COUNCIL ACTION FORM

SUBJECT: MAJOR SITE DEVELOPMENT PLAN / PRELIMINARY PLAT FOR SOMERSET SUBDIVISION, 24TH ADDITION

BACKGROUND:

Chuck Winkleblack, representing Hunziker Development, D & R Furman, and Friedrich and Sons, is requesting approval of a revision to the approved Major Site Development Plan/Preliminary Plat for the Somerset Subdivision. The revision pertains to the vacant lot on the southeast corner of Stange Road and Northridge Parkway. The proposal is to subdivide the lot into four lots—three for commercial development and one for a shared parking area to serve the Somerset commercial properties. The location of the project is shown on Attachment 1. The layout plan of the proposed development is shown on Attachment 2.

MAJOR SITE DEVELOPMENT PLAN:

A Major Site Development Plan is required for development in the Village residential District (Section 29.1200(2)(b)). The Plan shows a detailed layout of the development, showing building footprints, parking layout, and street and alley circulation. The Plan must be updated and revised for any substantial change to the Village. The applicant's proposed changes are significant enough to require an amendment to the Major Site Development Plan. The proposed changes are shown on the separate attachments:

- Sheet C1.1: Existing conditions.
- Sheet C2.1: Proposed layout of the lots and proposed physical features of the parking lot.
- Sheet C2.2: Proposed preliminary plat.
- Sheet C3.1: Proposed grading plan.
- Sheet C4.1: Proposed utility plan.
- Sheet C5.1: Proposed landscaping plan.

These sheets are separately included with this Council Action Form. Minor Site Development Plans will be submitted later for construction of each proposed building. The parking lot improvements are reviewed through this Major Site Development Plan process.

The relevant sections of the Ames *Municipal Code* are Chapter 29, Article 4, which describes development standards for all zones; Table 29.1201(7)-8, which describes the regulations for a Commercial/Shop Front development; and Section 29.1502(4), which describes the design standards for a Major Site Development Plan.

Through the Development Review Committee (DRC) process, staff identified a number of code compliance issues and worked with the developer on solutions. The proposed plan (submitted on November 13) resolves most of the issues raised by staff. Issues that require

further attention are 1) perimeter landscaping of the parking lot; 2) screening of the garbage collection area and correction of the plan to indicate that the dumpster is located on a paved surface; and 3) submittal of the COSESCO application. These issues are further described below.

1) Section 29.403 Landscaping and Screening: This section describes requirements for landscaping the perimeter and interior of surface parking lots. However, under Section 29.403(g), the City Council is given the discretion to approve a landscaping plan that does not meet the perimeter screening and interior landscaping requirements if it can be demonstrated that the proposed plan meets the purpose statement of the landscaping requirements for surface parking lots.

The proposed parking lot does not require interior landscaping because it is smaller that the threshold size that triggers interior landscaping. However, the landscaping plan shows an interior island with a tree and several bushes. While the bushes serve as screening for the utility cabinet, all add an element of landscaping where none is otherwise required by code. The parking lot, however, does not meet the perimeter landscaping requirements of Section 29.403(b) in that there should be a low screen of shrubs planted four feet apart along the south and east traffic islands. However, the lack of shrubs is compensated by the 7 ornamental crab trees in those islands where, by code, only 3 are required. In addition, the southeast corner of the lot has an extensive planting scheme with a bed for annuals. While the specific spacing requirements. Accordingly, the City Council may use the discretion granted by Section 29.403(g) by determining that the intent of the Section 29.403(a) is met and to accept the landscaping plan as submitted.

