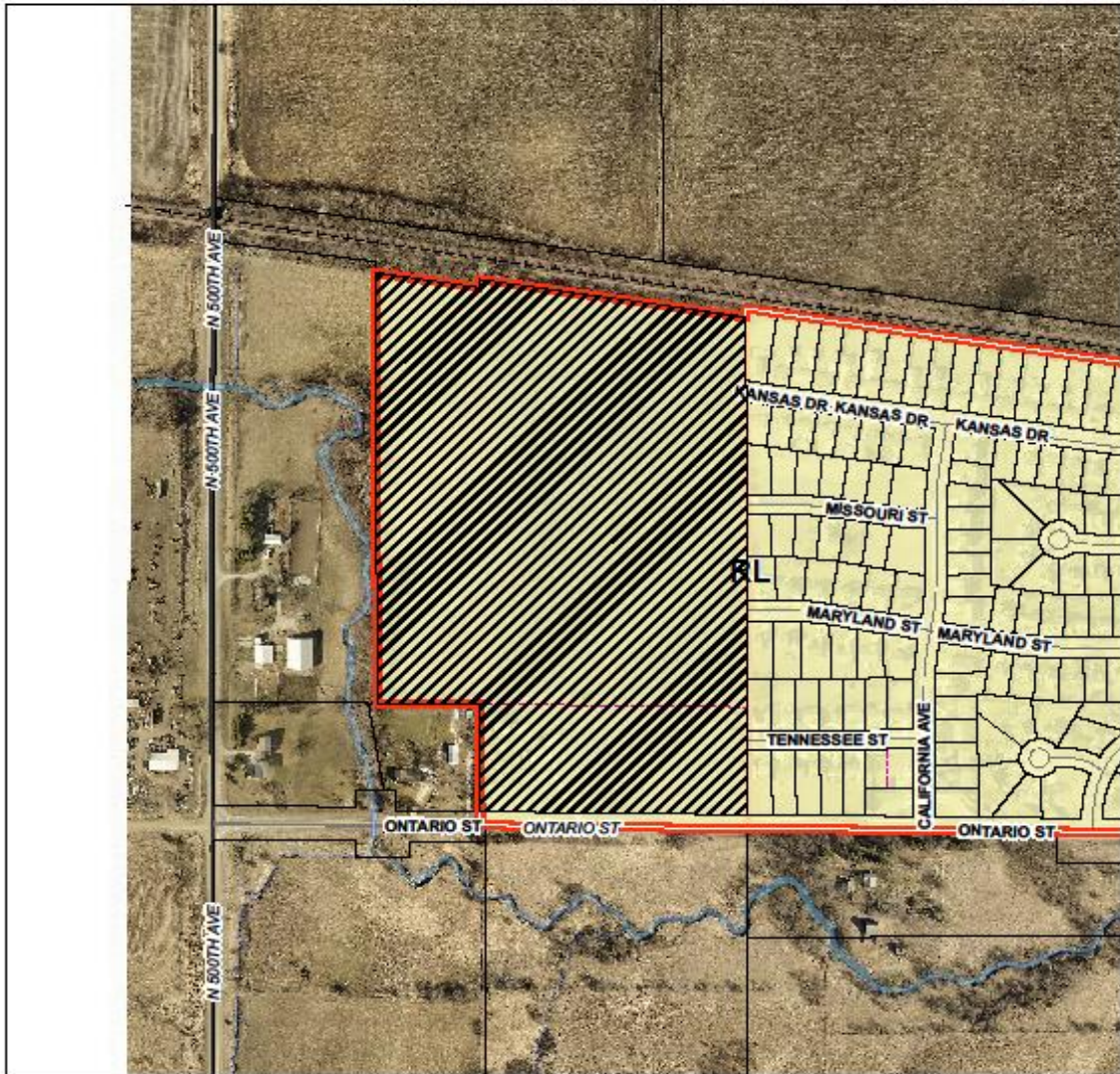
development. The stormwater from the proposed development area will be handled via a detention basin on Outlot A and three separate detention basins located on Outlot B. The Plan also includes the mandatory stream buffer and conservation area along the west property line.

**Existing Tree Preservation.** The developer is maintaining existing mature trees along the property line between Outlot B, Lots 24 and 25 and the neighboring property to the west in Story County addressed as 5923 Ontario Street. This was agreed to upon concerns expressed to the City and comments sent to the Planning & Zoning Commission from neighboring property owners on aesthetic impact of the new subdivision and existing properties as well as preservation of healthy mature trees.

