ITEM #: <u>26a</u> DATE: <u>10-11-22</u>

#### **COUNCIL ACTION FORM**

REQUEST: PRELIMINARY PLAT FOR THE NORTH DAYTON INDUSTRIAL PARK SUBDIVISION LOCATED AT 2105 & 2421 DAYTON AVENUE

#### **BACKGROUND:**

Dayton Avenue Development LLC is requesting approval of a Preliminary Plat on 72.99 acres for the North Dayton Industrial Park located at 2105 & 2421 Dayton Avenue. (See Location Map Attachment A) The City annexed this land in February of this year. A rezoning with Master Plan was approved on June 14th which rezoned the property from Agricultural (A) to General Industrial (GI) with a Master Plan. (See Zoning Map Attachment B)

The proposed Preliminary Plat includes 10 lots planned for industrial development. (See Attachment D) The Preliminary Plat includes 2 outlots which include Outlot A (6.27 acres) and Outlot B (11.78 acres) for the treatment and detention of stormwater and wetland protection. Outlot B contains a small pioneer era cemetery with access provided to the cemetery on Outlot B via an access easement on the west side of Lot 5. The plat also contains two street lots (Lot A & B) for street right-of-way. Lots 10 and 11, are proposed to be 'through lots' located between Dayton Avenue and Baley Avenue. These lots will only have access from Baley Avenue.

Lot A contains Baley Avenue which is the sole street providing access to all the lots within the proposed subdivision. The street will function as a loop style street through the development intersecting with Dayton Avenue at two points. Lot B contains right-of-way for Dayton Avenue. Additionally, a turn lane will be constructed on the west side of Dayton Avenue for access onto Baley Avenue at both intersections. No access to the lots will be allowed directly from Dayton Avenue.

Utilities will be extended into the subdivision including water, sanitary sewer and electrical lines. Water and Sanitary Sewer will serve all lots from along Bailey Avenue. The layout of the proposed subdivision does not include a final extension of sanitary sewer to the north, approximately 300 feet of pipe length. The initial proposal considered a waiver request of the subdivision standards due to the use of TIF for financing the infrastructure and limited utility of the extension based upon the existing use to the north and no further planned expansion.

The Eagle's Loft daycare north of the site utilizes a private service line to connect south to the existing public sewer line. If the sewer is extended north to the boundary of this subdivision, the Eagle's Loft is obligated to disconnect their private service and connect to the City sewer main at their costs. This obligation is established as part of water and sewer service agreement from 1995. Staff now proposes that the sewer extension be added to the design with the final plat approval to extend to the north boundary of

#### the subdivision.

The applicant's proposed stormwater plan includes retention of the pond and wetlands at the northwest corner of the site. The majority of the site will have runoff diverted to a large detention pond located at the southwest corner of the site before it is released to the west. Water quality and quantity controls are included primarily within the ponds. See additional discussion below.

Sidewalk is being provided along the east side of Baley Avenue along the interior lots. Chapter 23.403(14) allows for sidewalks in General Industrial zoned subdivisions to be provided only on one side of a street. Sidewalks could be approved on either side of Baley. A more detailed sidewalk discussion is provided in the addendum.

#### TAX INCREMENT FINANCING AGREEMENT (TIF)

A TIF Development Agreement has been finalized and is being brought before City Council for consideration and approval as a separate item on this agenda. At the August 23rd City Council meeting the City Council accepted an amended development proposal from the applicant requesting a 10-lot subdivision with 5 lots being small lots and 5 lots being larger sized lots. The Preliminary Plat reflects the approved proposal.

A subsequent Urban Renewal Area and Plan, which includes TIF, will also need to be established this fall in order to create the appropriate funding mechanism to finance the subdivision infrastructure as described in the Development Agreement.

#### Planning & Zoning Commission Recommendation

At the September 7<sup>th</sup> Planning & Zoning Commission meeting the Commission discussed the Preliminary Plat for North Dayton Industrial Park Subdivision. Two members of the public spoke concerning the grading and stormwater plan. One speaker represented concerns of the Izaac Walton League private club located to the west of the site in rural Story County. He expressed concerns about planned diversion of stormwater and its release onto their property at the southwest corner of the subdivision site. The other speaker was concerned about effects of grading and water flow to the pond located at the northwest corner of the existing site.

