

## **COMMISSION ACTION FORM**

### **BACKGROUND:**

Pinnacle Properties, LLC, represented by Keith Arneson, is seeking approval of a revised Preliminary Plat for a portion of the South Fork development. South Fork lies south of the west Hy-Vee and north of the Ames Middle School. Initial development occurred in 2001 and the most recent revision of the preliminary plat was in 2013. The development is mostly built out and the developer is seeking changes to the last remaining outlot (see location map and existing lots in Attachment A).

The proposed preliminary plat connects Coy Street that is part of South Fork to the original section of Coy Street to the east in the Vivian G Coy Subdivision. Sunflower Drive will be extended south and connect with this new portion of Coy Street. The existing approved preliminary plat identifies nine lots for single-family detached homes. Five lots intended for single-family detached and eight lots intended for twin-homes will be created, for a net increase of 4 housing units.

The attached addendum provides background and analysis of the proposal and the requested action. This request for a Preliminary Plat approval is also accompanied by a request to update the Master Plan and both should be either approved or denied in tandem.

### **ALTERNATIVES:**

1. The Planning and Zoning Commission can recommend that the City Council approve the Preliminary Plat for Outlot A of South Fork Subdivision, Eighth Addition, based upon the findings of facts and conclusions in this report.
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 Commission may recommend that the City Council deny the Preliminary Plat for Outlot A of South Fork Subdivision, Eighth Addition.
3. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

### **DEPARTMENT RECOMMENDATION:**

Based upon the Findings of Fact and Conclusions noted in the attached report, 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 approval of the Preliminary Plat for Outlot A of South Fork Subdivision, Eighth Addition.

## **ADDENDUM**

### **INTRODUCTION:**

Keith Arneson, representing Pinnacle Properties, is seeking approval of a revision to the approved Preliminary Plat and Master Plan for South Fork Subdivision. The revision is to the last remaining outlot of South Fork. It is located at the southeast corner of the development and is the transition area between the South Fork development and the Vivian G. Coy Subdivision to the east.

The Land Use Policy Plan Future Land Use Map designates this area as "Village/Suburban Residential. The current zoning is Suburban Residential Low Density (FS-RL).

### **BACKGROUND:**

**Project Description.** South Fork Subdivision was first approved in 2001. It is a residential development of approximately 56 acres. It was configured to allow for multi-family housing, single-family, attached, and single-family detached homes. Concurrent with the Preliminary Plat in 2001, the City Council also approved FS-RL Suburban Low-Density Residential and FS-RM Medium Density Residential.

The land use and zoning for the entire South Fork will continue as it is currently designated. FS-RM Suburban Residential Medium Density is found along the north and central part of the development. This zoning allows for apartments and townhomes. FS-RL Suburban Low Density Residential zoning is found along the west, south, and east portions of the development and is intended for single-family detached and attached homes.

**Project Changes.** This Preliminary Plat and Master Plan seek to amend the lotting pattern and allowed housing types from the currently approved 9 single-family detached lots to 5 single-family detached lots and 8 lots for twin homes. Neither the zoning nor the infrastructure needs are changing substantial with the increase of homes.

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

**Density Information.** The gross area of the overall South Fork development is 56.07 acres. The FS-RL portion currently achieves a density of 4.73 dwelling units per. This change increases the FS-RL zoning to 4.88. This density falls within the range of 3.75 and 10.00 dwelling units per acre as prescribed by the Zoning Ordinance.

The density of this 2.64 acre outlot is 6.44 dwelling units per net acre.

**Lot Configuration.** All lots meet minimum size requirements for the zoning district. In addition, corner lots seem appropriately sized to accommodate two front setbacks and

two side setbacks. There are a number of attached-single family twin homes built in the area that would represent the likely design and look of homes for the proposed lots.

**Utilities, Easements, and Sidewalks.** Public improvements are proposed to serve the subdivision and will be available to all lots. 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.

It should be noted that this subdivision of South Fork will require 5-foot sidewalks rather than the 4-foot sidewalks of previously approved portions of the development. This is due to changes in sidewalk requirements approved in 2015.

### **FINDINGS OF FACT & CONCLUSIONS:**

Staff makes the following findings of facts and conclusions.