**Applicable Law.** Laws pertinent to the proposal are described on *Attachment D – Applicable Law*. Pertinent for the Planning and Zoning Commission are Sections 23.302(3) and 23.302(4).

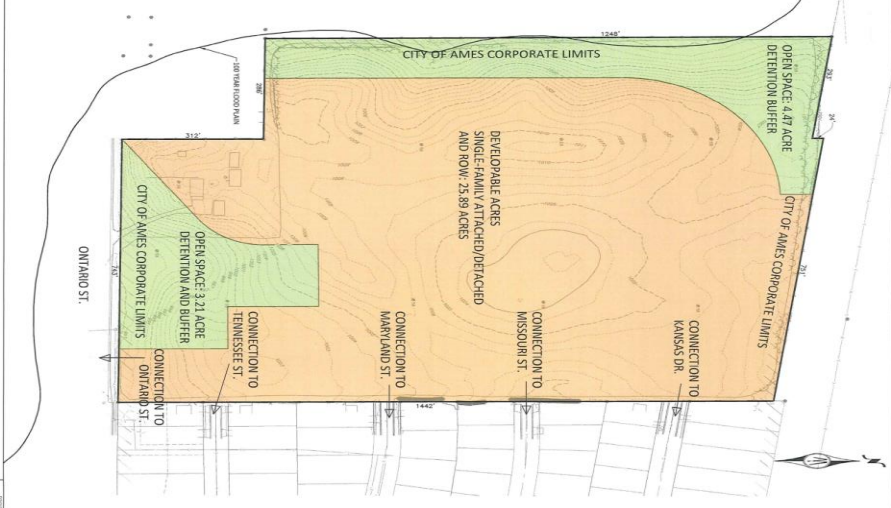


Attachment A- Location and Zoning Map



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N  
5871 Ontario Street  
Birch Meadows Subdivision  
Preliminary Plat

# Attachment B-Master Plan



## 5871 ONTARIO STREET MASTER PLAN FURMAN CORPORATION

LEGEND					
COLOR	USE	ZONING	APPROX. NET AREA	DWELLING UNITS	DENSITY
Orange	DEVELOPABLE ACRES SINGLE-FAMILY ATTACHED/DETACHED	FS-RL	38.97 AC	76-80	3.51-4.01
Green	OPEN SPACE DETENTION AND BUFFERS	FS-RL	7.88 AC	NA	NA

LEGAL DESCRIPTION  
 THAT PORTION OF THE SOUTHWEST QUARTER OF RACINAL SECTION 31, 84-24, WEST OF THE 5TH P.M., T116S, R14E, S11E, OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE S89°51'11"E, 242.27 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST RACINAL QUARTER OF SAID SECTION 31 TO THE POINT OF BEGINNING; THENCE N07°31'29"W, 460.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ONTARIO STREET AND ALSO THE SOUTHWEST CORNER OF PARCEL 17 IN THE SOUTHWEST RACINAL QUARTER OF SAID SECTION 31; THENCE N89°52'02"W, 286.30 FEET ALONG THE NORTH LINE OF SAID PARCEL 17; THENCE N07°31'29"W, 124.86 FEET ALONG THE EAST LINE OF THE PROPERTY DESCRIBED IN INSTRUMENT #1997-3833 IN THE OFFICE OF THE RECORDER OF STOW COUNTY, IOWA, TO THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD; THENCE S41°55'41"E, 262.27 FEET ALONG THE SOUTH LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY; THENCE N07°31'29"W, 242.27 FEET ALONG THE RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD; THENCE S81°04'15"E, 299.29 FEET ALONG THE SOUTH LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY; THENCE S07°17'09"E, 1,442.35 FEET ALONG THE WEST LINE OF BROADWAY WEST SUBDIVISION TO THE NORTH RIGHT-OF-WAY LINE OF ONTARIO STREET; THENCE CONTINUING S07°17'09"E, 400 FEET TO THE SOUTH LINE OF THE SOUTHWEST RACINAL QUARTER OF SAID SECTION 31; THENCE N89°52'02"W, 242.24 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST RACINAL QUARTER OF SAID SECTION 31 TO THE POINT OF BEGINNING.

