

COUNCIL ACTION FORM

SUBJECT:PRELIMINARY PLAT FOR TIMBER ROAD ESTATES

BACKGROUND:

Project Description. Ronald and Jean Finch are seeking approval of a preliminary plat for Timber Road Estates, a proposed subdivision of six lots for single family detached residences located on Timber Road, approximately one mile south of Ames and approximately two miles east of Kelley. The property is 19.48 acres in size. The lots range in size from 1.31 acres to 6.29 acres.

The property is bounded on the east and south by Timber Road, a 66-foot wide easement road with a gravel surface. A new road, Timber Circle, is proposed to provide access from Timber Road to three of the lots.

The site is within the Rural Residential area of the *Ames Urban Fringe Plan*. County zoning is A-R Agricultural Residential District.

Subdivision Review Authority. The boundary of the proposed project is within two miles of both the Ames city limits and Kelley city limits. According to *Code of Iowa*, Chapter 354, in instances where the proposed subdivision is within two miles of two or more cities, the closer city has jurisdiction. In this case, Ames is the closer jurisdiction. Ames *Municipal Code* Section 23.102(2)(b) describes the authority of the City of Ames to review and either approve or deny the proposed preliminary plat based on the possible burden on public improvements, on its subdivision regulations, on the *Ames Land Use Policy Plan*, and on all other City plans, regulations or ordinances. The plat is also subject to review and approval by the Story County Board of Supervisors.

The *Ames Urban Fringe Plan* designates the subject property and the properties surrounding it on the north, east and south as Rural Residential and Natural Areas. These are designations under the broader Rural Service and Agricultural Conservation Area land use class defined by the Fringe Plan.

The Rural Residential land use anticipates single-family residential development that is intended to be rural in character as it develops and not expected to be annexed into the City within the time horizon of the Plan. The Rural Residential designation does not mandate residential density; rather, it recognizes:

...a residential market segment seeking large lots in a rural setting, benefiting from agricultural activities on a small scale. (*Ames Urban Fringe Plan*, p. 27-28)

The City Council requires that the owner of rural subdivisions, prior to consideration by the City Council, submit three signed covenants to the City. These covenants require the owner to: request annexation when the City asks them to; pay for any buyout of rural water upon annexation; and agree to not contest any assessment necessary for the installation of public improvements installed by the City. The three required covenants have been signed and submitted.

Utilities and Streets. By Resolution No. 10-206 of May 11, 2010, the Ames City Council waived its requirements for installation of infrastructure for this residential subdivision. Therefore, City standards for infrastructure (Ames *Municipal Code* Division IV of Chapter 23) do not apply to this subdivision. Story County will review the project for conformity to its development standards.

Environmental Protection. The goals and objectives of the LUPP include protecting environmental resources, particularly water resources and natural areas. The proposed Timber Road Estates is not located within a designated Watershed Protection Area or other protection area. The project is not likely to affect the environmental resources of Ames. Therefore, no additional requirements are necessary to ameliorate possible impacts of the development.

Recommendation of the Planning & Zoning Commission. At its meeting of July 21, 2010, with a vote of 6-0, the Planning and Zoning Commission recommended that the City Council approve the preliminary plat for Timber Road Estates. There was no one to speak in opposition to the proposed subdivision.

ALTERNATIVES:

