

COUNCIL ACTION FORM

SUBJECT: SOUTH FORK REVISED MASTER PLAN

BACKGROUND:

Pinnacle Properties, LLC, represented by Keith Arneson, is seeking approval of a revised Master Plan for a portion of the South Fork development. South Fork lies south of the west Hy-Vee and north of the Ames Middle School. Initial development occurred in 2001 and the most recent revision of the preliminary plat was in 2013. South Fork is a diverse development that included multiple building types from the time of its original inception. The development is mostly built out and the developer is seeking changes to the last remaining outlot (see location map and existing lots in Attachment A).

The developer seeks an amendment to the Master Plan to change the housing types proposed for the remaining outlot from nine single-family detached homes to five single-family detached homes and eight twin-home lots. There would be a net increase of four homes with the proposed change. This is accomplished by halving four lots on Coy Street east of Sunflower Drive. Lots to the west of Sunflower Drive are unaffected by the proposal.

A revision to a Master Plan is accomplished through a rezoning action. In this case, the zoning boundaries are not changing—only the Master Plan is being updated. Development within the subdivision must be consistent with the base zoning as well as any limitations on lotting or building types within the Master Plan.

The attached addendum provides background and analysis of the proposal and the requested action. This request for a Master Plan approval is also accompanied by a request to update the Preliminary Plat and both should be either approved or denied in tandem. The Master Plan must be amended to allow for the revised preliminary plat to be approved with more lots than what was originally shown.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission considered the proposed Master Plan on August 3, 2016. The Commission asked questions whether the twin homes would be rentals. The developer indicated he would sell the empty lots and would not be involved in the construction or sales of the homes. One neighbor to the west indicated she bought her lot with the understanding that this would remain single-family homes. She expressed concern about the value of her property if twin homes were built and how the connection of Coy affected the area. The Commission recommended approval of the revised Master Plan by a vote of 5 to 0.

ALTERNATIVES:

1. The City Council can approve the Master Plan for Outlot A of South Fork Subdivision, Eighth Addition, based upon the findings of facts and conclusions in this report.
2. The City Council can deny the Master Plan if it finds that the proposed changes in housing type, density, infrastructure arrangement, or street layout are not appropriate or are incompatible with the neighborhood or do not meet the development standards of the Suburban Residential zoning district.
3. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

South Fork is a mixed housing type development area that has a diverse combination of single-family attached and single-family detached housing. Maintaining diversity in housing type and not over-concentrating attached housing is important to the character of the different development blocks of the project. Staff believes allowing for the four additional homes to be built is compatible with the surrounding uses and the intent of the base zoning of FS-RL, but also maintains a diversity of housing types by keeping the detached home component west of Sunflower.

Therefore, based upon the Findings of Fact and Conclusions noted in the attached report, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

ADDENDUM

INTRODUCTION:

Keith Arneson, representing Pinnacle Properties, is seeking approval of a revision to the approved Preliminary Plat and Master Plan for South Fork Subdivision. The revision is to the last remaining outlot of South Fork. It is located at the southeast corner of the development and is the transition area between the South Fork development and the Vivian G. Coy Subdivision to the east.

The Land Use Policy Plan Future Land Use Map designates this area as "Village/Suburban Residential. The current zoning is Suburban Residential Low Density (FS-RL).

South Fork has been governed by a Master Plan since its inception. Under previous City ordinance, the Master Plan contained the same information and was identical to the Preliminary Plat. Changes made to the zoning ordinance in 2012, however, allowed for simplified information to be included in the Master Plan. The developer has submitted a Master Plan that is identical to the Preliminary Plat as under the older requirements. Since the submitted Master Plan contains the minimum information required by code (and considerable additional information), it was accepted and is being processed concurrently with the Preliminary Plat.

A zoning agreement will be prepared and approved at the time of City Council action on the rezoning request. The agreement will require all development governed by the master plan to be in conformance with the master plan.

BACKGROUND:

Project Description. South Fork Subdivision was first approved in 2001. It is a residential development of approximately 56 acres. It was configured to allow for multi-family housing, single-family, attached, and single-family detached homes. Concurrent with the Preliminary Plat in 2001, the City Council also approved FS-RL Suburban Low-Density Residential and FS-RM Medium Density Residential.

