

**COUNCIL ACTION FORM**

**SUBJECT: MAJOR FINAL PLAT FOR SOUTH FORK SUBDIVISION, NINTH ADDITION**

**BACKGROUND:**

The City's subdivision regulations are included in Chapter 23 of the Ames Municipal Code. This "Subdivision Code" includes the process for creating or modifying property boundaries, and specifies whether any improvements are required in conjunction with the platting of property. The creation of new lots is classified as either a major or minor subdivision, with a major subdivision requiring a two-step platting process to finalize the creation of new lots. The "Preliminary Plat" is first approved by the City Council, and identifies the layout of the subdivision and any necessary or required public improvements. Once the applicant has completed the necessary requirements, including provision of required public improvements or provision of financial security for their completion, an application for a "Final Plat" may then be made for City Council approval. After City Council approval of the Final Plat, it must then be recorded with the County Recorder to become an officially recognized subdivision plat.

Pinnacle Properties Ames LLC has submitted a final subdivision plat for South Fork Subdivision, Ninth Addition to allow further residential development. The Ninth Addition is a replat of Outlot A of the Eighth Addition and is consistent with the approved preliminary plat and master plan that the City Council approved on August 23, 2016. See Attachment 1 for a location map. **This is the last addition to the South Fork development as shown on the previously approved preliminary plats.**

This proposed final plat of the Ninth Addition (attached) includes 13 residential lots, of which 5 lots are for single-family detached homes and 8 lots are for attached single-family homes. The plat also includes a short extension of Sunflower Drive and the extension of Coy Street to the east connecting to the existing Coy Street in the Vivian G Coy Subdivision.

All required improvements, including streets, sanitary sewer, public water, and storm sewer system, have been identified and financial security provided. The applicant has provided a letter of credit in the amount of \$40,219 for completion of the streets, utilities, street lights, and erosion controls. The City Council is asked to accept the signed Improvement Agreement with financial security for the remaining improvements.

**PREVIOUS SOUTH FORK ADDITIONS:**

South Fork Subdivision has been developed over a number of years with several amendments to the approved preliminary plat and master plan. Since this is the last addition that will need City Council approval, staff reviewed the prior plats to ensure all

the required public improvements have been installed or that the financial security is being held. The list of cleanup and items for correction include:

- A mid-block walkway easement in the 8<sup>th</sup> Addition.
- Additional common sidewalks in South Fork, 3<sup>rd</sup> Addition, 4<sup>th</sup> Addition, and 8<sup>th</sup> Addition.
- Street trees throughout the development.
- A correction to the easement grant in the 4<sup>th</sup> Addition

The developer has provided a separate improvement agreement and financial security of \$37,595 for the sidewalks and trees, provided a new easement grant for the walkway, and provided corrected easements for the 4<sup>th</sup> Addition.

### **ALTERNATIVES:**

1. The City Council can take the following three actions:
  - a. Approve the Final Plat of South Fork Subdivision, Ninth Addition, based upon the staff's findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans with an Improvement Agreement and financial security in the amount of \$40,219.
  - b. Accept the new easement for the mid-block walkway in the Eight Addition.
  - c. Approve the Improvement Agreement and accept financial security of \$37,595 for the final improvements in previous South Fork Additions.
2. The City Council can deny the Final Plat for South Fork Subdivision, Ninth Addition if it finds that the development creates a burden on existing public improvements or creates a need for new public improvements that have not yet been installed.