Speaker's specific concerns included how the change in stormwater release located along the property line will affect existing water levels on their site to the west. Concerns were raised an existing wet marsh could become dry and areas that are currently dry could become too wet due to stormwater discharge being routed to a new location.

Chuck Winkleblack, representing Dayton Avenue Development LLC, addressed the concerns by describing the reasons why the stormwater discharge point was being located where it is proposed to efficiently develop the site and why the drainage on the site was being directed to the stormwater detention ponds as proposed. A substantial amount of the area of the subdivision has water diverted to the treatment pond at the southwest corner of the site.

Commission members discussed the concerns and considered staff's responses regarding the City's stormwater management plan requirements of Ames Municipal Code Chapter 5b and the general subdivision standards of Ames Municipal Code Chapter 23. Ultimately, the Commission determined the plan addressed stormwater requirements of Chapter 23 as they relate to approval of a subdivision.

The Planning & Zoning Commission voted 7-0 to recommend the City Council approve the Preliminary Plat for the North Dayton Industrial Park Subdivision.

#### **STORMWATER MANAGEMENT:**

Subsequent to the Planning and Zoning Commission meeting, the City's Public Works staff finalized their comments for the stormwater management plan regarding drainage changes and asked the developer to refine the design since the P&Z meeting.

Additionally, representatives of the Izaac Walton League met with staff and the applicant in September with concerns of how changes to the release location of stormwater to the west would affect their property. Two significant concerns of the League were whether water would continue to runoff in the middle of the site to an existing marsh on their property and how much would flow from the pond to their pond.

Staff has worked with the developer's engineer to design a system that allows a release of water towards the Izaac Walton site marsh for 1-year storm event rainfalls, approximately 2.5 inches of rain. Larger storm events are controlled by the stormwater system and routed to the treatment pond.

The stormwater plan included with the proposed preliminary plat for City Council approval includes the diversion of water at the middle of the site to the League's property as an enhancement to the design since the P&Z meeting. The stormwater pond at the southwest corner of the site remains the same in its design and planned release rates to meet City requirements. This information has been shared with representatives of the League. Staff believes this release design should address the League's concern.

The City's Public Works Department has accepted the proposed stormwater management plan proposal, pending approval of wetlands fill permits by the Army Corp of Engineers.

#### **ALTERNATIVES:**

- 1. The City Council can approve the Preliminary Plat for the North Dayton Industrial Park Subdivision located at 2105 & 2421 Dayton Avenue with the conditions:
  - a. Include an extension of the Sanitary Sewer line to the north with public improvement plans and the final plat.
  - b. Update the final stormwater management plan to reflect the approved

stormwater design and obtain Army Corps. of Engineers wetland fill permit prior to approval by the City for grading and final plat.

- 2. The City Council can deny the Preliminary Plat for 2015 & 2421 Dayton Avenue if it finds the Preliminary Plat does not meet the requirements of Section 23.302(3)(b) of the Ames Municipal Code and by setting forth it's reasons to disapprove or modify the proposed preliminary plat as required by Section 23.302(4) of the Ames Municipal Code.
- 3. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

#### **CITY MANAGER'S RECOMMENDED ACTION:**

Upon review of the Preliminary Plat staff has found that the proposal meets the requirements of Chapter 23 and the Rezoning Masterplan approved on June 14th. Lot layout and design as well as utilities connections and stormwater design have been reviewed by staff and found to meet City standards.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1.

#### Addendum

#### **Project Location.**

The project site is located at 2105 & 2421 Dayton Avenue along the west side of Dayton Avenue directly west and across from the USDA Laboratories and immediately south of the Eagles Loft Daycare. (See Attachment A- Location Map)

#### Master Plan Compliance.

The Preliminary Plat for this development is in conformance with the approved Master Plan, which illustrates the general arrangement of uses, layout of development and conservation/open space areas, planned transportation connections, and developable acres.

#### **Traffic and Street Connections.**

Dayton Avenue will provide access to the subdivision to the east. Baley Avenue will serve as direct access to each lot throughout the site and is designed as a loop design through the subdivision serving all 10 lots. Baley Avenue will intersect with Dayton Avenue at two points to the north and south along the east side of the subdivision.

Turn lanes will be added to Dayton Avenue at both locations where Baley Avenue intersects with Dayton Avenue. The developer and staff have determined that the proposed turn lanes and internal street plans meet city standards for street construction.