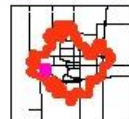
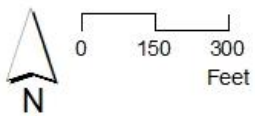
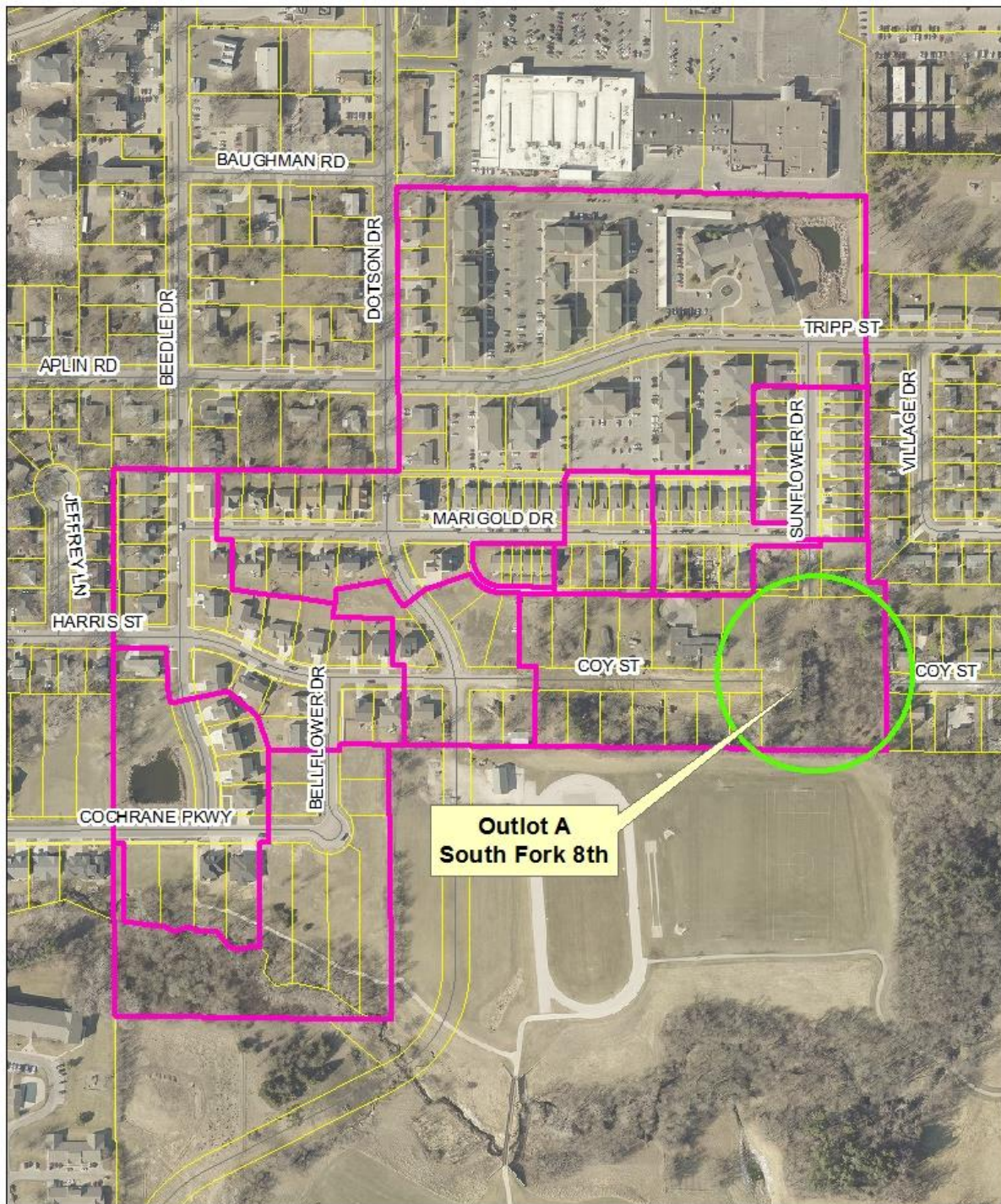
**FINDING 1.** The entirety of the South Fork development is designated as “Village/Suburban Residential” on the Land Use Policy Plan Map.

**CONCLUSION:** The proposed Preliminary Plat is consistent with the Land Use Policy Plan and the associated Land Use Policy Plan map designation of the site. Staff is not aware of any other inconsistencies with the Land Use Policy Plan; therefore, staff concludes that Section 23.107 of the Ames *Subdivision Regulations* and *Code of Iowa* Chapter 354, Section 8 have been satisfied.