- 2) Section 29.408(3) Garbage Collection Areas: This section describes the screening requirements for dumpsters. The proposed location of the dumpster within the parking lot is acceptable but needs to be screened to the F2 standard (6 feet high and 100 percent sight obscuring). While the location of the dumpster is shown, there is no indication of its height, materials, or whether there is a gate. Staff conditions its recommendation for approval on the applicant submitting information demonstrating that the F2 requirement will be met. There is also a contradiction in the materials on which the dumpster is placed. Sheet C2.1 identifies the trash pad as PCC (Portland Cement Concrete) while Sheet C5.1 identifies it as river rock mulch. PCC is the preferred material for this location and staff will recommend approval conditioned on the applicant providing clarification.
- 3) Section 29.1502(4)(d) Design Standards for a Major Site Development Plan: This section describes the criteria and standards the City Council must rely upon when acting upon an application for major site development plan approval. The criteria, and staff's findings as they relate to each criteria, are as follows:

- 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.
 - While a storm water pollution prevention plan exists for the entire Somerset development, the applicant has yet to submit a COSESCO application for this particular lot. Staff conditions its recommendation for approval of the Plan on submittal of the COSESCO paperwork.
- 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 are or will be installed in accordance with the Preliminary Plat. The private service lines serving the proposed building 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. Staff will review further detail at the time of Minor Site Development Plan submittal.
- 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 or 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 is currently a vacant lot within a built-up urban environment. 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 drive on the south has been designed to provide convenient access to the shared parking serving the buildings. Access onto Stange Road was anticipated with the development of the Village commercial node where a curb cut currently exists. Access to the ingress easement on the west was also anticipated and the curb locations also already exist. Sidewalks will be constructed along both street frontages. Twelve-foot wide walkways between the buildings provide access from Stange Road and Northridge Parkway to the interior parking lot.

PRELIMINARY PLAT:

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 regulations) as well as Chapter 354 of the *Code of Iowa*. Portions of these applicable laws are found in Attachment 3. 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.

Staff reviewed the preliminary plat for Somerset Subdivision Twenty-Fourth Addition and analyzed its conformance with the requirements of the subdivision regulations, particularly Section 23.401 Site Design Standards, and with the Land Use Policy Plan and the existing Major Site Development Plan for the Somerset Village.

The proposed division of land is consistent with the Land Use Policy Plan which designates this site as part of the larger "Village/Suburban Residential" area extending from 24th Street to Bloomington Road. The zoning designation for this site is Floating Village Residential, which allows for certain commercial uses. The approved Major Site Development Plan for the Village designates this area "Town Center South Commercial."

All utilities necessary to accommodate the lots are located either in Stange Road or Northridge Parkway. The proposed utility plan anticipates an extension of the water line to

a new hydrant on Northridge Parkway to accommodate the three commercial lots. Water main connections shall be made at approved locations for domestic and fire service lines to each of the buildings. Sanitary sewer connections shall be made at approved locations and shall utilize existing stub-outs under Stange Road or Northridge Parkway.

Electric lines to serve the proposed utility cabinet in the parking lot and the parking lot lights shall be buried. The locations of the proposed easements are shown and shall be established by final plat approval. Parking lot lighting and poles shall be as provided for in previous Village commercial parking lots.

Each of the lots has the required frontage on a public street. The lot proposed as the parking lot is designated as an outlot. An outlot is defined as 'unbuildable' and is generally designated on the plat by a letter. This is consistent with the other parking areas of Somerset. An access easement along the south portion of the outlot to provide access from Stange Road to the various interior parking lots will be submitted at the final plat stage. An easement along the east side (but outside of) the proposed outlot already exists to provide access to this outlot as well as to the other interior parking lots.

While street trees are not generally required in commercial developments, the Somerset Village has a tree planting plan that requires specific trees in the rights-of-way of Stange Road and Northridge Parkway. The proposed development meets that requirement with the planting of red oaks on Stange Road and skyline locusts on Northridge Parkway.

FINDINGS OF FACT AND CONCLUSIONS:

Based upon an analysis of the proposed Major Site Development Plan, Preliminary Plat and laws pertinent to the proposed development, the staff finds as follows:

- The proposed Major Site Development Plan creates three lots for commercial buildings and one lot for parking. Staff has analyzed the applicant's request, reviewed the supporting material, and conducted an on-site inspection. Based upon the facts and above analysis, staff concludes that the proposed commercial development conforms to relevant and applicable Village standards, as well as applicable site design standards for Major Site Development Plans.
- 2. The proposed Preliminary Plat includes land lying within land designated on the Land Use Policy Plan Map as Village/Suburban Residential and on the Zoning Map as Floating Village Residential. The approved Major Site Development Plan identifies this tract as Town Center South Commercial. Staff concludes that the development of this lot as a commercial subdivision is consistent with the LUPP, zoning, and approved Major Site Development Plan.
- 3. 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 and build-to lines. Staff concludes that the proposed lots are consistent with the design standards of the subdivision regulations.