No future street connections have been provided to the north or south of the North Dayton Avenue Industrial Park. The property to the north is owned by Eagle's Loft Daycare along with rural homes north of the city limits. No development is anticipated in the future in this area. To the south is land owned by Colorbiotics. There are no immediate expansion or development plans by Colorbiotics for the land to the south. Any development on the Colorbiotics property can be served by Dayton Avenue.

As a result the north-south connections beyond this property are not seen as being needed to serve additional development or expansion of the City limits in the future.

#### Shared Use Paths, Sidewalks, and Trails.

The developer is responsible for constructing a shared use path along the west side of Dayton Avenue for the length of the North Dayton Industrial Park subdivision in accordance with the City's Ames Plan 2040 Comprehensive Plan. Standard sidewalks of five feet are also required along one side of an industrial road as required in Section 23.403(14). The developer proposes the sidewalk along the interior side (east side) of Baley Avenue.

Although not part of a preliminary plat standard, site development of each lot does require a walkway connection from the building to the street. Crossings of streets to sidewalks is evaluated with site plan review. A cross connection point can be provided for crossing points to access the lots on the western side to the sidewalks on the east side of Baley Avenue.

Alternatively, a sidewalk can be provided on the west side of Baley Avenue. Buildings on the west side of Baley would then connect to the sidewalk and the interior lots would have connections to the shared use path along Dayton.

#### **Stormwater Management.**

Stormwater management will occur in two outlots (A & B). One to the north and one to the south. Outlot A to the south captures water from the large majority of the subdivision which includes Lots 1-4 and 7-10 via storm sewer pipes traveling along Baley Avenue, the western edge of lots 2 and 3 and along the far southern edge of the site from the eastern edge of the site near Dayton Avenue. Outlot B to the north captures water from lots 5 and 6 near along the northern edge of the site via a swale along the north property line of both lots.

The projected needed capacity has been met by the developer on the preliminary plat and meets the standards in Chapter 5 of the City's Stormwater Management requirements. Stormwater flowage easements have been provided along the north sides of Lots 5 and 6 in the northern part of the subdivision leading to outlot B. Storm sewer easement is provided along the south side of Lot 1 and leading from Baley Avenue across the corners of Lot 1 and 2 both leading to Outlot A.

The plan also includes a water diversion at the middle of the site to allow for 1-year storm events to allow runoff towards the Izaac Walton League property marsh. Large volume events are diverted to the stormwater pond where it is then treated and released.

Outlot B will utilize an existing pond for detention in the northwest part of the subdivision. Outlot A will contain a newly constructed detention pond near the southwest corner of the site.

#### **Utilities and Easements.**

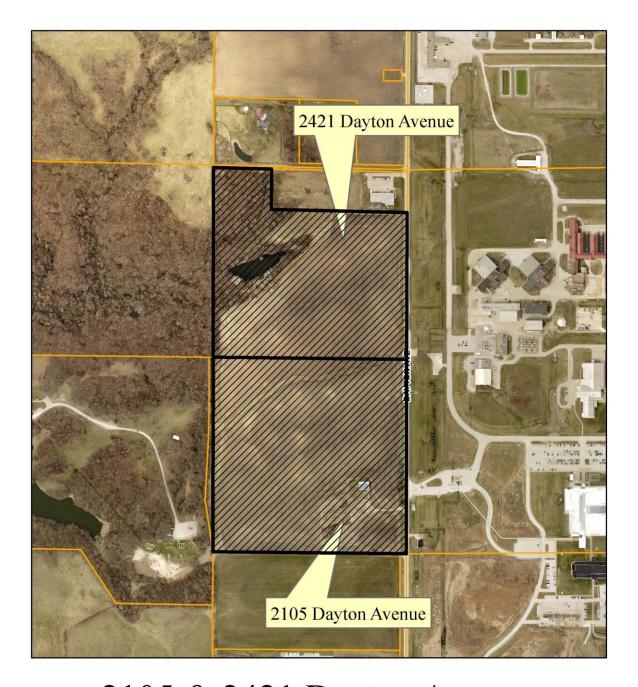
Water service is provided from an existing main in Dayton Avenue via an 8-inch watermain running along Baley Avenue to serve each lot. The water main in Dayton was installed by the owner of the daycare to the north as part of the 1995 agreement. However, sewer to the north property is provided via a private service line in Dayton Avenue extending to the south of this proposed subdivision.

