

Staff Report

1515 Indiana Three Season Porch Construction And Storm Water Retention Easement

January 27, 2015

BACKGROUND

City Council referred to staff a letter from John and Julie Larson of 1515 Indiana (Patio Homes West, First Addition Lot #18) regarding the construction of a three season porch to the rear of their home. The Larsons spoke with staff regarding this construction prior to City Council receipt of the letter, and staff relayed to the Larsons that due to the restrictions of a water retention easement on the property, staff could not approve the structure to be built within this easement area. The existing water retention easement area was established in 1980 as a part of the restrictive covenants of the Patio Homes West Association, Inc. This easement extends 50' from the rear property line.

City Council directed staff, upon agreement with the Larsons, to solicit quotes for engineering services to evaluate the drainage area and determine any ability to vacate portions of the existing easement at the sole cost of the Larsons, with staff coordinating the evaluation. The Larsons agreed, depending on the cost, to reimburse the City for the cost of the evaluation. Staff sent quote requests to three local firms and received a response from only one, Clapsaddle-Garber Associates (CGA), which was in the amount of \$3,500 to evaluate the area. The Larsons agreed to pay this amount and entered into a reimbursement agreement with the City.

STAFF COMMENTS

Staff has received the evaluation final report of the area. CGA analyzed the hydraulics of the area and has determined that the existing easement area may be reduced. A graphical representation of the 100-year ponding area along with the proposed easement reduction areas are shown in Attachment A.

The report also recommends that a minimum protective elevation, three feet above the 100-year ponding elevation, be established to protect new openings, such as window wells, on future dwellings/additions. This requirement can be verified during the building permit application process and can be accomplished by earthen berms or structural barriers.

OPTIONS

Taking into consideration the final analysis, the Council could consider the following options:

Option 1

Accept the report and, based on the evaluation of the area, the City Council may accept the request to vacate only the area that affects 1515 Indiana.

Should this option be chosen, a hearing date would need to be set in order to proceed with the vacation. The next available hearing date would be at the February 24, 2015 City Council meeting. If there are no objections, the existing easement area would be redefined as recommended.

Option 2

Accept the report and, based on the evaluation of the area, the City Council may accept the request to vacate all of the areas as illustrated.

The remaining area easements (affected properties not part of this request) could also be vacated, should City Council direct staff to set this as a priority project. A hearing date would need to be set in order to proceed with the vacation. The next available hearing date would be at the February 24, 2015 Council meeting. Staff would also reach out to other affected property owners so they are aware of the potential modifications to the easement and to allow for comment at the hearing. If there are no objections, the existing easement area would be redefined as recommended.

If either of the first two options are selected, the City Council should also pass a motion directing staff to work with the Legal Department and land owner(s) to determine the best means to adopt a flood protection recommendation of 3' above the 100-year storm storage limits outlined in the report for any newly constructed structures adjacent to the new easement area. It is important that before the easement area is altered, the 3 foot elevation requirement be established.

Option 3

Accept the report and *deny* the request to vacate any portion of the existing easement. Under this option, Council would make no changes to the easements, since the stormwater drainage in this area appears to be functioning as originally designed.

The Council should note that the property owner of 1515 Indiana has agreed to cover the recording fees related to the vacation. These are estimated to be less than \$50 under any of the options.

**1515 Indiana Staff Report
Attachment A**

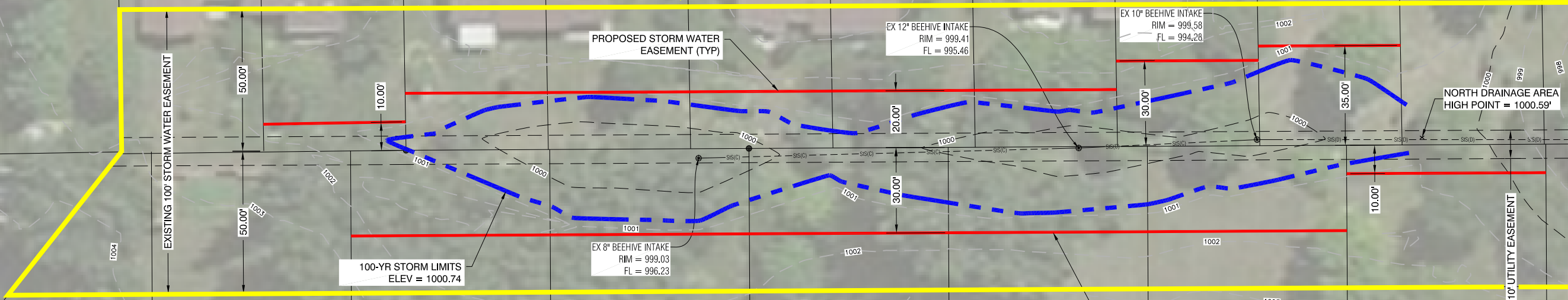
Address	Brief Legal Description	Existing Rear SWDE (feet)	Proposed Rear SWDE (feet)
1413 Indiana Avenue	Patio West 1st Addition Lot 25	50	35
1417 Indiana Avenue	Patio West 1st Addition Lot 24	50	30
1421 Indiana Avenue	Patio West 1st Addition Lot 23	50	20
1425 Indiana Avenue	Patio West 1st Addition Lot 22	50	20
1503 Indiana Avenue	Patio West 1st Addition Lot 21	50	20
1507 Indiana Avenue	Patio West 1st Addition Lot 20	50	20
1511 Indiana Avenue	Patio West 1st Addition Lot 19	50	20
1515 Indiana Avenue	Patio West 1st Addition Lot 18	50	10
1519 Indiana Avenue	Patio West 1st Addition Lot 17	50	0
1406 Kentucky Avenue	Patio West 3rd Addition Lot 6	50	10
1414 Kentucky Avenue	Patio West 3rd Addition Lot 7	50	30
1418 Kentucky Avenue	Patio West 3rd Addition Lot 8	50	30
1428 Kentucky Avenue	Patio West 4th Addition Lot 26	50	30
1504 Kentucky Avenue	Patio West 4th Addition Lot 25	50	30
1508 Kentucky Avenue	Patio West 4th Addition Lot 24	50	30
1512 Kentucky Avenue	Patio West 4th Addition Lot 23	50	0
1520 Kentucky Avenue	Patio West 4th Addition Lot 22	50	0

Attachment A

INDIANA AVENUE

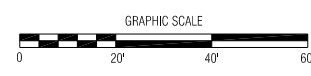


Existing Easement



KENTUCKY AVENUE

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NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE

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 www.cgaconsultants.com

DESIGNED: AJI DATE: 12-5-14
 DRAWN: AJI DATE: 12-5-14
 CHECKED: MMB DATE: 12-15-14
 APPROVED: MMB DATE: 12-30-14

PATIO HOMES WEST, 1ST ADDITION
 AMES, IOWA

**RECOMMENDED STORM WATER
 DETENTION EASEMENT**

PROJECT NO. 8683
 SHEET NO. D-2