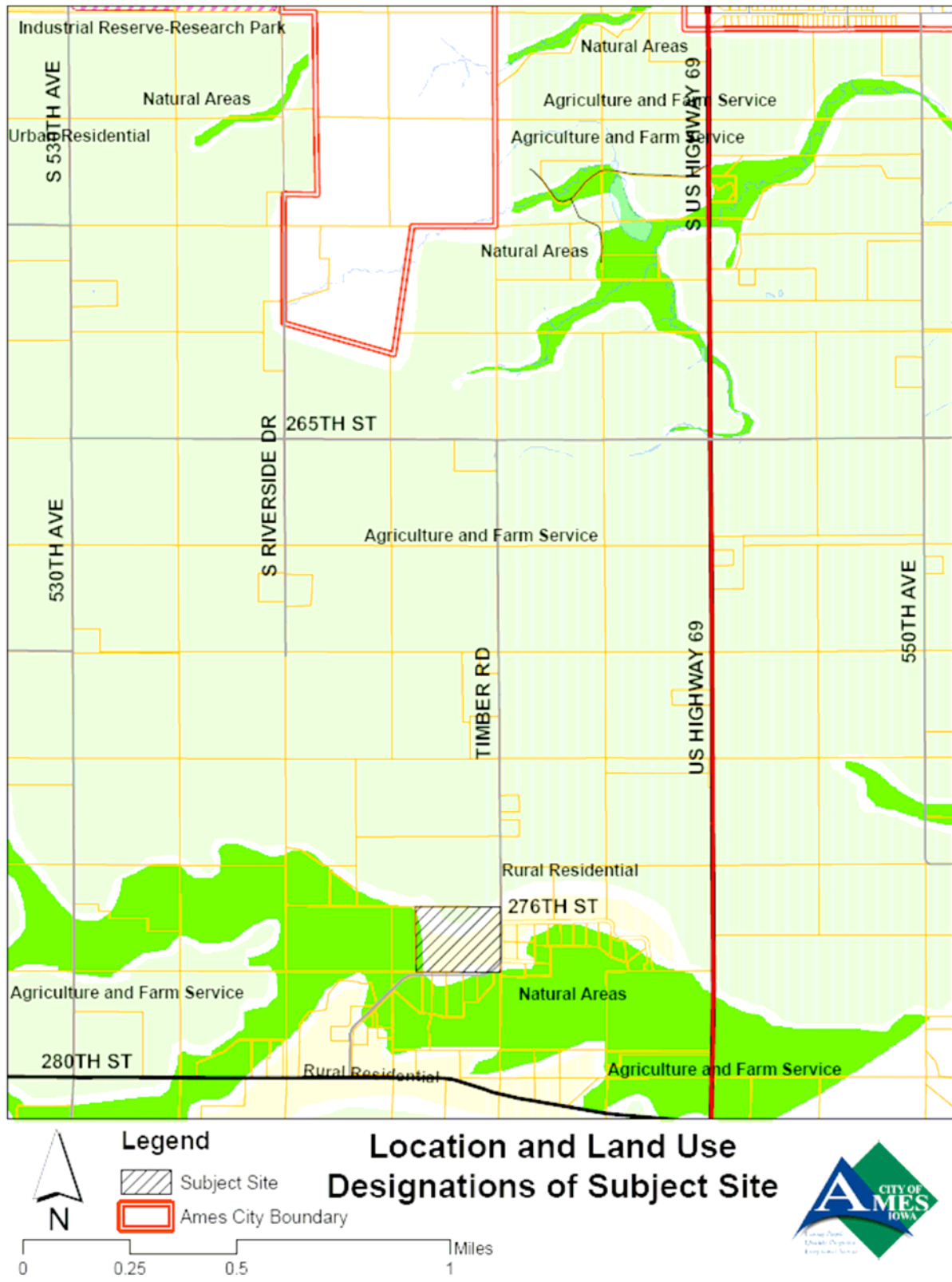
1. The City Council can conclude that the preliminary plat for Timber Road Estates complies with the City subdivision regulations based upon the above facts and approve the preliminary plat.
2. The City Council can deny the preliminary plat for Timber Road Estates if it finds that impacts of the proposed development cannot be mitigated and the development is not consistent with all applicable laws and policies. The City Council should develop findings of fact and conclusions that support a decision of denial.
3. The City Council can return this request back to staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

