

COUNCIL ACTION FORM

SUBJECT: PRELIMINARY PLAT FOR AIRPORT BUSINESS PARK SUBDIVISION

BACKGROUND:

Owner Kellie Markey is requesting approval of a Preliminary Plat for the AirPort Business Park. The proposed subdivision, just east of Munn Lumber on Airport Road, includes four numbered lots for commercial development and one lettered lot to be dedicated as public right-of-way for Airport Court, a 350 foot cul-de-sac street. A plat of survey for this 15.14 acre area was recorded in 2004, which designated the area as Parcel Q. This proposed plat further divides Parcel Q. The subject area is zoned Highway-Oriented Commercial and is also designated Highway-Oriented Commercial on the Future Land Use Map of the Land Use Policy Plan. The property has most recently been used for soybean production. There are no significant natural features or other structures located on-site. The site is generally flat and slopes down gently from Airport Road toward the Highway 30 right-of-way.

Previous Submittal. A preliminary plat for the AirPort Business Park was previously approved by City Council on October 24, 2006. The 2006 preliminary plat expired because a final plat had not been submitted or approved before the deadline.

Applicable Law. The applicable law to the case is contained in *Attachment A*.

Zoning and LUPP. The following table identifies the existing land use, existing zoning, and Future Land Use, LUPP designation of the properties surrounding the subject site.

DESCRIPTION OF SURROUNDING AREA

Area	LUPP Designation	Zoning Designation	Land Use
North	Highway-Oriented Commercial	Highway-Oriented Commercial (HOC)	Vacant & US Highway 30
South	Government/Airport	Government/Airport District (S-GA)	City of Ames Municipal Airport
East	Highway-Oriented Commercial & Government/Airport	Government/Airport District (S-GA)	Agriculture
West	Highway-Oriented Commercial	Highway-Oriented Commercial (HOC)	H L Munn Lumber Company

Utilities. The utilities adjacent to this site will be adequate to serve the needs of this future development. Although not a requirement of the preliminary plat, all of the utilities except for electric and street lights have been installed within the plat and will be accepted by the City.

Water. The City maintains sufficient water capacity to serve this area. A 12-inch

water main is located in the Airport Road right-of-way along the south side of the subject site. The developer has extended an 8-inch water main from the 12-inch water main within Airport Road into the site.

Sanitary Sewer. An 8-inch sanitary sewer main currently exists within the Airport Road right-of-way and will provide service to Lot 4. The developer has extended an existing 8-inch sanitary sewer main across the Munn Lumber property to serve Lots 1, 2, and 3. The applicant has provided a sanitary sewer easement for this off-site sanitary sewer extension.

Storm Sewer. The subject property will be graded so that storm water from Lots 1 through 4 will be directed toward an elongated detention pond on the north and west end of the subject site. The storm water detention areas are illustrated on the Preliminary Plat. The storm water will ultimately be discharged into the ditch along U.S. Highway 30 right-of-way. The Iowa DOT has approved this encroachment. The rate of storm water run-off will not be increased above the pre-development rate of run-off.

Electric. The subject area falls within the City of Ames Electric Service Boundary. The site can be adequately served by municipal electric services. The developer will extend the underground electric facilities into the site to serve the proposed subdivision. Three street lights are anticipated.

Streets and Vehicular Access. The developer has constructed Airport Court northward from Airport Road approximately 350 feet to where it terminates with a cul-de-sac. The developer will install sidewalks on both sides of Airport Court as the lots develop. A bike path already exists on the north side of Airport Road, which serves to meet the sidewalk requirement. These improvements are consistent with the requirements of the Subdivision Ordinance.

Airport Protection. The area is in close proximity to the Municipal Airport. When an application for development is submitted, City staff may require a notification form to be sent to the Federal Aviation Administration, depending on the height and/or location of the building(s).

Findings of Fact. Based upon the findings of fact in *Attachment B* and the analysis contained in this report, staff concludes that the proposed preliminary plat is consistent with the Land Use Policy Plan, provided that the remaining public improvements are completed. Accordingly, 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.

Conditions. Staff believes the Preliminary Plat for the AirPort Business Park complies with relevant codes and policies, subject to the following conditions:

1. The developer shall construct and dedicate all remaining public improvements within

the development to City of Ames Urban Standards, as required, including dedication of public right-of-way, sidewalks, electric distribution, and street lights prior to approval of the Final Plat, or execute an Improvement Agreement to guarantee the completion of all remaining public improvements and provide security in the form of an Improvement Guarantee, as set forth in Section 23.409 of the *Municipal Code*.

