ITEM #: <u>27c</u> DATE: <u>07-25-17</u>

COUNCIL ACTION FORM

REQUEST: BRICK TOWNE PRELIMINARY PLAT

BACKGROUND:

The property owners, Dickson and Luann Jensen, request approval of a preliminary plat creating 14 lots for a residential and commercial development to be known as Brick Towne. Concurrent with this preliminary plat is a request for rezoning of the bulk of the site from High-density Residential (RH) to a Planned Residence District (F-PRD). The proposed development consists of six parcels comprising a total of 45.92 gross acres. The parcels are addressed as 3115, 3119, 3301, 3325, 3409, and 3413 South Duff Avenue. This site was the subject of a Land Use Policy Plan Amendment in May, 2016 designating the western portions of the site as High Density Residential Development while retaining Highway-Oriented Commercial for the highway frontage north of the cemetery. The City Council approved the rezoning to RH and Highway Oriented Commercial (HOC) in October of 2016. See Attachment A for current zoning and location.

Lots 1 through 11 will be a residential development of 572 units in a mix of one-, two-, and three-bedroom units in apartment blocks and townhome style units. Lots 12, 13 and 14 will be zoned Highway-Oriented Commercial (HOC).

A more detailed analysis is found in the Appendix. In summary, the developer is installing public water and public sanitary sewer to serve the development. The roads will be private which, as a matter of practice, are allowed only in a F-PRD zone and are used here to allow for site and design flexibility. Most of the lots will not have frontage on a public street, but will obtain legal access through easements filed with the final plat. Street frontage for lots is not a subdivision requirement but, rather, a zoning requirement. Under the proposed F-PRD zoning, the lots would comply.

Stormwater improvements are consistent with the contract rezoning approved in November, 2016. The agreement requires that the developer accommodate the existing storm water runoff from the airport property based on the Teagarden study in addition to the storm water needs of this development. To that end, a series of on- and off-site detention ponds are proposed. Water will be released in accordance with the design standards of the City. Under the terms of the contract, the storm water improvements for the entire site must be completed prior to occupancy of any structure on the site or no later than October, 2018.

The stormwater improvements still require approval from the Army Corps of Engineers and the Iowa Department of Natural Resources. In addition, City Public Works needs to approve the grading to be done on airport property. With these outstanding issues, staff is recommending approval with a number of conditions.

Traffic improvements are also spelled out in the rezoning contract. The developer is responsible for dedicating up to 60 feet of right-of-way that is currently a roadway easement. Those street lots are identified on this preliminary plat and will be dedicated at the time of final plat approval. The developer is also responsible for a five-foot sidewalk along his frontage and along the frontage of the cemetery. The City is responsible for roadway improvements and the new traffic signal at the intersection of Crystal Street and South Duff Avenue. The City will also construct other pedestrian and shared use infrastructure near the site in order to improve connectivity of the site to the immediate neighborhood. The developer has provided an easement for potential future access to the north (Kitty Hawk Drive) at the northwest corner of the site.

Planning and Zoning Commission: At its meeting on July 5, 2017, the Ames Planning and Zoning Commission voted 4-1 to recommend Alternative #1. Other than the applicant's representative, no one spoke during the public hearing.

ALTERNATIVES:

- 1. The City Council can approve the Preliminary Plat for Brick Towne. As noted in the Appendix, additional details regarding stormwater remain to be reviewed and approved but are not anticipated to have an impact on the overall layout of the development. Staff recommends the following conditions be placed on the approval.
 - A. Prior to any grading or earthwork, approval of the storm water management plan is required.
 - B. Prior to any grading or earthwork, the owner will need to prepare a maintenance and mitigation plan to ensure that a permanent wet pool will not impact airport operations. This plan will be recorded with the Story County Recorder.
 - C. Prior to any grading or earthwork, the owner will need City of Ames approval for the proposed grading on airport property.
- 2. The City Council can deny the Preliminary Plat for Brick Towne, by finding that the Preliminary Plat does not meet the requirements of Section 23.302(3)(b) or Section 23.603 of the Ames Municipal Code and by setting forth its reasons to disprove or modify the proposed preliminary plat as required by Section 23.302(4) of the Ames Municipal Code. Code sections are found in Attachment C.
- 3. The City Council can defer action on this request to the next regular meeting and refer it back to City staff and/or the applicant for additional information.

