

COMMISSION ACTION FORM

DATE PREPARED: July 14, 2010

REQUEST: Preliminary Plat for Timber Road Estates

MEETING DATES: Planning and Zoning Commission – July 21, 2010

PROPERTY OWNER Ronald and Jean Finch
51146 280th Street
Kelley, IA 50134

LOCATION: Unincorporated Area of Story County
Section 34-83-24 approximately 1 mile south of the City of Ames on Timber Road

ZONING: Story County: A-R Agriculture Residential District

ATTACHMENTS:

- A: Location and Land Use Designation Map
- B: Aerial View
- C: Land Use Designations and Policies for Rural Residential
- D: Preliminary Plat (2 pages)

BACKGROUND:

Project Description. Timber Road Estates is 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.

APPLICABLE LAW AND POLICY, FINDINGS AND CONCLUSIONS

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. 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.

Section 23.302(4) requires the Commission to forward a report including its recommendation to the City Council within 30 days of the regular meeting of the Planning and Zoning Commission at which a complete application is first formally received for consideration. Therefore, the Planning and Zoning Commission must forward its recommendation on the preliminary plat for Timber Road Estates by August 20, 2010. This recommendation may include approving, disapproving or modifying the preliminary plat.

Staff finds that this preliminary plat is within the jurisdictional review of the City of Ames and concludes that the Planning and Zoning Commission has the responsibility to provide a recommendation to the Ames City Council.

Land Use. The City of Ames, the City of Gilbert and Story County have jointly adopted the *Ames Urban Fringe Plan* (AUF), which describes the land use policies for the land area within two-miles of the Ames city limits. This policy is a portion of the City's comprehensive plan, which is the *Ames Land Use Policy Plan* (LUPP).

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.

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. (*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.

Staff finds that the proposed preliminary plat lies within the Rural Residential designation of the *Ames Urban Fringe Plan* and that the Rural Residential designation contains no density requirements. Staff also finds that the three required covenants have been signed and

submitted. Staff concludes that the proposed preliminary plat for Timber Road Estates is consistent with the Rural Residential designation and with the submittal requirements of the City Council.

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.

Inasmuch as the design and improvement standards of the Ames Subdivision Regulations have been waived by the Ames City Council, staff concludes that the regulations are not applicable to this subdivision proposal.

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.

Staff finds that the location of Timber Road Estates is not within a designated protection area of the City. Staff concludes that no additional requirements are necessary to ameliorate possible impacts of the development.

ALTERNATIVES:

1. The Planning and Zoning Commission can recommend that the City Council approve the preliminary plat for Timber Road Estates based upon the above findings and conclusions.
2. The Planning and Zoning Commission can recommend that the City Council 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 Planning and Zoning Commission should develop findings of fact and conclusions that support a decision of denial.
3. The Planning and Zoning Commission can return this request in order to obtain further particular information, to be brought back to the Commission no later than its August 4, 2010 meeting.

