ITEM # 279-A DATE 10/28/08

COUNCIL ACTION FORM

SUBJECT: MAJOR SITE DEVELOPMENT PLANS FOR THE CONSTRUCTION OF

FOUR 12-UNIT APARTMENT BUILDINGS LOCATED AT 3720, 3810, 3820,

AND 3821 TIVERTON COURT

BACKGROUND:

Applicant. Uthe Development Co. LLC

Property Owner. Uthe Development Co. LLC

Property Addresses. 3720, 3810, 3820, and 3821 Tiverton Court

Case Numbers. SDP-08-26, -27, -30, AND -31

Zoning. FS-RM Suburban Medium Density Residential

Project Description. The applicant is proposing to build four twelve-unit apartments on four lots. Each lot will contain a single residential structure with four 1-bedroom apartments and eight 2-bedroom apartments. Two garages will also be located on each lot.

Applicant Request. The developer is requesting approval of four Major Site Development Plans for four proposed apartment buildings, located at 3720, 3810, 3820, and 3821 Tiverton Court on Lots 5, 6, 7, and 8 (respectively) of Northridge Heights Subdivision Twelfth Addition. The applicant submitted four applications for review. However, because of the similarities of the projects, staff has prepared this single Commission Action Form.

Land Use Policy Plan (LUPP) Map Designation. The City's Land Use Policy Plan (LUPP) Map designates the subject site as "Village/Suburban Residential".

Zoning. The subject property is zoned as "FS-RM" (Suburban Residential Medium Density). The proposed uses are consistent with the zoning designation and require approval of a Major Site Development Plan. The Development Review Committee has reviewed the four site plans. The four site plans were found to comply with the requirements of the Ames Municipal Code.

Master Plan. An updated Master Plan for Northridge Heights, which includes the subject properties, was approved by the City Council on May 27, 2008. In order to achieve the densities required for FS-RM, these four lots were intended to contain no less than twelve units each.

Staff Analysis. The criteria and standards for review of a Major Site Development Plan are found in Ames <u>Municipal Code</u> Section 29.1502(4)(d) and include:

When acting upon an application for a Major Site Development Plan approval, the Planning and Zoning Commission and the City Council shall rely upon generally accepted site planning criteria and design standards. These criteria and standards are necessary to fulfill the intent of the Zoning Ordinance, the Land Use Policy Plan, and are the minimum necessary to safeguard the public health, safety, aesthetics, and general welfare.

- 1. The design of the proposed development shall make adequate provisions for surface and subsurface drainage to limit the rate of increased runoff of surface water to adjacent and down stream property.
 - The applicant has submitted the required storm water permit applications. These have been reviewed by the Public Works department and found to comply with the requirements of the City.
- 2. The design of the proposed development shall make adequate provision for connection to water, sanitary sewer, electrical, and other utility lines within the capacity limits of those utility lines.
 - The water, sanitary sewer, and electrical lines have or are being installed in accordance with the approved preliminary plat and infrastructure plans submitted to and approved by the City. The private service lines serving the buildings have been sized for the intended demand for these services.
- 3. The design of the proposed development shall make adequate provision for fire protection through building placement, acceptable location of flammable materials, and other measures to ensure fire safety.
 - The City Fire Inspector has reviewed and approved the proposed Major Site Development Plan for compliance with the City's Fire Code. Adequate provisions have been made by the owner to meet the minimum requirements.
- 4. The design of the proposed development shall not increase the danger of erosion, flooding, landslide, or other endangerment to adjoining and surrounding property.
 - The proposed development is not located in a floodplain nor on or near steep slopes. There is no indication that this development presents any endangerment to adjoining and surrounding property.
- 5. Natural topographic and landscape features of the site shall be incorporated into the development design.
 - The site was previously used as agricultural cropland. There is very little topographic relief on this site. What natural topographic features there are will be slightly altered by necessary grading. The drainage pattern will direct the storm water into approved collection systems.