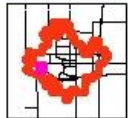
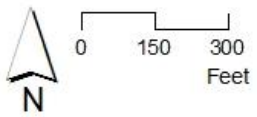
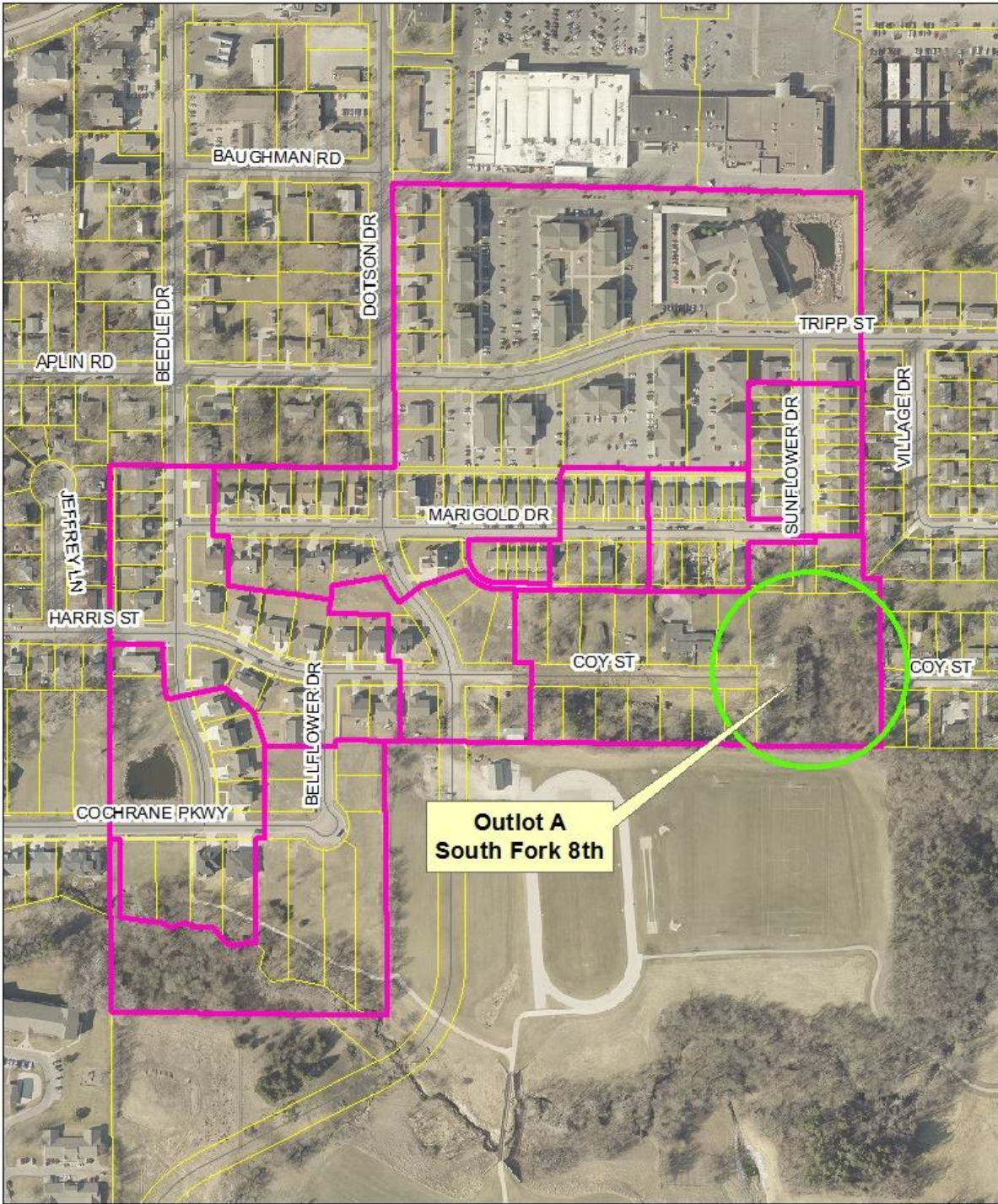
### **CITY MANAGER'S RECOMMENDED ACTION:**

City staff has evaluated the proposed final subdivision plat and determined that the proposal is consistent with the preliminary plat approved by City Council and that the plat conforms to the adopted ordinances and policies of the City as required by Code.

As has been done in previous developments, when the last final plat of a development is presented for approval, staff has reviewed prior phases to identify any missing infrastructure or financial security. In this case, several minor items were identified and the developer has resolved them to the city's satisfaction.

