

COUNCIL ACTION FORM

SUBJECT: REVISIONS TO THE APPROVED PRELIMINARY PLAT AND MASTER PLAN FOR NORTHRIDGE HEIGHTS SUBDIVISION

BACKGROUND:

Property owner, Uthe Development Company, has requested revisions to the Preliminary Plat and Master Plan for Northridge Heights Subdivision approved by the City Council on May 27, 2008. This subdivision is generally located north of Bloomington Road, east of George Washington Carver Avenue, and west of the Union Pacific Railroad right-of-way. (See Attachment A) The proposed revisions would consolidate lots for future residential development.

Proposed changes to the Preliminary Plat are as follows:

- On Sheets 7 and 11, combining Lots 305 through 331, and eliminating the proposed public streets (Cardiff Road extension, and Thetford Drive) to create the single Lot 20. The existing public street called Cardiff will provide access to the lot. (See Attachments B and C)
- On Sheet 3 General Note 6 has been revised **from** "Access to individual lots from Stange Road will not be permitted, except at the locations shown on the Preliminary Plat" **to** "Access to individual lots from Stange Road shall be approved by City of Ames Traffic Engineer." (See Attachment D)

The land use and zoning of the revised portion of the Preliminary Plat and Master Plan will continue to be medium density residential with 10 apartment buildings planned each containing 12 dwelling units, rather than a combination of apartment buildings and townhomes as previously planned. The developer has presented for staff review a Major Site Development Plan for this entire apartment project, which will be presented to the Council for site plan review and approval following the platting process.

The Land Use Policy Plan designates the area covered by the Northridge Heights Preliminary Plat and Master Plan for Village/Suburban Residential development. The current zoning of the properties within the Northridge Heights Subdivision is Suburban Residential Low Density (FS-RL), Suburban Residential Medium Density (FS-RM), and Convenience General Service (CGS).

The subdivision is bordered on the north and west by areas outside of the city limits and designated by the Ames Urban Fringe Plan for future residential uses: Urban Residential to the north and Priority Transitional Residential to the west. The areas east and south of Northridge Heights are designated in the Ames Land Use Policy Plan as low density residential and suburban residential. The existing zoning designations follow these land use designations, except for the undeveloped land to the south that is zoned Agricultural. This Agricultural area is also directly south of the large lot that is to be created by this

proposed plat revision. The areas west and north of this new lot are zoned as Suburban Residential Low Density (FS-RL) and are developing with new townhomes adjacent to this lot. East of the lot is Convenience General Service (CGS) zoning, the sites of the new Fareway grocery store and the new McFarland Clinic building.

Attachment E describes laws pertinent to the proposal.

The proposed revision to the Preliminary Plat and Master Plan creates Lot 20, which is 10.4 acres in size and measures approximately 640 feet by 700 feet. These dimensions exceed the minimums for lot area and frontage and, therefore, comply with Table 29.1202(5)-2 in the Ames *Municipal Code*. The proposed revision does not affect the size of any other lots within the Preliminary Plat and Master Plan.

The Ames *Municipal Code* Table 29.1202(6) sets minimum density for suburban residential development. The minimum density for portions of the Northridge Heights Preliminary Plat and Master Plan that are zoned as Suburban Low Density Residential is not changed by the proposed revisions to the Preliminary Plat and Master Plan, since the number of single-family detached and attached lots with this zoning designation is not changed. The minimum density required for proposed Lot 20, which is the only remaining, undeveloped area zoned as Suburban Medium Density Residential, is ten units per net acre. The proposed revision eliminates 20 lots for single-family attached dwellings and replaces them with apartment buildings up to 12 units in size, which is likely to increase the net density. The submitted Major Site Development Plan shows 120 residential apartment units. **After deducting one acre of required common open space, the net density would be 13.2 dwelling units per net acre, which meets the required minimum of 10 dwelling units per acre.**

Table 29.1202(6) also requires common open space and landscape buffers between medium density and low density residential areas. Compliance with these standards will be determined as the Major Site Development Plan is reviewed, which shows the proposed arrangement of buildings and landscaping.