CITY MANAGER'S RECOMMENDATION:

Approval of the Preliminary Plat cannot occur without the approval of the concurrent request to rezone to Planned Residence District since the design allowances, such as no street frontage and private streets, can be done only in F-PRD. The proposed preliminary plat provides all infrastructure necessary for the residential and commercial

development. The applicant understands that no grading or earthwork can begin until the storm water management plan is approved. The wet pool mitigation plan and FAA approvals for grading on the airport property are also needed prior to any field operations. The recommended conditions of approval are the safeguards to ensure compliance.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, approving the Preliminary Plat of Brick Towne.

APPENDIX

Lots

The proposed Preliminary Plat includes 11 lots for residential development (including one lot containing apartment amenities) and 3 lots for commercial development. Two additional lots dedicate US Highway 69 (South Duff Avenue) as right-of-way.

Four lots (Lots 1, 12, 13, and 14) have frontage on South Duff Avenue. The other lots do not. This arrangement is allowed only in Planned Residence Districts since most other zoning districts require a minimum street frontage for a lot.

Streets

The development abuts South Duff Avenue. The City is responsible for improvements to South Duff Avenue to accommodate development and will generally follow the recommendations of a traffic study requested and reviewed by the City as part of the initial rezoning to RH last fall. In general, the improvements will include a traffic light at the intersection of Crystal Street and South Duff Avenue and additional lanes on South Duff Avenue.

Internal streets serving the various lots will be private streets, not within a dedicated right-of-way. Easements will be created at the time of final plat to provide legal access to all lots. Access to the development from South Duff Avenue will be at two locations. The northern location will be at the intersection with Crystal Street. This intersection will be signalized and will be a primary entrance to the residential and commercial development. A southern access will be located about midway between the cemetery and New Life Church. It will not be signalized.

A stub street will extend from the townhouse units at the northwest portion of the site to the north property line. This will provide a secondary fire access to Kitty Hawk Drive.

Water

The site will be served by public water mains placed within easements to the City. Hydrant locations have been established. No off-site water improvements were needed.

Sewer

The site will be served by public sanitary sewer mains placed within easements to the City. No downstream capacity issues were identified in the city's sewer model.

Sidewalks and Trails

The developer will install a five-foot sidewalk along the South Duff Avenue frontage of Brick Towne. In addition, the developer will install a sidewalk across the cemetery frontage. Internal sidewalks will serve all the buildings and a future shared-use extension will extend to the northwest corner of the site for a future extension to Kitty Hawk Drive and, eventually, to Airport Road.

The City has identified a shared use path to be installed on the east side of South Duff Avenue from its current terminus at Kitty Hawk Drive to, at least Crystal Street. The

rezoning contract places financial obligation on the City to install that, although no timetable is specified.

Storm Water Management

The City has identified storm water management deficiencies that currently exist on the site and had a Teagarden drainage study prepared. As required by the rezoning contract, the developer has addressed the existing deficiencies as well as the expected storm water management from his own development.

The developer is proposing a series of wet ponds (retention basins that will have a permanent pool) and dry ponds (detention basins that will drain to a dry condition within a short time following a rain event). The dry pond will be located on airport property near the southwest corner of the site. Wet ponds will be found along the north and south perimeter of the site and near the northwest corner of the site. These ponds will retain a permanent pool of water due to the proximity to the surface of ground water.

There is an existing 15-inch drainage district field tile which carries water across the site. The tile line will be rerouted to ensure tile water will not impact the permanent pools.

