

COUNCIL ACTION FORM

REQUEST: **PRELIMINARY PLAT AS MAJOR AMENDMENT FOR QUARRY ESTATES CONSERVATION SUBDIVISION FIFTH ADDITION**

BACKGROUND:

Quarry Estates LLC has submitted a revised Preliminary Plat as a Major Amendment to the original approval in order to add two additional single-family home lots in the proposed Fifth Addition of Quarry Estates Subdivision (See Location Map Attachment A). The City annexed this land in December 2013 and approved a rezoning request to FS-RL (Suburban Residential Low Density) and FS-RM (Suburban Residential Medium Density) with a Master Plan on October 14, 2014 (See Zoning Map Attachment B). The original 79-acre, 160-lot Preliminary Plat was approved in 2015. Additions 1-4 have been final platted over the last five years.

This area of the Quarry Estates subdivision is all zoned FS-RL (For lot layout see Attachment C, entire Preliminary Plat document is part of this packet). The proposed Preliminary Plat includes 51 lots for single-family detached homes in the Fifth addition. This is an increase of two lots from the original lot layout plan for this addition. The two additional lots are proposed along the north side of Ada Hayden Road. **The addition of two lots requires a major amendment through a preliminary plat based on the standards in Section 23.306 of the Ames Municipal Code. The increase in lots is the only major change compared to the original approval.**

Lot sizes range from 7,200 square feet to a few lots exceeding 10,000 square feet. All lots meet minimum size requirements for the zoning district. The average lot width on the north side of Ada Hayden Road has decreased from 83 feet to 66 feet with the proposed change.

The original Preliminary Plat approved in 2015 proposed 160 lots. In 2018, a single lot was platted as the 3rd addition for construction of an Independent Senior Living Facility at the corner of Hyde Avenue and 190th Street in the northwest corner of Quarry Estates. This lot was not proposed on the original preliminary plat but was permitted to be platted as a minor amendment with the addition of only one new lot. **The additional two lots proposed with this Preliminary Plat for the Fifth Addition and the Senior Living Facility lot that was platted in 2018 will bring the current buildout total to 163 lots. A total increase of 3 lots from the original Preliminary Plat.**

In 2015, this site development was the first project to request approval under the Conservation Subdivision standards of Ames *Municipal Code*. Ames Conservation Subdivision standards are part of the Chapter 23 Subdivision Standards of the Municipal Code. **The intent of the standards is to protect the quality of water in Ada Hayden**

Lake, protect existing surface drainage systems, promote interconnected greenways, provide commonly owned open space and conservation areas, and protect such areas in perpetuity.

The Preliminary Plat includes Outlot A (.72 acres), Outlot B (1.06 acres) and Outlot C (.13 acres). These areas are required open space, trails and conservation area in this subdivision as a Conservation Subdivision. As a conservation subdivision all open areas are proposed in accordance with the Conservation Subdivision standards and meet the requirements for a Conservation Subdivision. Additional information is provided in the addendum.

The rezoning of the site in 2014 included a Master Plan and Zoning Agreement 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 in addition to the zoning and subdivision standards. The numbers of dwelling units, their general locations, and net density are consistent with the Master Plan approved by City Council. The open spaces and access points generally conform to the Master Plan as well. The Zoning Agreement also required a central transportation spine that is a shared use path along the new Ada Hayden Drive and for sidewalks along Hyde Avenue. This preliminary plat follows the master plan direction of providing for a shared use path along Ada Hayden Road along the north side of the street and completing sidewalk connections along Hyde Avenue.

The project also includes a required turn lane on Hyde Avenue as part of the planned connection of Ada Hayden Road to Hyde Avenue. Quarry Estates is also subject to a pre-annexation agreement, that among other things, includes terms for a proportional share of Hyde Avenue paving improvements as a street assessment. The agreement requires proportional payment of street assessments at the time of each final plat within Quarry Estates, there is no change to this requirement with the revised Preliminary Plat for the 5th Addition.

At the March 3rd Planning & Zoning Commission meeting the Commission voted 6-0 to recommend the City Council approve the Preliminary Plat for Quarry Estates. Commission members inquired about what instigated the addition of the two additional lots. Owner Kurt Friedrich answered that the lots were added to provide more price points and options for potential developers, noting high demand for the lots.

