

COMMISSION ACTION FORM

SUBJECT: PRELIMINARY PLAT FOR RINGGENBERG PARK SUBDIVISION 4TH ADDITION

BACKGROUND:

On July 12, 2005 the City Council approved rezoning for property located at the southwest corner of Cedar Lane and Oakwood Road, as FS-RM (Suburban Residential Medium Density). Upon subsequent subdivision approval the property became Lot 79 of the Ringgenberg Park Subdivision. **At this time a Preliminary Plat for the Ringgenberg Park 4th Addition has been submitted for approval.** A proposed Master Plan has also been submitted for this property, which is addressed in a separate Commission Action Form. This Preliminary Plat approved for this site must be consistent with the proposed Master Plan as it is approved. (See Location Map and proposed Master Plan attached to the accompanying Commission Action Form on the proposed Master Plan.)

The purpose of the Preliminary Plat is for the division of property into separate parcels and to plan for the streets, utilities and other public improvements needed to support the proposed uses of the property. This Preliminary Plat indicates division of the property into 12 lots and 2 outlots. Eight one-acre lots are for 12-unit apartment buildings; one 3.6-acre lot is for an Independent Senior Living Facility; three 0.3-acre lots are for single family detached residences, and two outlots are for common open space. This allocation of land uses is consistent with the proposed Master Plan.

All lots have frontage on existing City streets. Access to these streets is restricted to two locations for all lots except the three lots for single-family detached residences. Access to the other lots is via a private access drive that extends through the middle of the site. Private walkways within the site will connect to public sidewalks in the street rights-of-way around three sides of the site. Existing development agreements establish responsibilities for construction of these public sidewalks.

City water and sanitary sewer to the site is adequate to serve the proposed site development. Most proposed water and sewer lines within the site serve more than one lot and therefore will be public mains in City easements. The electric, gas and communications lines are private.

Storm water management has been an important issue in the review of the Master Plan and of this Preliminary Plat. The storm water management plan proposes a system of overland flow, drainage ways, detention areas and storm sewers that will reduce the rate of storm water runoff from the site after full build-out for all storm events up to the 100-year storm up to 82% below the current undeveloped rate. The remaining capacity in the pipe is available for larger storm events for the developments to the east. This has the potential to increase the capacity of the existing City storm sewer system to

accommodate larger storm events. The site improvements under the storm water management plan will also direct storm water runoff from the site in a purposeful way into the City's system of drainage ways and storm sewers.

The Master Plan shows storm water detention areas within the landscape buffers that are required between distinctly different land uses. However, because of sloping grades along the entire north boundary of site and in some portions of the rest of the site perimeter, many of the landscape buffer plantings may be six to ten feet below the grade of the adjacent property. At the time of planting, the deciduous trees in the buffers will be 10 to 12 feet in height and the height of the conifers will be six feet. (See Landscape Plans that are part of the Major Site Development Plan) The sloping grades established by the Preliminary Plat design may reduce the effectiveness of the buffers to ensure compatibility between different building heights and use intensities. The grading can be adjusted and coordinated with the planting plan to raise the planting elevation and improve the effectiveness of the required landscape buffers. However, this may reduce the capacity of the storm water detention areas.

The attached addendum provides additional background and analysis of the proposal and the requested action. From this analysis staff concludes that the Preliminary Plat is consistent with the goals and objectives of the Land Use Policy Plan relevant to this project and with the proposed Master Plan for this site, with the exception that the grading on the north boundary of the site compromises the effectiveness of the landscape buffers. The Preliminary Plat also complies with other City plans as listed in Section 23.107 of the City subdivision code. Staff further concludes that the Preliminary Plat conforms to the Suburban Residential Development Principles and Regulations and with Design and Improvement Standards of Division IV of the Ames *Subdivision Regulations*.

ALTERNATIVES:

1. The Planning and Zoning Commission can recommend that the City Council approve the Preliminary Plat for Ringgenberg Park Subdivision 4th Addition with the condition that the grading be modified to improve the effectiveness of the north landscape buffer.
2. The Planning and Zoning Commission can recommend that the City Council approve the Preliminary Plat for Ringgenberg Park Subdivision 4th Addition with other modifications or conditions.
3. The Planning and Zoning Commission can recommend that the City Council approve the Preliminary Plat for Ringgenberg Park Subdivision 4th Addition without modifications or conditions.
4. The Planning and Zoning Commission can recommend that the City Council deny the Preliminary Plat for Ringgenberg Park Subdivision 4th Addition.
5. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information to be presented to the Planning and Zoning Commission on or before its December 4 meeting.

RECOMMENDED ACTION:

The revised Preliminary Plat and Master Plan is consistent with the Land Use Policy Plan, the proposed Master Plan, the Zoning Ordinance and the Subdivision Ordinance standards. However, the proposed grading on the north boundary may compromise the effectiveness of the landscape buffers. The landscape buffers on the north are especially important due to the size and height of the Independent Senior Living Facility. Staff also notes that the storm water detention areas exceed the City's standards by 80%.

Therefore, it is recommended that Alternative #1 be adopted. This is a recommendation that the City Council approve the Preliminary Plat for Ringgenberg Park Subdivision 4th Addition with the condition that the grading be modified to improve the effectiveness of the north landscape buffer.