4. Each lot within the proposed subdivision has existing access to public utilities or will be served by an extension of public utility mains. All electric and public utility easements are identified and will be finalized at the final platting stage. Staff concludes that the improvement standards of the subdivision regulations will be met.

Staff concludes that the proposed Major Site Development Plan and Preliminary Plat complies with all relevant and applicable design and improvement standards of the Zoning Ordinance and Subdivision Regulations, to other City ordinances and standards and to the City's Land Use Policy Plan except as noted and conditioned for approval in Alternative 1, below.

Recommendation of the Planning & Zoning Commission. At its meeting of December 16, 2009, with a vote of 7-0, the Planning and Zoning Commission recommended that the City Council adopt Alternative #1. At the Commission meeting, no one spoke in opposition to the item. Mr. Winkleblack addressed the Commission with an idea he was pursuing to address the screening of the dumpster. He presented a line drawing of a possible enclosure. Because it was an idea needing further information and discussion, the Commission took no position on whether it was acceptable to meet the screening requirements.

ALTERNATIVES:

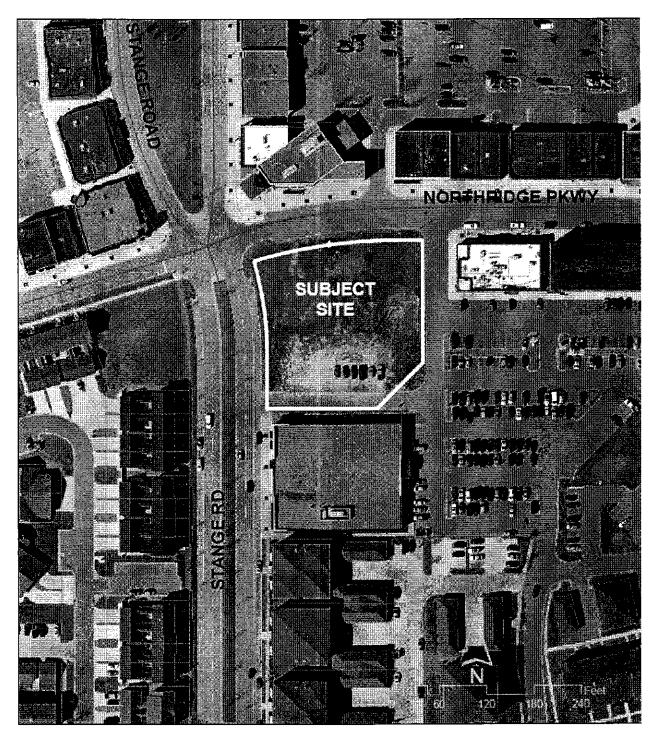
- 1. The City Council can approve the Major Site Development Plan and Preliminary Plat for Somerset Subdivision Twenty-Fourth Addition, located at 2630 Stange Road, based upon staff's findings and conclusion and subject to the following conditions:
 - a. Prior to final plat approval, the applicant shall submit information demonstrating that the dumpster screening is gated, is six-feet in height, and is of a material that is 100 percent sight obscuring.
 - b. Prior to final plat approval, the applicant shall submit the required COSESCO paperwork to the Public Works Department.
 - c. Prior to final plat approval, the Major Site Development Plan shall be corrected to indicate that the proposed dumpster location will be Portland Cement Concrete.
- 2. The City Council can approve the Major Site Development Plan and Preliminary Plat, with other modifications that it deems necessary to comply with all relevant and applicable design and improvement standards.
- 3. The City Council can deny the Major Site Development Plan and Preliminary Plat if it finds that they not comply with all relevant and applicable design and improvement standards.
- 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:

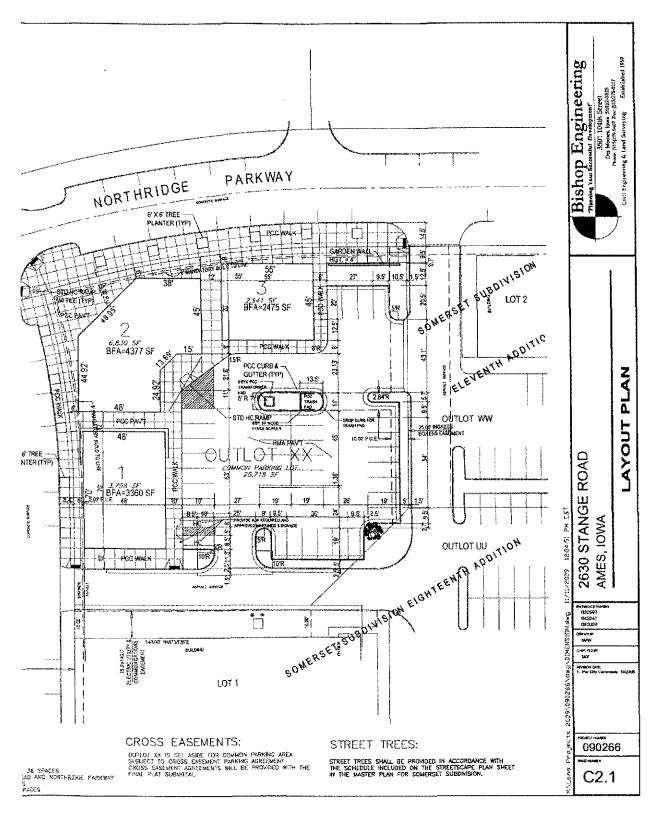
The Planning and Housing staff concludes that the proposed Major Site Development Plan and Preliminary Plat for Somerset Subdivision Twenty-Fourth Addition is consistent with the adopted ordinances and policies of the City of Ames, except for the three conditions noted. Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative 1, which is to approve the Major Site Development Plan and Preliminary Plat for Somerset Subdivision Twenty-Fourth Addition, located at 2630 Stange Road, subject to the specified conditions.

Following approval of the Major Site Development Plan/Preliminary Plat, a Final Plat must be submitted to the City Council. It is anticipated that the Final Plat will be submitted soon. In addition, prior to construction of any building, staff will review a Minor Site Development Plan.

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3

The subdivision regulations applicable to this case file are as follows:

<u>Code of Iowa</u> Chapter 354, Section 8 requires that the governing body shall determine whether the subdivision conforms to its Land Use Policy Plan and shall consider the impact on public improvements.

Ames <u>Municipal Code</u> 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:

(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.

(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 23.107 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