Public improvements available to serve the proposed subdivision include an 8-inch water main in the Cardiff Street right-of-way to the north edge of Lot 20, and an 8-inch sanitary sewer main at the northwest corner of Lot 20. **The Public Works Department has found the proposed plat revision to be consistent with the previously-approved storm water management plan for Northridge Heights.** The City of Ames will provide electric service to Lot 20 via 10-foot public utility easements along the south and north property lines of Lot 20, which are shown on Sheet 7 of the Preliminary Plat.

The public improvements included with the proposed plat will complete several connections in the public sidewalk and shared use path system in this area of Ames. (Attachment F)

- A four-foot wide public sidewalk will be installed connecting the existing public sidewalk on Cardiff and the existing public sidewalk at the southwest corner of Lot 20. With the Final Plat, a six-foot easement will be required for this public walk. The revised Preliminary Plat includes a reference on Sheet 7 to this easement, to

which the width should be added. Slightly west of this point, the existing eight-foot shared use path already crosses Bloomington to connect with the existing eight-foot shared use paths on the west side of Carver and the south side of Bloomington.

- With the proposed plat, a public sidewalk will also be extended within the street right-of-way along the north side of Bloomington Road to the public sidewalk in front of the Fareway grocery.
- An eight-foot shared use path will be constructed within an easement along the north property line, which is shown on Sheet 7 of the Preliminary Plat. (The shared use path along the segment of Stange Road frontage is already completed.)

The subdivision code requires installation of sidewalks prior to final plat approval unless the Council approves deferral. The Council has typically deferred sidewalk installation under the provisions of an agreement that requires sidewalk installation prior to occupancy of each fronting lot. That allows for construction activity to occur between the lot and fronting street without damage to newly installed sidewalks. In this case, the sidewalk along Bloomington Road is along the back of the construction site where construction access may not be necessary. There is access for construction via Cardiff Street, which avoids conflicts between the other sidewalks and shared use paths and construction of apartment buildings in future phases. So it may be possible to install all sidewalks and shared use paths without the typical worries of construction damage. **A key issue for the City Council will be to determine if sidewalk and shared use path installation will be required prior to Final Plat approval, or if it should be deferred under either a financial guarantee or occupancy provision in a Sidewalk Agreement.**

A Zoning Agreement was part of the original approval of Northridge Heights Subdivision, on November 14, 2000. Provisions of the Zoning Agreement that are related to required improvements to Bloomington Road were already completed as part of the platting of the commercial area to the east of Lot 20. **The proposed revisions to the Preliminary Plat and Master Plan do not modify or require modifications to elements of the Zoning Agreement related to other future phases of the Northridge Heights project.**

The Zoning Agreement requires the developer to dedicate four acres of land within Northridge Heights for a public park whenever 375 residential units are constructed. Although that threshold has not yet been reached, it will be reached as the proposed apartment development on Lot 20 is fully built out. **The developer has stated his intention to plat the proposed park land and an extension of Harrison Road to Stange Road, along with several associated lots, this fall. Then the park parcel will be dedicated to the City.**

The proposed plat revisions do not change significantly the number of residential units in the area that will become Lot 20 or the traffic access to this area. **Therefore, the proposed plat revisions will not have traffic impacts different than anticipated at the time the current Preliminary Plat was approved.**

Based on the above findings of fact, staff concludes that the proposed Preliminary Plat and Master Plan are consistent with the Land Use Policy Plan and the associated Land Use Policy Plan map designation of the site and that *Code of Iowa* Chapter 354, Section 8 has been satisfied.

Staff further concludes that the applicable standards of the *Ames Municipal Code*, Section 29.1202, have been satisfied, and that *Ames Municipal Code* Section 23.302(6)(a) has been satisfied if approval of the Preliminary Plat is conditional on required easements being provided with the Final Plat.