2. A note shall be placed on the Final Plat drawings indicating that no vehicular access will be allowed from Airport Road to Lots 3 and 4. All vehicular access to the lots within the development shall come from Airport Court.
3. A note shall be placed on the Final Plat drawings indicating that any future maintenance needed to the storm water structure located within the U.S. Highway 30 right-of-way, as determined by the Iowa Department of Transportation, will be the responsibility of the property owner.

Recommendation of the Planning & Zoning Commission: At its meeting of February 3, 2010, with a vote of 6-0, the Planning & Zoning Commission recommended approval of the Preliminary Plat with the conditions listed above.

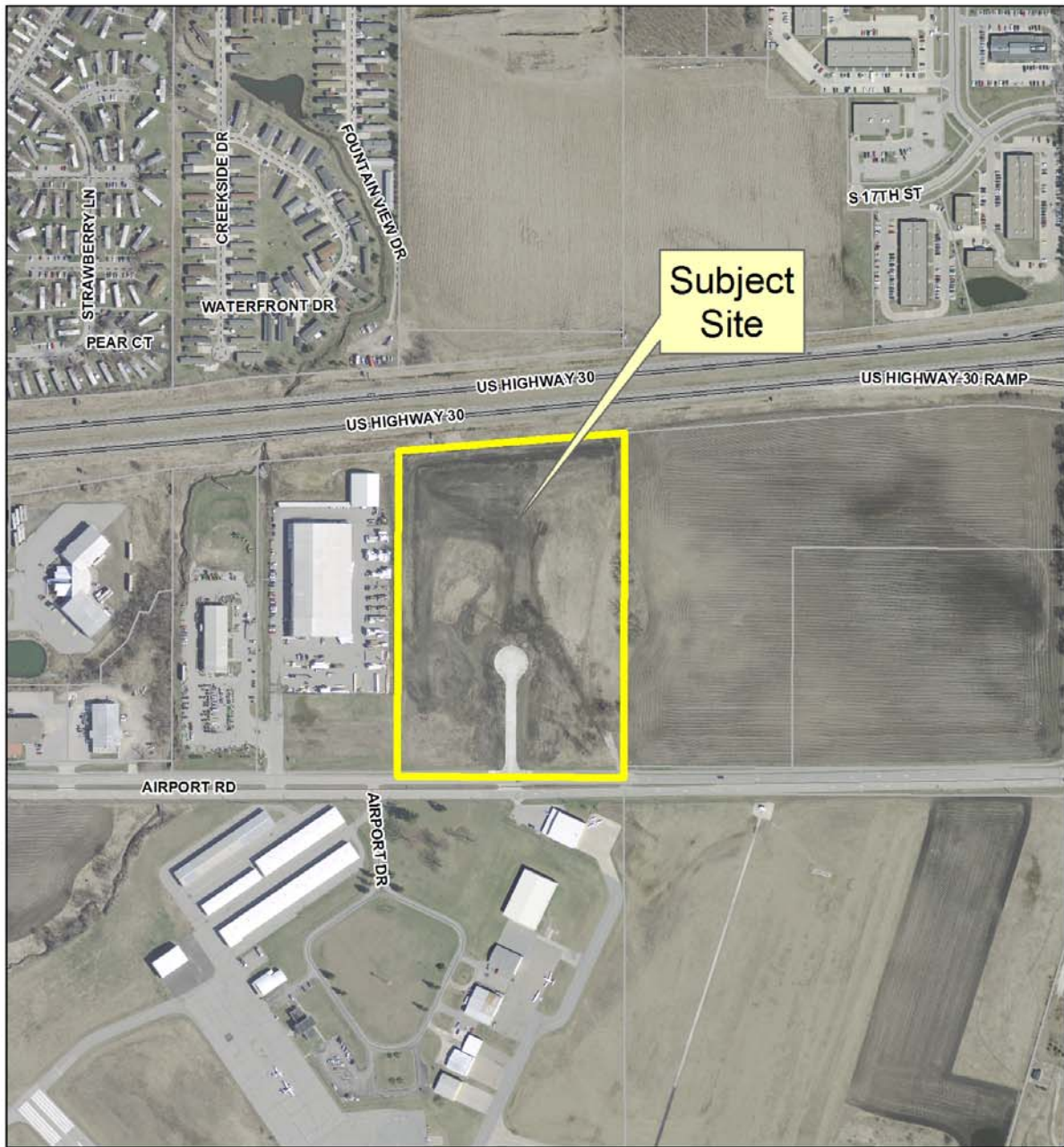
ALTERNATIVES:

1. The City Council can approve the Preliminary Plat for the AirPort Business Park with the conditions listed above.
2. The City Council can deny the Preliminary Plat for AirPort Business Park if it finds that the plat application does not meet the standards and policies of the City.
3. The City Council can approve the Preliminary Plat for AirPort Business Park, with modifications.
4. The City Council can refer the Preliminary Plat for AirPort Business Park back to City staff and/or the applicant for additional information.

