

COUNCIL ACTION FORM

SUBJECT: PRELIMINARY PLAT FOR WALNUT RIDGE SUBDIVISION

BACKGROUND:

Chuck Winkleblack, Hunziker Land Development Company, is requesting preliminary plat approval of a thirteen-lot subdivision, to be known as Walnut Ridge Subdivision. (See attached Exhibit A: Walnut Ridge Subdivision Preliminary Plat, dated 7/21/08.) The site of Walnut Ridge Subdivision was previously the location of a manufactured home park on the portion of the subdivision zoned as Highway-Oriented Commercial (HOC). The northern portion of the proposed subdivision, zoned as Residential Low Density (RL), is a wooded area that has not been developed. The entire site includes approximately 5.32 acres. Story Street and Crane Avenue will be extended through the subdivision to provide one continuous street for access to each of the residential lots. The developer proposes to divide the HOC portion of the subdivision into two lots for commercial development with access provided from Lincoln Way. The RL portion of the subdivision will be divided into eleven lots for single-family detached homes. The developers, prior to construction of the single-family homes, will retain a number of the existing trees.

Lots 1 and 2 are planned for commercial development. The largest lot is also the location proposed for a storm water detention facility for the residential portion of the subdivision. (See attached Exhibit A.)

The zoning boundary between the RL and the HOC zoning districts runs east/west across the entire width of the proposed subdivision. It separates RL (Residential Low Density) zoning for the residential lots from the HOC (Highway-Oriented Commercial) zoning for the commercial lots. This zoning line was established through the adoption of a new Zoning Map for the entire community in May, 2000. The exact location of the zoning line will be established and legally described through the platting of this subdivision.

The following table identifies the existing land use, existing zoning, and LUPP designation of the properties surrounding the site.

Area	LUPP Designation	Zoning Designation	Land Use
North	Low-Density Residential	Residential Low Density (RL)	Single Family Detached Homes
South	Highway-Oriented Commercial	Highway-Oriented Commercial (HOC)	Commercial
East	Low-Density Residential & Highway-Oriented Commercial	Residential Low Density (RL) & Highway-Oriented Commercial (HOC)	Single Family Detached Homes and Commercial
West	Low-Density Residential & Highway-Oriented Commercial	Residential Low Density (RL) & Highway-Oriented Commercial (HOC)	Single Family Detached Homes and Commercial

Utilities: Existing public utility mains for water, sanitary sewer, storm sewer, and electric will be extended from properties adjacent to the proposed subdivision to serve the commercial and residential lots.

Sidewalks, Street Trees and Bike Paths: Sidewalks will be installed along both sides of the new street to be extended through the subdivision and along the south side of West Street along the north boundary of the subdivision. No bike paths are proposed for the subdivision.

A Street Tree Plan is required for all new residential subdivisions. The Street Tree Plan submitted by the applicant shows street trees to be planted along the extensions of Crane Avenue and Story Street. The tree species planned along the extension of Story Street include Norway Maple and Sugar Maple. The tree species planned along the extension of Crane Avenue includes American or Greenspire Linden. The tree species selected by the applicant are included on the Department of Public Works list of approved tree species for the City.

The placement and spacing of trees, as described on the Street Tree Plan, is consistent with the requirements of Section 23.402 of the Municipal Code.

Findings of Fact and Conclusions:

Based upon an analysis of the proposed development, laws pertinent to the proposed development, and conditions and improvements abutting and serving the plat, the staff finds as follows:

1. The land included within the proposed subdivision is designated on the Land Use Policy Plan Map and on the Zoning Map as "Highway-Oriented Commercial" for property that abuts Lincoln Way, and as "Low-Density Residential" for the northern portion of the subdivision that abuts Story Street and Crane Avenue.
2. The applicant is proposing a subdivision that includes a total of thirteen lots. Two of the lots are planned for commercial development. The remaining eleven lots are planned for single-family detached residential homes. There is no minimum lot area for the two commercial lots, which are zoned as Highway-Oriented Commercial (HOC). The minimum lot size for lots in the Residential Low Density (RL) zone is 6,000 square feet.
3. The minimum frontage requirement for the lots zoned as "RL" is 35 feet at the street line and 50 feet at the building line, and 50 feet for the lots zoned as "HOC". No lot on the proposed plat has frontage less than 40 feet in the RL zone, or 73 feet in the HOC zone.
4. All lots are designed to provide adequate buildable area within the minimum required building setbacks.
5. Each lot within the proposed subdivision will be served by an extension of public utility mains in the new street right-of-way, in electric and public utility easements, or directly from existing utility mains in the Lincoln Way right-of-way.

6. The City's Public Works Department has indicated that this site is adequately served by utilities and infrastructure, and that the proposal will result in no adverse traffic impacts.
7. The proposed subdivision is designed to include street tree plantings that are in compliance with the standards for residential subdivisions.

Based upon the above facts and analysis, staff concludes that the proposed preliminary plat is consistent with the Land Use Policy Plan and the associated Land Use Policy Plan Map designation of the site. Staff is not aware of any other inconsistencies with the Land Use Policy Plan; therefore, staff concludes that Code of Iowa Chapter 354, Section 8 has been satisfied. Staff further concludes that the proposed subdivision complies with all relevant and applicable design and improvement standards of the Subdivision Regulations, to other City ordinances and standards, and to the City's Land Use Policy Plan.