<b>OWNER</b> FURMAN, LLC 2607 WOODBROOK FARM AMES, IOWA 50002	<b>PREPARED BY</b> D & R FURMAN, LLC 2730 FOND STREET AMES, IA 50002	<b>EXISTING ZONING:</b> "A" (AGRICULTURAL ZONE) <b>PROPOSED:</b> "FS-RL" (SUBURBAN RESIDENTIAL ZONE) <b>RESIDENTIAL LOW DENSITY 2 (BLENDED STE)</b>
<b>ARCHITECT</b> D & R FURMAN, LLC 2607 WOODBROOK FARM AMES, IOWA 50002	<b>SUBMITTAL DATE</b> MAY 13, 2016	<b>TOTAL AREA:</b> 33.57 ACRES <b>DEVELOPABLE AREA:</b> 25.89 ACRES <b>NET AREA:</b> 19.97 ACRES

**BOLTON & MENK, INC.**  
 Consulting Engineers & Surveyors  
 5000 17th Avenue, Suite 100  
 Ames, Iowa 50002  
 PH: 562-5500 FAX: 562-5501

NO.	DATE	DESCRIPTION	BY
1	10/15/15	100% PLAN	DM
2	05/13/16	MASTER PLAN	DM

**D & R FURMAN, LLC**  
 5871 ONTARIO STREET  
 MASTER PLAN

# Attachment C- Preliminary Plat

## GOVERNING SPECIFICATIONS

THE 2006 EDITION OF THE "IOWA STATEWIDE URBAN STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS" SHALL GOVERN.

IOWA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR HIGHWAY AND BROOD CONSTRUCTION" SERIES 2015 AND ALL CURRENT GENERAL SUPPLEMENTAL SPECIFICATIONS AND MATERIALS INSTRUCTIONAL MEMORANDUM SHALL GOVERN AS REFERENCED.

ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND ORDINANCES WILL BE COMPLIED WITH IN THE CONSTRUCTION OF THIS PROJECT.

MUTC0 2009 AS ADOPTED BY IOWA DEPARTMENT OF TRANSPORTATION

# FURMAN REALTY PRELIMINARY PLANS FOR BIRCH MEADOWS

PRELIMINARY PLAT  
2016

## OWNER

D&R FURMAN LLC  
5871 ONTARIO ST  
AMES, IA 50014

## DEVELOPER

D&R FURMAN LLC  
2607 NORTHDRIDGE PKWY  
AMES, IA 50010

## PREPARED BY

BOLTON AND MENK  
2730 FORD STREET  
AMES, IA 50010

## SUBMITTAL DATE

AUGUST 30, 2016

## LEGAL DESCRIPTION

THE EAST SEVEN HUNDRED FORTY-THREE AND TWO TENTHS (743.2) FEET OF THE SOUTH THREE HUNDRED FIFTY-ONE AND SIXTY SEVEN HUNDREDS (351.67) FEET OF THE WEST HALF (W/2) OF THE SOUTHWEST FRACTIONAL QUARTER (SW FR. 1/4) OF SECTION THIRTY-ONE (31), TOWNSHIP EIGHTY-FOUR (84) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., STORY COUNTY, IOWA, AND BEGINNING AT A POINT ONE THOUSAND SIX HUNDRED EIGHT-TWO AND SEVENTY SEVEN HUNDREDS (1,682.77) FEET NORTH OF THE SOUTHWEST CORNER OF SECTION THIRTY-ONE (31), TOWNSHIP EIGHTY-FOUR (84) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., STORY COUNTY, IOWA, THENCE SOUTH 81° 34' EAST FOUR HUNDRED FIFTY AND NINE TENTHS (450.9) FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD TO THE POINT OF BEGINNING, THENCE SOUTH 81° 34' EAST ONE THOUSAND FORTY AND FIVE TENTHS (1,040.5) FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD TO THE EAST LINE OF THE WEST HALF (W/2) OF THE SOUTHWEST FRACTIONAL QUARTER (SW FR. 1/4) OF SAID SECTION; THENCE SOUTH ONE THOUSAND ONE HUNDRED THIRTY AND NINE TENTHS (1,130.9) FEET ALONG THE EAST LINE OF THE WEST HALF (W/2) OF THE SOUTHWEST FRACTIONAL QUARTER (SW FR. 1/4) OF SAID SECTION TO THE NORTH LINE OF THE SOUTH THREE HUNDRED FIFTY-ONE AND SIXTY SEVEN HUNDREDS (351.67) FEET OF SAID WEST HALF (W/2) OF THE SOUTHWEST FRACTIONAL QUARTER (SW FR. 1/4), THENCE WEST ONE THOUSAND TWENTY-NINE AND THREE TENTHS (1,029.3) FEET PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST FRACTIONAL QUARTER (SW FR. 1/4) OF SAID SECTION, THENCE IN A NORTHERLY DIRECTION ONE THOUSAND TWO HUNDRED SEVENTY-TWO AND SEVEN TENTHS (1,272.7) FEET TO THE POINT OF BEGINNING, EXCEPT TRACT "B" IN PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION THIRTY-ONE (31), TOWNSHIP EIGHTY-FOUR (84) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., STORY COUNTY, IOWA, AS SHOWN ON THE "ACQUISITION PLAT" FILED IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA, ON THE 8TH DAY OF JULY, 1996, IN BOOK 14, AT PAGE 8, AND AS IND. NO. 96-06963.