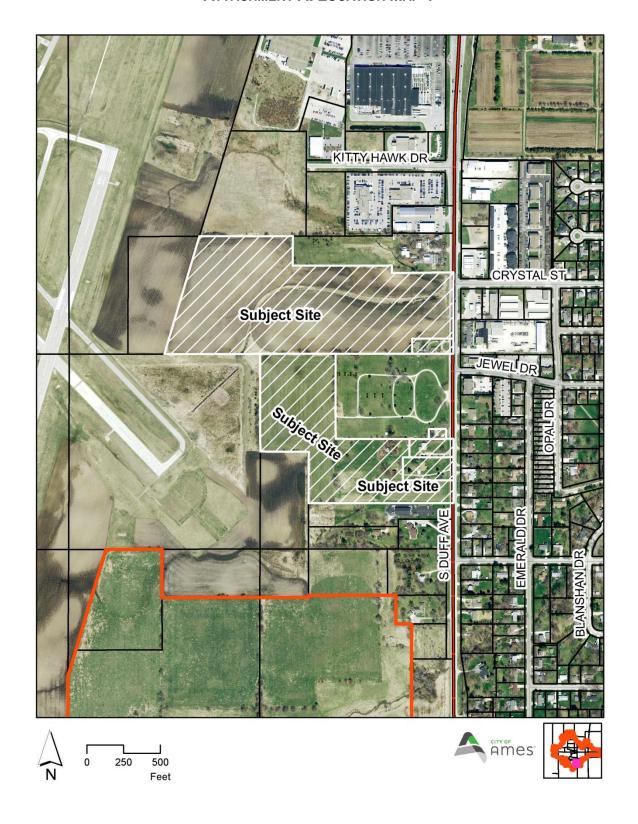
The proposed storm water management plan has recently been updated and submitted for staff review. It has been reviewed by the Public Works staff which still is awaiting resolution of additional issues. These are:

- The owner needs to obtain a 404 Permit from the Army Corps of Engineers (USACE) for the proposed modifications to the existing stream channel before the city can approve the storm water management plan.
- The owner needs to obtain a 401 permit from the Army Corps of Engineers and the lowa Department of Natural Resources for the proposed wetland mitigation before the city can approve the storm water management plan.
- The owner needs IDNR approval for construction in the hydraulic shadow of the existing detention pond on airport property before the city can approve the storm water management plan.
- The owner needs to show that the design of the drainage improvements meet the requirements of the contract rezoning agreement, including detention volumes and discharges before the city can approve the storm water management plan.
- The owner needs to prepare a maintenance and mitigation plan to ensure that a permanent wet pool will not impact airport operations. This agreement will be recorded.
- The owner needs City of Ames airport manager for the proposed grading on airport property.

These issues will likely not require any design changes to the preliminary plat or to the accompanying major site development plan. If, however, they do, it would require a reevaluation of approval and may require a resubmittal and review by the Commission and Council.

Staff believes approval of the Preliminary Plat can go forward with conditions requiring the rectification of these outstanding issues prior to any grading or field work commencing.

ATTACHMENT A: LOCATION MAP-1



ATTACHMENT B: BRICK TOWNE LOT LAYOUT [NORTH TO RIGHT]



ATTACHMENT C: APPLICABLE SUBDIVISION LAW

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

<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.

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(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.