The land use and zoning will continue as it is currently designated. This outlot is intended for future development and is zoned FS-RL Suburban Low Density Residential.

Project Changes. This Preliminary Plat and Master Plan seek to amend the lotting pattern and allowed housing type. The change results in a net gain of 4 housing units, but also a change in the mix of housing by converting 4 single family detached lots to attached single family lots. The currently approved 9 single-family detached lots are modified to 5 single-family detached lots and 8 lots for twin homes. Neither the zoning nor the infrastructure needs are changing.

There are a number of attached-single family twin homes built in the area that would represent the likely design and look of homes for the proposed lots.

Applicable Law. Laws pertinent to the proposal are found in Section 29.1507 of the Municipal Code.

Density Information. The gross area of the overall South Fork development is 56.07 acres. The FS-RL portion currently achieves a density of 4.73 dwelling units per net acre. This change increases the FS-RL zoning to 4.88. This density falls within the range of 3.75 and 10.00 dwelling units per acre as prescribed by the Zoning Ordinance.

The density of this 2.64 acre outlot is 6.44 dwelling units per net acre.

FINDINGS OF FACT & CONCLUSIONS:

Staff makes the following findings of facts and conclusions.

FINDING 1. The entirety of the South Fork development is designated as “Village/Suburban Residential” on the Land Use Policy Plan Map.

CONCLUSION: The proposed Master Plan is consistent with the Land Use Policy Plan and the associated Land Use Policy Plan map designation of the site. Staff is not aware of any other inconsistencies with the Land Use Policy Plan; therefore, staff concludes that Section 23.107 of the *Ames Subdivision Regulations and Code of Iowa* Chapter 354, Section 8 have been satisfied.

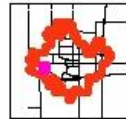
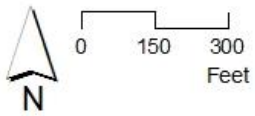
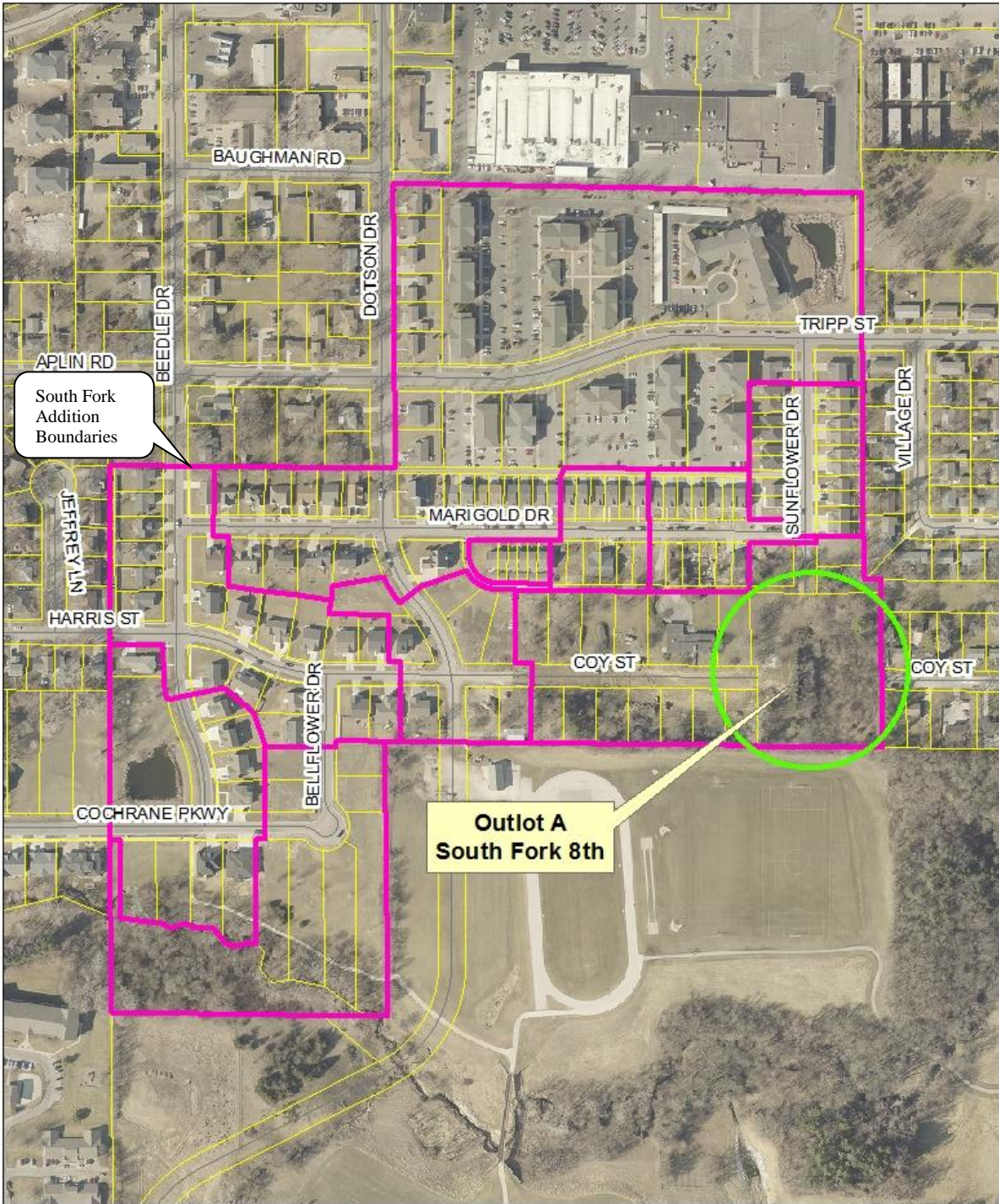
FINDING 2. The zoning of this portion of the site requires a density of between 3.75 units per net acre and 10.00 units per net acre.