- 6. The design of the interior vehicle and pedestrian circulation shall provide for convenient flow of vehicles and movement of pedestrians and shall prevent hazards to adjacent streets or property.
 - The proposed access drives have been designed to provide convenient access to the parking areas and garages serving each lot. Access is limited to one point per lot and with adequate separation distances between drives. Sidewalks will be constructed on both sides of Tiverton Court as well as on Stange Road. Private sidewalks are also provided from the public sidewalks to the structures.

Architectural Design Standards. There are no architectural standards for development in this zoning designation (FS-RM). However, the Convenience Commercial Node (CVCN) to the south does. Section 29.807(4)(a) of the Ames Municipal Code states "Buildings shall be compatible with adjacent residential buildings and with each other through similarities in scale, proportions, form, architectural detailing, color and texture." For the proposed car wash at 3706 Stange Road to meet these requirements, it anticipated that certain materials would be used on these adjacent apartments. These materials include stone façade materials and roofing shingles. In particular, the stone is identified as Ohio Rubble Hudson Bay Blend (S4760-0) manufactured by Boulder Creek Stone Products. The shingles are identified as Moire Black Landmark Plus shingles manufactured by CertainTeed. The stone material and shingles are to be used on the apartment at 3720 Tiverton Court. The shingles are to be used on the apartment building and garages at that same address.

Staff will also recommend that these materials be required for the apartment building at 3801 Tiverton Court when a Major Site Development Plan is submitted for that lot.

Conclusions. Staff has analyzed the applicant's request, reviewed the supporting material, and conducted an on-site inspection. Based upon the above facts and analysis, staff concludes that the proposed apartment buildings conform to relevant and applicable design standards and that the proposed uses and structure meet, with the conditions noted, the criteria and standards for approval of a Major Site Development Plan.

Recommendation of the Planning & Zoning Commission. The Planning and Zoning Commission held its meeting on October 15, 2008, to consider this action. The applicant spoke in favor of the request. No one spoke in opposition but two e-mails expressing opposition were received by staff and presented to the Commission. These are attached to this report.

With a vote of 6-0, the Commission recommended approval of the four Major Site Development Plans with the condition that the apartment at 3720 Tiverton Court use stone or masonry material of a color and texture approved by City staff and that the apartment and garages at 3720 Tiverton Court use shingles or roofing material as approved by City staff. This recommendation differs from the staff recommendation in that it did not specify the color and type of stone or roofing material that the applicant would like to use on the adjacent car wash and should be matched by these apartments.

ALTERNATIVES:

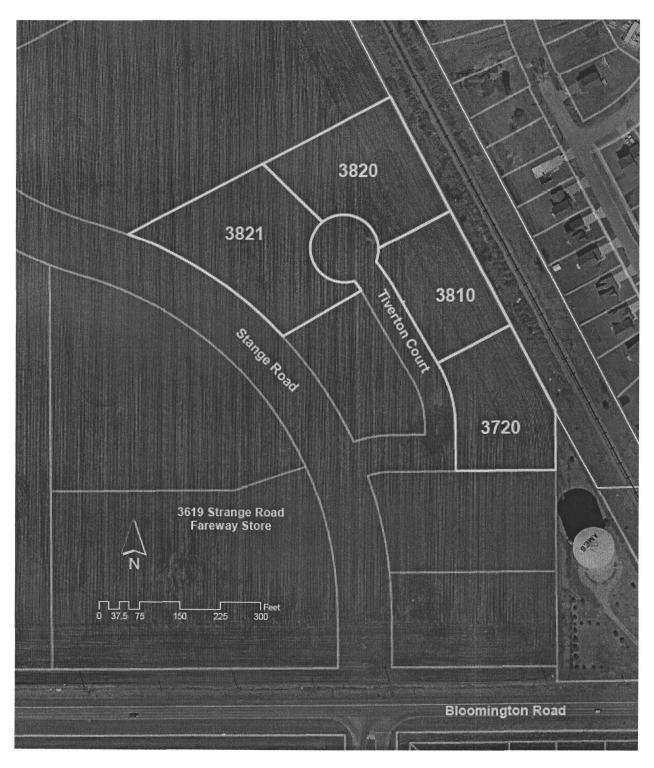
- 1. The City Council can approve the Major Site Development Plans for the apartments located at 3720, 3810, 3820 and 3821 Tiverton Court, with the following condition:
 - That the apartment at 3720 Tiverton Court use the stone identified as Ohio Rubble Hudson Bay Blend (S4760-0) manufactured by Boulder Creek Stone Products or an equivalent approved by staff and that the apartment and garages at 3720 Tiverton Court use the shingles identified as Moire Black Landmark Plus shingles manufactured by CertainTeed or an equivalent approved by staff.
- 2. The City Council can approve the Major Site Development Plans for the apartments located at 3720, 3810, 3820, and 3821 Tiverton Court with the following condition:
 - That the apartment at 3720 Tiverton Court use stone or masonry material of a color and texture approved by City staff and that the apartment and garages at 3720 Tiverton Court use shingles or roofing material as approved by City staff. [Recommendation of Planning and Zoning Commission]
- 3. The City Council can approve the Major Site Development Plans for the apartments located at 3720, 3810, 3820 and 3821 Tiverton Court with no conditions.
- 4. The City Council can approve the Major Site Development Plans for the apartments located at 3720, 3810, 3820 and 3821 Tiverton Court, with other conditions.
- 5. The City Council can deny approval of the Major Site Development Plans for the apartments located at 3720, 3810, 3820 and 3821 Tiverton Court.
- 6. The City Council can defer action on this request and request further information from City staff and/or the applicant.