## ZONING

EXISTING:  
F5-RL

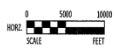
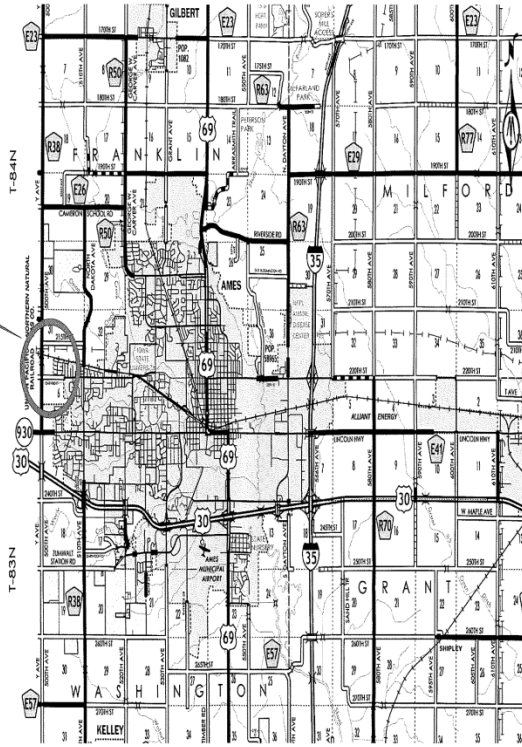
PROPOSED:  
NO CHANGES ARE PROPOSED.

PROJECT LOCATION



NOTE: EXISTING UTILITY INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED BY THE UTILITY OWNER. THE CONTRACTOR SHALL FIELD VERIFY EXACT LOCATION PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW, NOTIFY IOWA ONE CALL 1-800-292-6969

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS UTILITY QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF C/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."



MAP OF THE  
CITY OF AMES  
STORY COUNTY, IA

LOTS LIE WITHIN THE SPECIAL FLOOD HAZARD AREA AS SHOWN ON FIRM PANEL 19169C0137F EFFECTIVE 10/16/2014.

PLAN REVISIONS		
REV	ISSUED FOR	DATE

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BOLTON & MENK, INC. 2730 FORD STREET, AMES, IA 50010  
PHONE: (515) 239-6100 FAX: (515) 239-6101 WWW.BOLTONMENK.COM

**BOLTON & MENK, INC.**  
Consulting Engineers & Surveyors  
2730 FORD ST., P.O. BOX 684 - AMES, IOWA 50010  
Phone: (515) 239-6100 Fax: (515) 239-6101  
www.boltonmenk.com