The Planning and Zoning Commission, at its meeting of June 1, 2011, with a vote of 7-0, recommended approval of the revised Preliminary Plat for Northridge Heights Subdivision conditioned on:

- a) Approval of the revised Master Plan for Northridge Heights Subdivision that is being processed concurrently with the Preliminary Plat application.
- b) Revising the note on Lot 20 on Sheet 7 to include width of easement: "There is a six-foot wide public easement on Lot 20 for a public walk connecting Cardiff Road and Bloomington. Location will be determined and any needed legal documents prepared before Final Plat is approved."
- c) This six-foot public sidewalk easement being provided with the Final Plat.
- d) All other Preliminary Plat sheets not referenced herein are unchanged from previously approved Preliminary Plat.

At this same meeting, the Planning and Zoning Commission also voted 7-0 to recommend approval of the revised Master Plan for Northridge Heights Subdivision subject to approval of the revised Preliminary Plat for Northridge Heights Subdivision that is being processed concurrently with the Master Plan application.

At the Planning and Zoning Commission meeting, several residents of areas in Northridge Heights near the proposed Lot 20 spoke of their concerns about the width of the local streets in relation to the traffic that may be expected from the proposed development and about the difference in appearance between the townhomes that the previous plat included and the apartment buildings that the proposed plat accommodates.

ALTERNATIVES:

1. The City Council can approve the revised Preliminary Plat and Master Plan for Northridge Heights Subdivision conditioned on:
 - a) Revising the note on Lot 20 on Sheet 7 of the Preliminary Plat to include width of easement: "There is a six-foot wide public easement on Lot 20 for a public walk connecting Cardiff Road and Bloomington. Location will be determined and any needed legal documents prepared before Final Plat is approved."
 - b) This six-foot public sidewalk easement being provided with the Final Plat.
 - c) All other Preliminary Plat and Master Plan sheets not referenced herein are unchanged from previously approved Preliminary Plat and Master Plan.
 - d) A signed Sidewalk Agreement be presented with the Final Plat that requires all

public sidewalks along the west and south property boundaries be completed before occupancy permits are issued for any dwelling units and that the shared use path be completed before occupancy permits are issued for any dwelling units in the final building.

2. The City Council can approve the revised Preliminary Plat and Master Plan for Northridge Heights Subdivision without any or all conditions listed under Alternative 1.
3. The City Council can deny the revised Preliminary Plat and Master Plan for Northridge Heights Subdivision.
4. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

For all of the reasons stated above, the City staff is in support of the proposed revision to the preliminary plat and master plan. The one issue that remains for the City Council's consideration is the required timing for the installation of the public sidewalks and shared use path. Previously, the City Council had voiced concern about gaps in the sidewalk system that have developed in residential and commercial areas. Therefore, a discussion regarding this topic as it relates to the project might be of interest to the Council.

Public sidewalks in new development areas are usually completed on a lot-by-lot basis as the lot is developed, which is the situation addressed in the City's standard Sidewalk Agreement. Typically, each lot, residential or commercial, has one building. When there is more than one building on a lot, sometimes all of the buildings and public sidewalks are built at one time, such as "The Grove" apartment project on South 16th Street.