GOVERNING SPECIFICATIONS

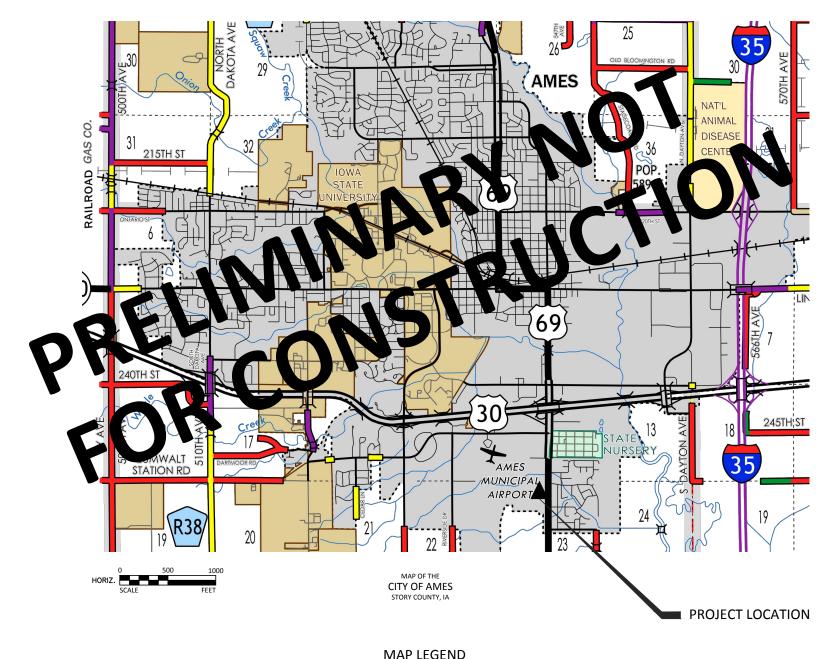
THE 2017 EDITION OF THE "IOWA STATEWIDE URBAN SPECIFICATIONS FOR PUBLIC IMPROVEMENTS" AND "THE CITY OF AMES SUPPLEMENTAL SPECIFICATIONS" SHALL GOVERN

IOWA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR HIGHWAY AND BRIDGE CONSTRUCTION", SERIES 2015 AND ALL CURRENT GENERAL SUPPLEMENTAL SPECIFICATIONS AND MATERIALS INSTRUCTIONAL MEMORANDUM SHALL GOVERN AS REFERENCED.

MUTCD 2009 AS ADOPTED BY IOWA DEPARTMENT OF TRANSPORTATION.

JENSEN DEVELOPMENT BRICKTOWNE

PRELIMINARY PLAT



PROJECT LOCATION

OWNER

DICKSON D AND LUANN C JENSEN 4611 MORTENSEN RD STE 106 AMES, IA 50014 DEVELOPER
JENSEN GROUP
4611 MORTENSEN RD STE 106
AMES, IA 50014

PREPARED BY

BOLTON AND MENK 2730 FORD STREET AMES, IA 50010

LEGAL DESCRIPTIONS

3301 S. DUFF

A PART OF THE NORTHEAST QUARTER (NE ½) OF THE NORTHWEST QUARTER (NW ½) OF SECTION 23, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY OF DUFF AVENUE AND U.S. HIGHWAY #69 WHICH IS 50 FET WEST AND 511.1 FEET SOUTH OF THE NE CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW ½), THENCE CONTINUING SOUTH ALONG SAID RIGHT OF WAY 68 FEET, THENCE NORTH 89°50' W 118 FEET, THENCE NORTH 68 FEET, THENCE S 89°50' E 118 FEET TO THE POINT OF BEGINNING.

3325 S. DUFF

BEGINNING AT A POINT 579.1 FEET SOUTH OF THE NE CORNER OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTY-THREE (83) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., AMES, STORY COUNTY, IOWA, THENCE SOUTH 125 FEET, THENCE WEST 300 FEET, THENCE NORTH 125 FEET, THENCE EAST 300 FEET TO THE POINT OF BEGINNING; LOCALLY KNOWN AS 3325 SOUTH DUFF AVENUE, AMES, IOWA.

3115 S. DUFF

PARCEL "J" A PART OF THE SOUTHWEST ¼ OF SECTION 14, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., AMES, STORY COUNTY, IOWA, AS SHOWN ON THE "PLAT OF SURVEY" FILED IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA, ON OCTOBER 6, 1998, AS INST. NO. 98-13885, SLIDE 2, PAGE 4, (SAID PARCEL "J" INCLUDES REAL ESTATE DESCRIBED AS PARCEL "L" A PART OF THE SW ¼ OF SEC. 14-T83N-R24W OF THE 5TH P.M., STORY COUNTY, IOWA, AS SHOWN ON THE "PLAT OF SURVEY" FILED IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA, MARCH 28, 2000, AS INST. NO. 00-03130, SLIDE 62, PAGE 4), EXCEPT THE FOLLOWING DESCRIBED REAL ESTATE: PARCEL "M" A PART OF THE SW ¼ OF SEC. 14-T83N-R24W OF THE 5TH P.M., STORY COUNTY, IOWA, AS SHOWN ON THE "PLAT OF SURVEY" FILED IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA, APRIL 27, 2000, AS INST. NO. 00-04315, SLIDE 66, PAGE 1.