CONCLUSION: The density of this outlot will be 6.44 units per net acre upon buildout, within the range of the zoning requirements.

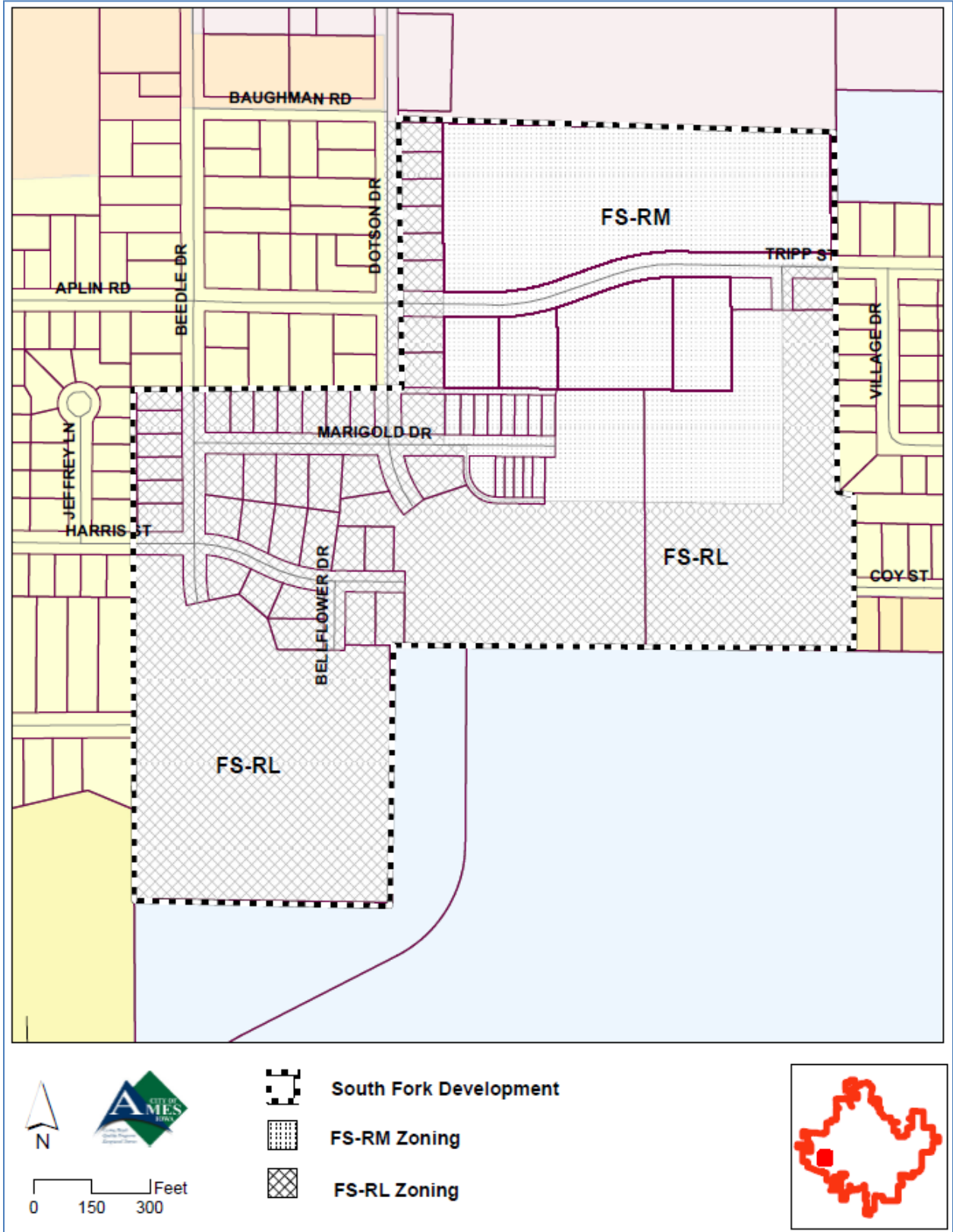
FINDING 3. Section 29.1507 (4) describes the information needed for a Master Plan.