ALTERNATIVES:

1. Approve the Preliminary Plat for Quarry Estates Fifth Addition at 1899 Hyde Avenue.
2. Deny the Preliminary Plat for Quarry Estates Fifth Addition at 1899 Hyde Avenue by finding that the preliminary plat does not meet the requirements of Section 23.302(3)(b) or 23.306 of the Ames Municipal Code and by setting forth its reasons to disprove or modify the proposed preliminary plat as required by Section 23.302(4) of the Ames Municipal Code.
3. Refer the request back to City staff and/or the applicant for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

The proposed Quarry Estates Fifth Addition preliminary plat adds two additional lots to the subdivision along the north side of Ada Hayden Road. The Quarry Estates preliminary plat demonstrates how the project will carry out the low-impact policies and techniques required by the Conservation Subdivision and will thus protect the quality of surface water flowing into Ada Hayden Lake, as was envisioned when the park land was acquired. This preliminary plat maintains those standards and techniques.

The Preliminary Plat for Quarry Estates Fifth Addition is consistent with the approved master plan and zoning agreement. The access points and circulation system are also consistent with the Master Plan.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

Addendum

Conservation Areas and Open Space. The applicant completed a natural and cultural resources inventory as required by the Conservation Subdivision standards upon creation of this subdivision in 2015. The conservation subdivision ordinance also requires 25% of the property to be interconnected conservation areas and open space distributed throughout the development and abutting 80% of residential lots. Open spaces serve as a buffer between proposed residences and existing residences on the east and south of the property.

The 2015 landscape plan portrays these naturalized conservation areas. A Conservation Area Management Plan has been submitted that describes these areas and how they will be established and maintained. More detail for maintenance operations is required during the final plat process. The developer will have initial responsibility for creating the conservation areas and the future homeowner's association will have long term management responsibilities. Conservation Subdivisions require an interconnected open system with 80% of lots abutting open space. Approximately 87% of lots abut an open space area. This preliminary plat maintains these standards and meets the required open space and conservation area as well as the abutment of 80% of residential lots.

Traffic and Street Connections.

The applicant has designed and will construct turn lane improvements for Ada Hayden Road to connect to Hyde Avenue.

The street width for Ada Hayden Road meets the standard for a residential collector street, that is, a 31-foot pavement width as measured from the back of the curb within a 66-foot right-of-way, accommodating parking on one side. This right-of-way will include an 8-foot shared use path on the north side and a 5-foot sidewalk on the other. The other street width for Ketelsen Drive meets the standards for local streets, that is, a 26-foot pavement width as measured from the back of the curb within a 55-foot right-of-way. This width allows for parking on one side of a street. The street layout also includes mid-block crossings for pedestrians as required by FS-RL zoning when a block face exceeds 600 feet.

Stormwater Management. One of the principles of the Conservation Subdivision is to take the approach of Low Impact Development to design the project. This means the arrangement of lots, street and stormwater management minimizes mass grading of the site, minimize impervious areas, and maximize use of natural stormwater treatment.

