ITEM # <u>27</u> DATE: 08-13-13

### **COUNCIL ACTION FORM**

SUBJECT: SOMERSET SUBDIVISION 25<sup>TH</sup> ADDITION FINAL PLAT

## **BACKGROUND:**

On March 26, 2013, the City Council approved an amendment to the Preliminary Plat/Major Site Development Plan for the Somerset Subdivision. The amendment described development west of the Town Center West commercial area where previously a school had been planned. The development will consist of 73 dwelling units, which will include Country Houses, Side Yard Houses and Village Apartments. City Council is being asked to approve the Final Plat for that development.

A revised Preliminary Plat/Major Site Development Plan for Somerset Village incorporating the approved Plan amendments has been provided, which was a condition of Preliminary Plat approval. The proposed Final Plat complies with the approved Preliminary Plat.

Public improvements are under construction and a letter of credit for \$520,000 has been submitted to secure the completion of these public improvements. Sidewalks and street trees on London Drive will be completed lot-by-lot as homes are built, in accordance with the proposed Agreement for Sidewalk and Street Trees.

It can be concluded that the proposed subdivision complies with all relevant and applicable design and improvement standards of the Subdivision Regulations, to the City's Land Use Policy Plan, to other adopted City plans, ordinances and standards, and to the City's Zoning Ordinance.

## **ALTERNATIVES**:

- 1. The City Council can approve the Final Plat for Somerset Subdivision 25<sup>th</sup> Addition.
- 2. The City Council can deny the Final Plat for Somerset Subdivision 25<sup>th</sup> Addition if it finds that it does not comply with the applicable ordinances, standards or plans.

#### **MANAGER'S RECOMMENDED ACTION:**

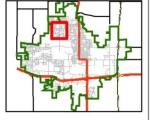
The proposed Final Plat for Somerset Subdivision 25<sup>th</sup> Addition is consistent with the City's existing subdivision and zoning regulations, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted plans. Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the Final Plat for Somerset Subdivision 25<sup>th</sup> Addition.

# **ATTACHMENT 1: GENERAL LOCATION**



Location Map 2714 & 2806 George W. Carver Avenue





#### ATTACHMENT 2: APPLICABLE LAW

The laws applicable to this case file are as follows:

Code of Iowa, Chapter 354.8 states in part:

A proposed subdivision plat lying within the jurisdiction of a governing body shall be submitted to that governing body for review and approval prior to recording. Governing bodies shall apply reasonable standards and conditions in accordance with applicable statutes and ordinances for the review and approval of subdivisions. The governing body, within sixty days of application for final approval of the subdivision plat, shall determine whether the subdivision conforms to its comprehensive plan and shall give consideration to the possible burden on public improvements and to a balance of interests between the proprietor, future purchasers, and the public interest in the subdivision when reviewing the proposed subdivision and when requiring the installation of public improvements in conjunction with approval of a subdivision. The governing body shall not issue final approval of a subdivision plat unless the subdivision plat conforms to sections 354.6, 354.11, and 355.8.

Ames Municipal Code Section 23.303(3) states as follows:

- (3) City Council Action on Final Plat for Minor Subdivision:
  - (a) All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with Section 354.8 of the Iowa Code, as amended or superseded. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat, any comments, recommendations or reports examined or made by the Department of Planning and Housing, and such other information as it deems necessary or reasonable to consider.
  - (b) Based upon such examination, the City Council shall ascertain whether the Final 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. If the City Council determines that the proposed subdivision will require the installation or upgrade of any public improvements to provide adequate facilities and services to any lot in the proposed subdivision or to maintain adequate facilities and services to any other lot, parcel or tract, the City Council shall deny the Application for Final Plat Approval of a Minor Subdivision and require the Applicant to file a Preliminary Plat for Major Subdivision.

#### **ATTACHMENT 3: FINAL PLAT**

