

COUNCIL ACTION FORM

**SUBJECT: PRELIMINARY PLAT FOR AMES COMMUNITY DEVELOPMENT PARK
SUBDIVISION, 4TH ADDITION**

BACKGROUND:

Dayton Park, LLC requested City Council consideration of the creation of a tax-increment financing project along South Bell Avenue. The establishment of that TIF district is on the City Council agenda for February 10. In addition to the final approval of the TIF ordinance, the following steps also need to be considered and acted on by the Council.

- Approval of the development agreement with Dayton Park, LLC.
- Approval of the Preliminary Plat for Ames Community Development Park Subdivision, 4th Addition.
- Approval of the plans and specifications for construction of the public improvements.

The proposed subdivision lies south of Ames Community Development Park 3rd Subdivision and north of Dayton Park 5th Subdivision along South Bell Avenue. The subject site comprises two parcels—one established through a plat of survey recorded on June 18, 2006, and the other a lot platted as part of Four Seasons Park Subdivision, recorded on June 30, 2006. The area was recently established as an urban renewal plan for the specific purpose of the development of this subdivision. The project consists of connecting the two portions of South Bell Avenue. This is approximately 1,314 feet. Two cul-de-sacs will extend eastward from South Bell Avenue. Each will be about 350 feet in length. Fourteen lots will be created by the final plat. The lots will range in size from about 1.3 acres to 5.3 acres creating a total of 33.90 acres of immediately available industrial land. City sanitary sewer and water will be provided to all lots.

Applicable Law: This subdivision lies within the jurisdiction of the City of Ames and, therefore, is subject to the requirements of Chapter 23 of the Ames Municipal Code (subdivision ordinance), as well as Chapter 354 of the Code of Iowa. Portions of these applicable laws are attached to this report. The applicable law describes the approval process, from submission to action by the City Council. Furthermore, it requires compliance with city plans and ordinances (among others, Land Use Policy Plan and zoning ordinance), including the design standards for infrastructure. No subdivision plat is to be approved without meeting these requirements unless a waiver is granted to a specific requirement of the code.

Of particular significance to the City Council's level of review is the following in Municipal Code 23. 302(6):

- (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.

LUPP and Zoning. The area is zoned General Industrial (GI), as is much of the South Bell corridor. Further information on surrounding LUPP designation, zoning, and current land uses are described below.

Area	LUPP Designation	Zoning Designation	Land Use
North	General Industrial	General Industrial	General offices and light industrial
South	General Industrial	General Industrial	General offices, education, fallow
East	Agriculture and Farm Service (AUF)	A1 Agricultural (Story County)	Interstate 35, rural residential and farm uses
West	General Industrial	Residential Low Density Park (RLP)	Manufactured housing park

Utilities. Existing public utility mains for water and sanitary sewer will be extended from properties adjacent to the proposed subdivision to serve the subdivision. Water service will be an 8-inch main, connecting with the 8-inch main to the south and north. An 8-inch sanitary sewer line will provide service and connect to the existing 8-inch line to the south.

Storm water will be collected through an on-street collection system, through inlets and pipes, and then outletting at the southwest corner of the site. Sheet flows will be directed toward the streets or to a drainage easement and swale along the west edge of the subdivision. A storm water management plan has been submitted to public works and approved.

Public utility easements will be provided along the front, sides, and rear of the lots to accommodate electric and other utilities.

Sidewalks, Street Trees, and Bike Paths. Sidewalks will be installed along one side of South Bell Avenue and the two cul-de-sacs. This is consistent with the subdivision ordinance, which requires sidewalks along only one side of a street within an industrial subdivision. Street trees are not required as a part of industrial subdivisions. No bike paths are proposed for the subdivision.

Other Development Issues. As noted above, an urban renewal plan was created for this subject site. A tax increment financing district is also expected to be established. A development agreement between the City and Dayton Park, LLC is being finalized whereby the City will use tax increment financing to pay for the improvements. The timing of events among the establishment of the tax increment district, the preliminary and final platting of the property and the awarding of the City contract is being coordinated by City staff.

When the final plat is submitted, it will not be accompanied by an improvement agreement. The proposed terms of the development agreement (expected to be approved concurrently with the preliminary plat) make the installation of the improvements a City responsibility. The

City will approve the plans and specifications for the installation of the improvements (expected concurrently with approval of the preliminary plat and development agreement) and seek bids for the project.

Findings of Fact and Conclusions. Based upon an analysis of the proposed development and laws pertinent to the proposed development, the staff finds as follows:

1. The land included within the proposed subdivision is designated on the Land Use Policy Plan Map as General Industrial and on the Zoning Map as General Industrial. Staff concludes that the development of this parcel as an industrial subdivision is consistent with the LUPP and zoning.
2. All lots within the proposed subdivision meet the required frontage standard of 25 feet and are designed to provide adequate buildable area within the minimum required building setbacks. Staff concludes that the proposed lots will be able to accommodate uses allowed within the zoning district and that the lots provide a range of sizes to accommodate a variety of industrial needs.
3. Each lot within the proposed subdivision will be served by an extension of public utility mains in the new street rights-of-way and by electric and public utility easements. Staff concludes that the design and improvement standards of the subdivision ordinance will be met.
4. The City's Public Works Department has indicated that this site is or will be adequately served by utilities, infrastructure, and storm water management, and that the proposal will result in no adverse traffic impacts. Staff concludes that the proposed subdivision will not have an adverse impact on the city infrastructure and, with the completion of South Bell Avenue, provide a necessary link to the transportation system.

Staff concludes that 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, therefore, the staff concludes that Ames Municipal Code Section 23.302(6)(a) has been satisfied.

Recommendation of the Planning & Zoning Commission. At its meeting of February 4, 2009, with a vote of 5-0, the Planning and Zoning Commission recommended approval of the preliminary plat of Ames Community Development Park Subdivision, 4th Addition. There were no public comments in favor of or opposed to the proposed subdivision.

