

COMMISSION ACTION FORM

DATE PREPARED: January 12, 2012

REQUEST: Preliminary Plat for Aspen Ridge 2nd Addition

MEETING DATE: January 18, 2012

PROPERTY OWNER: Randall Corporation
420 South 17th Street
Ames, Iowa 50010

LOCATION: 601 South 16th Street, generally located west of Aspen Ridge Town Homes, south of Coldwater Golf Links, and east of South Grand Avenue

LAND USE POLICY PLAN: Highway-Oriented Commercial (HOC)

ZONING: Lots 1-4: Highway-Oriented Commercial (HOC)
Outlot C: Planned Residence District (F-PRD)

BACKGROUND:

Project and Context. A Preliminary Plat for Aspen Ridge, 2nd Addition is proposed. This step is a requirement of a Major Subdivision because the number of new lots is more than three. Currently, the subject property is one Outlot, most recently platted in 2004. The subject property is a total of eight acres just east of the newly opened South Grand Avenue and west of Aspen Ridge Town Homes. Outlot C (2.87 acres of the subdivision) is zoned Planned Residence District for future expansion of the Town Home development. The remaining four lots (totaling 5.14 acres) are all zoned Highway-Oriented Commercial. They were rezoned from F-PRD to HOC in 2009 in anticipation of a proposed hotel. Across the street to the south is Pheasant Run Apartments and Aspen Business Park, a professional office park. The Grove Apartments are west of the subject property, across South Grand Avenue. The long range plan is to continue South Grand Avenue north across Squaw Creek to relieve South Duff Avenue from being the principal north-south arterial street.

Use and Designation of Surrounding Properties. See Attachment A for a vicinity map with surrounding zoning and uses.

Applicable Law. Laws pertinent to the proposal are described on Attachment B.

Proposed Plat. See Attachments C, D, and E, for sheets 1-3 of the proposed plat.

Zoning Standards. The four HOC zoned lots all meet the minimum standards for size, frontage, and access. The one F-PRD zoned lot cannot be built upon until the Major Site Development Plan for the Aspen Ridge Town Home development is revised and the land is platted.

Utilities, Access, Easements, Street Lights, Street Trees and Sidewalks. Public improvements available to serve the proposed subdivision are described as follows:

Water. A 12-inch water main runs along South 16th Street, which can serve the site.

Sanitary Sewer. Sanitary sewer mains run east and west along South 16th Street and along the north property line. These are adequate to serve the site.

Storm Water. Storm water will be detained off-site on the golf course property. The area is shown on the plat with cross-hatching just northeast of the subject property. Internal and off-site easements will ensure the necessary legal rights for the affected parcels.

Electric. The electric utility main runs along South 16th Street. The developer will be required to extend the electric main to serve the subdivision according to the Electric Utility Standards.

Sidewalk. There is an existing shared use path along South 16th Street. Sidewalks are already included as part of the South Grand Avenue construction project.

Street Trees. There are existing street trees in the right of way along South 16th Street. Since a portion of the property was rezoned to HOC, the street tree requirement no longer exists for those lots (Lots 1-4). However, the City does have the discretion to require that those existing trees be kept. Requiring the trees to be retained would keep the continuity of the corridor consistent all the way to South Grand Avenue. This can be included as a condition of the plat approval.

Street Lights. The developer is typically required to pay for the installation of street lights within and in some cases adjacent to the subdivision. This will be determined as the Development Agreement is reviewed by City Council.

Access. Currently the Development Agreement does not allow any access points on South 16th Street between South Grand Avenue and Golden Aspen Drive. This is the typical approach to development along arterial streets where there are large sections of vacant land with no immediate plans. Managing access points improves public safety and traffic circulation. City staff has reviewed the proposed access point and determined that it meets Statewide Urban Design Specifications (SUDAS) and is therefore supportive of an amendment to the Development Agreement.

Development Agreement. The existing Development Agreement will need to be revised to outline the responsibility of the street lights and electric main extension. It will also need to be revised to allow the proposed access point on South 16th Street.

Traffic Impacts. The Public Works department has determined that the street infrastructure anticipates this scale of development, and therefore the proposed subdivision has no adverse impacts on the traffic. In addition to the proposed access on South 16th Street, the new South Grand Avenue will provide traffic circulation and access to the subject property.