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ADDENDUM

Applicable Law. Laws pertinent to the proposal are attached. Pertinent for the Planning and Zoning Commission is Sections 23.302(3) and 23.302(4) as described in the attachment.

Land Use Policy Plan. The subject site is designated as “Village/Suburban Residential” on the Land Use Policy Plan Map.

Density Information. Density meets the minimum density standards and minimum lot size standards of the FS-RM zoning district. (See details in the Addendum to Master Plan report.)

Common Open Space. Common open space comprises more than 10% of the project site (See details in the Addendum to Master Plan report.).

Public Improvements. Existing water, sanitary sewer, electrical lines and other utility lines on the site perimeter are adequate to serve the proposed development. Water and sewer mains to serve the buildings are being extended through the center of the site with the access drive, with extensions to the north and south between buildings. City staff has approved these plans as meeting applicable standards. All of these water and sewer lines will be in easements to the City and will be installed in accordance with infrastructure plans submitted to and approved by the City. The electric and other utility lines are not provided by the City.

City and Developer have made various Development Agreements as the entire Ringgenberg Park Subdivision has been implemented regarding responsibilities for providing public improvements in and around the project. Current agreements related to the development of the subject site are included in the Addendum to Master Plan report.

Storm Water Management. Storm water runoff from this 16.14-acre site flows across the site into City right-of-way and existing storm sewer. A portion of this runoff flows into the site from the existing farmstead to the north and from small portions of Suncrest Drive on the south side of the subject site. All of this runoff ultimately flows into unnamed tributaries of Worle Creek.

The development of the site will increase the area of paved surface by approximately 6.87 acres, which will cause an increase in the total amount of storm water runoff. However, City standards require that after development the rate of storm water runoff not exceed the rate of storm water runoff experienced before the site is developed. This standard must be met for a variety of storm events, from the “5-year storm” to the “100-year storm.” The storm water management plan for the proposed project reduces the rate of storm water runoff far below this standard.

This is accomplished by directing the storm water runoff through drainage ways and overland flow into storm water detention areas located in the existing low areas of the

site. The largest of these detention areas are to be constructed at the northeast and northwest corner of the site. These detention areas are drained by outlet that connect into the City storm sewer system and are sized to restrict the flow to specific rates. Since during the storm event storm water runoff will enter the detention area faster than it can flow out, the detention area fills with water. As the storm subsides, the stored water continues to flow out through the outlet at the specified rate. The detention areas are designed to drain until empty.

Runoff from 4.33 acres of the site flows into the northwest detention area and is slowly released into the stream north of the site. This runoff does not use the Oakwood Road storm sewer. Runoff from 6.21 acres of the site flows into the largest detention pond at the northeast corner of the development. Runoff from the remaining 5.6 acres drains south into the Ringgenberg pond, except in larger rainfall events when it is directed to the northeast detention area.

The outlets and detention areas have been sized to restrict the storm water outflow rate to the pre-development rate of storm water runoff that occurs during the 5-year storm. This runoff rate will be maintained at this level or lower during all storm events up to and including the 100-year storm. The rate of storm water runoff during the 100 year storm event after the development is built out will be approximately 82% lower than the current, undeveloped rate for the 100-year storm. This will increase the capacity of the existing City storm sewer system to accommodate larger storm events.

When a storm event exceeds the 100-year storm, the detention areas have been designed to overflow in specific locations that will flow into the existing overland drainage channel.

Utilities, Easements, and Sidewalks. Public improvements are proposed to serve the subdivision and will be available to all lots. (See the Addendum to the report on the Master Plan for further description) In accordance with City policies, it is anticipated that most public infrastructure will be constructed and inspected prior to submitting a final plat for new lots. Alternatively, the developer may post an acceptable financial instrument.

Standard *procedures* in the subdivision code for sidewalks and street trees require installation of these improvements prior to final plat approval unless the Council approves deferral of installation subject to the provision of financial security. Standard *practice* has been to defer the installation under the provisions of a Sidewalk Installation Agreement that requires sidewalk and tree installation prior to occupancy of each fronting lot. That allows for construction activity to occur between the lot and fronting street without damage to newly installed sidewalks or trees.

Street Trees. The Preliminary Plat includes street trees on Suncrest Drive and Cedar Lane consistent with the Preliminary Plat for Ringgenberg Subdivision. Existing utilities prevent street trees on the south side of Oakwood Road, but the Master Plan requires a 50-foot wide landscape buffer within the site at this location.

APPLICABLE SUBDIVISION LAW

The laws applicable to this revision to the Preliminary Plat for Ringgenberg Park Subdivision 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(14) & (15) requires installation of sidewalks and walkways and bikeways in subdivisions.

Ames Municipal Code Chapter 29, Zoning, Section 29.1202, includes standards for the Suburban Residential zone.

Ames Municipal Code Chapter 29, Zoning, Table 29.1202(5)-2 includes Residential Medium Density (FS-RM) Supplemental Development Standards.

Ames Municipal Code Chapter 29, Zoning, Table 29.1202(6) includes Suburban Residential Floating Zone Suburban Regulations.

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.

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