CONCLUSION: The information submitted for the Master Plan meets the requirements of Section 29.1507 (4) of the Municipal Code.

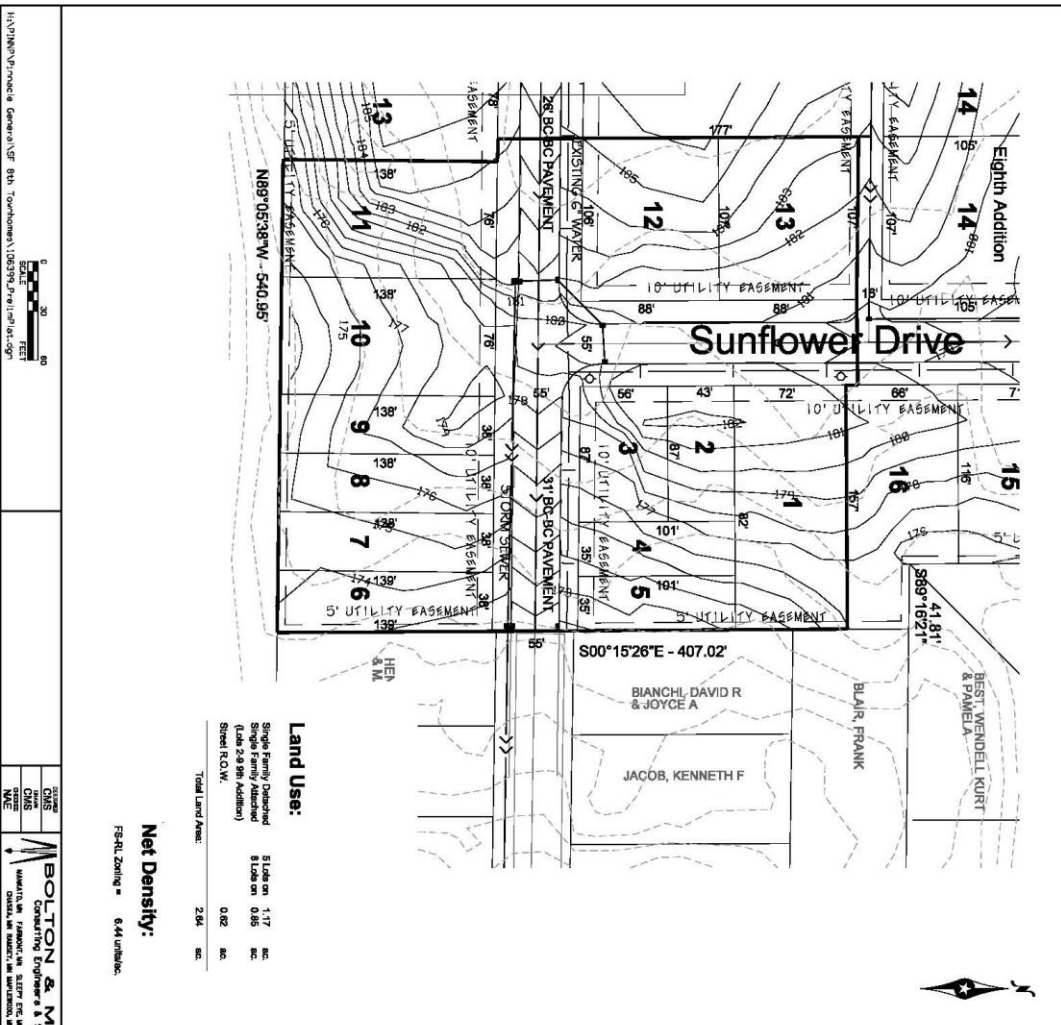
ATTACHMENT A: LOCATION MAP



ATTACHMENT B: SOUTH FORK ZONING



ATTACHMENT C: PROPOSED MASTER PLAN (NORTH TO RIGHT)



Land Use:

Single Family Detached	1.17	ac
Single Family Attached	0.86	ac
(Lots 2 & 9 @ Address)		
Street R.O.W.	0.82	ac
Total Land Area:	2.84	ac

Net Density: 0.44 units/acre
FS-R1 Zoning =

- General Notes:**
- The intent of this motion is to the existing Preliminary Plat for the South Fork Subdivision is:
 - Lots 2-9 of 8th Addition are now Single Family Attached homes instead of Single Family Detached.
 - No changes to the existing stormwater management plan is proposed because changes to impervious area are minimal.
 - No parking will be allowed on the north and east side of all streets.
 - No changes to existing zoning is proposed.
 - All walkway easements are public walkway easements.
 - All new sidewalks in 8th Addition shall be 5 ft. in width.
 - No changes to public right of way, public utilities, street layout, or grading is proposed.
