



Planning & Zoning Commission

COMMUNITY DEVELOPMENT DEPARTMENT

April 26, 2010 Meeting

SUBJECT: Consider approval of a Preliminary Plat for Hawkeye Estates (formerly known as Ridgeview Estates) subdividing 17.881 acres into 4 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 17.881-acre parcel into 4 single-family residential lots. The property is zoned R-1(100). Several plans have been presented for this property in the past, but have not proceeded to construction. The current plan is for a private drive to be extended westerly into the site to serve for large lots, the easterly portion of the site is floodplain within unbuildable outlots.

RECOMMENDATION:

The Planning & Zoning Commission recommends approval of PZ Case No. 10-07, a Preliminary Plat for Hawkeye 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 grading permit shall be approved prior to any ground disturbing activity on the site.
4. Defer sidewalk installation along NW 86th Street 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. 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/replating of Outlot Y and Z.
6. This site is within the Northwest Area Sanitary Sewer Connection District, and is required to pay the acreage fee and the frontage fee for 450 lineal feet; payment of said fees is required prior to City Council approval of the final plat(s).

7. Unless otherwise noted all utilities and site improvements, including the access roadway, are designed and constructed as private infrastructure, as such the City will not consider acceptance or ownership of these improvements with this platting procedure or at any time in the future.
8. Prior to the issuance of a certificate of occupancy on any lot within the subdivision, a directory sign, stating the addresses of all properties within the subdivision shall be constructed, pursuant to the Sign Ordinance requirements, so such signage is visible from NW 86th Street at the private drive entrance.
9. Evidence of creation of a homeowners association shall be provided at the time of the Final Plat, in addition, the private water main and ingress/egress easements shall contain maintenance agreements detailing the responsibilities of the homeowners association and lot owners.
10. The anticipated water elevations on the private driveway during rain events that cause over topping should be noted on the Preliminary and Final Plats, this note should include a provision stating the responsibility for repair of any damage caused by this overtopping is the responsibility of the Homeowners Association or property owners and not the City.

The Preliminary Plat shall be amended and/or the following items shall be provided prior to City Council approval of the Final Plat:

11. Sheet 3 of the Preliminary Plat shall be amended to correctly note the size of the storm sewer pipe under the private driveway.
12. The surface water flowage and storm sewer easement along the existing drainage way in Outlot X and Y shall be widened to a minimum width of 20 feet from the top of the drainage way banks.
13. The water services for each lot shall be shown on the Preliminary Plat and the water shut off stop boxes shall be located within an 18 inch concrete pad so they are visible due to the lack of sidewalk.
14. The Preliminary Plat shall include a detail of the bend and flared end section of the 54 inch storm sewer which crosses the private drive.
15. The water meter pit detail shall be provided on the Preliminary Plat.
16. Flared end sections are needed on the up and down stream ends of the culvert under the private drive at NW 86th Street and shall be shown on the Preliminary Plat.
17. Rip rap or other control measures need to be shown on the Preliminary Plat around the MG intake at the outlet of the southern pond.

18. The 18” and 36” storm sewers draining into and out of the northern pond are shown as CMP which is not an approved pipe material in City easements.
 19. The applicant shall provide channel stability calculations for the existing drainage way in the drainage report and resubmit complete drainage report. In addition the applicants shall provide a cross-section of rip-rap channel check on Plan Sheet 3.
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Attachments:

Vicinity Map;

Preliminary Plat prepared by Cooper Crawford and Associates, dated April 15, 2010;

Comment Memo from City Staff dated April 7, 2010;

Comment Letter from Patrick Kueter, Foth dated April 6 and April 22, 2010; and,

Response Letter from Keven Crawford, Cooper Crawford dated April 16, 2010.