Sanitary Sewer service is available from Dayton Avenue south of the site into the site via an 8-inch main underneath Baley Avenue serving each lot in the subdivision. This project proposes routing the sewer through the site along Baley, but the preliminary plat does not include an extension north of 300 feet. Initially this was a waiver request due to current service of Eagle's Loft and limited options to develop further north. As staff reviewed the project and original 1995 agreement for the construction of the daycare, staff now recommends extending the sanitary sewer the additional distance. Upon the extension, the Eagle's Loft would be obligated to connect to the City public sewer and disconnect their private main, all at their cost.

Public Utility easements have been provided along the perimeter of most of the lots in the

subdivision. the site.	. Electrical s	service will be	e provided v	vithin public	utility easer	nents througho	ut

## **Attachment A- Location Map**



2105 & 2421 Dayton Avenue Proposed Preliminary Plat

## Attachment B- Current Zoning & Masterplan



#### 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(5 & 6):

(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.

- (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.

## **Attachment D: Preliminary Plat**

# **HUNZIKER DEVELOPMENT**

### PRELIMINARY PLAT FOR

# NORTH DAYTON INDUSTRIAL PARK

#### **GOVERNING SPECIFICATIONS**

THE 2022 EDITION OF THE "IOWA STATEWIDE URBAN SPECIFICATIONS FOR PUBLIC IMPROVEMENTS" (SUDAS) AND "THE CURRENT 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.

#### **LEGAL DESCRIPTION**

THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION THIRTY-SIX (36):

#### ΔND

THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4), OF SECTION THIRTY SIX (36)

EXCEPT, THE NORTH 1 ROD, AND EXCEPT,

A PART OF THE NE 1/4 OF THE NE 1/4 OF SEC. 36-T84N-R24W OF THE 5TH P.M., STORY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE, 16.5 FEET SOUTH OF THE NE CORNER OF SAID NE 1/4 OF THE NE 1/4; THENCE N88°41'W, 925.0 FEET, PARALLEL AND 16.5 FEET DISTANT FROM THE NORTH LINE OF SAID NE 1/4 OF THE NE 1/4; THENCE SOUTH 275.0 FEET; THENCE S88°41'E, 925.0 FEET TO THE EAST LINE OF SAID NE 1/4 OF THE NE 1/4; THENCE NORTH 275.0 FEET TO THE POINT OF BEGINNING.

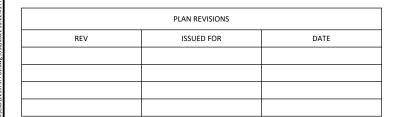


NOTE: EXISTING UTILITY INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED BY THE UTILITY OWNER. THE CONTRACTOR SHALL FIELD VERIFY EXACT LOCATIONS PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW. NOTIFY IOWA ONE-CALL 1-800-292-8989.

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D UNLESS OTHERWISE NOTED. THIS UTILITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."

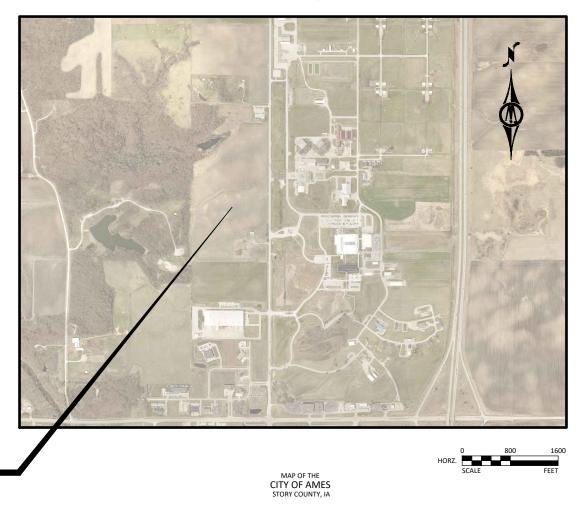
#### UTILITY CONTACTS

CITY OF AMES UTILITY MAINTENANCE - BEN MCCONVILLE, 515-239-5162 CENTURY LINK - SADIE HALL, 918-547-0147 MIDLAND POWER COOPERATIVE - BRUCE KEENEY, 515-386-4111 MEDIACOM - TIM ADREON, 515-233-2318 CITY OF AMES ELECTRIC, MARK CARRAN, 515-239-5189