Public Notice. An invitation to this hearing was mailed to all property owners within 200 feet of the subject site. One phone call had been received at the time of the writing of this report. The caller asked specifically for an explanation of the process for approval of the actual uses within the site. A sign was also placed on the site notifying the public that action is pending and listing the Planning and Housing Department phone number for more information.

FINDINGS OF FACT & CONCLUSIONS:

Staff makes the following findings of facts and conclusions:

FINDING 1. The Aspen Ridge 2nd Addition Preliminary Plat that is proposed is designated as Highway-Oriented Commercial and Medium Density Residential on the Future Land Use Map.

CONCLUSION: The proposed Preliminary Plat is consistent with the Future Land Use Map designations of the Land Use Policy Plan. Staff is not aware of any other inconsistencies with the Land Use Policy Plan; therefore, staff concludes that *Code of Iowa* Chapter 354, Section 8 has been satisfied.

FINDING 2. The applicant is proposing a reduction of the size of an Outlot within an approved subdivision for town home (single-family attached) development in the F-PRD zone.

CONCLUSION: The proposed Outlot C reduces the size of the current outlot, which was originally intended to be a future phase of the town home development. However, the City will still require a review and approval of a revision to the Major Site Development Plan before any homes are allowed to be constructed. Staff has determined that there is adequate land area for the development to meet the minimum requirements of the F-PRD zone and that the Major Site Plan amendment does not have to be approved in order for the size of the Outlot to be reduced. Therefore, staff concludes that the applicable standards of the Ames *Municipal Code*, Section 29.1203, pertaining to Planned Residence District zone standards have been satisfied.

FINDING 3. The proposed subdivision complies with all relevant and applicable design and improvement standards of the Subdivision Regulations, to other City ordinances and standards, and to the City's Land Use Policy Plan. The Preliminary Plat references easements required for storm water and utility improvements. The exact location of an electric main extension and street light locations cannot be determined at this time.

CONCLUSION: Staff concludes that Ames *Municipal Code* Section 23.302(6)(a) has been satisfied if approval of the Preliminary Plat is conditional on the Development Agreement being revised to include the access point, street lights, and electric main extension.

ALTERNATIVES:

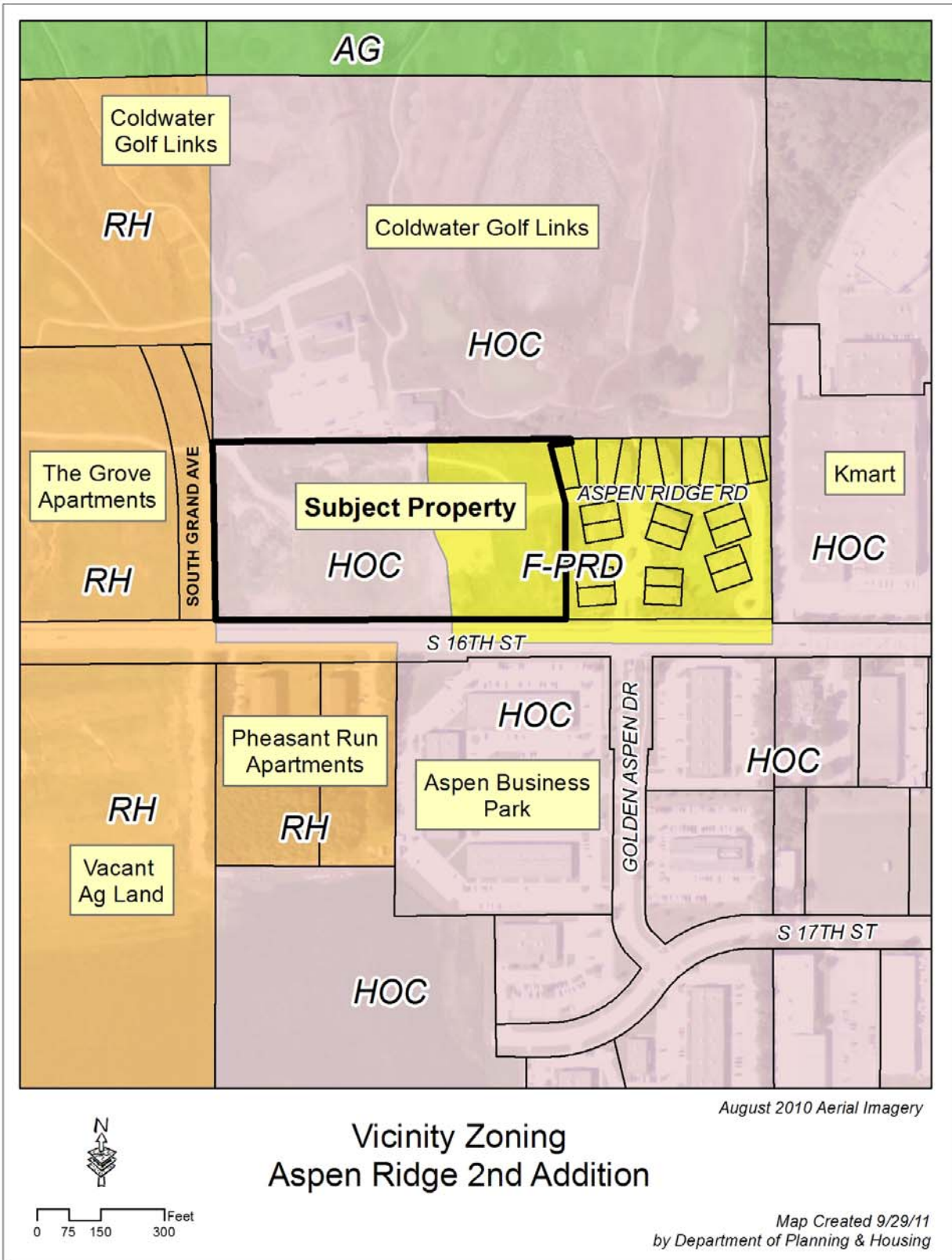
1. The Planning and Zoning Commission can recommend that the City Council approve the Preliminary Plat of Aspen Ridge 2nd Addition, as illustrated on Attachment C, D and E, based upon the findings of facts and conclusions in this report with the following conditions:
 - a) That the Development Agreement be revised prior to the placement of the plat on a City Council agenda to be consistent with the proposed access point on South 16th Street, and be revised to address the electric main extension and street light installation responsibilities.
 - b) That any existing trees in South 16th Street right-of-way remain.
2. If the Planning and Zoning Commission finds that the proposed Preliminary Plat does not conform to all adopted standards and applicable law pertaining to subdivisions, the Planning and Zoning Commission may recommend that the City Council deny the revised Preliminary Plat for Aspen Ridge Subdivision, 2nd Addition.
3. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information to be provided at a Planning and Zoning Commission meeting no later than April 18, 2012.

DEPARTMENT RECOMMENDATION:

Based upon the Findings of Fact and Conclusions above, it is the recommendation of the Department of Planning and Housing that the Planning and Zoning Commission act in accordance with Alternative No. 1, which is to recommend that the City Council approve the Preliminary Plat of Aspen Ridge 2nd Addition, as illustrated on Attachment C, D and E, based upon the findings of facts and conclusions in this report with the following conditions:

- a) That the Development Agreement be revised prior to the placement of the plat on a City Council agenda to be consistent with the proposed access point on South 16th Street, and be revised to address the electric main extension and street light installation responsibilities.
- b) That any existing trees in South 16th Street right-of-way remain.

ATTACHMENT A



ATTACHMENT B

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 (13), (14) & (15) requires installation of street lights, sidewalks and walkways and bikeways in subdivisions.

Ames *Municipal Code* Section 23.406 outlines requirements for electric mains and street lights.

Ames *Municipal Code* Section 23.402 outlines requirements for public street trees for residentially zoned subdivisions.

Ames *Municipal Code* Section 23.407 outlines requirements for storm water management.

Ames *Municipal Code* Chapter 29, Zoning, Section 29.804, includes a list of allowed uses and the development standards for the Highway-Oriented Commercial Zone (HOC).

Ames *Municipal Code* Chapter 29, Zoning, Section 29.1203, includes a list of allowed uses and the development standards for the Planned Residence District (F-PRD).

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.