ALTERNATIVES:

1. The City Council can approve the Preliminary Plat for Ames Community Development Park Subdivision, 4th Addition comprising pages one through eight prepared by WHKS with a revision date of January 15, 2009, and located at 798 and 799 South Bell Avenue, based upon staff's findings and conclusions.
2. The City Council can deny the Preliminary Plat for this subdivision.

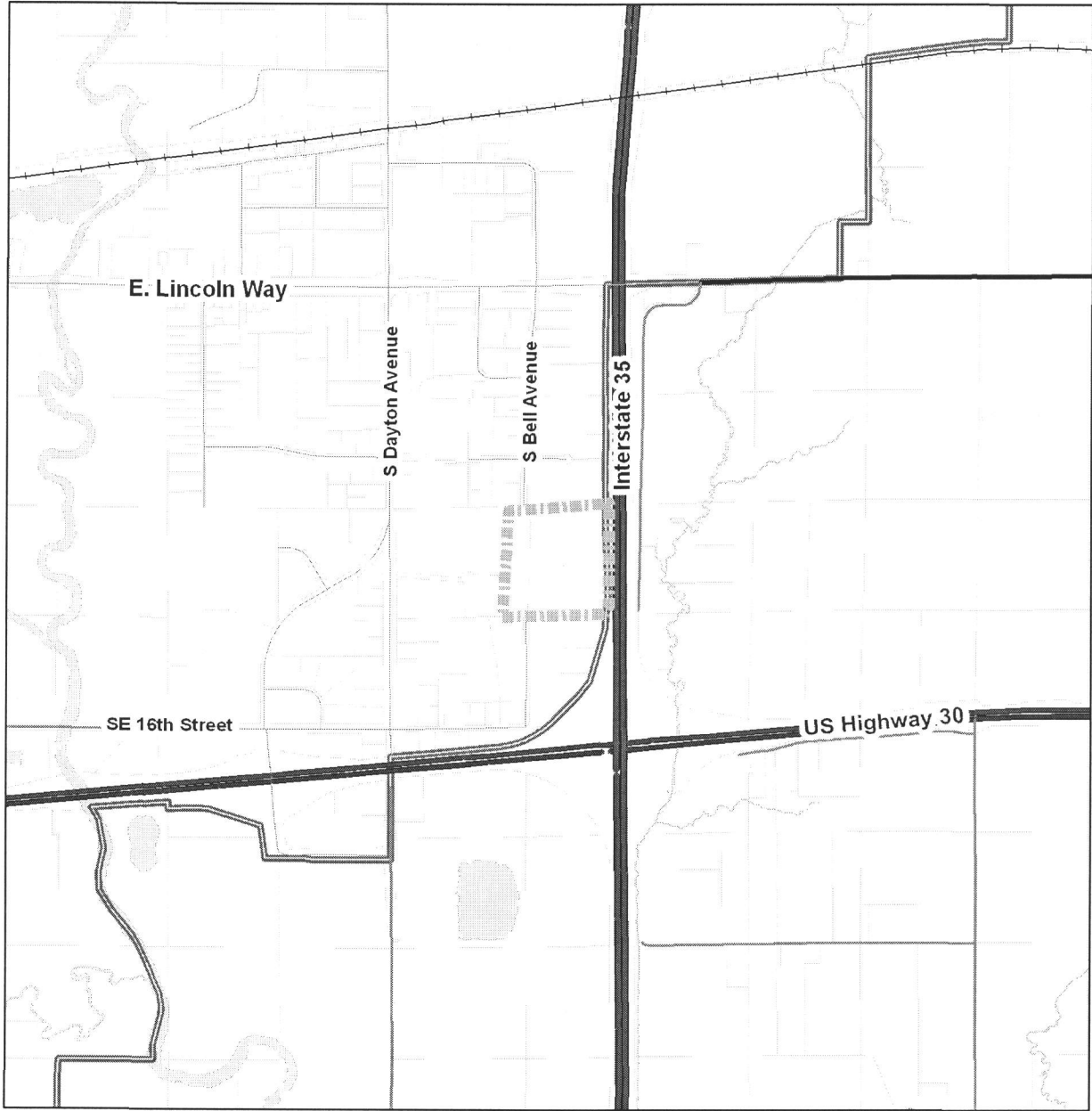
3. The City Council can approve the Preliminary Plat for this subdivision, with modifications.
4. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

It is the recommendation of the City Manager that the City Council act in accordance with Alternative #1. This would approve the Preliminary Plat for Ames Community Development Park Subdivision, 4th Addition.

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Location Map



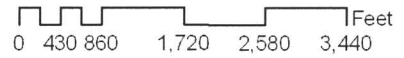
Urban Renewal Area Number 5 Map 1: Vicinity Map



Project Area



Prepared by the Department of
Planning and Housing



Attachment A

Applicable Laws:

The laws applicable to this case file are as follows:

Code of Iowa Chapter 354.8 states in part:

A proposed subdivision plat lying within the jurisdiction of a governing body shall be submitted to that governing body for review and approval prior to recording. Governing bodies shall apply reasonable standards and conditions in accordance with applicable statutes and ordinances for the review and approval of subdivisions. The governing body, within sixty days of application for final approval of the subdivision plat, shall determine whether the subdivision conforms to its comprehensive plan and shall give consideration to the possible burden on public improvements and to a balance of interests between the proprietor, future purchasers, and the public interest in the subdivision when reviewing the proposed subdivision and when requiring the installation of public improvements in conjunction with approval of a subdivision. The governing body shall not issue final approval of a subdivision plat unless the subdivision plat conforms to sections 354.6, 354.11, and 355.8.