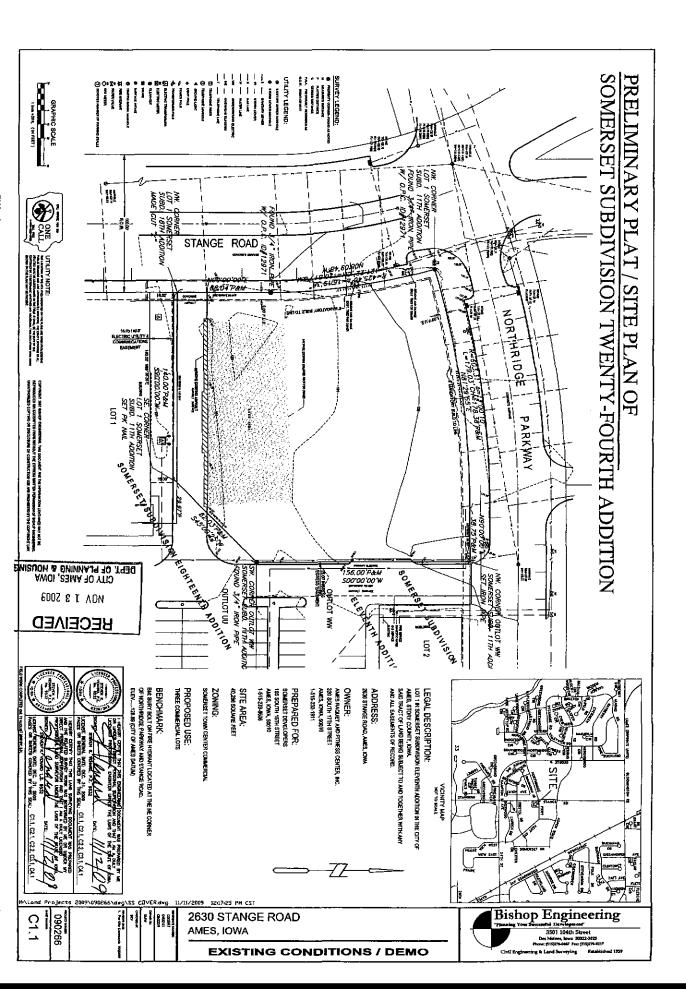
(6) Rental Housing Code

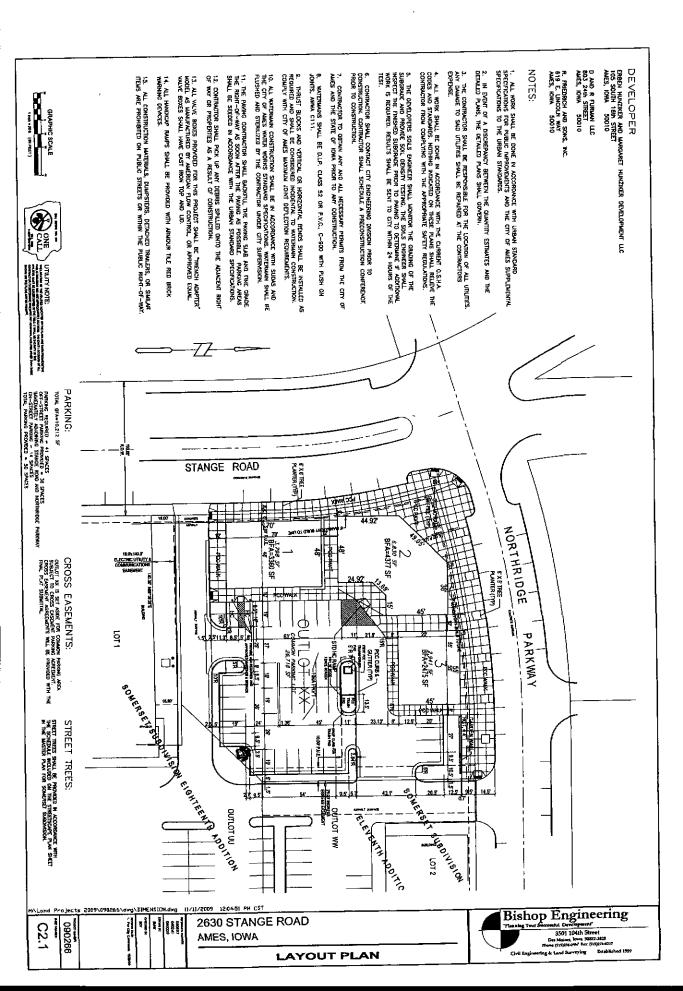
(7) Transportation Plan

(8) Parks Master Plan

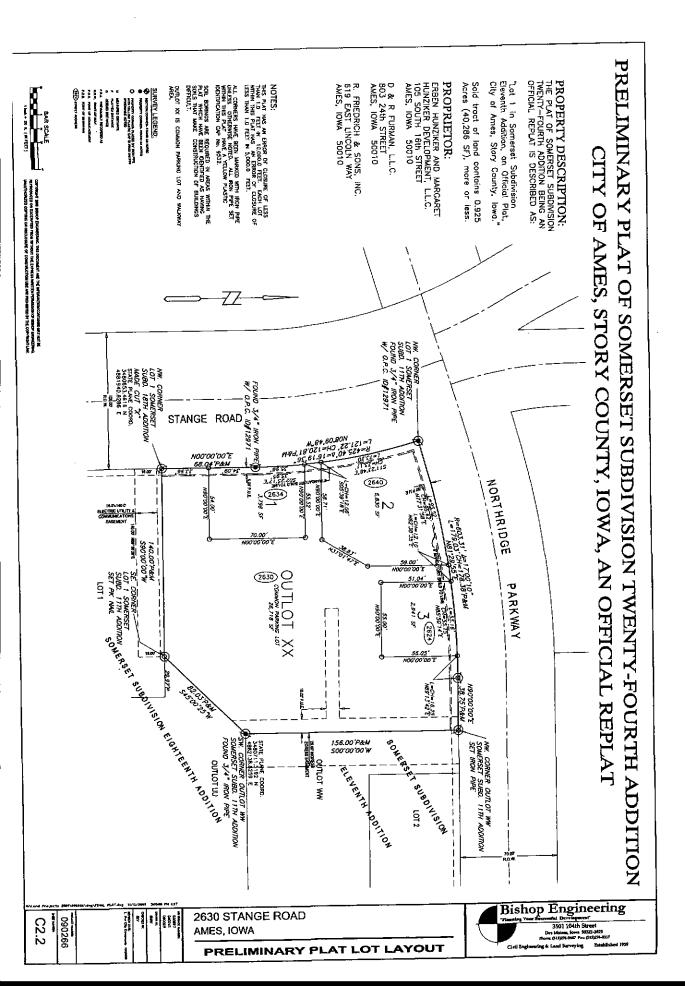