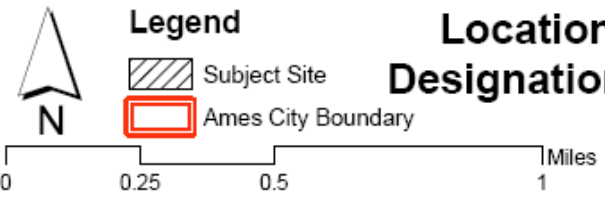
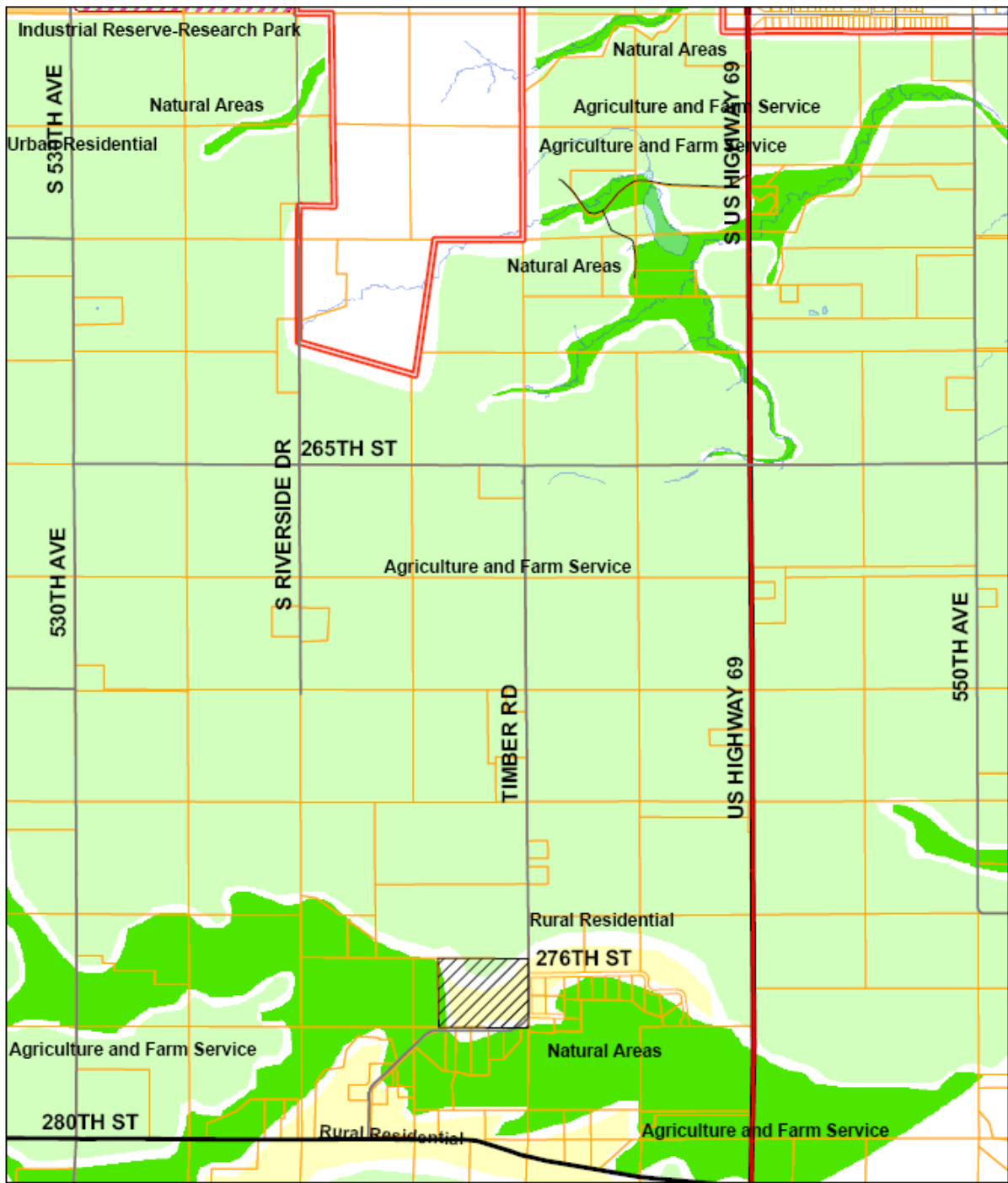
RECOMMENDED ACTION:

The proposed subdivision creates lots for six new homes within unincorporated Story County. Since it is within the Rural Residential designation of the *Ames Urban Fringe Plan*, the City's expectation is that it is unlikely that the City will annex this area within the time horizon of the Plan. In such instances, the policy of the *Ames Urban Fringe Plan* is that the City will waive its design and improvement standards and defer to the standards of Story County. However, the City still retains approval authority.

The City's long-range planning efforts embodied in the Ames Urban Fringe Plan have identified this area as one in which annexation is not anticipated. Therefore, upon the recommendation of the staff, the City Council waived its design and improvement standards. The owner has submitted the signed covenants necessary for the City Council to consider the preliminary plat request. In all other respects, the requirements of the City subdivision regulations have been met. Therefore, it is the recommendation of the Department of Planning and Housing that the Planning and Zoning Commission act in accordance with Alternative #1, which is to recommend that the City Council approve the preliminary plat for Timber Road Estates, based upon staff's findings and conclusions