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 23.107 states 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:

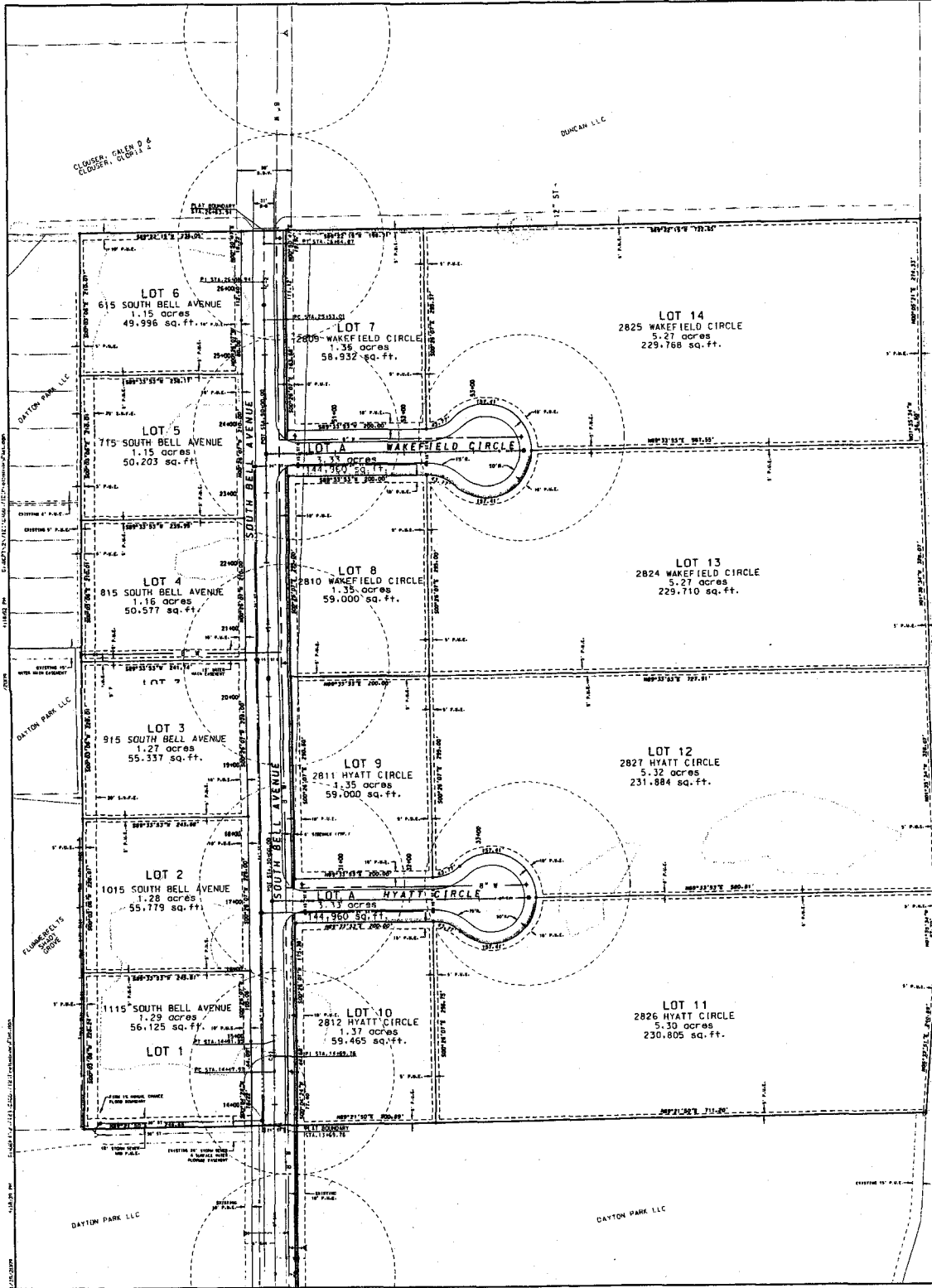
- (1) Land Use Policy Plan*
- (2) Zoning Ordinance*
- (3) Historic Preservation Ordinance*
- (4) Flood Plain Ordinance*
- (5) Building, Sign and House Moving Code*
- (6) Rental Housing Code*
- (7) Transportation Plan*
- (8) Parks Master Plan*
- (9) Bicycle Route Master Plan*

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.

Ames Municipal Code Section 23.302(6) states as follows:

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.*



INTERSTATE HIGHWAY NO. 35

INTERSTATE HIGHWAY NO. 35

AMES COMMUNITY DEVELOPMENT
PARK SUBDIVISION
4TH ADDITION
PRELIMINARY PLAT
LAYOUT

WHK & CO.

REGISTERED PROFESSIONAL ENGINEER
STATE OF OHIO
NO. 10819
DATE: 11/17/2009
SHEET: 4 OF 8

AMES COMMUNITY DEVELOPMENT PARK SUBDIVISION 4TH ADDITION

Preliminary Plat

OWNERS

Dayton Park LCC
105 S. 16th St.
Ames, IA 50010

DEVELOPER

Dayton Park, LLC
c/o Hunziker & Associates
105 S. 16th Street
Ames, IA 50010

PREPARED BY

WHKS & Co.
1421 S. Bell Avenue, Suite 103
Ames, IA 50010

SUBMITTAL DATE

December 29, 2008

LEGAL DESCRIPTION

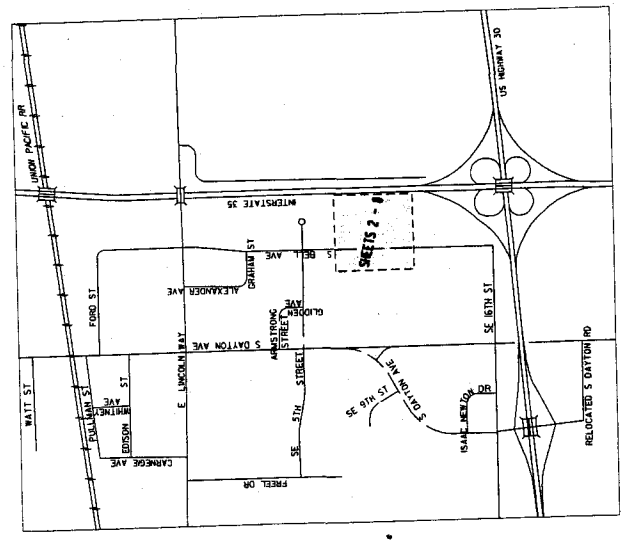
OUTLOT 'Z', FOUR SEASONS PARK SUBDIVISION
& PARCEL 'L', CITY OF AMES, STORY
COUNTY, IOWA.