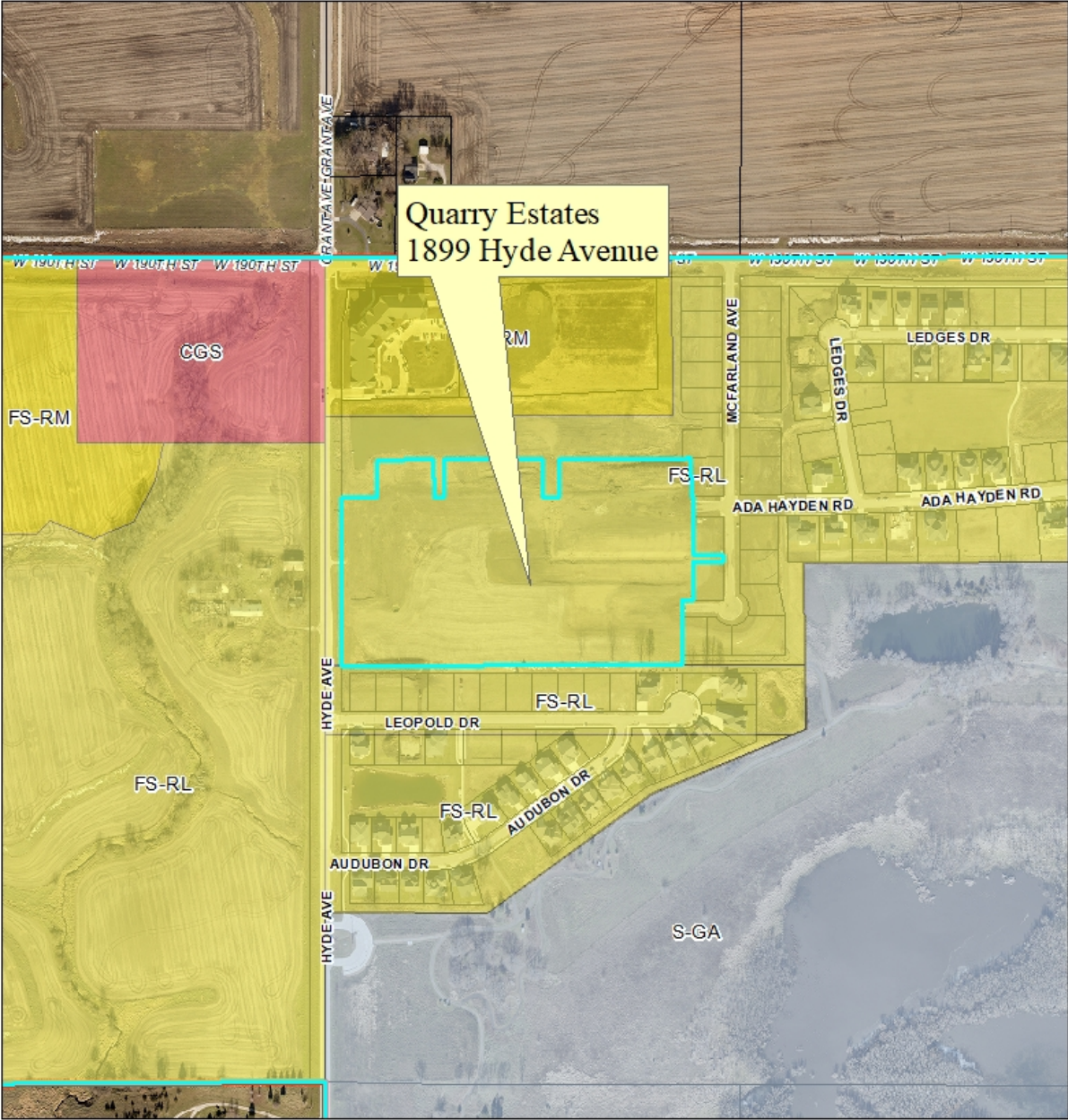
Attachment A- Location Map



Location Map
1899 Hyde Avenue



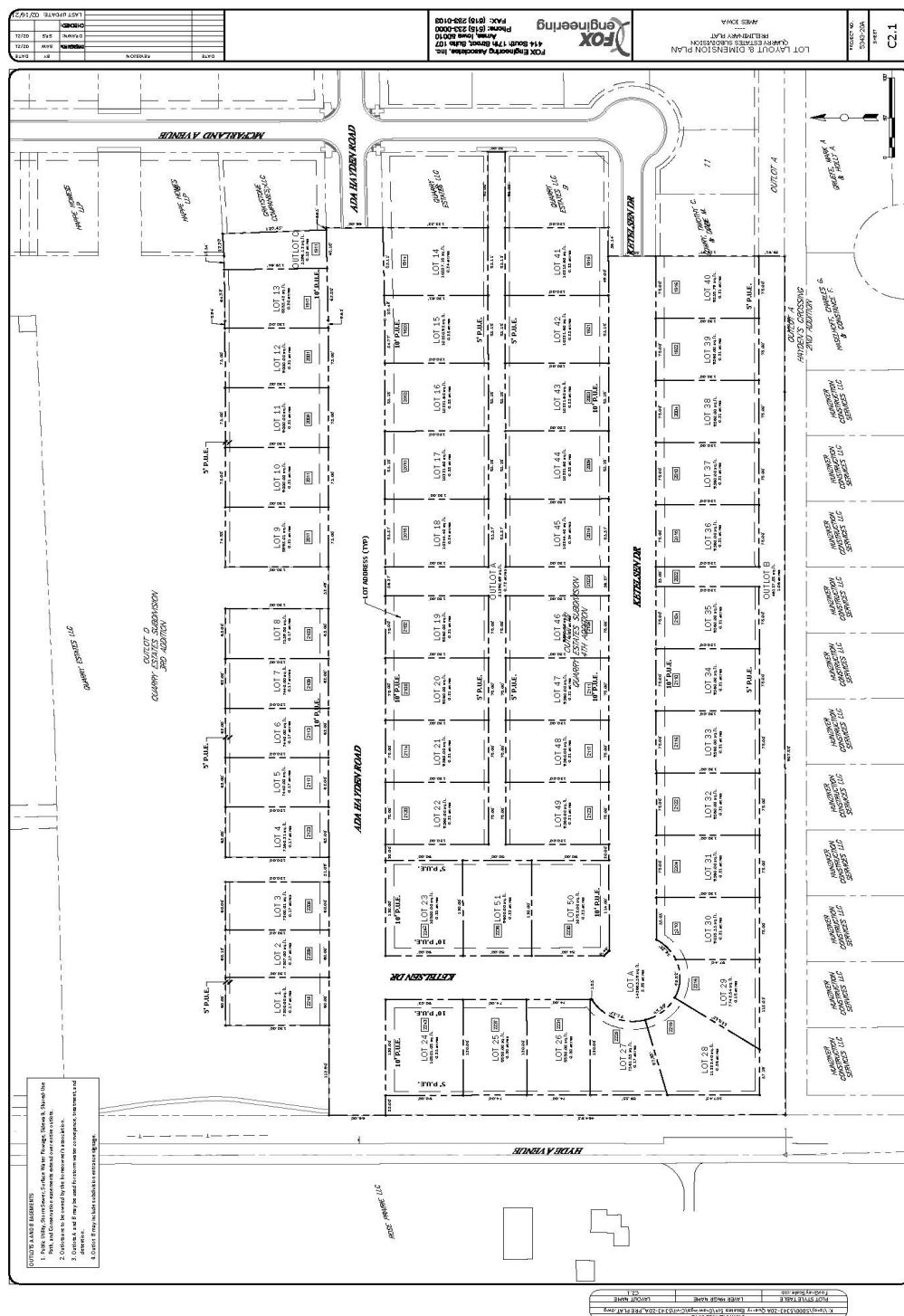
Attachment B- Zoning Map



Quarry Estates Zoning Map
1899 Hyde Avenue



Attachment C- Lot Layout



Attachment D: Applicable Subdivision 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.*

Attachment E- Applicable Subdivision Law

Sec. 23.306. AMENDMENTS.

(1) Any changes to the design, layout, configuration, circulation pattern, access, or dimensions of a preliminary or final plat shall be considered as either a major or minor amendment to the plat, as follows:

- (a) Minor Amendment. Minor amendments are those that:
 - i. Do not result in any more than one additional lot, net;
 - ii. Do not result in any fewer lots than allowed by minimum density standards applicable to the subdivision;
 - iii. Do not change the category of the originally approved subdivision from a minor subdivision to a major subdivision
 - iv. Do not change the dimensions of any lots that do not otherwise comply with adopted lot dimensional standards, or which otherwise results in a non-conforming lot;
 - v. Do not change the general layout of utilities, drainage patterns, storm water facilities, streets, alleys and/or easements;
 - vi. Are not inconsistent with an approved master plan associated with the subdivision; and

Sup #2016-3

23-12

Rev. 07-1-16