**FINDING 2.** 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.

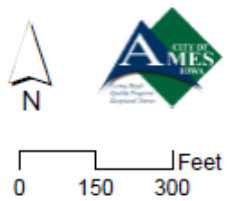
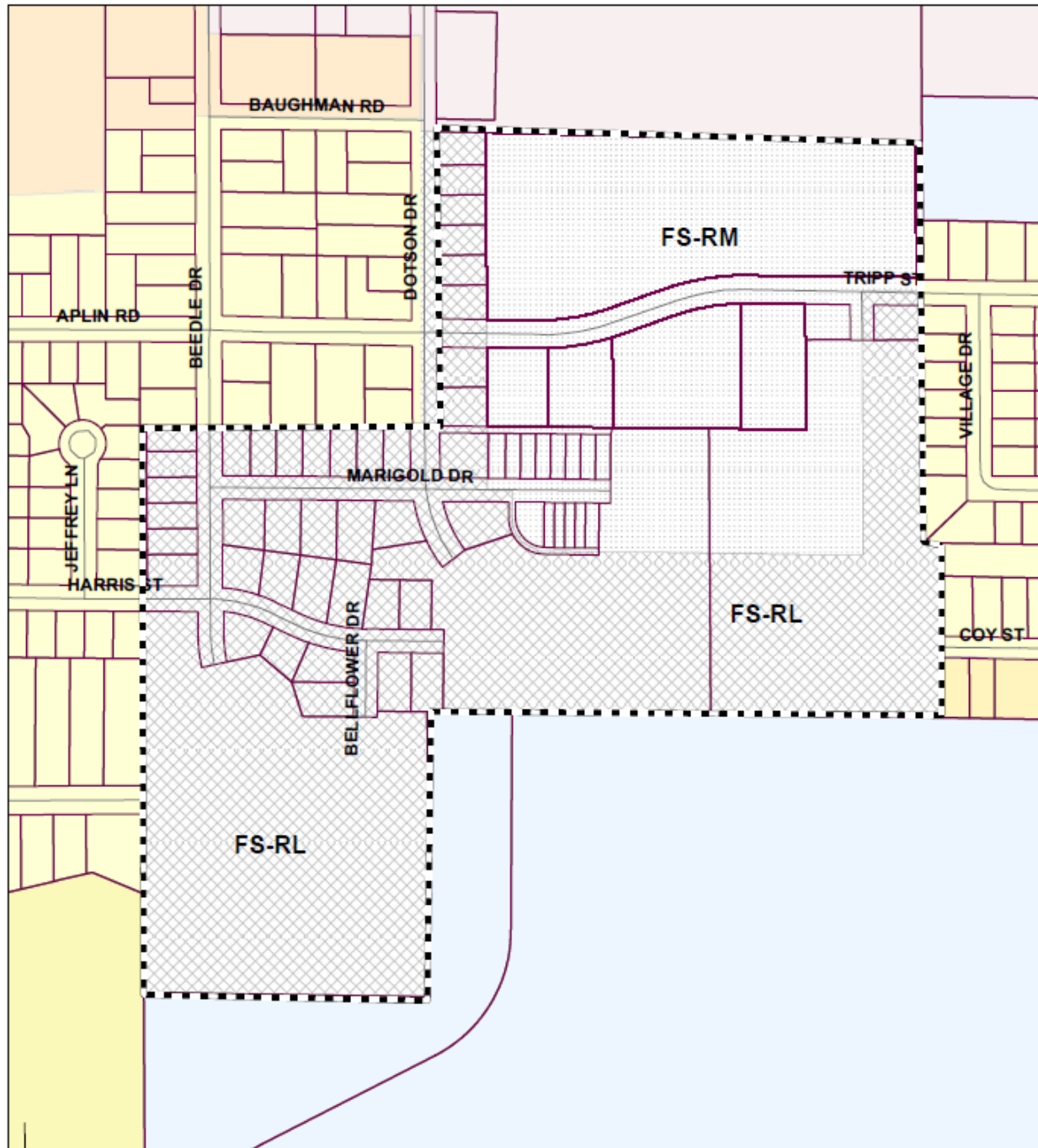
**CONCLUSION:** Staff concludes that Section 23.107 as well as Division IV Design and Improvement Standards of the Ames *Subdivision Regulations* have been met.