PROJECT ADDRESS

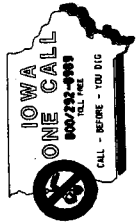
798 & 799 SOUTH BELL AVENUE, AMES, IOWA

INDEX OF SHEETS

1 of 8	Title Sheet
2-3 of 8	General Information and SWPPP
4-5 of 8	Layout
6-8 of 8	Grading Plan



Location Map



LEGEND

PROPOSED	EXISTING
12" W	12" W
12" SAN	12" SAN
12" ST	12" ST
GAS	GAS
CITY	TELEPHONE
TELE	FIBER OPTIC
FO	ELECTRIC
OLE	FIELD FENCE
WOOD FENCE	WOOD FENCE
CHAIN LINK FENCE	CHAIN LINK FENCE
CONTOURS	CONTOURS
DRAINAGE WAY	DRAINAGE WAY
SILT FENCE	SILT FENCE
DRAINAGE FLOW ARROW	DRAINAGE FLOW ARROW
WATER VALVE	WATER VALVE
FIRE HYDRANT	FIRE HYDRANT
MANHOLE	MANHOLE
STORM SEWER INTAKE	STORM SEWER INTAKE
FLARED END SECTION	FLARED END SECTION
POWER POLE	POWER POLE
LUMINAIRE	LUMINAIRE
OUT WIRE	OUT WIRE
DEE ELECTRICAL BOX	DEE ELECTRICAL BOX
OTIP TELEPHONE PEDESTAL	OTIP TELEPHONE PEDESTAL
TRAFFIC / PARKING SIGN	TRAFFIC / PARKING SIGN
150' RADIUS TURNING	150' RADIUS TURNING
FIRE HYDRANT SPACING	FIRE HYDRANT SPACING
TREE REMOVAL	TREE REMOVAL
INLET PROTECTION	INLET PROTECTION
LOT CORNER	LOT CORNER

RECEIVED
JAN 16 2009

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

NO.	DATE	DESCRIPTION
1	1-15-09	PER CITY OF AMES COMMENTS

REVISIONS
WHKS & Co.

AMES COMMUNITY DEVELOPMENT PARK SUBDIVISION 4TH ADDITION PRELIMINARY PLAT AMES, IA

AMES JOB NO. 7121
IOWA PROFESSIONAL ENGINEER
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GENERAL NOTES:

- The zoning for Lots 1-14 and Lot 'A' are General Industrial.
- Lot A shall be dedicated to the City of Ames.
- Proposed utilities shall be located within public utility easements shown or located within utility corridors provided for by the City's "Use of City Right-of-Way Users".
- A sidewalk shall be constructed on the east side of South Bell Avenue.
- P.U.E. = Public Utility Easement.
- S.W.F.E. = Surface Water Floodage Easement
- Proposed Contours on street are to top of pavement.
- All construction materials, dumpsters, detached trailers, or similar items are prohibited on public streets or within the public R.O.W.
- The construction boundary shall be the boundary of the Ames Community Development Park Subdivision 4th Addition.
- Lots 1-4 impervious area shall drain to the ditch on its own lot or to the storm sewer system through each of their own private storm sewer pipes. Lots 1-14 impervious area shall drain to the storm sewer system through each of their own private storm sewer pipes.
- The Southern line of Parcel L and Outlot Z of Four Seasons Park is assumed to bear S89°21'30" W.
- Any industrial uses will be required to comply with the City's non-domestic waste pretreatment program. Further information will be required for site plan approval.
- No parking is allowed on South Bell Avenue, Hyatt Circle, or Wakefield Circle.
- OUTLOT Z AREA = 37.25 acres
 AMES COMMUNITY DEVELOPMENT PARK SUBDIVISION 4TH ADDITION AREA = 37.23 acres
 TOTAL AREA = 74.48 acres
 LOTS 1-14 AREA = 33.50 acres

GRADING NOTES:

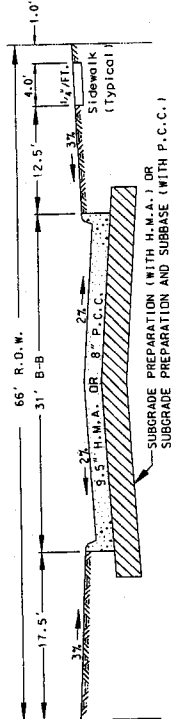
- Grading operations shall be completed in accordance with the most recent edition of the Iowa State Standard Specifications for Public Improvements. Right-of-way shall be compacted to not less than 95% of maximum standard proctor density at a moisture content of 2% above optimum.
- The plans show approximate locations of existing utilities located within the limits of this project. The completeness or accuracy of this utility information is not guaranteed. The Contractor shall obtain utility locate information from the owner of those utilities prior to beginning any excavation and will be responsible for any damage to said utilities resulting from their operations.
- Contractor operations creating objectionable levels of noise shall not begin prior to 7:00 A.M.
- The Contractor shall repair any field tile encountered during the construction of this project (whether shown on the plan or not) or direct the outflow to a drainage way located within the grading limits of this project.
- The Contractor shall understand and follow the requirements of the IOWA General Permit No. 2 and the Storm Water Pollution Prevention Plan created for this project. Erosion control measures shall be installed as early as possible.
- All disturbed areas except Lot A shall be seeded and/or mulched (depending on date) upon completion of the grading.
- The Contractor shall limit their access to the project site to the locations shown on the plan.
- The Contractor shall notify WHS & Co. and the Developer one week prior to the start of any construction.
- The top 6 inches, on average, of topsoil shall be stripped, salvaged, and respread to the proposed contours shown. Topsoil shall not be respread in the street.
- The contours show the finished grade after the street is paved and after the topsoil is respread.
- The top of the topsoil shall be respread to the contours shown.
- Earthwork volume removed from the existing surface to proposed ground surface (street areas calculated to subgrade) = 139,600 C.Y.
 Total Cut = 165,700 C.Y. (Includes 26,100 C.Y. of topsoil stripping cut, 133,600 C.Y. of excavation cut, and 26,100 C.Y. of topsoil stockpile respread cut)
 Total Fill = 165,700 C.Y. (Includes 26,100 C.Y. of topsoil stockpile fill, 133,600 C.Y. of embankment fill, and 26,100 C.Y. of topsoil respread fill)

Grading Quantities

EA.	D.F.	LN.	FT.	TON
Stabilized Construction Entrances	3.74			
Clearing and Grubbing (266 Trees)	3.74			
On-Site Topsoil Stockpiling	26,100			
Class 10 Excavation	133,600			
Class 10 Embankment	133,600			
Seeding - Type (4) Urban Temporary	32			
Erosion Control MUDCH	32			
Rock Check Dam	48			

STREET CURVE DATA

CURVE RADIIUS	DELTA	LENGTH	TANGENT	CHORD	CHORD BEARING
5000.00	00° 30' 31"	44.38'	22.19'	44.38'	N 00° 10' 51" W
5000.00	01° 18' 34"	111.85'	55.93'	111.85'	N 00° 12' 20" E



SOUTH BELL AVENUE, HYATT CIRCLE, AND WAKEFIELD CIRCLE
 TYPICAL SECTION
 (NOT TO SCALE)

SCALE: AS SHOWN
 PROJECT: 7121
 DESIGNED BY: B.J.B.
 DRAWN BY: K.O.N.
 CHECKED BY: B.J.B.
 DATE: 1/15/2009
 SHEET: 4 of 8

PRELIMINARY PLAN
 LAYOUT

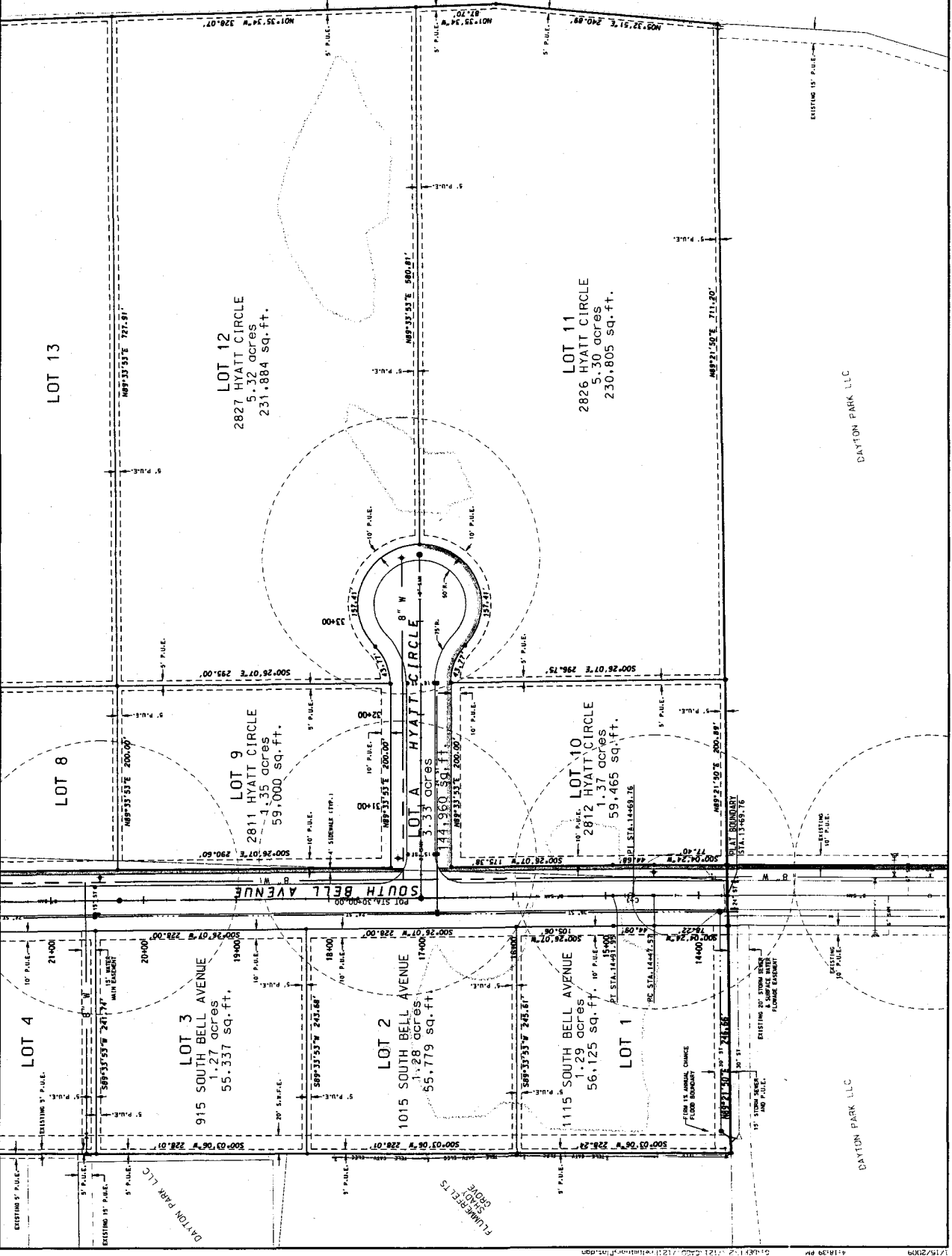
AMES COMMUNITY DEVELOPMENT
 PARK SUBDIVISION
 4TH ADDITION
 AMES, IOWA

WPKS & CO.