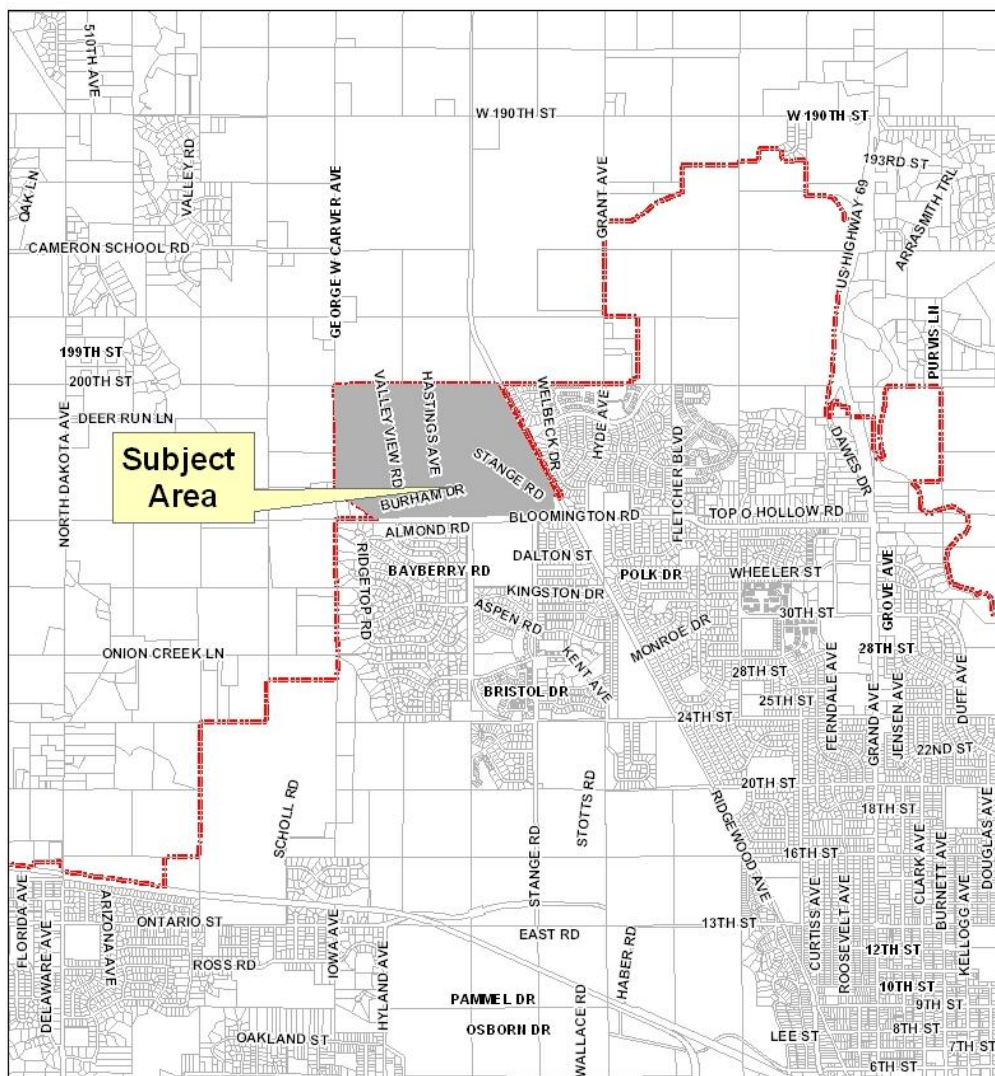
In a project with multiple buildings to be implemented in phases, the Council must determine what type of implementation meets the needs of the community. In the current project, the public sidewalks on the west and south will be important linkages in the Northridge Heights neighborhood. Residents have inquired when the Bloomington Road sidewalk will be completed. **The support for Alternative 1d) will eliminate a gap in the sidewalk system adjacent to the project at the earliest possible time. However, under this alternative, the shared use path will not be required to be installed until the occupancy permit is issued for the final building. The Council will have to decide if this timing for installation is acceptable.**

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative No. 1, which is to approve the revised Preliminary Plat and Master Plan for Northridge Heights Subdivision, conditioned on:

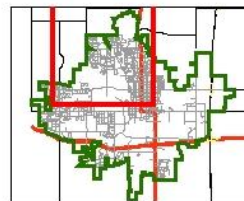
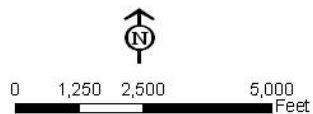
- a) Revising the note on Lot 20 on Sheet 7 of the Preliminary Plat to include width of easement: "There is a six-foot wide public easement on Lot 20 for a public walk connecting Cardiff Road and Bloomington. Location will be determined and any needed legal documents prepared before Final Plat is approved."
- b) This six-foot public sidewalk easement being provided with the Final Plat; and

- c) All other Preliminary Plat and Master Plan sheets not referenced herein are unchanged from previously approved Preliminary Plat and Master Plan.
- d) A signed Sidewalk Agreement be presented with the Final Plat that requires all public sidewalks along the west and south property boundaries be completed before occupancy permits are issued for any dwelling units and that the shared use path be completed before occupancy permits are issued for any dwelling units in the final building.