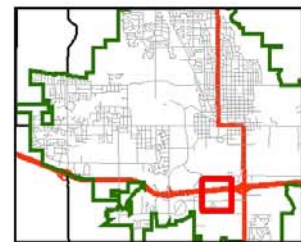
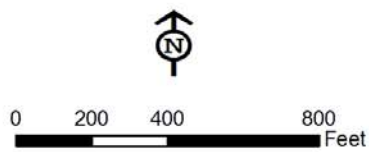
MANAGER'S RECOMMENDED ACTION:

The proposed Preliminary Plat is consistent with the surrounding land uses, existing zoning, and LUPP designation. Condition #1 ensures the installation of the remaining required public improvements. Condition #2 restricts vehicular access directly from the proposed lots to Airport Road. Condition #3 ensures that the property owner is responsible for any maintenance needed to the storm water structure that has been constructed within the U.S. Highway 30 right-of-way.

Therefore, it is the recommendation of the City Manager that Alternative #1 be adopted to approve the Preliminary Plat with the conditions listed above.



Location Map
707 Airport Road



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 and shall consider the impact on public improvements.

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.*

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 23.302(7):

(7) Effect of Approved Preliminary Plat:

- (a) *An approved Preliminary Plat authorizes the making or installation of any required improvements shown on the Preliminary Plat after the Municipal Engineer reviews and provides written approval of construction plans, including any appropriate profiles or cross sections, for improvement of public ways, public infrastructure and public utilities.*
- (b) *An approved Preliminary Plat shall be valid for one year from the date on which the City Council approves the Preliminary Plat, by which time the Applicant shall submit an Application for Final Plat Approval or the Preliminary Plat shall become null and void unless the City Council has granted an extension of time for the validity of the Preliminary Plat for a period not to exceed one additional year beyond the expiration of the original one year period of validity. If the approval period expires without an Application for Final Plat Approval, nor an extension, the Applicant shall be required to resubmit a Sketch Plan pursuant to currently existing Regulations.*
- (c) *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 as set forth in Section 23.304 and provide security in the form of an Improvement Guarantee as set forth in Section 23.409 of the Regulations. Between the 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* 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.

Ames *Municipal Code* Chapter 23, Subdivisions, Division III, provides the procedures for the subdivision of property; specifically Section 23.302 discusses Major Subdivisions.

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

Ames *Municipal Code* Chapter 23, Subdivisions, Section 23.405(3), requires that street lights be installed at the subdivider's expense and according to the design and specification standards approved by the City Council and after review and approval by the Ames Municipal Utility. The electric distribution system for the street light system shall also be installed underground.

Ames *Municipal Code* Chapter 29, Zoning, Section 29.804, includes standards for the Highway-Oriented Commercial Zone.

Attachment B

Findings of Fact

Based upon an analysis of the proposed development, laws pertinent to the proposed development, and conditions and improvements abutting and serving the plat, 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”.
2. The applicant is proposing a redivision of existing Parcel Q that will subdivide said parcel into four lots. All four lots are proposed for commercial development. There is no minimum lot area for the lots, which are zoned as Highway-Oriented Commercial (HOC).
3. All lots within the proposed subdivision have the minimum amount of required frontage. The minimum frontage requirement for the lots zoned as “HOC” is 50 feet at the street line and 50 feet at the building line.
4. The lot is designed to provide adequate buildable area within the minimum required building setbacks.
5. 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. All public improvements except for interior sidewalks, electric distribution, and street lights have been installed and will be accepted.
6. The proposed subdivision is designed to include interior sidewalks, four feet wide, fronting each lot which are in compliance with the standards for commercial subdivisions. There is an eight foot existing bike path along Airport Road, which will remain to also meet the requirement for the required sidewalk along Airport Road.
7. Flood Plain: This subdivision is not within a Flood Plain according to the 2008 FEMA Flood Insurance Rate Map.
8. Access: Airport Road is an arterial street, to which only limited access points are permitted, according to SUDAS (Statewide Urban Design and Specifications).
9. Storm Water Infrastructure: The storm water outlet pipe terminates into Highway 30 right of way, which is in Iowa D.O.T. jurisdiction. The property owner is responsible for ensuring functionality of this private storm water management system.