



Planning & Zoning Commission

COMMUNITY DEVELOPMENT DEPARTMENT

March 10, 2008 Meeting

SUBJECT: Consider approval of an Amended Preliminary Plat for Ridgeview Estates subdividing 13.863 acres into 6 single family residential lots. The subject property is located on NW 86th Street south of Little Beaver Creek.

SYNOPSIS:

The applicant, D&E Properties, L.L.C. is proposing to subdivide a 13.863-acre parcel into 6 single-family residential lots. The property is zoned R-1(100). The original preliminary plat included a private drive that crossed the large drainage way and included on lot in an area designed as floodplain. The revised plan includes a public street located on the north side of the drainage way so a crossing is not required and leaves the areas of floodplain within unbuildable outlots.

RECOMMENDATION:

The Planning & Zoning Commission recommends approval of PZ Case No. 07-41, an Amended Preliminary Plat for Ridgeview Estates, subject to the following conditions:

1. The project shall be in conformance and in accordance with the requirements, standards and regulations of the City of Johnston, and any other requirement of state or federal law or administrative rule.
2. Submission of all final plat documentation to City's Staff and Attorney, for review and approval, must occur six (6) working days prior to the City Council's regular meeting.
3. A Storm Water Pollution Prevention Plan, Grading Plan and Evidence of a NPDES Permit from the Iowa DNR shall be provided prior to any ground disturbing activity on the site.
4. Defer sidewalk installation along NW 86th Street and along Ridgview Court adjacent to Outlot Y until otherwise directed by the City Council. At such direction by the Council, the improvements shall be constructed within a reasonable period of time at the sole expense of each respective property owner.
5. Final review of the location of the water, sewer and storm sewer mains and the spacing of the fire hydrants will be completed with the review of the Construction Plans.
6. The applicants shall improve to a collector standard NW 86th Street adjacent to the site to provide adequate public streets to the proposed development. As this development only has outlots fronting onto NW

86th Street, this requirement shall be deferred until redevelopment/replatting of Outlot Y and Z.

7. This site is within the Northwest Area Sanitary Sewer Connection District, and is required to pay the acreage fee and the frontage fee for 375 lineal feet, payment of said fees is required prior to City Council approval of the final plat(s).
8. A cash contribution is an acceptable alternative to the dedication of the required 0.0894 acres of public parkland that is required. Consistent with past precedent, the cash contribution shall be \$28,000 per acre or \$2,503 for the plat. The approval of the Preliminary Plat is subject to the developer's execution of a development agreement prior to the City Council's approval of the Final Plat.
9. NW Ridgeview Court shall be renamed to avoid conflicting with the existing Ridgeview Drive.

Attachments:

Preliminary Plat prepared by Cooper Crawford and Associates, dated February 4, 2008;
Comment Memo from City Staff dated January 22, 2008;
Comment Letter from Bob Veenstra, Veenstra and Kimm dated December 31, 2007 and February 6, 2008;

APPLICANT:	Tom Dean and Mark Shryock D&E Properties, L.L.C. 7334 NW 86 th Street Johnston, IA 50131
REPRESENTATIVE:	Chad Christensen Cooper Crawford and Associates 2167 Grand Avenue West Des Moines, IA 50265
BACKGROUND & PRIOR APPROVALS:	<p>The subject property was annexed to the City of Johnston as part of the D&E Properties Annexation which was approved by the City Development Board on July 12, 2006.</p> <p>The R-1(100) zoning district was established for this site as part of the annexation. In addition, portions of the property were designated as Floodway or Floodway Fringe via Ordinance 758 on December 4, 2006.</p> <p>A Preliminary Plat for the property was approved on September 5, 2006, this action would amend that Preliminary Plat.</p>
COMPREHENSIVE PLAN:	This property is within the Northwest Area plan of the Comprehensive Plan which was approved by the City Council on February 6, 2006. This area was designated as Medium Density Residential (up to 2 units per acre) in the plan, as is the property to the north and west. The property to the south is designated as office.
ZONING DISTRICT & BULK REGULATIONS:	<p>The property is zoned R-1(100) which has the following bulk requirements:</p> <p>Lot Area: 15,000 sq. ft. Lot Width: 100 ft. Front Setback: 40ft. Side Yard: 10 ft. on side – 21 ft. total Rear Yard: 40 ft.</p>
TRAFFIC ACCESS & CIRCULATION:	<p>Access to the site is provided via the proposed public street Ridgeview Court and is a cul-de-sac which has access to NW 86th Street. Ridgeview Court shall be renamed to avoid conflicting with the existing Ridgeview Drive. This street is proposed to be constructed so that it is elevated above the 100 year floodplain limits to ensure access is available in the event of flooding.</p> <p>The public street is proposed to be 26 foot wide within 50 feet of right of way. Right of way dedication is required along NW 86th Street which requires 50 feet of half right of way. This right of way is shown on the Preliminary Plat.</p>

PUBLIC UTILITIES:

Water: Water service is currently not available to this property; however, the applicants are proposing a connection to the west to the Northwood Estates subdivision. This connection would allow for a loop to be created in the future when a main is constructed along NW 86th Street.