MANAGER'S RECOMMENDED ACTION:

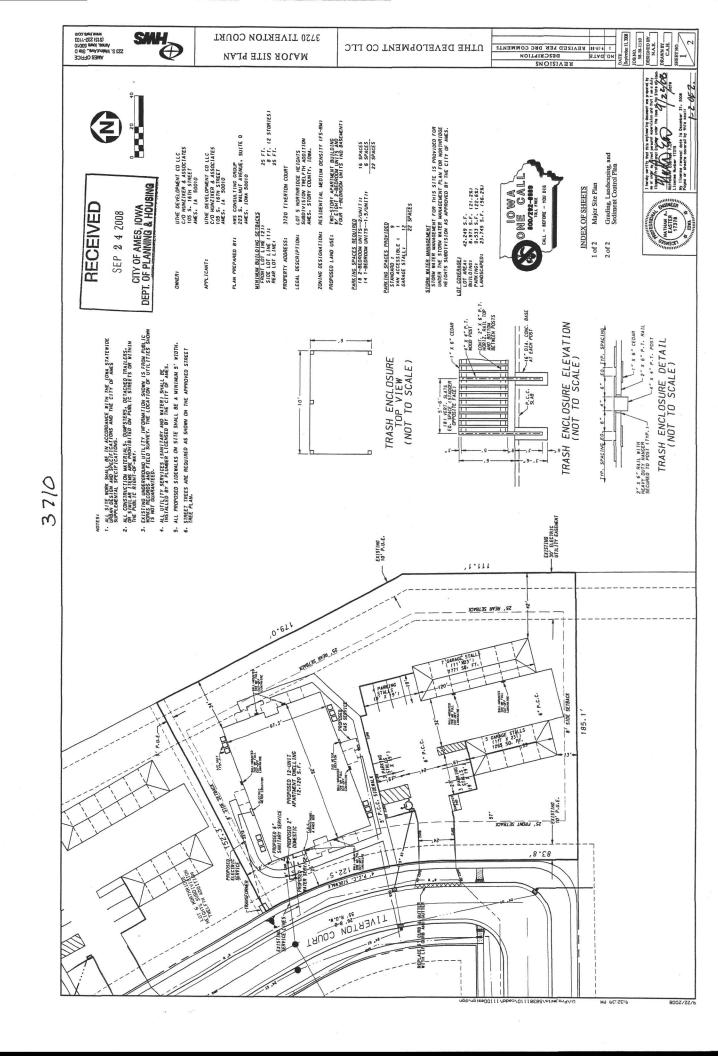
Based on the analysis above, staff concludes that the Major Site Development Plans for the apartments located at 3720, 3810, 3820, and 3821 Tiverton Court conform to relevant and applicable design standards. However, a Special Use Permit was recently approved for the North Ames Auto Wash lying in the CVCN to the south. This car wash is located in a zoning district requiring architectural features that incorporate features from adjoining residential lots. Since this car wash was approved with the expectation that these apartments would have a certain look, it is appropriate to attach conditions to the approval of (at least) the apartments located at 3801 and 3720 Tiverton Court. (3801 Tiverton Court is expected to be brought forward to the City Council at a later date.)