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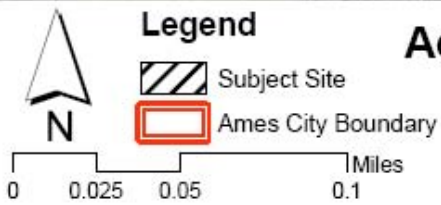
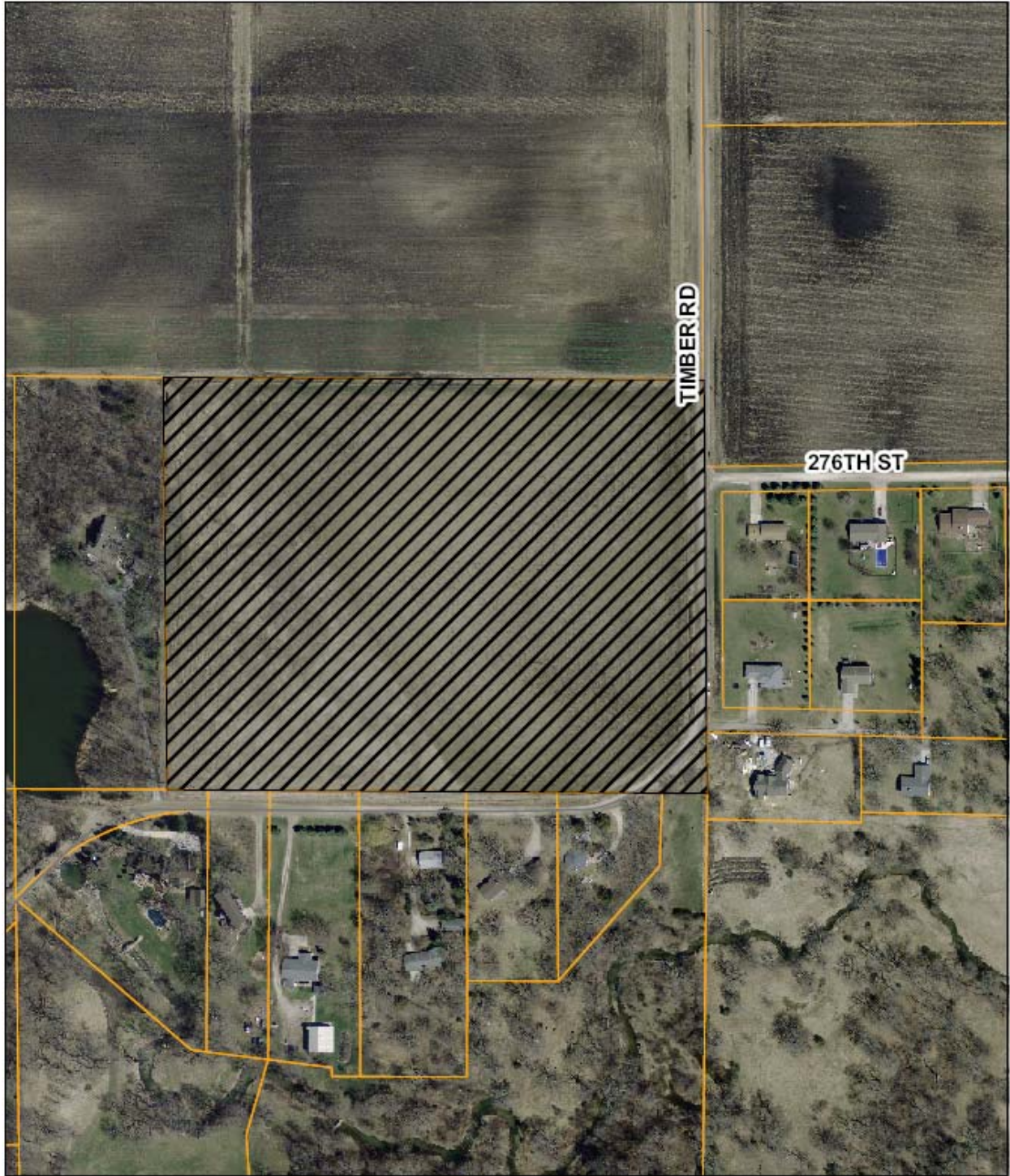
ATTACHMENT A



Location and Land Use Designations of Subject Site



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)