 - Except for 8th Addition, all lots shall have a 4 ft sidewalk along all frontages except where a shared used path is indicated.
- Legal Description:**
- Legal Description and Preliminary Boundary of the 8th Addition is Outlot A Southfork subdivision, 8th Addition.

Lot Areas:

8th Addition	9th Addition
1 11,320	8 5,232
2 3,720	9 5,227
3 4,583	10 10,458
4 3,521	11 10,417
5 3,542	12 9,334
6 5,405	13 9,898
7 5,297	



9th Addition Property Information

Lot	Area
1	11,320
2	3,720
3	4,583
4	3,521
5	3,542
6	5,405
7	5,297



Scale: 1" = 40'

DATE: 7/27/2016
TIME: 10:01:18 AM

PROJECT: PRELIMINARY PLAT MASTER PLAN
SOUTH FORK SUBDIVISION
DEVELOPER: PINNACLE PROPERTIES AMES
4114 COUCHMAN PARKWAY, AMES, IA 50014

ATTACHMENT D: APPLICABLE MASTER PLAN LAW

Ames Municipal Code, Chapter 29, Section 29.1507, describes the requirements for a rezone with master plan. A zoning agreement will be prepared and approved at the time of City Council action on the rezoning request. The agreement will require all development governed by the master plan to be in conformance with the master plan.

Any amendment to a master plan is processed as if it were an amendment to the zoning map.