vii. Make only minor adjustments in the alignment or dimensions of streets, lots, alleys, and/or easements as otherwise allowed by adopted standards as opposed to deletions, additions or relocations of said streets, lots, alleys, and/or access easements.

- (b) Major Amendments. Major amendments are those that:
 - i. Eliminate any access easements or rights-of-way identified on the preliminary or final plat;
 - ii. Eliminate or revise any plat conditions, restrictions or covenants on or associated with the plat, and
 - iii. Are not otherwise defined as a minor amendment under the provisions of this Section.

(2) Amendment Process. Amendments shall be processed as follows:

(a) Minor amendments to a preliminary plat may be made at the time of final plat approval. Minor amendments to a final plat may be processed as a minor subdivision, under the provisions of Section 23.303.

(b) Major amendments shall be processed as an amendment to the original preliminary plat. An application for a major amendment shall include all information required for a preliminary plat application, except that information pertaining to ownership, and information pertaining to existing physical features or structures, shall be required only for those areas of the plat affected by the amendment. (Note: Plat conditions/restrictions, easements, and other rights or forms of ownership defined by geographic area may have claim by property owners beyond the defined area. All persons or entities whose ownership or other legal rights are affected by the proposed amendment shall be a party to the amendment application).

(Ord. No. 4020; 1-12-10)