APPLICANT:	Tom Dean D&E Properties, L.L.C. 7334 NW 86 th Street Johnston, IA 50131
REPRESENTATIVE:	Keven Crawford 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. An amended Preliminary Plat was approved for the property on March 17, 2008. Both previous approvals have expired.</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 a private drive that would extend westerly into the site and terminate in a cul-de-sac bulb. Lot 2 would have access via an extended driveway along the eastern boundary of Lot 3. The Subdivision Regulations state the following in regards to private drives:</p> <p>180.32 STREET FRONTAGE REQUIRED. No lot shall be created for residential purposes and no building permit shall be issued for a residential structure unless the lot abuts for at least 40 feet on a public street. A lot may contain a building used for residential purposes if an exclusive unobstructed private easement of access or private right-of-way of a least 25 feet wide to a public street is provided up to and</p>

including the lot being created. If a common easement of access or right-of-way will provide access for two (2) or more single-family dwellings, the common easement of access or right-of-way shall be at least 50 feet wide from the public street up to and including the lot being created. A lot served by a common easement of access shall not be created until the Council can make a determination that: (i) the easement is a reasonable means of access in lieu of a public street; (ii) assurance exists that the improvements will be maintained in perpetuity; and (iii) the common driveway or private drive improvements are adequate for their intended use.

To satisfy these requirements the applicants are proposing a twelve foot wide driveway that would not accommodate passing vehicles. Due to the length of the driveway they are proposing a boulevard section approximately half way between NW 86th Street and the cul-de-sac to accommodate passing vehicles. The private drive would be constructed of 6 inch concrete cement. The main private drive is located within a 50 foot ingress/egress easement and the driveway to Lot 2 is located within a 25 ingress/egress easement. With the recording of the final plat, staff recommends that evidence of the creation of a homeowners association be provided as well as a detailed maintenance agreement.

All lots will be addressed off of NW 86th Street, as such a directory sign, stating the addresses of all properties within the subdivision shall be constructed, pursuant to the Sign Ordinance requirements, so such signage is visible from NW 86th Street at the private drive entrance.

The applicants are proposing Lot A be dedicated to the City for right of way for future reconstruction of NW 86th Street and have also provided a 30 foot temporary construction easement and storm sewer easement to accommodate future reconstruction.

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 is proposed to be a private main extended onto the property. To prevent water loss from the private main, the Public Works Department is requiring a meter pit be installed at the terminus of the public water main. Staff is continuing to work with the applicant on a mechanism that would allow the individual houses to still be metered and billed individually.

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 previously constructed two ponds. These ponds drain under the driveway into the existing drainage way, however, due to the elevations of the existing ponds and drainage way, the applicants are unable to accommodate a 100 year storm in the outlet draining the ponds, thus the designated overflow route would be over the private driveway which would act as a weir to the ponds. The overtopping over the road has been calculated to be approximately 2 ½-3 inches deep during a 50 year storm and 4 ½ inches deep during a 100 year storm causing difficulty crossing the roadway at times. This overtopping may cause erosion and scour to occur on the downstream side of the driveway, to accommodate this the applicants are proposing erosion matting on the downstream side of the private drive. A note should be added to the plat cautioning that overtopping of the roadway may occur during storm events so property owner are aware of this possibility as well as noting that the City will not be responsible for any damage that occurs as a result of this flow.

In order to prevent erosion and scour in the existing drainage way, the applicants are proposing a check damn near the storm sewer outlet which has been oriented into the direction of flow of the drainage way.

Each of the various drainage ways have been located with overland flowage and storm sewer easements to accommodate the continued flow and maintenance through those areas.

FUTURE IMPROVEMENTS TO ADJACENT ROADWAYS:

The Subdivision Regulations states that a developer is responsible for improvements to NW 86th Street to a collector standard. 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, providing a petition and waiver 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 not applicable to this site as minor subdivisions are considered exempt from those regulations.

FLOODPLAIN:

The eastern portion of this property is within the 100 year and 500 year floodplain as identified by the Flood Insurance Rate Map. In the future, NW 86th Street will need to be raised above this floodplain elevation. 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. Due to the terrain of the area and the existing ditches, staff would recommend deferral of the installation of sidewalks along NW 86th Street.

**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 450 feet is required prior to City Council approval of any Final Plat. The 450 feet was calculated as the frontage distance as that is the distance between the northern and southern most sanitary sewer stubs that will provide service for the proposed lots. The frontage fee is intended to reimburse the City for the cost of constructing a main that would have otherwise been the cost of the developer at the time of platting.

**CONSULTANT
COMMENTS:**

Patrick Kueter, with Foth Infrastructure and Environment has reviewed the plat and offered comments in April 6th and April 22nd, 2010 letters. Issues noted in Patrick's letters that have not been addressed have been added to the proposed conditions of approval.