PROJECT LOCATION **■** 

#### SEPTEMBER, 2022





SHEET LIST TABLE						
SHEET NUMBER	SHEET TITLE					
PP.01	TITLE SHEET					
PP.02	GENERAL NOTES & SHEET INDEX					
PP.03	OVERALL LAYOUT & SHEET INDEX					
PP.04 - PP.07	EXISTING CONDITIONS					
PP.08 - PP.11	PROPOSED CONDITIONS					
PP.12 - PP.15	STREET TREE & LANDSCAPING PLAN					
PP.16	SITE EXHIBIT					

## INITIAL SUBMITTAL DATE

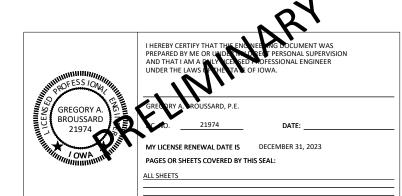
7/1/2022

#### ZONING

EXISTING: AGRICULTURAL (A-1)
PROPOSED: GENERAL INDUSTRIAL (GI)

OWNER

HUNZIKER DEVELOPMENT
105 S. 16TH ST.
AMES, IA 50010
PREPARED BY
BOLTON AND MENK
1519 BALTIMORE DRIVE
AMES, IA 50010





1519 BALTIMORE DRIVE AMES, IOWA 50010 Phone: (515) 233-6100 Email: Ames@bolton-menk.com www.bolton-menk.com

DESIGNED	REV	DESCRIPTION	DATE	HUNZIKER DEVELOPMENT	SHEET
TWA				HONZINER DEVELOPIVIEN I	SHEET
TWA				2105 DAYTON AVE	DD 01
CHECKED GAB					PP.U1
CLIENT PROJ. NO.				TITLE SHEET	
0Δ1 125975				11122 311221	

#### ALIGNMENT DATA

	BAILEY AVE											
NUMBER	NUMBER START STATION END STATION		END STATION LENGTH DELTA		RADIUS	CHORD	START N	START E	END N	END E	LINE / CHORD DIRECTION	
L1	40+00	45+76.16	576.16				7,653,300.52	18,536,806.38	7,653,304.98	18,536,230.24	N89° 33' 24"W	
C1	45+76.16	47+33.24	157.08	90°00'00"	100.00	141.42	7,653,304.98	18,536,230.24	7,653,405.75	18,536,131.02	N44° 33' 24"W	
L2	47+33.24	60+37.98	1,304.75				7,653,405.75	18,536,131.02	7,654,710.45	18,536,141.11	N0° 26' 36"E	
C2	60+37.98	61+94.34	156.35	89°35'03"	100.00	140.91	7,654,710.45	18,536,141.11	7,654,809.68	18,536,241.15	N45° 14' 07"E	
L3	61+94.34	67+60.71	566.37				7,654,809.68	18,536,241.15	7,654,809.41	18,536,807.52	S89° 58' 21"E	

	DAYTON ALIGNMENT										
NUMBER	START STATION	END STATION	LENGTH	DELTA	RADIUS	CHORD	START N	START E	END N	END E	LINE / CHORD DIRECTION
L5	10+00	18+45.54	845.54				7,652,016.27	18,536,709.17	7,652,861.81	18,536,710.17	N0° 04' 05"E
L4	18+45.54	44+94.19	2,648.65				7,652,861.81	18,536,710.17	7,655,510.46	18,536,706.92	N0° 04' 13"W

#### LOT DATA

PARCELS				OUTLOTS						
PARCEL	AREA (SF)	AREA (AC)		LOT AREA (SI		(SF)	AREA (AC)			
1	218210.64	5.01		OUTLOT A	272,	272,472		6.255		
2	462862.87	10.63		OUTLOT B 506		822	11.635			
3	463312.87	10.64								
4	87573.99	2.01	R.O.W.				٧.			
5	98487.80	2.26		LOT		ARE	A (SF)	ARE	A (A	
6	84643.85	1.94		DAYTON	-		125,444		0	
7	59300.98	1.36					18,211	5.00	_	
8 59984.20		1.38		LUI A BAILE	TAVE	2.	10,211	5.00	9	
9	214422.24	4.92								
10	364153.37	8.36								