3409 & 3413 S. DUFF

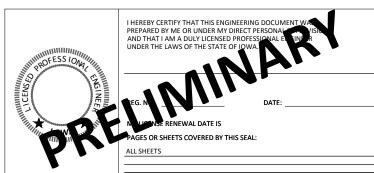
PARCELS "A" AND "B" A PART OF THE NORTHEAST QUARTER (NE ½) OF THE NORTHWEST QUARTER (NW ½) OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTY-THREE (83) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., AMES, STORY COUNTY, IOWA, AS SHOWN ON THE "PLAT OF SURVEY" FILED IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA, ON JUNE 7, 1995, AS INST. NO. 95-04494, BOOK 13, PAGE 70.

3119 S. DUFF

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW ½) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTY-THREE (83) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., IOWA, THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION FOURTEEN (14) TWO HUNDRED EIGHTY (280) FEET TO A POINT, THENCE NORTH PARALLEL WITH THE CENTER LINE OF SAID SECTION FOURTEEN (14), ONE HUNDRED (100) FEET, THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION FOURTEEN (14), TWO HUNDRED EIGHTY (280) FEET, THENCE SOUTH ALONG THE CENTER LINE OF SAID SECTION FOURTEEN (14) TO THE PLACE OF BEGINNING, SUBJECT TO HIGHWAY EASEMENTS OF RECORD

ZONING

EXISTING: RESIDENTIAL - HIGH DENSITY AND COMMERCIAL PROPOSED: PLANNED RESIDENTIAL DEVELOPMENT AND COMMERCIAL



12

COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA." PLAN REVISIONS REV ISSUED FOR DATE

1-800-292-8989

www.iowaonecall.com

LAW, NOTIFY IOWA ONE CALL 1-800-292-8989

NOTE: EXISTING UTILITY INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED BY THE UTILITY OWNERS. THE

CONTRACTOR SHALL FIELD VERIFY EXACT LOCATIONS PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS UTILITY QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE

38-02 ENTITLED "STANDARD GUIDELINES FOR THE

PLAN REVISIONS							
REV	ISSUED FOR	DATE					
0	CITY SUBMITTAL	2017-04-21					
1	CITY RE-SUBMITTAL	2017-06-14					
2	CITY RE-SUBMITTAL	2017-06-27					



2730 FORD ST, P.O. BOX 668	REV	ISSUED FOR	DATE	DJM	JENSEN GROUP	:
AMES, IOWA 50010 Phone: (515) 233-6100				DRAWN	BRICKTOWNE - SOUTH AMES	1
Email: Ames@bolton-menk.com www.bolton-menk.com	ton-menk.com	DJM	TITLE SHEET			
www.boiton-menk.com				GAB	IIILL SIILLI	ĺ

GENERAL NOTES:

- 1. ALL PRIVATE UTILITIES WILL BE LOCATED WITHIN PUBLIC UTILITY EASEMENTS SHOWN, OR LOCATED WITHIN UTILITY CORRIDORS PROVIDED FOR BY THE CITY'S 'USE OF CITY
- 2. ALL CONSTRUCTION MATERIALS, DUMPSTERS, DETACHED TRAILERS, OR SIMILAR ITEMS ARE PROHIBITED ON PUBLIC STREETS OR WITHIN THE PUBLIC RIGHT-OF-WAY.