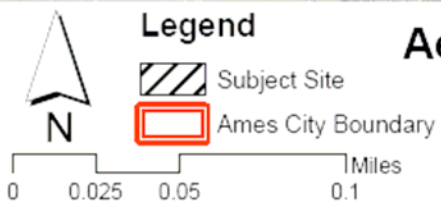
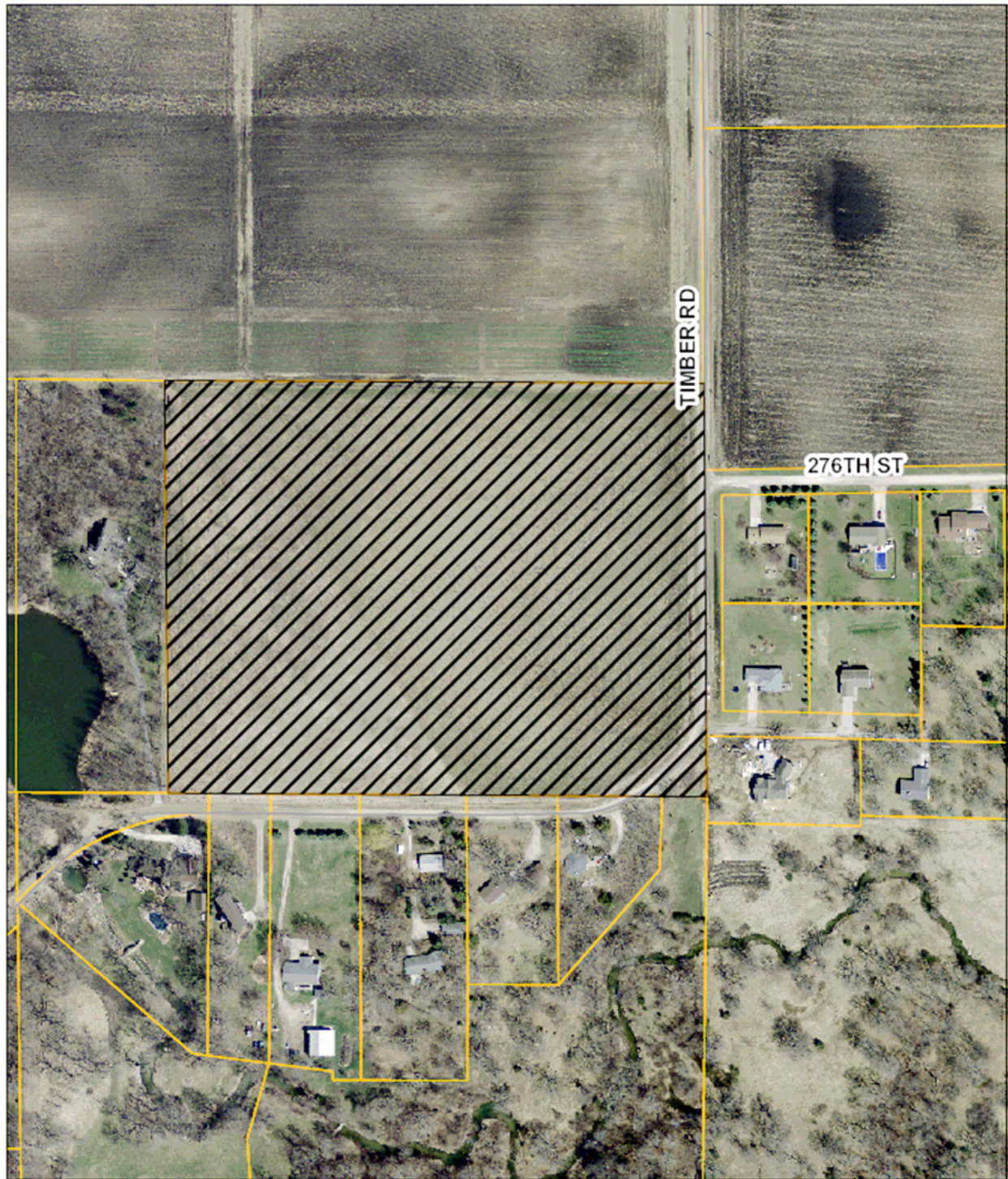
Based upon the above facts, the staff has concluded that the requirements of the City subdivision regulations have been met.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is for the City Council to approve the preliminary plat for Timber Road Estates.

ATTACHMENT A



ATTACHMENT B



Aerial View of Subject Site



ATTACHMENT C

From Ames Urban Fringe Plan Adopted July 17, 2006

Rural Residential (RR)

Residential land uses within Rural Residential designated areas are developed at a rural density and in areas where urban infrastructure may not be in place for a time period beyond the Ames Urban Fringe Plan. The Rural Residential designation recognizes a residential market segment seeking large lots in a rural setting, benefiting from agricultural activities on a small scale

RR Policy 1: This land use designation includes all single-family residential land uses/developments that involve maximum average net densities of one unit per acre.

RR Policy 2: Full urban infrastructure standards are not required. (Relates to RSACA Goal 2.6)

RR Policy 3: Decentralized wastewater treatment facilities and wells shall meet IDNR, county, and city standards. (Relates to RSACA Goal 2.6)

RR Policy 4: Encourage clustering of residential sites within these land areas to limit the short-term and long-term costs associated with infrastructure improvements and the distribution of public services. (Relates to RSACA Goal 2.6)

RR Policy 5: Make provisions to protect environmental resources, environmentally sensitive areas and adjacent Natural Areas. (Relates to RSACA Goal 2.3, 2.4)

RR Policy 6: Mitigate and manage storm water run-off, soil erosion, and wastewater discharge from Rural Residential land uses according to IDNR and county standards. (Relates to RSACA Goal 2.3)

RR Policy 7: Protect the rural character of the Rural Service and Agricultural Conservation Area through residential density requirements, buffering requirements between conflicting land uses and other appropriate transitions from urban to rural areas. (Relates to RSACA Goal 2.1)

RR Policy 8: Limit rural residential development on prime agricultural land. Assure that the development on prime agricultural land is farm-related and has adequate access to road systems and potable water. Development should not interfere with agricultural-related activities. (Relates to RSACA Goal 2.1, 2.2, 2.5, 2.6).

RR Policy 9 Minimize the impact of non-agriculture development in rural areas on existing agricultural operations. (Relates to RSACA Goal 2.1, 2.5)

ATTACHMENT D