I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

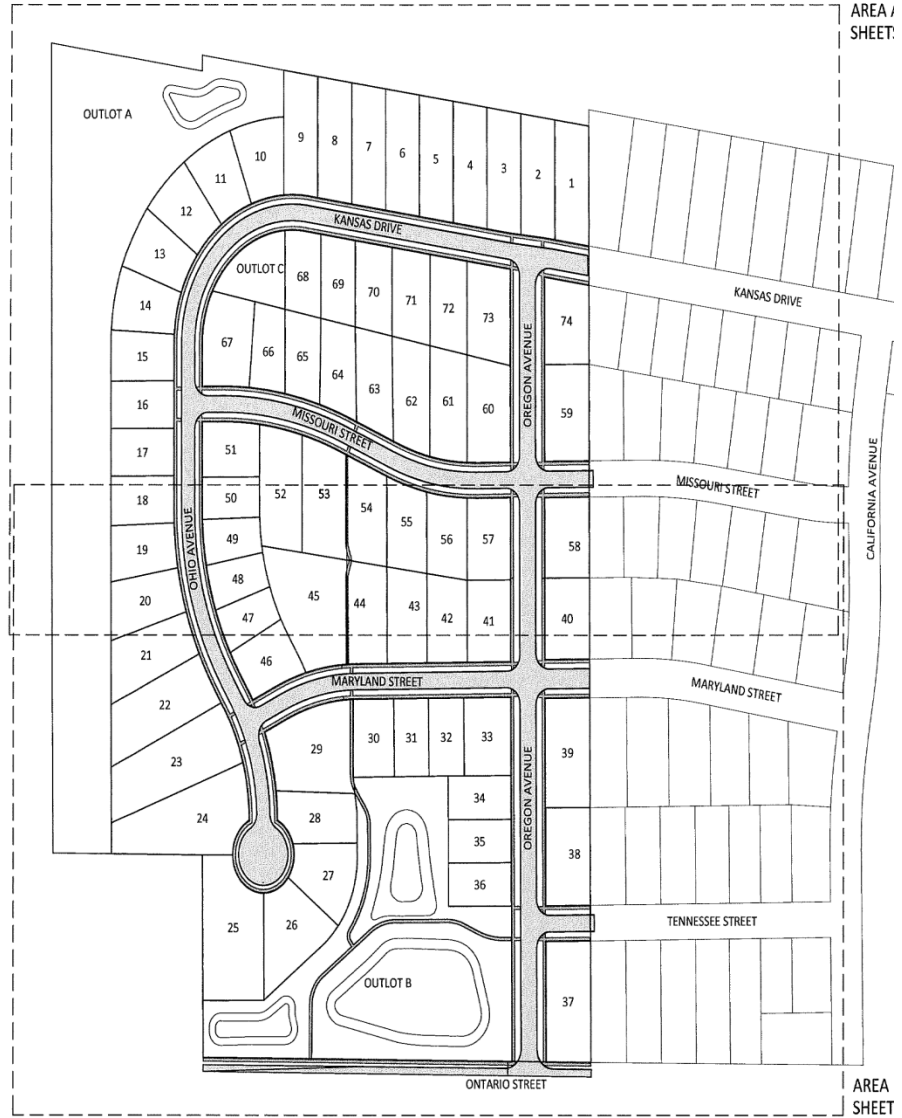
GREGORY A. BROUSSARD, P.E.  
REG. NO. 21574

DATE: \_\_\_\_\_  
ENGINEER'S SIGNATURE DATE: DECEMBER 31, 2017

NO. OF SHEETS COVERED BY THIS SEAL: \_\_\_\_\_  
PAGE 8 OF \_\_\_\_\_

FURMAN REALTY	SHEET 1 OF 9
BIRCH MEADOWS	
PRELIMINARY PLAT	

# Attachment C- (Cont.)



AREA / SHEET:

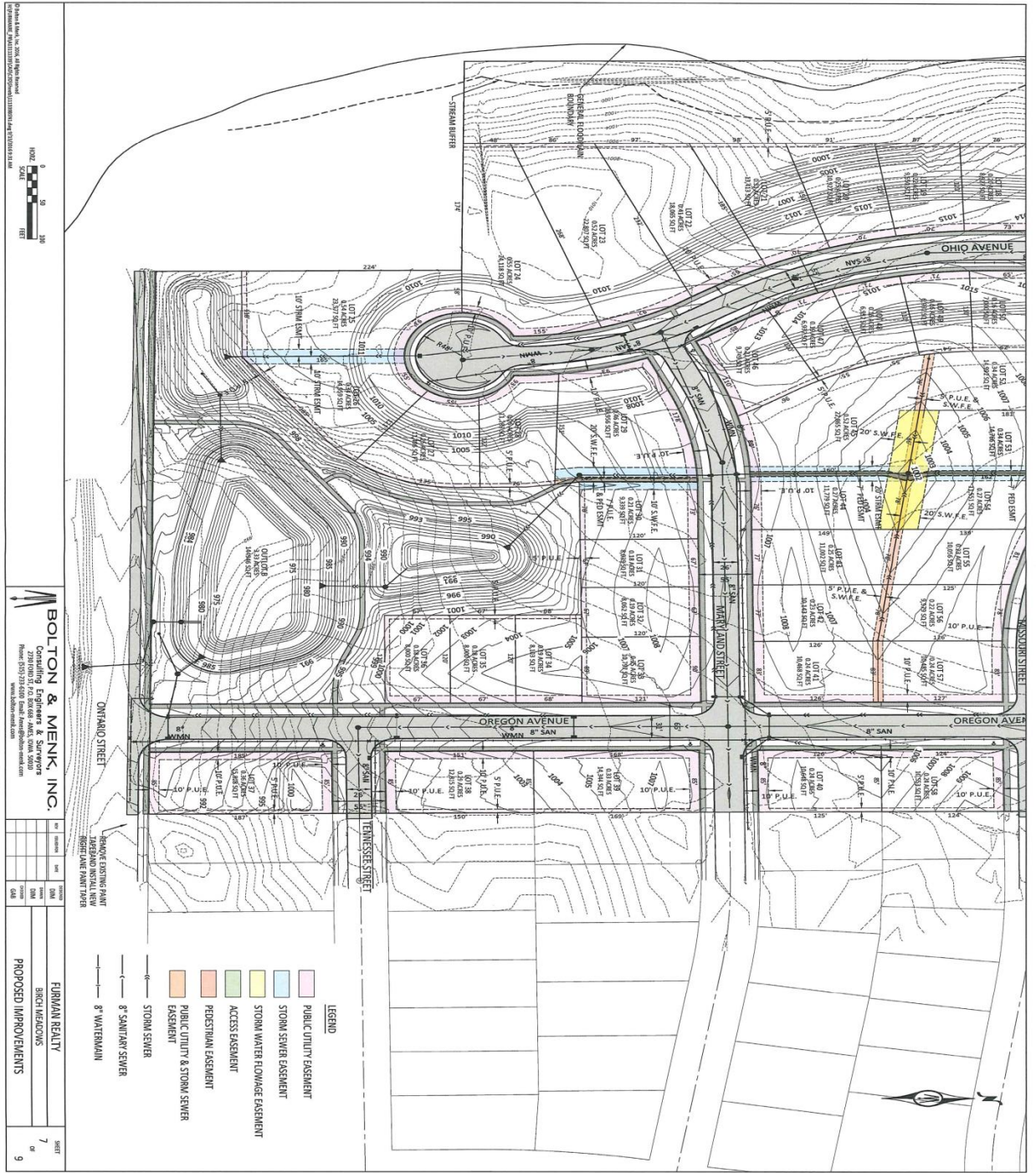
AREA SHEET

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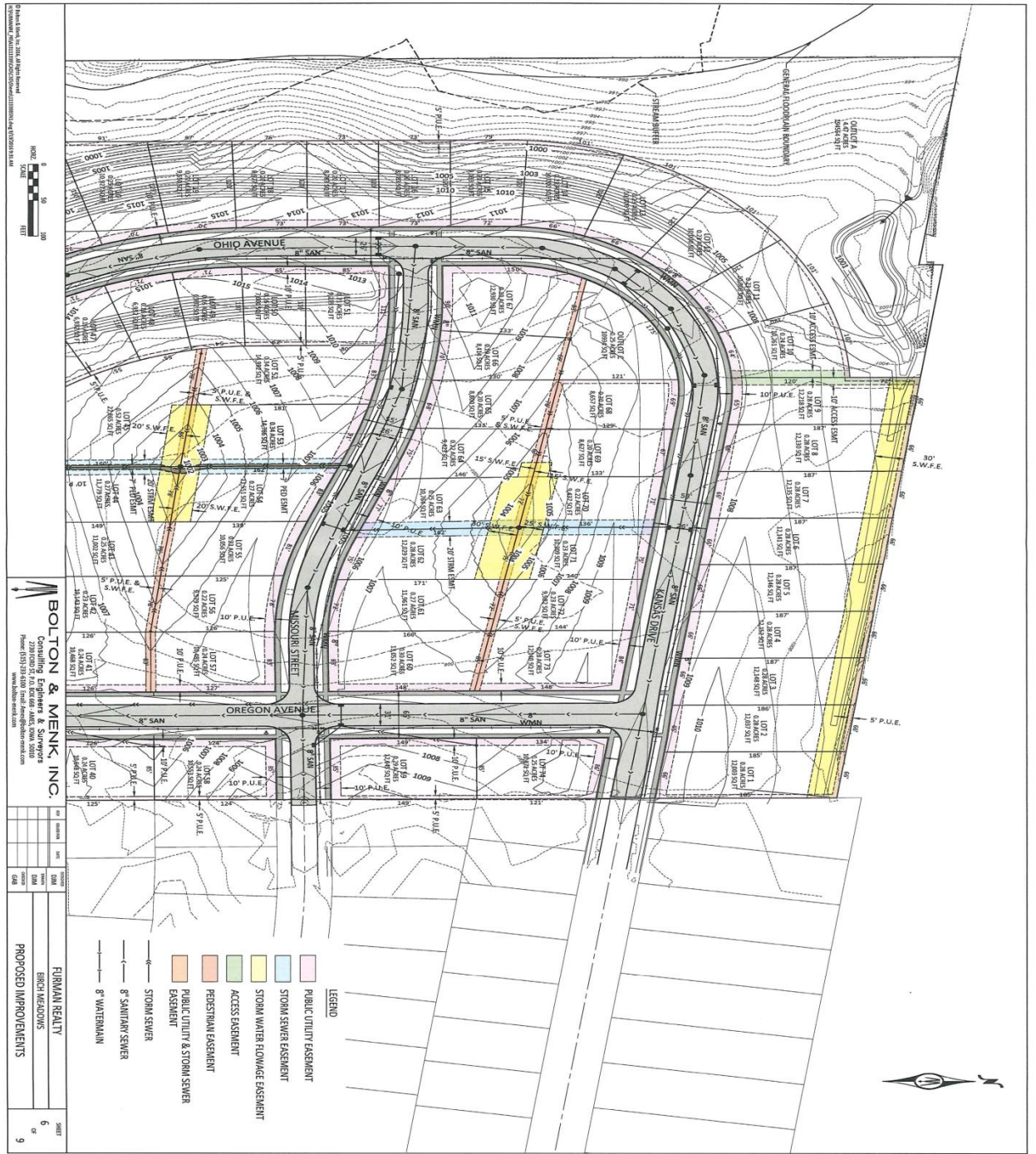
0 100 200  
 HORZ. SCALE FEET

**BOLTON & MENK**  
 Consulting Engineers & S  
 2730 FORD ST., P.O. BOX 668 - AMES, IA  
 Phone: (515) 233 6100 Email: Ames@bolt  
 www.bolton-menk.com

# Attachment C-(Cont.)



# Attachment C (cont.)



## Attachment D- Applicable Law

The laws applicable to this Preliminary Plat Subdivision include, but are not limited to, the following: (verbatim language is shown in *italics*, other references are paraphrased):

Code of Iowa Chapter 354, Section 8 requires that the governing body shall determine whether the subdivision conforms to its Land Use Policy Plan.

Ames Municipal Code Chapter 23, Subdivisions, Division I, outlines the general provisions for subdivisions within the City limits and within two miles of the City limits of Ames.

Ames Municipal Code Section 23.302(3):

(3) *Planning and Zoning Commission Review:*

- (a) *The Planning and Zoning Commission shall examine the Preliminary Plat, any comments, recommendations or reports assembled or made by the Department of Planning and Housing, and such other information as it deems necessary or desirable to consider.*
- (b) *Based upon such examination, the Planning and Zoning Commission shall ascertain whether the Preliminary Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted Plans.*

Ames Municipal Code Section 23.302(4):

- (4) *Planning and Zoning Commission Recommendation: Following such examination and within 30 days of the regular meeting of the Planning and Zoning Commission at which a complete Application is first formally received for consideration, the Planning and Zoning Commission shall forward a report including its recommendation to the City Council. The Planning and Zoning Commission shall set forth its reasons for any recommendation to disapprove or to modify any Preliminary Plat in its report to the City Council and shall provide a written copy of such reasons to the developer.*

Ames Municipal Code Section 23.103(1) (Waiver)

*Where, in the case of a particular subdivision, it can be shown that strict compliance with the requirements of the Regulations would result in extraordinary hardship to the Applicant or would prove inconsistent with the purpose of the Regulations because of unusual topography or other conditions, the City Council may modify or waive the requirements of the Regulations so that*

*substantial justice may be done and the public interest secured provided, however, that such modification or waiver shall not have the effect of nullifying the intent and purpose of the Regulations. In no case shall any modification or waiver be more than necessary to eliminate the hardship or conform to the purpose of the Regulations. In so granting a modification or waiver, the City Council may impose such additional conditions as are necessary to secure substantially the objectives of the requirements so modified or waived.*