ATTACHMENT A



Location Map Northridge Heights



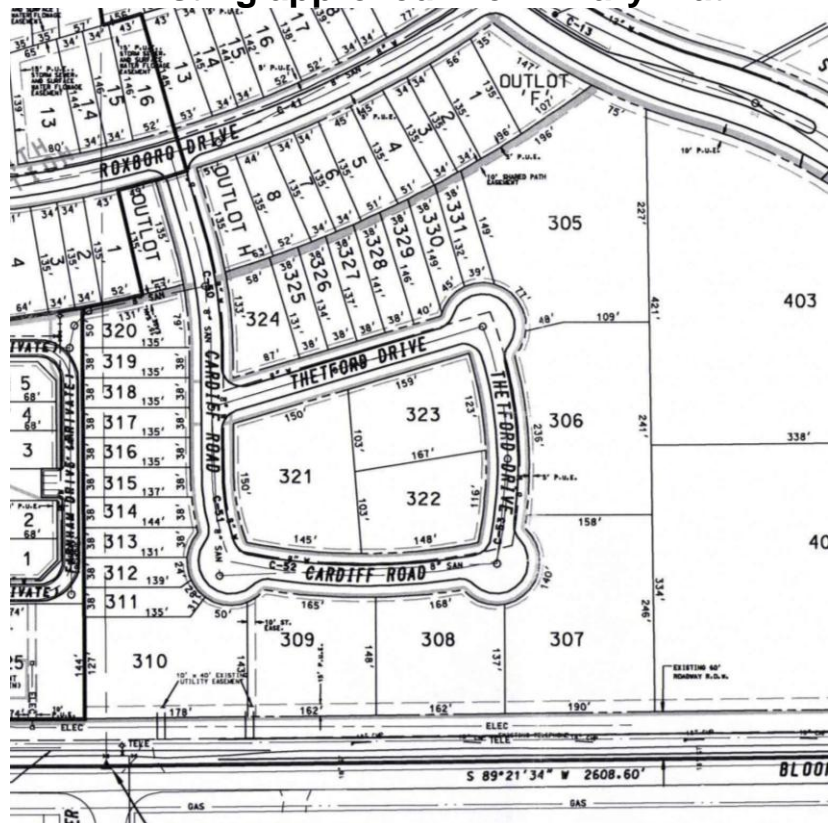
Proposed Preliminary Plat

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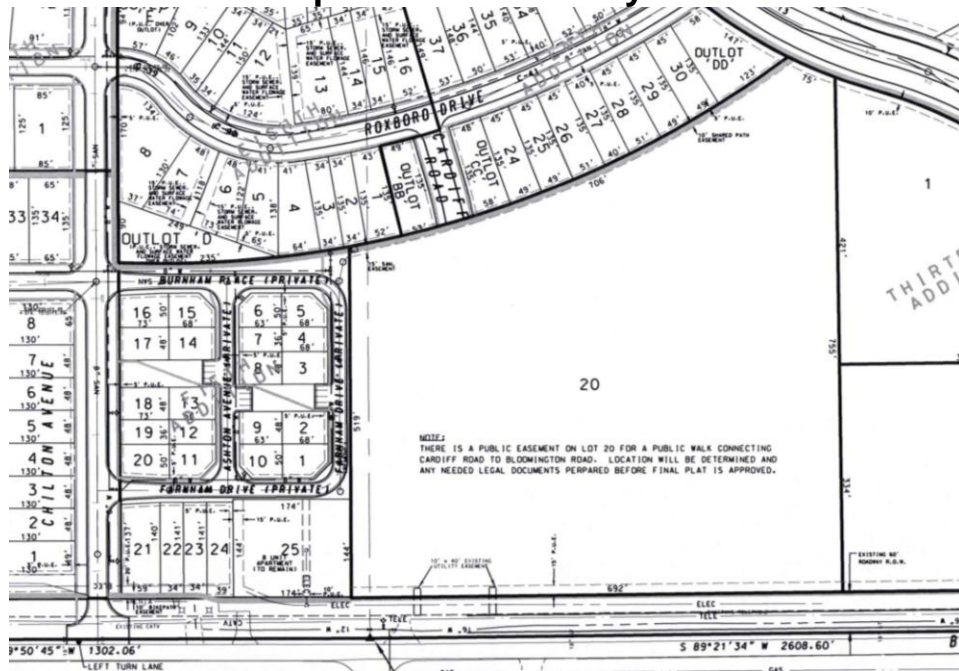