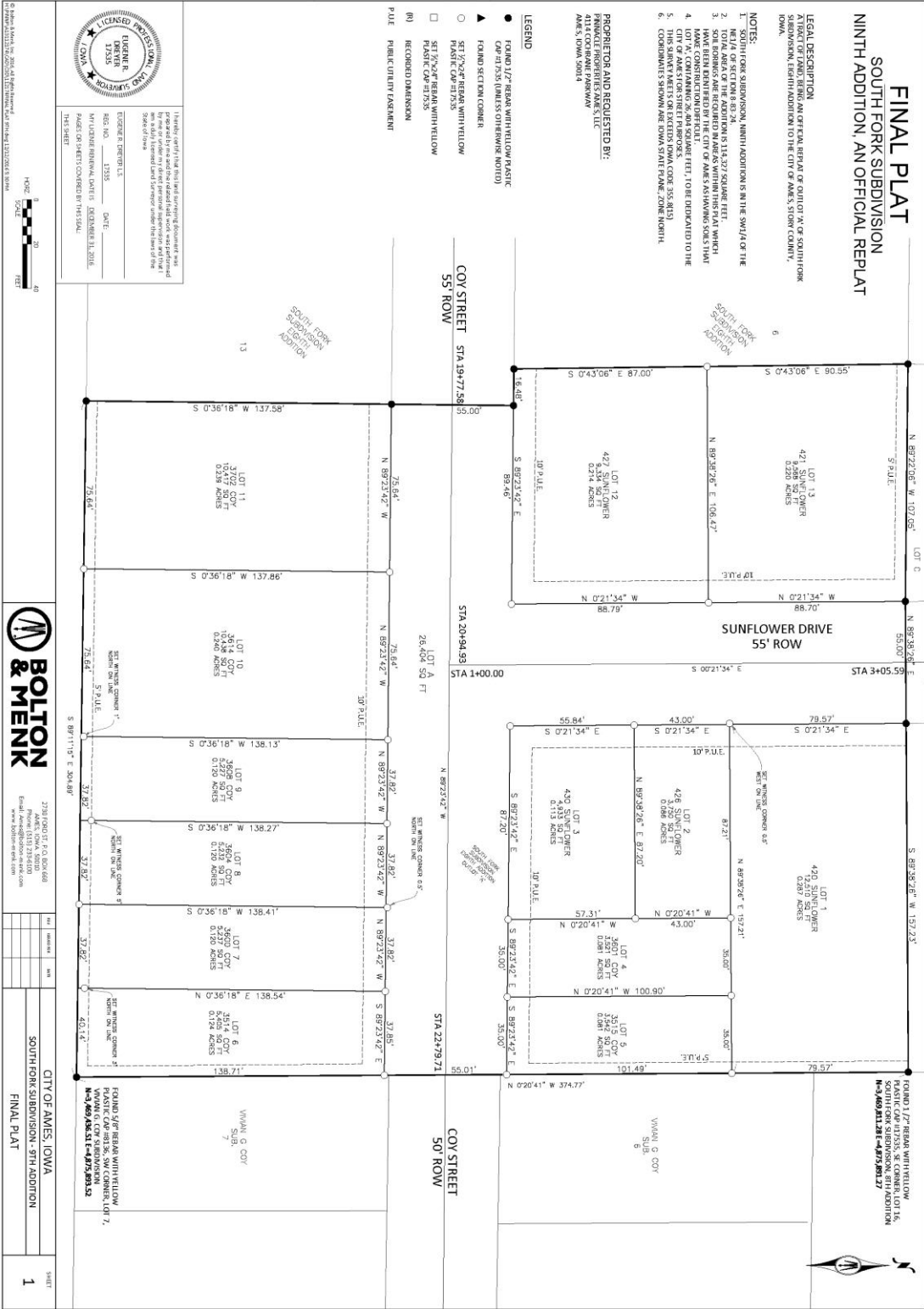
**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as described above.**

# ATTACHMENT 1: LOCATION MAP



# ATTACHMENT 2: SOUTH FORK SUBDIVISION NINTH ADDITION [NORTH TO THE RIGHT]

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## Applicable Laws and Policies Pertaining to Final Plat Approval

Adopted laws and policies applicable to this case file include, but are not limited to, the following:

### Ames *Municipal Code* Section 23.302

(10) City Council Action on Final Plat for Major Subdivision:

(a) All proposed subdivision plats shall be submitted to the City Council for review and approval. 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.

(c) The City Council may:

(i) deny any subdivision where the reasonably anticipated impact of such subdivision will create such a burden on existing public improvements or such a need for new public improvements that the area of the City affected by such impact will be unable to conform to level of service standards set forth in the Land Use Policy Plan or other capital project or growth management plan of the City until such time that the City upgrades such public improvements in accordance with schedules set forth in such plans; or,

(ii) approve any subdivision subject to the condition that the Applicant contribute to so much of such upgrade of public improvements as the need for such upgrade is directly and proportionately attributable to such impact as determined at the sole discretion of the City. The terms, conditions and amortization schedule for such contribution may be incorporated within an Improvement Agreement as set forth in Section 23.304 of the Regulations.

(d) Prior to granting approval of a major subdivision Final Plat, the City Council may permit the plat to be divided into two or more sections and may impose such conditions upon approval of each section as it deems necessary to assure orderly development of the subdivision.

(e) Following such examination, and within 60 days of the Applicant's filing of the complete Application for Final Plat Approval of a Major Subdivision with the Department of Planning and Housing, the City Council shall approve, approve subject to conditions, or disapprove the Application for Final Plat Approval of a Major Subdivision. The City Council shall set forth its reasons for disapproving any Application or for conditioning its approval of any Application in its official records and shall provide a written copy of such reasons to the developer. The City Council shall pass a resolution accepting the Final Plat for any Application that it approves.

*(Ord. No. 3524, 5-25-99)*