## ATTACHMENT A: LOCATION MAP

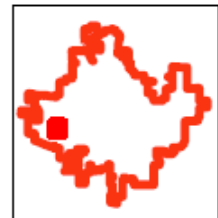




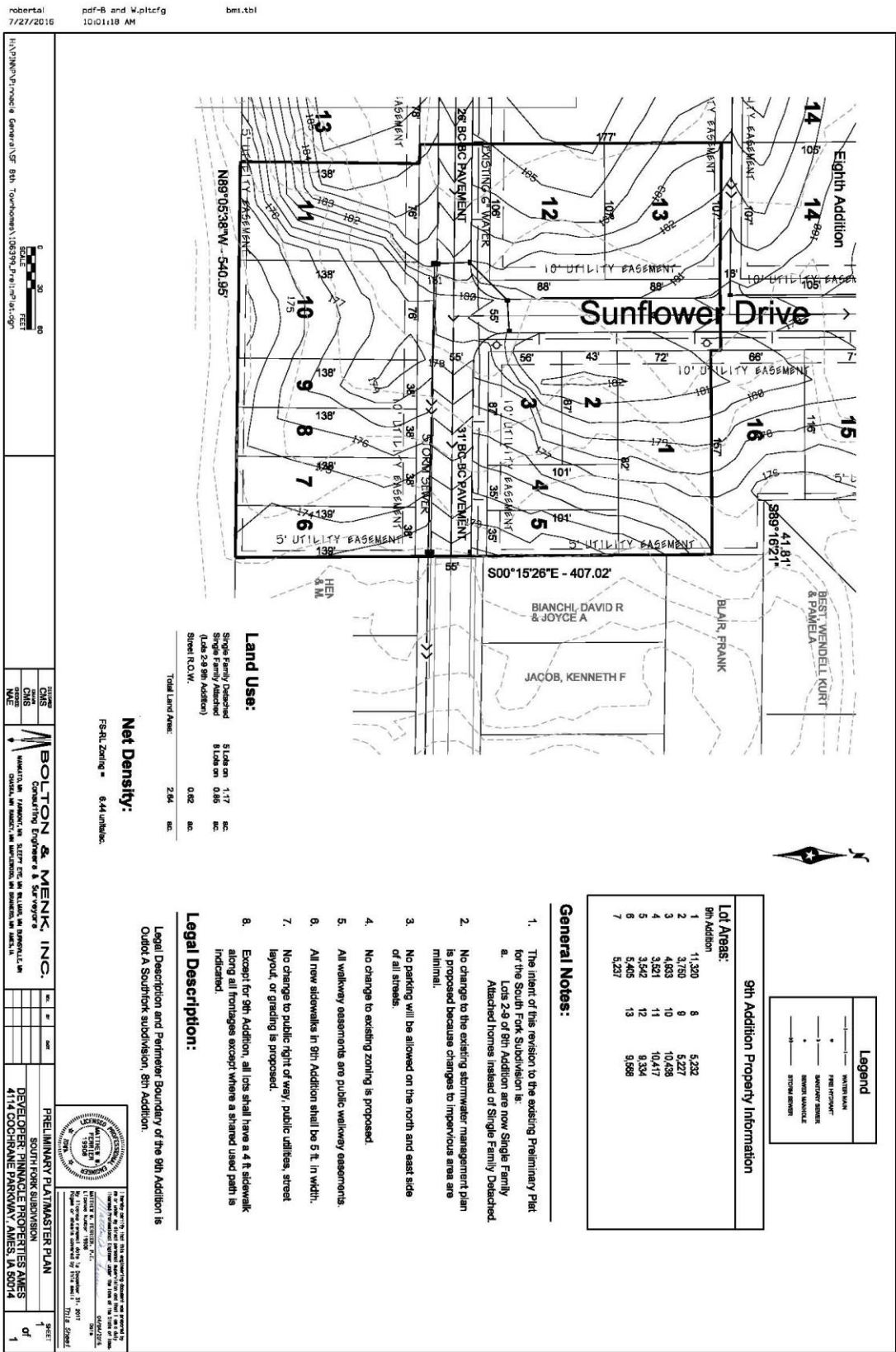
## ATTACHMENT B: SOUTH FORK ZONING



-  South Fork Development
-  FS-RM Zoning
-  FS-RL Zoning



ATTACHMENT C: PROPOSED PRELIMINARY PLAT



## ATTACHMENT D: APPLICABLE SUBDIVISION LAW

The laws applicable to this revision to the Preliminary Plat for South Fork 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(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.*