NO.	DATE	DESCRIPTION
1	1-15-09	PER CITY OF AMES COMMENTS

REVISIONS
 CHICKENS BARRON PLANNERS
 1421 SOUTH BELL AVENUE, SUITE 103 AMES, IOWA 50010
 515-462-9917

INTERSTATE HIGHWAY NO. 35



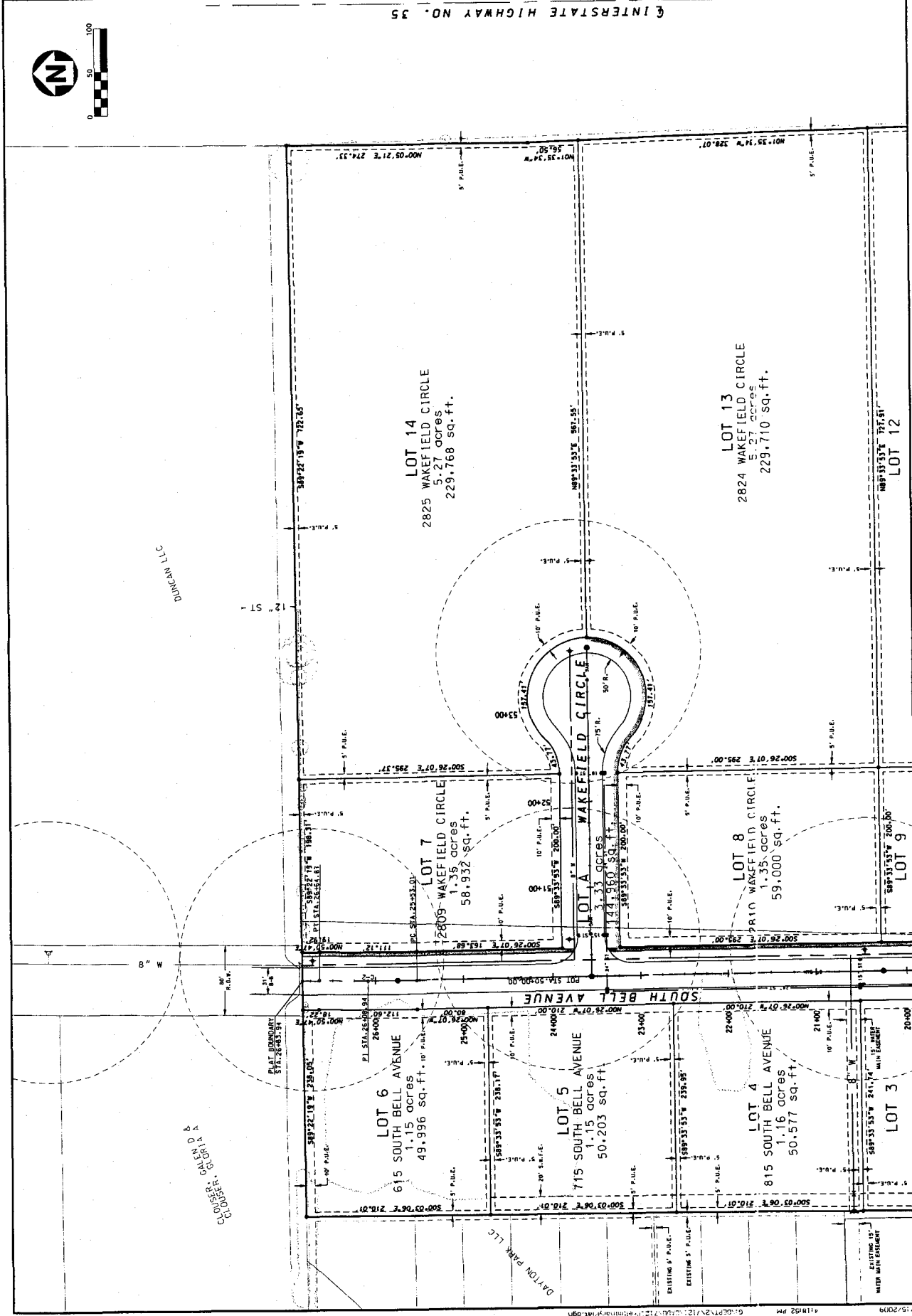