Therefore, it is the City Manager's recommendation that the City Council act in accordance with Alternative 1, approving the four Major Site Development Plans for the apartments located at 3720, 3810, 3820, and 3821 Tiverton Court, with the following condition:

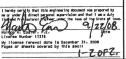
 That the apartment at 3720 Tiverton Court use the stone identified as Ohio Rubble Hudson Bay Blend (S4760-0) manufactured by Boulder Creek Stone Products or an equivalent approved by staff and that the apartment and garages at 3720 Tiverton Court use the shingles identified as Moire Black Landmark Plus shingles manufactured by CertainTeed or an equivalent approved by staff.

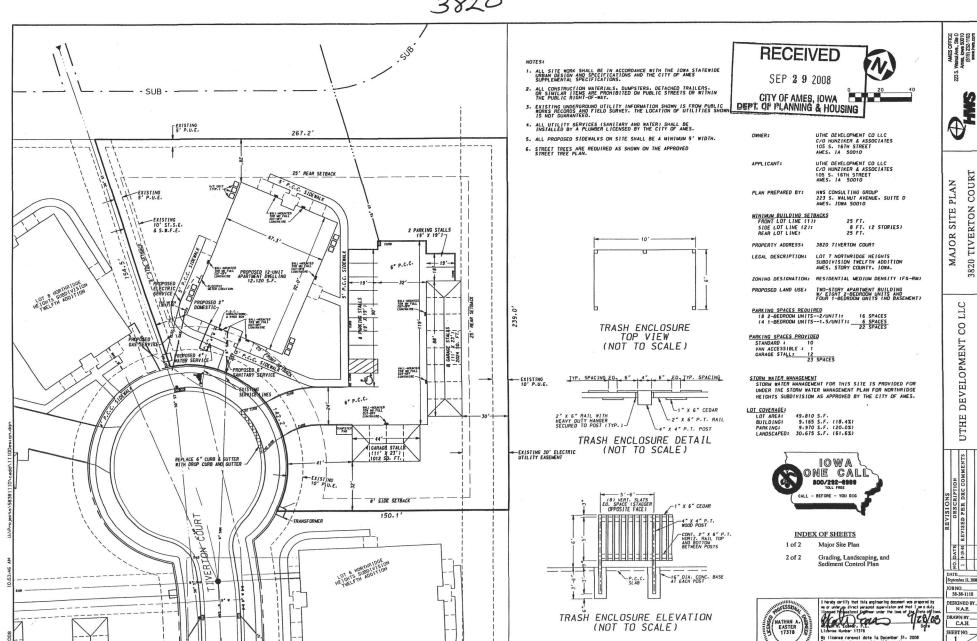


Tiverton Court Location Map



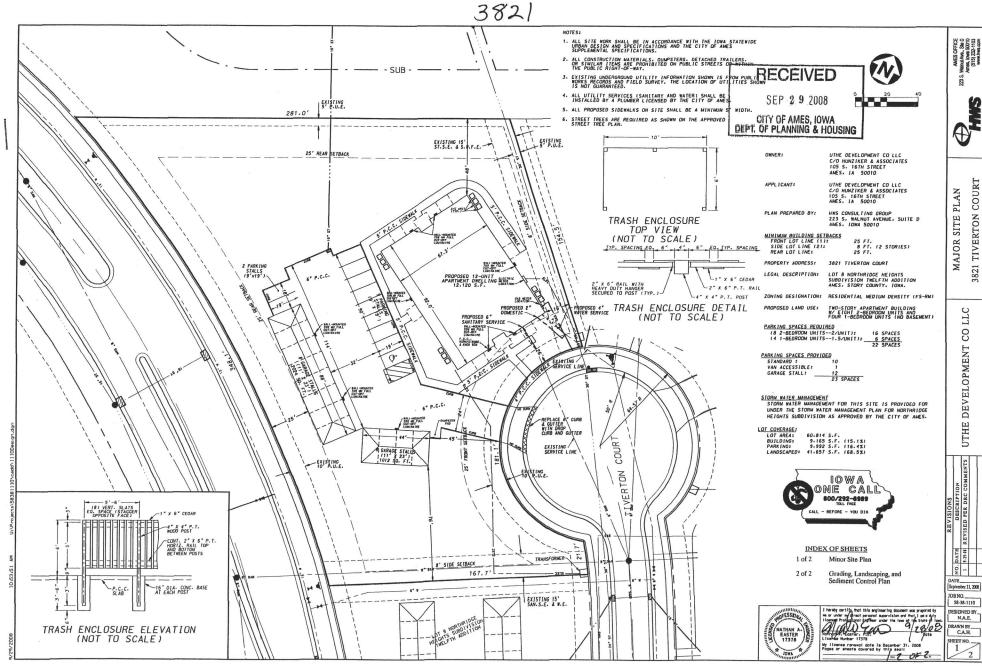


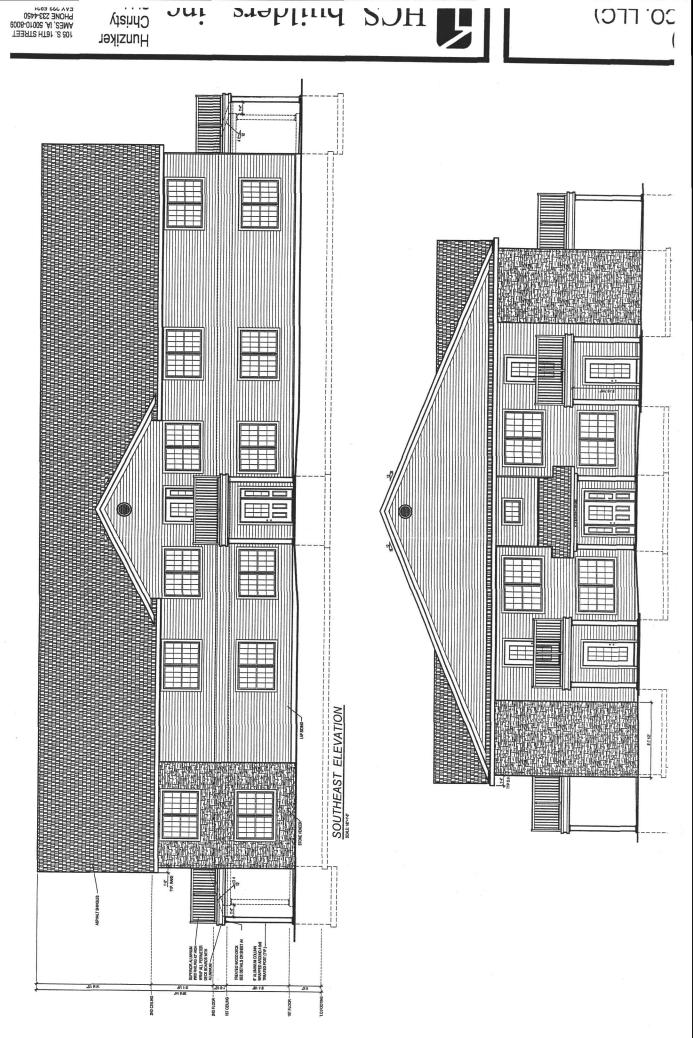




CAH.









Joy Bartek <bartekjoy@hotmail.com> 10/13/2008 02:17 PM To <ckuester@city.ames.ia.us>

CC

bcc

Subject apartments in Tiverton CT.