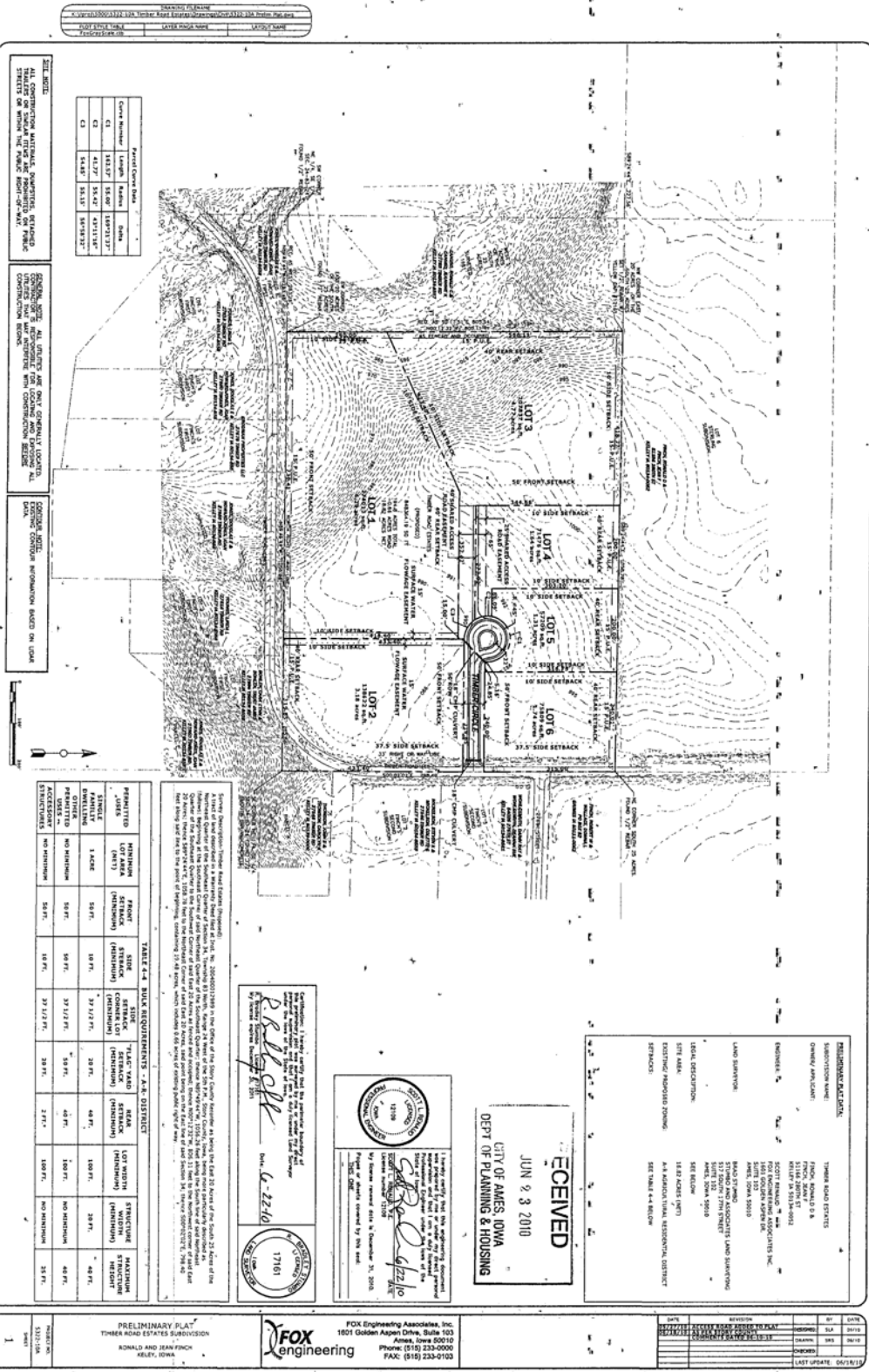
RR Policy 6: Mitigate and manage stormwater run-off, soil erosion, and wastewater discharge from Rural Residential land uses according to IDNR and county standards. (Relates to RSACA Goal 2.3)

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)

