

COUNCIL ACTION FORM

SUBJECT: **MINOR SUBDIVISION FINAL PLAT FOR CROWN POINT
SUBDIVISION.**

BACKGROUND:

Property owner Brent Haverkamp, on behalf of 616 Billy Sunday Road LC, is requesting approval of a final plat for a minor subdivision of 0.87 acres of land located at 203 and 2015 Jewell Drive in south Ames (Attachment A). The proposed plat shows the division of an 0.87 acre property into two lots of .37 acres and .50 acres (Attachment B). The current property has two condominium complexes constructed in 1996 that are rented as apartments. The proposed subdivision would divide the parcel between the two structures through a shared common driveway. Both proposed new lots comply with the Zoning Ordinance per the approved site plan from 1996. There are no plans for new construction or additions to the structures on the property at this time.

A Minor Subdivision process allows for filing of a Final Plat without the need of a Preliminary Plat. This is permitted when the subdivision does not require installation of public infrastructure, with certain exceptions for sidewalks and street trees, and when there are area less than three lots created by the plat. **Approval of a Minor Subdivision Final Plat requires a finding that the proposed subdivision meets all of the design and improvements standards, city's ordinances, and adopted plans per the requirements of Chapter 23 Subdivision Code of the Ames Municipal Code.**

No public improvements are required for this subdivision other than sidewalk installation. The applicant plans to install the required 5-foot sidewalk along Jewell Drive and has placed security with the city for the cost of the sidewalk required, to be completed by June 1, 2016.

Included on the plat are easements for existing and required public utility improvements. Both lots within the proposed plat have access to Jewell Drive. A cross access easement will provide access for both lots to and from Jewell Drive along the current entrance and across the total existing parking area on the north side of the buildings. The cross access for the parking lots is an optional choice of the property owner as each apartment building will meet minimum parking requirements upon each lot.

As noted above, the zoning standards applied to review of the Minor Subdivision were based upon 1996 site plan approval. Any changes to the site or additional improvements to the proposed lots are required to conform to the current zoning standards of the City. The eastern 2/3 of the site is within the flood plain and the floodway cross the northeast corner of the existing lot. The proposed subdivision does not change the use or configuration of the site in a manner that affects the flood plain. Staff believes 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 as well as all applicable state laws. (Attachment C)

ALTERNATIVES:

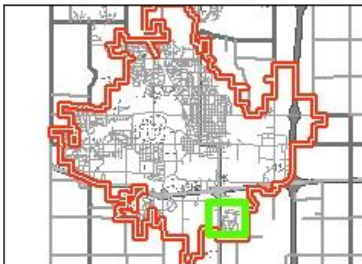
1. The City Council can approve the Final Plat of Crown Point Subdivision, based upon findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans.
2. The City Council can deny the final plat for Crown Point Subdivision if the Council finds that the proposed subdivision does not comply with applicable ordinances, standards or plans.
3. The City Council can delay action the final plat request for Crown Point Subdivision and refer the item back to staff and the property owner for further information.

MANAGER'S RECOMMENDED ACTION:

The proposed lot split creates two lots with one apartment building on each lot. The plat is designed to create lots with shared access, but in regards to other zoning standards each lot meets the individual parking, building, and landscape requirements that pertain to each apartment building. The proposed final plat for Crown Point Subdivision is consistent with the City's existing subdivision and zoning regulations, other City ordinances and standards, the City's Land Use Policy Plan, and the City's other duly adopted plans. No public improvements are required beyond sidewalks and street trees.