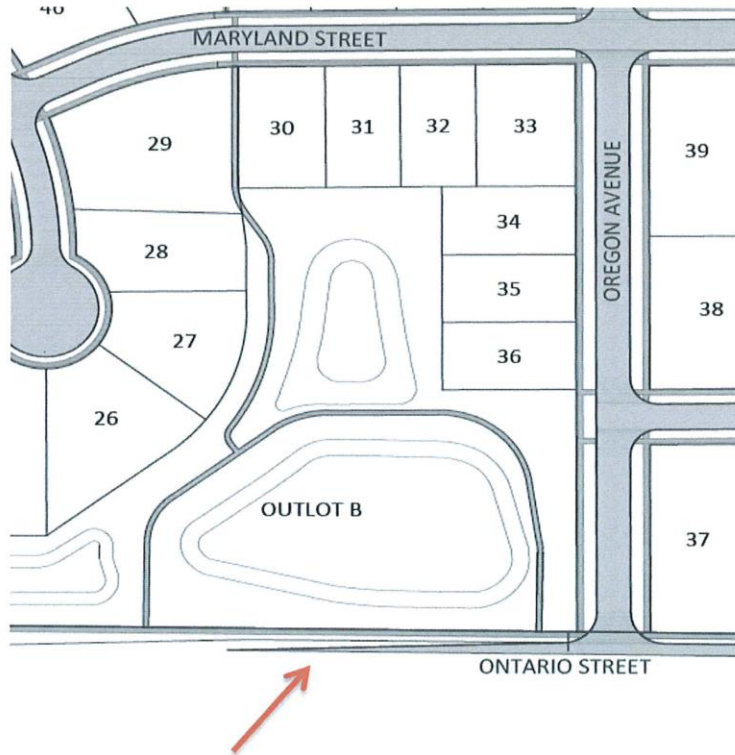
Attachment E

**D & R FURMAN, LLC**

2607 NORTHRIDGE PARKWAY  
AMES, IA 50010  
515-232-8884

To All Members of the Ames City Council

D & R Furman, LLC is requesting the use of a transition taper on the South end of the Birch Meadows Subdivision from Oregon Avenue to the Western most edge of the this subdivision.



Bolton and Menk have provided the following information:

1. Traffic Study

A traffic study was completed for the proposed subdivision to evaluate the need for a right turn lane at the entrance to Birch Meadows Subdivision from Ontario. It was determined that based upon the number of vehicle and turning movements that a west bound right turn lane is required at the subdivision entrance. The extension of the existing three lane section is required to the entrance of the subdivision.

The traffic study evaluated the need to extend the three lane section to the west of the subdivision entrance; there is not enough traffic to warrant the three lane section being extended. The existing two lane section is able to handle the existing traffic and all future traffic as well.

2. Urban to Rural Transition

This section of frontage provides the best opportunity to transition Ontario from an urban section to a rural section. Birch Meadows is the last developable piece of land east of county line road. Due to flood plain, major development of any of the parcels of land both on the north and south side of Ontario is not feasible. We are proposing creating a transition from an urban to a rural section along the frontage of our property. The transition would be completed using a taper to reduce from three lanes to two lanes.

3. Water Main

There is currently a 16" water main that runs along the north edge of Ontario. The water main is located under the existing third lane and will be extended as part of Birch Meadows to the entrance. The City's goal is to extend the water main to county line road and create a loop to the south. As part of the development D & R Furman, LLC will be extending the water main to the Oregon Street entrance. Due to the size of the water main and problems that would arise because of a dead end section of 16" water main if it were extended to the west end of the property D & R Furman, LLC will be placing money in escrow to cover the extension of the water main at a future date when it's able to be looped. The future water main when extended will be located under the extended third lane. During the installation of the future water main extension the third lane would have to be removed to install the 16" water main. Our recommendation would be to evaluate the traffic needs at the time the 16" water main is extended and install the third lane if needed at that point.

In summary, based on the lack of potential future development and combined with traffic study results we feel that extending the three lane section of Ontario past the entrance to Birch Meadows Subdivision will be piece of pavement that is not needed and will have to be removed to install new 16" water main. D & R Furman, LLC believes this transition taper would be the best solution.

Sincerely,



Richard L. Fitch  
D & R Furman, LLC