(9) Bicycle Route Master Plan

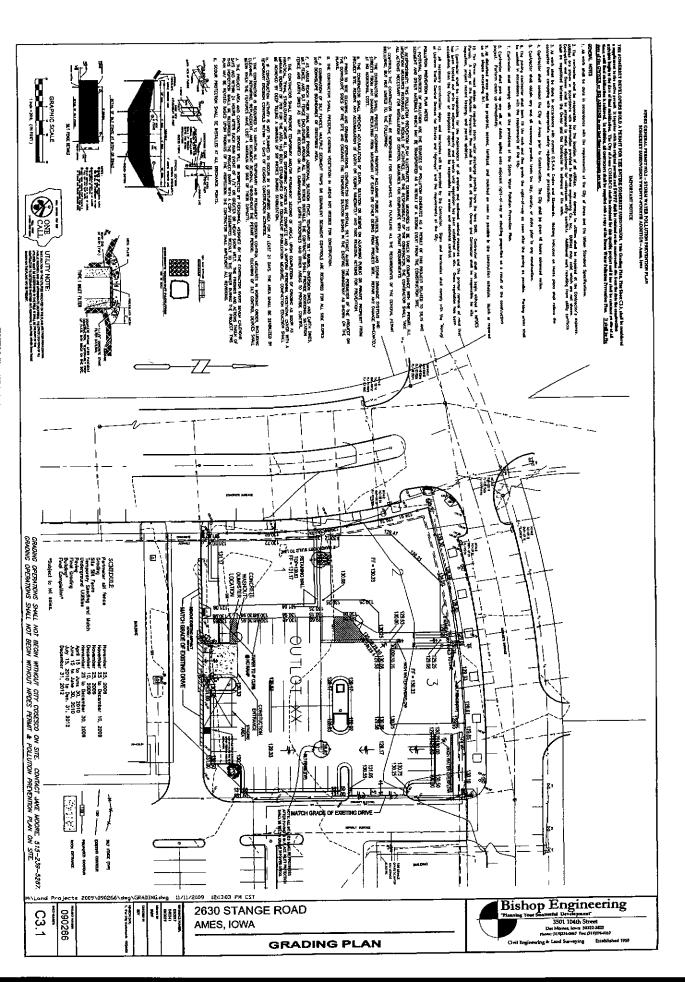
Plats may be disapproved on the basis of the above, and other City Council approved plans and policies that may be adopted from time to time.