OUTLOTS								
LOT	AREA (SF)	AREA (AC)						
OUTLOT A	272,472	6.255						
OUTLOT B	506,822	11.635						

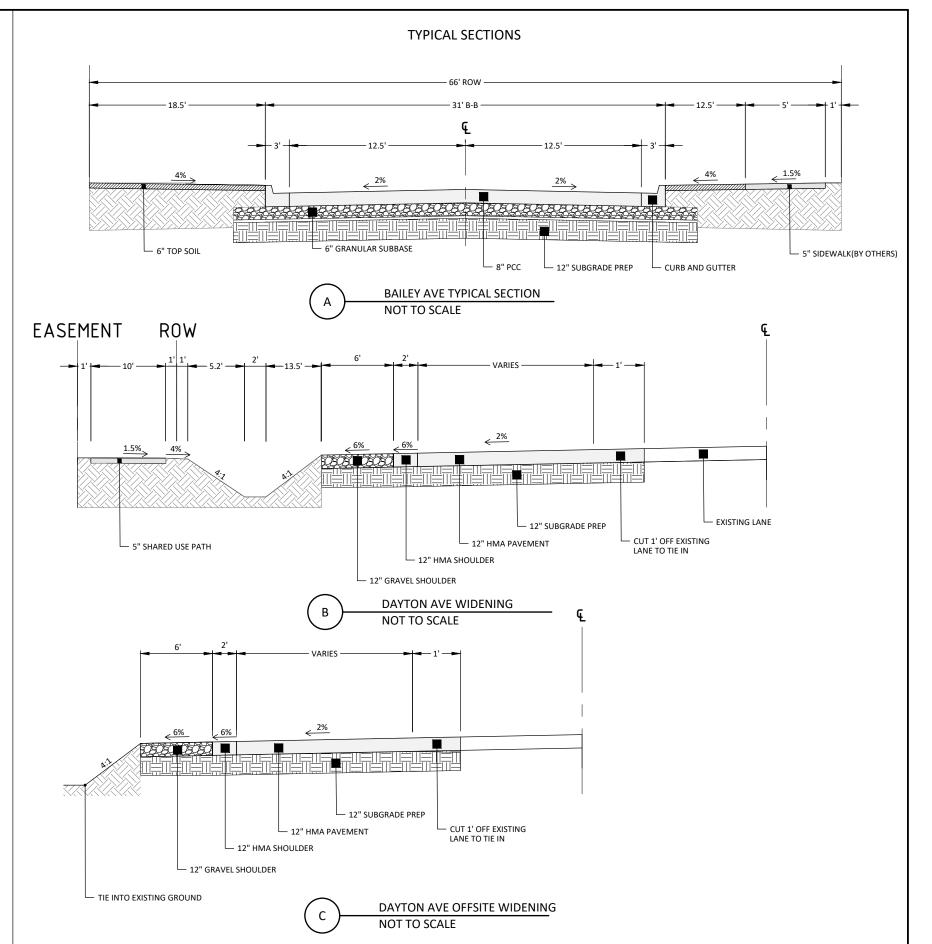
,472 6.255		O	utlots (Acres)		
,;	822	11.63	5	O	pen Space
	O.V	٧.			
AREA (SF) AREA			AREA	A (AC)	

Total Area (Acres)

Open Area

72.99 17.9 25%

- 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 RIGHTS-OF-WAY BY RIGHT-OF-WAY USERS' ORDINANCE.
- 2. VEHICLE PARKING WILL BE PROHIBITED ALONG THE NORTH AND EAST SIDES OF ALL STREETS.
- 3. ALL CONSTRUCTION MATERIALS, DUMPSTERS, DETACHED TRAILERS, OR SIMILAR ITEMS ARE PROHIBITED ON PUBLIC STREETS OR WITHIN THE PUBLIC RIGHT-OF-WAY.
- 4. OUTLOT A & B, STORM WATER AND SURFACE WATER FLOWAGE EASEMENT OVER ENTIRE
- 5. LOT A & B SHALL BE DEDICATED TO THE CITY OF AMES AS R.O.W.





1519 BALTIMORE DRIVE AMES, IOWA 50010 Phone: (515) 233-6100 Email: Ames@bolton-menk.com www.bolton-menk.com

DESIGNED	REV	DESCRIPTION	DATE	HUNZIKER DEVELOPMENT	SHEET	
TWA				HUNZINER DEVELOPIVIEN I	SILELI	
TWA	_			2105 DAYTON AVE		
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GAB					1 1 .02	
CLIENT PROJ. NO.	ł			GENERAL NOTES AND TYPICAL SECTIONS		
0A1.125975				GENERAL NOTES AND THICKE SECTIONS		