Recommendation of the Planning & Zoning Commission. At its meeting of September 3, 2008, with a vote of 7-0, the Planning and Zoning Commission recommended approval of the Preliminary Plat for Walnut Ridge Subdivision with the stipulations as stated by staff.

A homeowner who lives in a house adjacent to the proposed subdivision had questions regarding plans for storm water management, which were addressed by staff and the developer.

ALTERNATIVES:

1. The City Council can approve the Preliminary Plat for Walnut Ridge Subdivision, located at 3503 Lincoln Way, based upon staff's findings and conclusions, and subject to the following stipulations:
 - a. That the developer will construct and dedicate all public improvements within the development to City of Ames Urban Standards, as required, including: dedication of public right-of-way, street paving, curb, gutter, sidewalks, street lights, water main, sanitary sewer main, and storm sewer improvements, prior to approval of the final plat, or execute an Improvement Agreement to guarantee the completion of all public improvements and provide security in the form of an Improvement Guarantee, as set forth in Section 23.409 of the Ames Municipal Code.
 - b. Civil drawings of all public improvements shall be submitted to the Public Works Department for review and approval prior to installation and prior to final plat approval.
 - c. All public improvements shall be installed prior to final plat approval unless deferment of installation is approved by the City Council, in which case the Council shall require the applicant to execute an Improvement Agreement and provide security in the form of an Improvement Guarantee as set forth in Section 23.409 of the Ames Municipal Code.

2. If the City Council finds that the proposed Preliminary Plat does not conform to all adopted standards and applicable law pertaining to subdivisions, the City Council can deny the Preliminary Plat for Walnut Ridge Subdivision, located at 3503 Lincoln Way.
3. The City Council can approve the Preliminary Plat for Walnut Ridge Subdivision, located at 3503 Lincoln Way, with modifications.
4. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information, provided that the applicant provide a written waiver of his rights to have their application processed within 30 days as specified in Ames Municipal Code Section 23.302(4).

MANAGER'S RECOMMENDED ACTION:

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 Walnut Ridge Subdivision, located at 3503 Lincoln Way, subject to the conditions stated above.

Attachment A

Applicable Laws:

The laws applicable to this case file are as follows:

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 III, 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(5):

- (5) *City Council Review of Preliminary Plat: All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with these Regulations. The City Council shall examine the Preliminary Plat, any comments, recommendations or reports examined or made by the Planning and Zoning Commission, and such other information as it deems necessary and reasonable to consider.*

Ames Municipal Code Section 23.302(6):

- (6) *City Council Action on Preliminary Plat:*
- (a) *Based upon such examination, the City Council shall determine 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. In particular, the City Council shall determine whether the subdivision conforms to minimum levels of service standards set forth in the Land Use Policy Plan for public infrastructure and shall give due consideration to the possible burden of the proposed subdivision on public improvements in determining whether to require the installation of additional public improvements as a condition for approval.*
- (b) *Following such examination and within 30 days of the referral of the Preliminary Plat and report of recommendations to the City Council by the Planning and Zoning Commission, the City Council shall approve, approve subject to conditions, or disapprove the Preliminary Plat. The City Council shall set forth its reasons for disapproving any Preliminary Plat or for conditioning its approval of any Preliminary Plat in its official records and shall provide a written copy of such reasons to the developer.*

Ames Municipal Code Section 23.304(1):

- (1) The City Council may require that all public improvements described on the approved Preliminary Plat for a Major Subdivision be installed and dedicated prior to approval of the Final Plat. If the City Council does not require that all public improvements be installed and dedicated prior to approval of the Final Plat, the City Council shall require the Applicant to execute an Improvement Agreement and provide security in the form of an Improvement Guarantee as set forth in Section 23.409 of the Regulations. Between approval of the Preliminary Plat and submission of an Application for Final Plat approval of a Major Subdivision, the Applicant must either complete all indicated improvements to the satisfaction of the City or enter into an Improvement Agreement to do so.

Ames Municipal Code Chapter 23, Subdivisions, Division IV, identifies design and improvement standards for subdivisions.

Ames Municipal Code Chapter 23, Subdivisions, Section 23.402, requires that trees be planted within the right-of-way of all streets in subdivisions zoned residentially, in accordance with the requirements of this Section.

Ames Municipal Code Chapter 29, Zoning, Section 29.701, includes standards for the Residential Low Density (RL) zone.

Ames Municipal code Chapter 29, Zoning, Section 29.804, includes standards for the Highway-Oriented Commercial (HOC) zone.

Ames Municipal Code Section 23.107 is as follows:

In addition to the requirements of the Regulations, all plats of land must comply with all other applicable City, county, state, and federal statutes or regulations. All references in the Regulations to other City, county, state or federal statutes or regulations are for informational purposes only, and do not constitute a complete list of such statutes or regulations. The Regulations are expressly designed to supplement and be compatible with, without limitation, the following City plans, regulations, or ordinances:

- (1) *Land Use Policy Plan*
- (2) *Zoning Ordinance*
- (3) *Historic Preservation Ordinance*
- (4) *Flood Plain Ordinance*
- (5) *Building, Sign and House Moving Code*
- (6) *Rental Housing Code*
- (7) *Transportation Plan*
- (8) *Parks Master Plan*
- (9) *Bicycle Route Master Plan*

Plats may be disapproved on the basis of the above, and other City Council approved plans and policies that may be adopted from time to time.



Location Map Walnut Ridge Subdivision