LOT DATA							
LOT AREA (SF)		AREA (AC)	ADDRESS				
1	214,505	4.92	120 JADE STREET				
2	192,714	4.42	214 JADE STREET				
3	102,235	2.35	3321 PERIDOT AVENUE				
4	88,289	2.03	3215 PERIDOT AVENUE				
5	196,093	4.50	3115 PERIDOT AVENUE				
6	86,484	1.99	3320 PERIDOT AVENUE				
7	79,353	1.82	3214 PERIDOT AVENUE				
8	181,768	4.17	3100 PERIDOT AVENUE				
9	230,369	5.29	500 WEST CRYSTAL LOOP				
10	193,792	4.45	400 WEST CRYSTAL LOOP				
11	182,012	4.18	200 WEST CRYSTAL STREET				
12	51,777	1.19	3117 S. DUFF AVENUE				
13	51,816	1.19	3111 S. DUFF AVENUE				
14	99,477	2.28	3105 S. DUFF AVENUE				

LOT DATA					
LOT	AREA (SF)	AREA (AC)			
ROW A	21,800	0.50			
ROW B	27,558	0.63			

LAND USE					
Planned Residential					
Development (PRD)	40.62	Acres			
Commercial (HOC)	5.29	Acres			
Total	45.91	Acres			

RESIDENTIAL DENSITY CALCULATIONS							
	Units	Size (Acres)	Storm Easement	Net Area (Acres)	Density		
Lot 1	72	4.92	1.37	3.55	20.28		
Lot 2	72	4.42	1.40	3.02	23.84		
Lot 3	60	2.35	0.52	1.83	2.35		
Lot 4	60	2.03	0.46	1.57	38.22		
Lot 5	60	4.50	2.73	1.77	33.90		
Lot 6	60	1.99	0 1.99		30.15		
Lot 7	60	1.82	0	1.82	32.97		
Lot 8	68	4.17	1.37	2.80	24.29		
Lot 9	30	5.29	1.30 3.99		7.52		
Lot 10	30	4.45	0.51 3.94		7.61		
Lot 11	0	4.18	1.25 2.93		0.00		
Total Residential	572	40.12	10.91	29.21	14.26		

RESIDENTIAL OPEN SPACE CALCULATIONS				
Total Space	40.12	Acres		
Open Space Required	14.04	Acres (35%)		
Open Space Provided	15.43	Acres (38%)		

LEGEND

EXISTING		PROPOSED	<u>)</u>	
	CENTERLINE PROPERTY / LOT LINE	22+00		- ALIGNMENT/CENTERLINE - RIGHT-OF-WAY LINE
	EASEMENT LINE ROAD RIGHT-OF-WAY LINE WATER SYSTEM	——————————————————————————————————————		- WATERMAIN - STORM SEWER - SANITARY SEWER
	STORM SEWER SANITARY SEWER	,,_	_> (A)	SANITARY MANHOLE NUMBER
	TILE LINE OVERHEAD ELECTRIC LINE			MANHOLE STORM INLET
EU	UNDERGROUND ELECTRIC		•	APRON WATER SYSTEM MANHOLE
	GAS LINE FIBER OPTIC LINE		ф Ж	HYDRANT VALVE
ou	OVERHEAD UTILITY LINE	NICATIONS LINE	H H	BEND TEE
	FENCE LINE CITY LIMITS TREE LINE EDGE	SANITARY SEWER EASEMENT WATERMAIN EASEMENT		SANITARY SEWER EASEMENT WATERMAIN EASEMENT
	GRAVEL EDGE BITUMINOUS EDGE	STORM WATER EASEMENT ACCESS EASEMENT		STORM WATER EASEMENT SHARED PEDESTRIAN ACCESS EASEMENT
	PEDESTRIAN EASEMENT ACCESS & STORM EASEMENT	Ι	PEDESTRIAN ACCESS EASEMENT PUBLIC UTILITY & STORM SEWER EASEMENT	



2730 FORD ST, P.O. BOX 668	REV	ISSUED FOR	DATE	DIM	JENSEN GROUP
AMES, IOWA 50010			DRAWN BRICK		BRICKTOWNE - SOUTH AMES
Phone: (515) 233-6100 Email: Ames@bolton-menk.com				DJM	
www.bolton-menk.com				CHECKED	GENERAL NOTES
WWW.borton memicom				GAB	GENERALINGTES

SHEET

12