Hi Charlie-

My name is Joy Sparrey. My husband David and I live directly behind the storm retention pond that's just north of the apartments proposed to be built in Tiverton Court, at 3845 Welbeck. We have some major concerns about the idea of these apartments coming in and wanted to share them, although we are not able to attend teh OCt. 15th meeting. Thank you for inviiting our opinions and for communicating so well about this issue.

We are not at all happy about the building of apartment complexes and parking lots for the following reasons:

- 1. We moved to this neighborhood, despite the railroad tracks. We figured it was a sacrifice to have that in our backyard, but it was worth it because there was open field behind it. Unfortunately, we didn't do enough research to find out about all of this development before we moved here in February 2008. We are so pleased that the pond was widened, but unhappy to hear that apartments would go in next to it.
- 2. We are worried that this will negatively impact the property value of our house, and the houses in the neigborhood.
- 3. The aesthetic and noise impacts on the neighborhood are frustrating. In other words, we have truly enjoyed living here through this time, but are worried that the added noise and buildings in our backyard will negatively affect our quality of living.
- 4. We are concerned that all this new development and addition of families will overload the Gilbert School District, which is so full already. How would the district accommodate this large increase in families?

If this proposal for 4 apartment building is approved, we truly hope the following ideas will be seriously considered:

- 1. No Unit higher than two stories.
- 2. Large Trees and/or Evergreens will be planted (just west of the railroad tracks) to positively impact the noise, aesthetic, and environmental qualities of the neighborhood for all of us.
- 3. The apartments will be high quality and be aesthetically appealing.

Thank you for taking the time to invite and consider our opinions. We are so truly fond of this town, being residents less than a year.

Sincerely, Joy and David Sparrey 450-5290

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Nick Lucchesi <colbylsb01@hotmail.com> 10/14/2008 08:54 AM

To <ckuester@city.ames.ia.us>

CC

bcc

Subject proposed car wash, apartments.

To Whom it May Concern:

This letter is written with the intention to express our opposition to the planning and development of 3706, and 3720-3821 Stange Road.

We will start by saying we are located at 2423 Grant Circle, and are just one of the many homes that would be effected by development of the land located to the west of our home. To give you a little back round, there is a water tower(BRET) and a railway adjoining our property. The railway is undergoing improvements currently because of an increase in rail traffic on this north-south line. We already have a clear view of the Northridge developments and the electrical work under the water tower. My wife and I are not opposed to development of this land, however we are opposed to a car wash and apartments.

The car wash will be located the closest to our property, and we feel it will negatively impact our home value and the ability for us to sell in the future. We feel it will bring pollution in the form of trash, run-off, light and noise to our home. We feel there are better locations in the city for such a business and also want to mention there is a car wash located in the Northern Lights Plaza less than a mile away. Also, we don't believe a special use permit should be issued for a free standing car wash. The current plans offer no form of barrier between the view of the car wash and our property, and would aim vehicles directly at or home and yard. We feel this would make our home and yard very public to the patrons of such a business, and feel we will lose one of the reasons we purchased and planned on living in this home, a private yard. We hope you take these matters in to consideration and prohibit the development of a car wash.

As for the apartments, we feel they are better suited in an area where there is better access to campus. Currently there is a surplus of apartments in this town and this development would further increase that. The land would be more wisely used for single family homes. These would also limit our privacy and lead to trash, noise, and light pollution in the area. The plans offer no barrier between lots and brings a transient occupant, rather than single families to the area which will decrease or property's privacy and value.

Both of these developments increase our concern for safety of our children, and our reluctance to stay in our current home. These developments cause us to consider moving, even at a time when the housing market is difficult. This would put a great burden on our family. Please make our opposition known to the current development plans of the land located off of Stange Road. If you have any questions or concerns, please feel free to contact us.

Thank you for your consideration in these matters.

Nick and Laura Lucchesi 2423 Grant Circle, Ames 515-233-1417 colbylsb01@hotmail.com