DAYTON PARK LLC

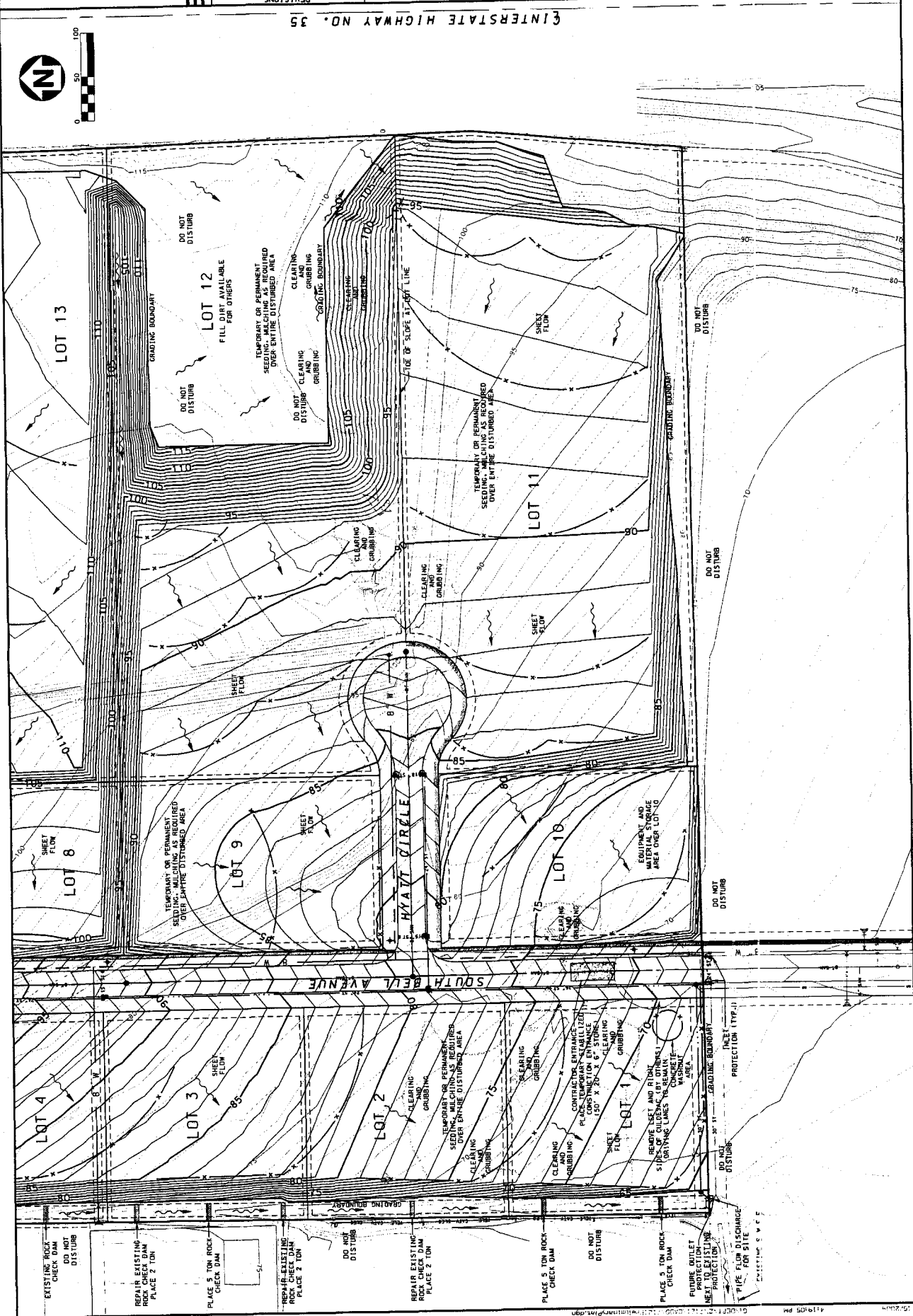
DAYTON PARK LLC

EXISTING 5' P.U.L.
 EXISTING 15' P.U.L.
 DAYTON PARK LLC

EXISTING 5' P.U.L.
 EXISTING 15' P.U.L.
 EXISTING 20" STORM DRAIN
 EXISTING 15" STORM SEWER
 EXISTING 15" P.U.L.