ATTACHMENT C

Existing approved Preliminary Plat

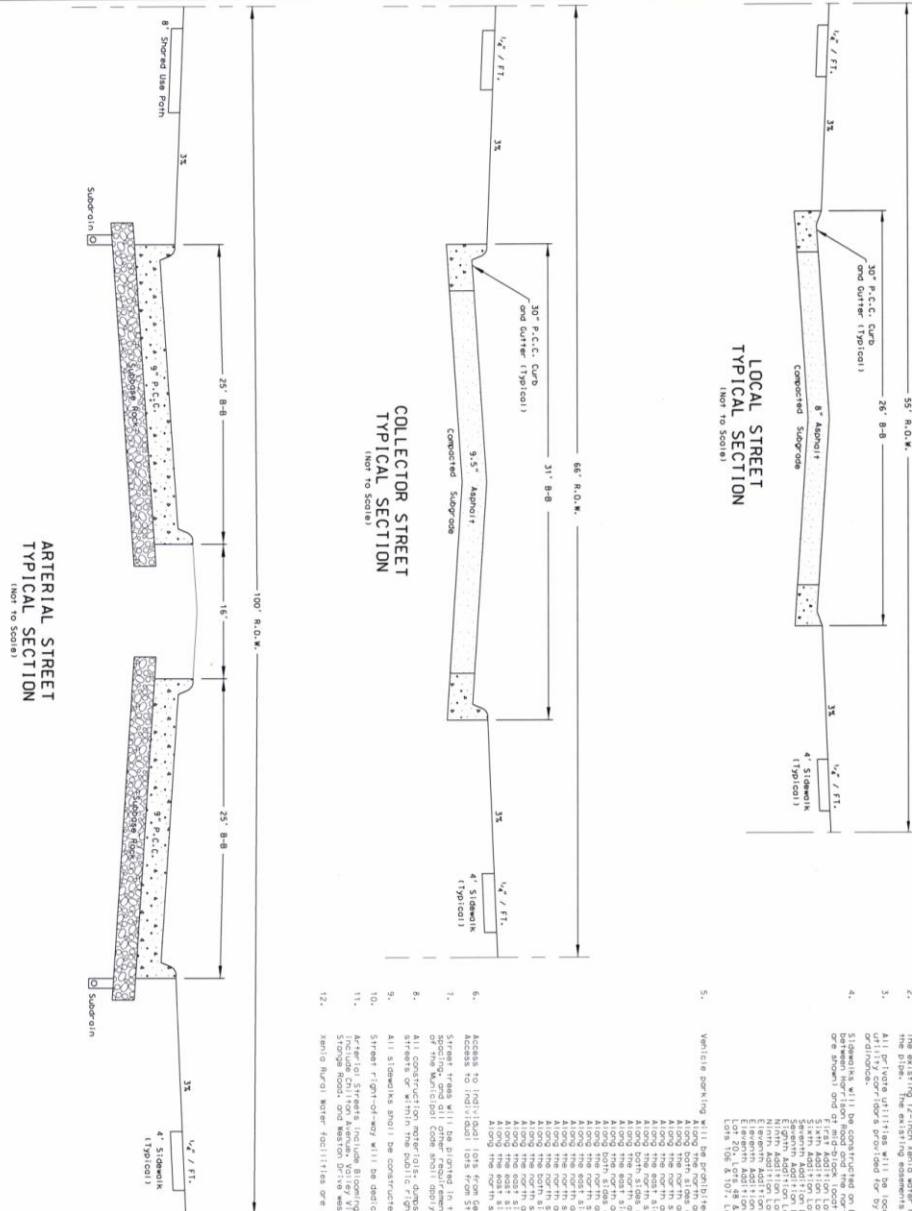


Proposed Preliminary Plat



ATTACHMENT D Revised Sheet 3

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GENERAL NOTES:

1. Lots 21 thru 25 in the Fifth Addition, Lots 5 thru 9 in the Twelfth Addition, and Lot 20 are zoned F-1-M. All other lots are zoned F-1-M. The existing 12-inch water main on this site is located in a 30-foot wide easement centered on the pipe. The existing easement will be abandoned, and new easements provided for water facilities, utility easements provided for the City of Ames, and City Right-of-Way for Right-of-Way Users' easements.
2. The proposed 12-inch water main on this site is located in a 30-foot wide easement centered on the pipe. The existing easement will be abandoned, and new easements provided for water facilities, utility easements provided for the City of Ames, and City Right-of-Way for Right-of-Way Users' easements.
3. The proposed 12-inch water main on this site is located in a 30-foot wide easement centered on the pipe. The existing easement will be abandoned, and new easements provided for water facilities, utility easements provided for the City of Ames, and City Right-of-Way for Right-of-Way Users' easements.
4. The proposed 12-inch water main on this site is located in a 30-foot wide easement centered on the pipe. The existing easement will be abandoned, and new easements provided for water facilities, utility easements provided for the City of Ames, and City Right-of-Way for Right-of-Way Users' easements.
5. The proposed 12-inch water main on this site is located in a 30-foot wide easement centered on the pipe. The existing easement will be abandoned, and new easements provided for water facilities, utility easements provided for the City of Ames, and City Right-of-Way for Right-of-Way Users' easements.



| NO. | DATE | REVISIONS |
|-----|---------|---------------------------------------------|
| 1 | 5/18/11 | REVISED PER DRC COMMENTS DATED 5-11-2011 |

**NORTHBRIDGE HEIGHTS
SUBDIVISION**
AMES, IOWA

**GENERAL
INFORMATION**



Alfred Benesch & Company
223 South Walnut Avenue, Suite C
Ames, Iowa 50010
515-232-1100

ATTACHMENT E

Applicable Law

The laws applicable to this case file include, but are not limited to, the following: (verbatim language is shown in *italics*, other references are paraphrased):

Code of Iowa Chapter 354, Section 8 requires that the governing body shall determine whether the subdivision conforms to its Land Use Policy Plan.

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* 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* Section 23.403(14) & (15) requires installation of sidewalks and walkways and bikeways in subdivisions.

Ames *Municipal Code* Chapter 29, Zoning, Section 29.1202, includes standards for the Suburban Residential zone.

Ames *Municipal Code* Chapter 29, Zoning, Table 29.1202(5)-2 includes Residential Medium Density (FS-RM) Supplemental Development Standards.

Ames *Municipal Code* Chapter 29, Zoning, Table 29.1202(6) includes Suburban Residential Floating Zone Suburban Regulations.

Ames *Municipal Code*, Chapter 29, Section 29.1502(5), provides submittal requirements and procedures for processing a "Master Plan."