Sanitary Sewer: A sanitary sewer main was constructed in 2006/2007 which extends through this site and to the north. This main was constructed by the City as part of the City's Little Beaver Creek Trunk Sewer extension. Services to each of these lots will be provided off of this main.

DRAINAGE:

The southern portion of this site is an existing drainage way which crosses under NW 86th Street and drains into Beaver Creek. The applicants have constructed two ponds, one on adjacent property to the north and one on Outlot Z. These ponds drain under the public street into the existing drainage way. These ponds have an overland flowage route in the event of flooding that drains easterly and southerly through Outlot Z and under the public street at NW 86th Street.

FUTURE IMPROVEMENTS TO ADJACENT ROADWAYS:

The Subdivision Regulations states that a developer is responsible for improvements to all roadways to a collector standard that are adjacent to a site. For this site, because NW 86th Street does not meet the City's requirement for a collector street, the developer is responsible for improvements to this roadway to serve the proposed development. Historically, the City has accepted a Petition and Waiver or Notice of Potential Assessment Covenant be filed and future homeowners were assessed when improvements were made to the roadways. Last summer, the City Council took action not to assess properties for the NW 62nd Avenue and NW 70th Avenue/Merle Hay Road improvement projects and directed staff to ensure the development participation in the roadway improvements be made at the time of the development of the project rather than deferring the costs to future unsuspecting homebuyers. This is accomplished by the developer making the necessary improvements, providing a bond at the time of development requiring payment at the time of the reconstruction of the roadway or paying the City to make the necessary improvements in the future. Since only outlots of this plat are fronting on NW 86th Street, the improvement requirement can be deferred until redevelopment/platting of those parcels.

PARKS AND RECREATION:

The provisions of the Parkland Dedication Ordinance are applicable to this site, as such the applicants are responsible for the dedication of a minimum of 0.0894 acres of parkland, which is calculated as follows:

- 2.98 people per dwelling X 6 single family dwellings X 0.005 acres of parkland per person = 0.0894 acres.

The applicants have indicated their desire to provide funds in lieu of dedication of public parkland. The value of the parkland is estimated at

\$2,503, this payment would need to be made prior to Council approval of the Final Plat and would require a development agreement.

FLOODPLAIN:

The eastern portion of this property is within the 100 year and 500 year floodplain as identified by the Flood Insurance Rate Map. The applicants are proposing to fill the area to raise the public street above the floodplain, this fill is necessary to meet the floodway fringe requirements. In the future, NW 86th Street will also need to be raised. The applicants have submitted a floodplain development permit and appear to meet all of the requirement so the floodway fringe overlay district. As there are no proposed lots or structures within the floodway fringe area.

SIDEWALKS:

Sidewalks are required along all public streets, including along NW 86th Street and along the private street. Due to the terrain of the area and the existing ditches, staff would recommend deferral of the installation of sidewalks along NW 86th Street. A sidewalk is also required along the public street, however, the applicants are requesting deferral of the sidewalk on the south side of the street adjacent to Outlot Y due to the length of the sidewalk and low number of homes on the street, this would appear to be acceptable as a sidewalk is available on the north side of the street.

**BUILDING PERMIT
ISSUANCE:**

Pursuant to normal City policy, up to two permits may be issued upon satisfactory completion and testing of the water, sewer, and paving; in addition all erosion control measures must be in place. No additional permits may be issued until the public improvements are accepted by the City Council. Public improvements are not acceptable until all clean up items are addressed.

**NORTHWEST AREA
SANITARY SEWER
CONNECTION
DISTRICT:**

This property is within the Northwest Area Sanitary Sewer Connection District, payment of the per acre fee and the frontage fee for 375 feet is required prior to City Council approval of any Final Plat.

**CONSULTANT
COMMENTS:**

Bob Veenstra, with Veenstra & Kimm has reviewed the plat and offered comments in December 31, 2007 and February 6, 2008 letters. Issues noted in Bob's letters that have not been addressed have been added to the proposed conditions of approval.