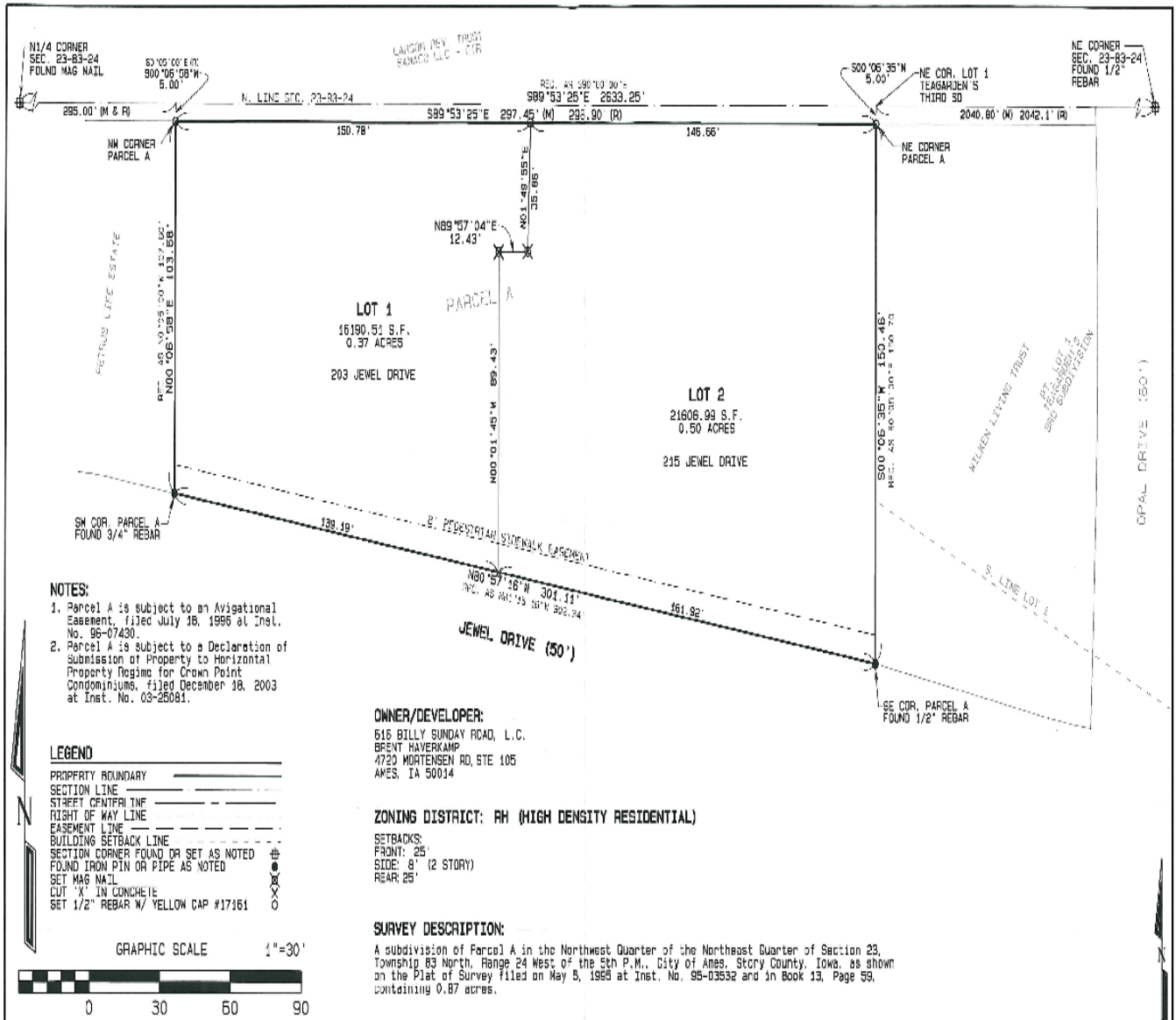
Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the Final Plat.

Attachment A
Location Map



**Crown Point Subdivision
203 & 215 Jewell Drive**

Attachment B Proposed Final Plat



- NOTES:**
- Parcel A is subject to an Avigational Easement, filed July 16, 1996 at Inst. No. 95-07430.
 - Parcel A is subject to a Declaration of Submission of Property to Horizontal Property Regime for Crown Point Condominiums, filed December 18, 2003 at Inst. No. 03-25091.

LEGEND

PROPERTY BOUNDARY	———
SECTION LINE	———
STREET CENTERLINE	———
RIGHT OF WAY LINE	———
EASEMENT LINE	———
BUILDING SETBACK LINE	———
SECTION CORNER FOUND OR SET AS NOTED	⊕
FOUND IRON PIN OR PIPE AS NOTED	⊙
SET MAG NAIL	⊗
CUT 'X' IN CONCRETE	⊗
SET 1/2" REBAR W/ YELLOW CAP #17161	○

OWNER/DEVELOPER:
 616 BILLY SUNDAY ROAD, L.I.C.
 BRENT HAVERKAMP
 4720 MORTENSEN RD, STE 105
 AMES, IA 50014

ZONING DISTRICT: RH (HIGH DENSITY RESIDENTIAL)

SETBACKS:
 FRONT: 25'
 SIDE: 8' (2 STORY)
 REAR: 25'

SURVEY DESCRIPTION:
 A subdivision of Parcel A in the Northwest Quarter of the Northeast Quarter of Section 23, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, as shown on the Plat of Survey filed on May 8, 1988 at Inst. No. 95-03532 and in Book 13, Page 59, containing 0.87 acres.

**STUMBO & ASSOCIATES
 LAND SURVEYING**
 510 S. 11TH STREET, SUITE #102 • AMES, IOWA 50010
 PH. 515-233-3689 • FAX 515-233-4403

**FINAL PLAT
 CROWN POINT SUBDIVISION**
 A SUBD. OF PARCEL A IN THE NW1/4, NE1/4 SEC. 23-83-24,
 CITY OF AMES, STORY COUNTY, IOWA
 JOB #16B73 DATE: 12/07/15 PAGE 1 of 1



Certification: I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

R. Bradly Stumbo Date: 12-07-15
 R. Bradly Stumbo / License #17161
 My license renewal date is December 31, 2015

Attachment C Applicable Laws

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.