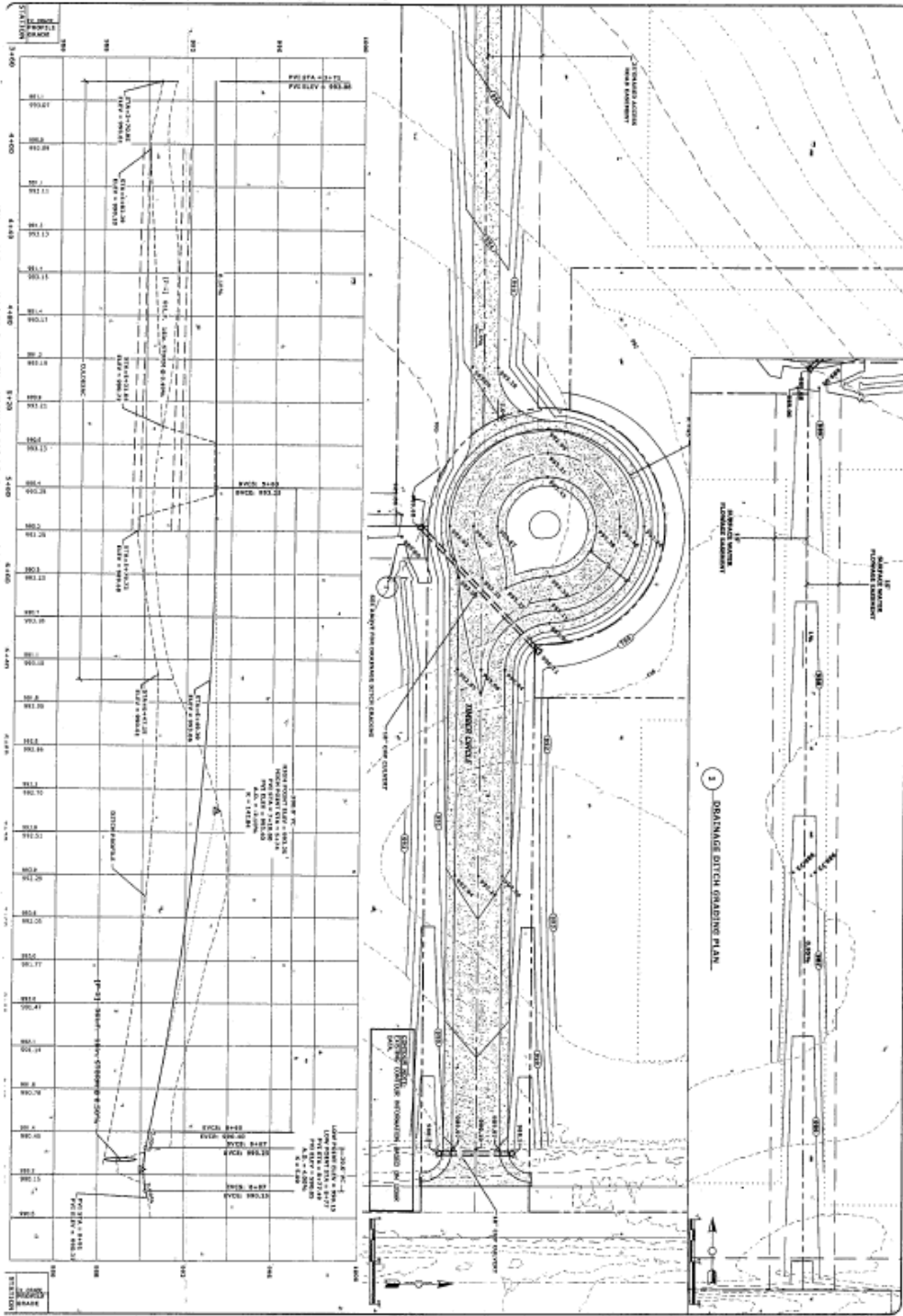
RR Policy 8: Limit rural residential development on prime agricultural land. Assure that the development on prime agricultural land is farm-related and has adequate access to road systems and potable water. Development should not interfere with agricultural-related activities. (Relates to RSACA Goal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



DATE	DESCRIPTION	BY
10/12/11	ISSUE FOR PERMITS	JR
08/22/11	ISSUE FOR PERMITS	JR
08/22/11	ISSUE FOR PERMITS	JR



TYPICAL CIRCLE PLAN AND PROFILE
 TYPICAL RINGS PER PERMITS SPECIFICATIONS
 RONALD AND DEAN KNOX
 M.F.P., INC.

FOX
 engineering

FOX Engineering Associates, Inc.
 1081 Golden Arrow Circle, Suite 100
 Ames, Iowa 50010
 Phone: 515/233-0000
 Fax: 515/233-6100

NO.	DATE	BY	CHKD.
1	10/12/11	JR	DKS
2	08/22/11	JR	DKS
3	08/22/11	JR	DKS
4	08/22/11	JR	DKS
5	08/22/11	JR	DKS
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10	08/22/11	JR	DKS