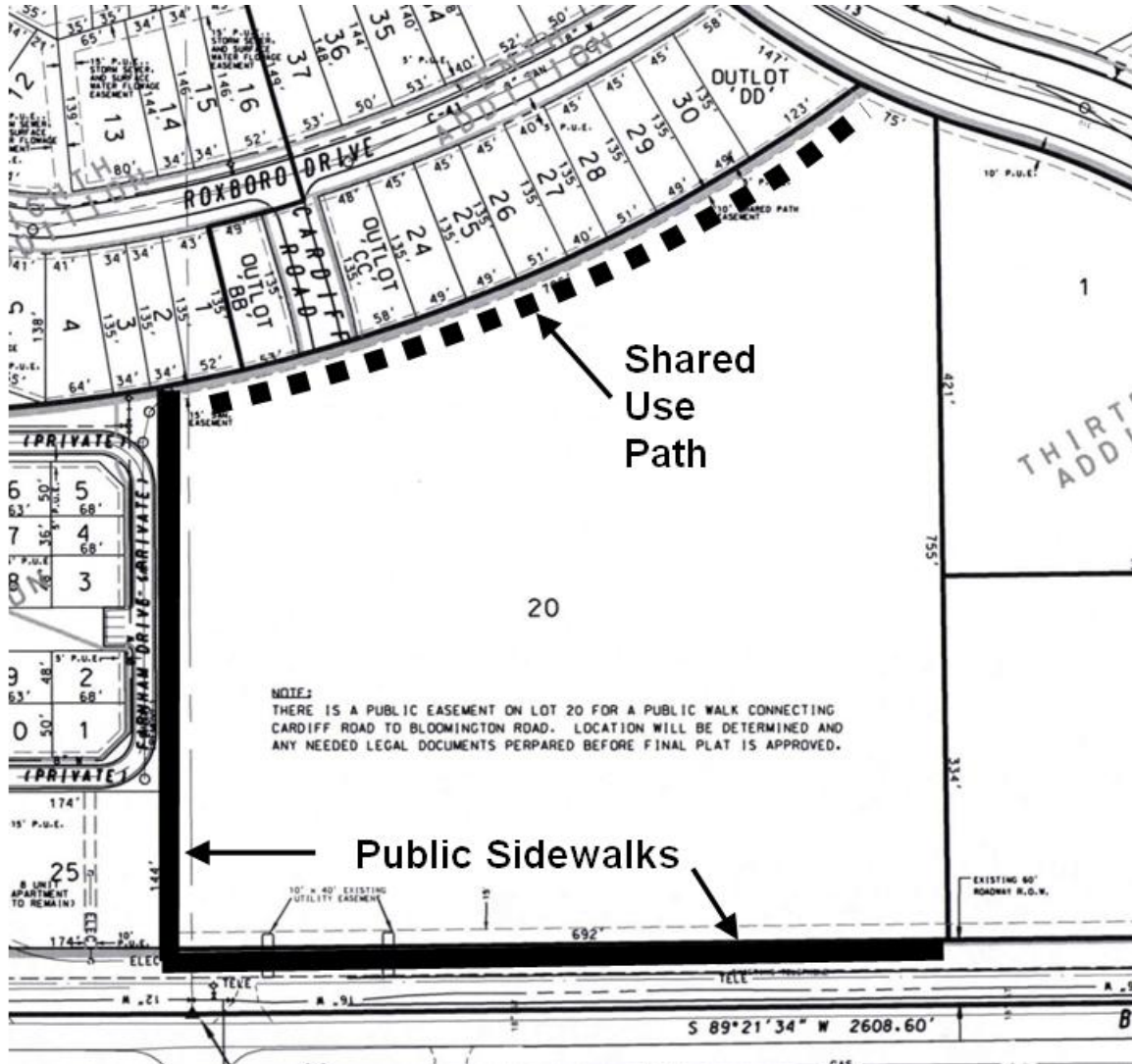
Ames *Municipal Code* Section 23.107 reads as follows:

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:

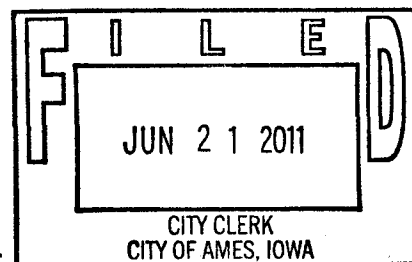
- (1) Land Use Policy Plan*
- (2) Zoning Ordinance*
- (3) Historic Preservation Ordinance*
- (4) Flood Plain Ordinance*
- (5) Building, Sign and House Moving Code*
- (6) Rental Housing Code*
- (7) Transportation Plan*
- (8) Parks Master Plan*
- (9) Bicycle Route Master Plan*

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.

Attachment F
Public Sidewalks and Shared Use Paths




Diane-
6-20-2011



Can you submit this as written testimony on this council agenda:

My property is adjacent to this development. My property address is 3620 Farnham. I would like to ask the developers and the city council to make sure sidewalks are properly installed per city code running east and west on Bloomington. I would also like to ask that the sidewalks are put in initially as the development starts and not partial. This would be to create a safe walkway for pedestrians and eliminate possible hazards in crossing Bloomington. Also it would be a great convenience for residents to walk on a sidewalk to Fareway grocery store.

Thank you
Mark Kassis



Terry Lowman
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515-441-9944