FLUMBERG'S
 2000
 1515 SOUTH BELL AVENUE

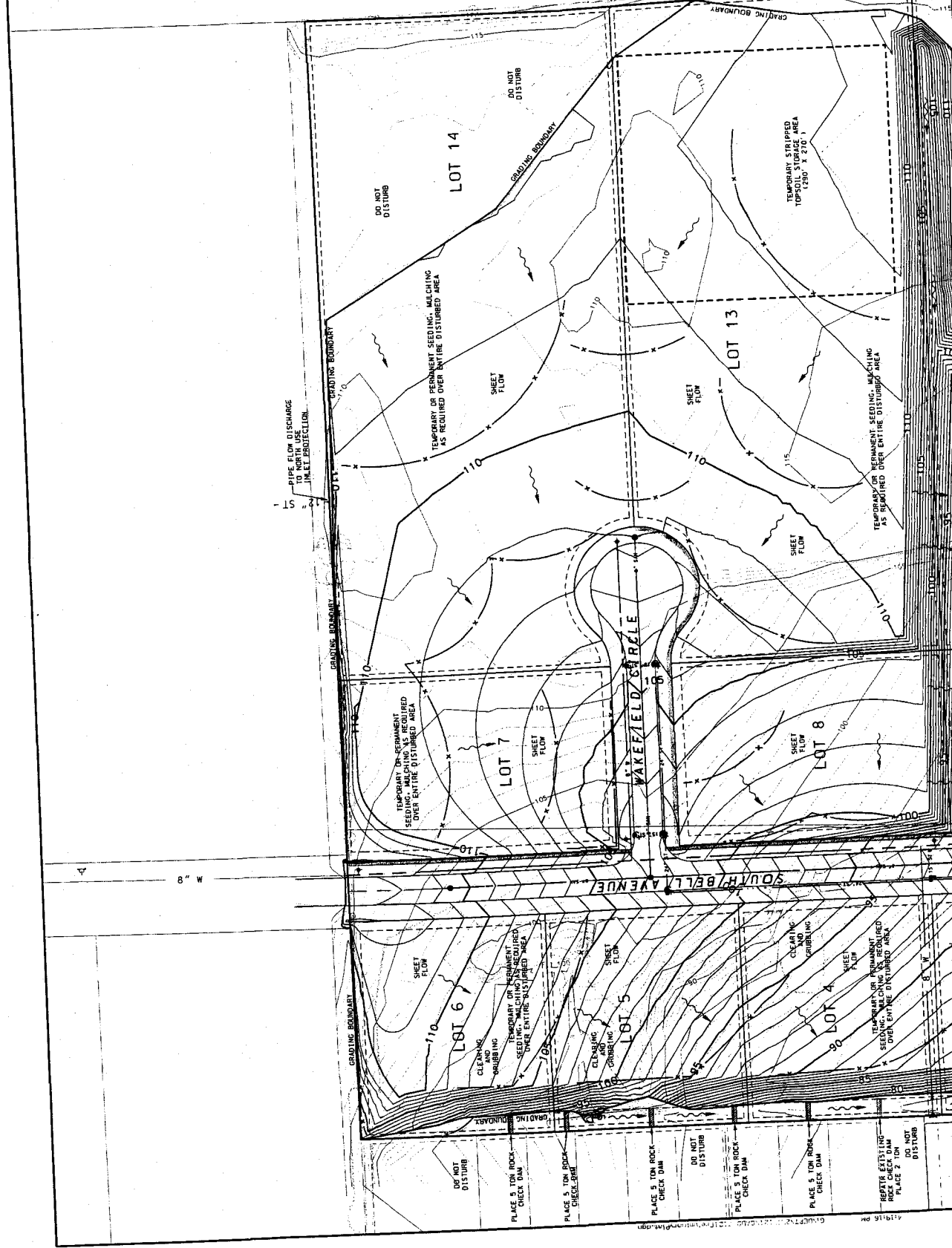


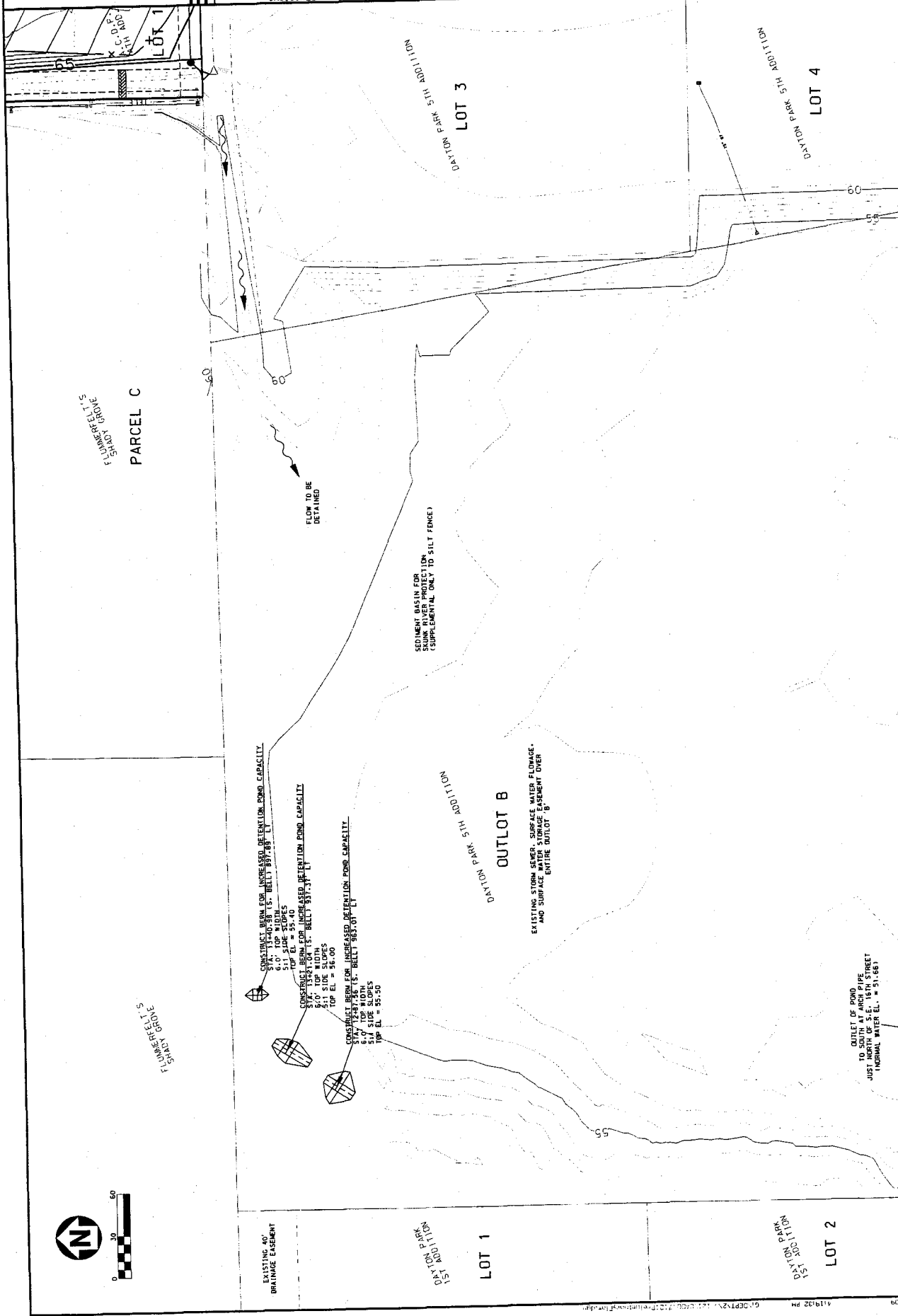


NO.	DATE	DESCRIPTION
1	1-15-09	PER CITY OF AMES COMMENTS

NO.	DATE	DESCRIPTION
1	1-15-22	PER CITY OF AMES COMMENTS

REVISIONS
 WPKS & CO.
 1421 SOUTH BELL AVENUE, SUITE 103 AMES, IOWA 50003
 515-453-9877





161 SOUTH BELL AVENUE, SUITE 103 AMES, IOWA 50003
 515-443-8887

WHKS & CO.

ENGINEERS IN LANDS AND SURVEYING