DO NOT WRITE IN THE SPACE ABOVE THIS LINE; RESERVED FOR RECORDER

Prepared by: Judy K. Parks, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010; 515-239-5146

Return to: Ames City Clerk, Ames City Hall, 515 Clark Ave., P.O. Box 511, Ames, IA 50010

**ZONING AGREEMENT FOR ADOPTION OF
A REVISED MASTER PLAN FOR OUTLOT A,
SOUTH FORK SUBDIVISION, 8TH ADDITION**

THIS AGREEMENT, made and entered into this ____ day of _____, 2016, by and between the City of Ames, Iowa (hereinafter called "City") and Pinnacle Properties, LLC (hereinafter called "Developer"), its successors and assigns, both collectively being referred to as the "Parties,"

WITNESSETH THAT:

WHEREAS, the Parties hereto desire the improvement and development of an area which is legally described as Outlot A of South Fork Subdivision, 8th Addition, (hereinafter referred to as the "Site"); and

WHEREAS, Development pursuant to a Master Plan originally began in 2001 with improvements to a larger parcel of land, which included the Site; and

WHEREAS, the pursuant to the original Master Plan, the Site was to include a low density residential housing, as depicted therein; and

WHEREAS, the Developer presently proposes to amend and revise the original Master Plan for the Site, which was shown to have nine single family home lots, to now show that Site would have five single family home lots and eight lots with twin homes; and

WHEREAS, the Developer has submitted a revised Master Plan for the Site in conformance with the requirements set forth in Ames Municipal Code section 29.1507(4); and

WHEREAS, Ames Municipal Code Section 29.1507(5) now requires approval of a zoning agreement when a Master Plan is required; that all development of the Site comply with the Master Plan; and that that amendments of that Master Plan comply with that code section.

NOW, THEREFORE, the Parties hereto have agreed and do agree as follows:

I.

**REVISED OUTLOT A, SOUTH FORK SUBDIVISION, 8TH ADDITION,
MASTER PLAN ADOPTED**

The Master Plan set forth at Attachment A and incorporated by reference in this agreement shall be the revised Master Plan for Outlot A of South Fork Subdivision, 8th Addition.

II.

NON-INCLUSION OF OTHER OBLIGATIONS

The Parties acknowledge and agree that this Agreement is being executed to fulfill a specific requirement of section 29.1507(5) of the Ames Municipal Code. It is also understood that this Agreement supplements but does not replace or supersede any agreements made with the City or third parties as necessary to complete annexation.

The Parties understand that the Master Plan adopts a general conceptual plan for development, without review or approval of specific subdivision plats or site plans for development of the Site. The Parties therefore acknowledge that the Master Plan adoption does not anticipate or incorporate all the additional approvals or requirements that may be required to properly and completely develop the Site and does not relieve the developer of compliance with other provisions of the Ames Municipal Code, the Iowa Code, SUDAS, or other federal, state or local laws or regulations.

III.

MODIFICATION OF AGREEMENT

Any modifications or changes to the Master Plan shall be undertaken in accordance with the process provided for in Ames Municipal Code section 29.1507(5).

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective as of the date first above written.

(Signatures on following page)

PINNACLE PROPERTIES L.L.C.

By *Keith Arneson*
Keith Arneson, Manager

CITY OF AMES, IOWA

By _____
Ann H. Campbell, Mayor

STATE OF IOWA, COUNTY OF STORY, ss:

This instrument was acknowledged before me on
August 22, 2016, by Keith Arneson as
Manager of Pinnacle Properties, L.L.C.

Erin Cain
Notary Public in and for the State of Iowa

Attest _____
Diane R. Voss, City Clerk

STATE OF IOWA, COUNTY OF STORY, ss:

On this _____ day of _____, 2016, before me,
a Notary Public in and for the State of Iowa, personally
appeared Ann H. Campbell and Diane R. Voss, to me
personally known, who, being by me duly sworn, did say that
they are the Mayor and City Clerk, respectively, of the City of
Ames, Iowa; that the seal affixed to the foregoing instrument
is the corporate seal of the corporation; and that the instrument
was signed and sealed on behalf of the corporation by
authority of its City Council, as contained in Resolution No.
_____ adopted by the City Council on the _____ day of
_____, 2016, and that Ann H. Campbell and
Diane R. Voss acknowledged the execution of the instrument
to be their voluntary act and deed and the voluntary act and
deed of the corporation, by it voluntarily executed.



Notary Public in and for the State of Iowa