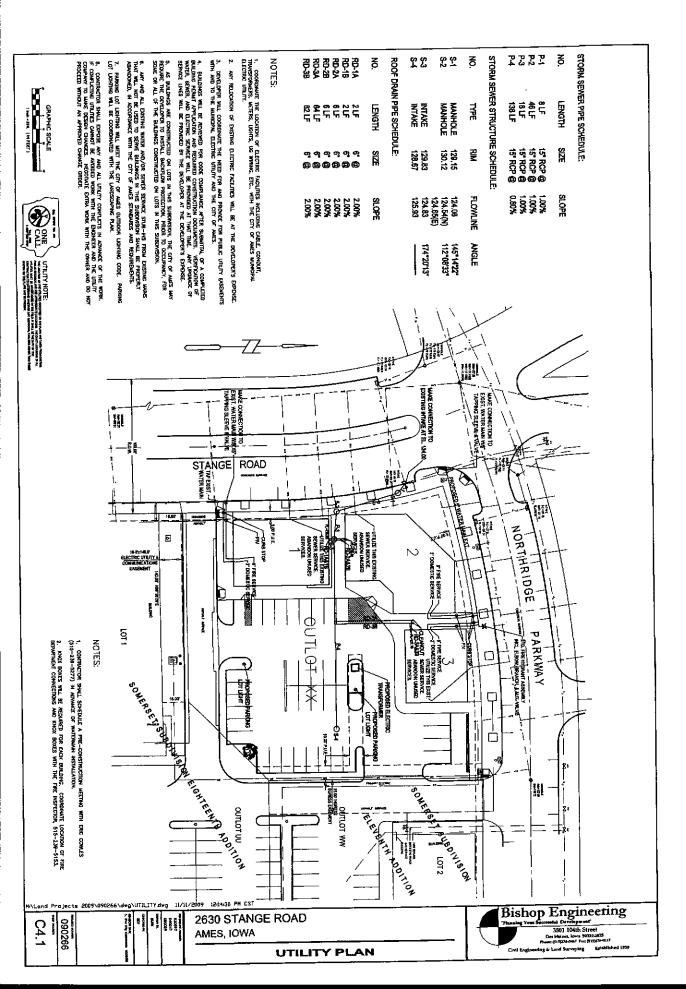


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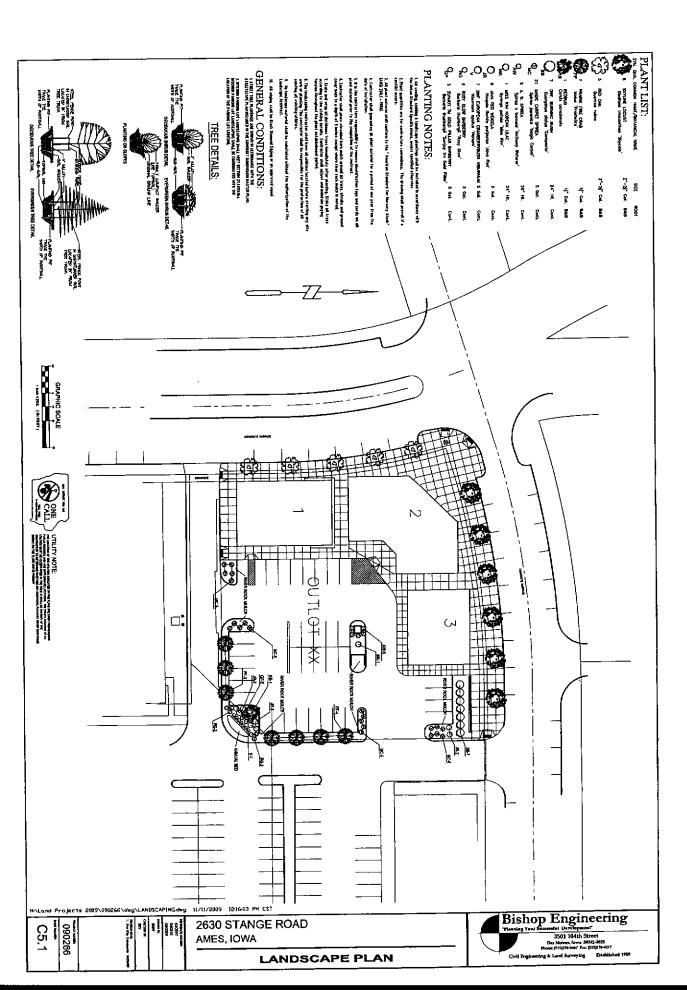




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