

COUNCIL ACTION FORM

SUBJECT: MAJOR FINAL PLAT FOR QUARRY ESTATES SUBDIVISION, THIRD ADDITION

BACKGROUND:

The City's subdivision regulations are included in Chapter 23 of the Ames Municipal Code. 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. The Final Plat must be found to conform to the ordinances of the City and any conditions placed upon the Preliminary Plat approval.

Quarry Estates LLC, represented by Kurt Friedrich, has submitted a final major subdivision plat for Quarry Estates Subdivision, Third Addition with a Minor Amendment to create one additional lot. The Quarry Estates development lies north of Ada Hayden Heritage Park as shown on the location map in Attachment 1. The subject area was shown as an outlot for future development with the original preliminary plat. The First Addition was approved in October of 2015 and Second Addition approved in October of 2017.

The creation of the Lot 1 and outlot WW as part of Quarry Estates Third Addition will facilitate development of a proposed Independent Senior Living Facility as a FS-RM zoned use. The 3rd Addition includes Lot 1 as a 3-acre developable lot and outlot WW to the east of Lot 1 for future development. To the immediate south, outlot D is a 6.43 acre outlot reserved for stormwater and conservation area to serve the overall subdivision.

The 3rd Addition does not include the installation or extension of any public streets; however, there is a related waiver request with the plat to allow for private drive access to existing streets rather than construct a new road. The waiver would allow for Lot 1 to be accessed from both 190th Street and Hyde Avenue as a corner lot. Future development of outlot WW will receive access from 190th Street via a shared driveway easement along the common property line of Lot 1 and outlot WW.

Conservation subdivisions require that access to lots be from internal streets within the subdivision. The proposed plat includes allowing access to both abutting roadways directly form a private driveway to serve both proposed lots. An easement for shared ingress and egress is included with the subdivision to allow for future outlot WW access. **A waiver for access to external streets is required to approve the Final Plat as required by 23.603(1)(b).**

The preliminary plat established the subject area as an outlot with no review of its future development at that time. The Rezoning Master Plan for the area indicated a wide range of FS-RM uses were allowed, such as single-family attached, apartments, and independent senior living. No public street access to the area was shown on the preliminary plat other than the existing external roads. The proposed shared common driveway is not a public street, but does meet the intent of the Conservation Subdivision standard by limiting access to a defined point for the site. **Staff believes requiring a public street extension as a cul-de-sac or loop road is not necessary for appropriate development of the proposed Lot 1. City Council may approve the waiver of the access restriction due to the shared access of the private driveway.**

Many of the required improvements in the third addition including sanitary sewer, public water, and storm sewer system, are currently being installed. Financial security in the amount of \$206,035 has been provided for the remaining public improvements. The financial security also includes the costs of installing all the sidewalks within this phase, connecting the sidewalks across outlot areas to the east, and installation of conservation areas and storm water improvements. **The City Council is being asked to accept the signed Improvement Agreement with financial security for those improvements.** Financial security can be reduced by the City Council as the required infrastructure is installed, inspected, and accepted by the City Council.

Quarry Estates Subdivision Third Addition Final Plat is an amended plat to include one more additional lot than was included in the Preliminary Plat to the Quarry Estates subdivision. The addition of one lot is allowable per the subdivision standards as a minor amendment in Chapter 23 without having to amend the Preliminary Plat for Quarry Estates, provided that the general layout and design of lots, streets and utilities as proposed in the Preliminary Plat for Quarry Estates are otherwise unchanged. However, the final platting in the future of outlot WW to the east will require a new subdivision plat or major amendment to Quarry Estates.

Quarry Estates Subdivision is a Conservation Subdivision and has requirements for design based on Conservation Subdivision standards. A Conservation Management Plan update is a requirement of the Subdivision Code for this Addition. The Conservation Management Plan (CMP), details the installation, long-term maintenance, public outreach and education, and lawn care coordination of the prairie and woodland areas. A draft copy of the plan is included for the City Council's information in Attachment 3. A 25' conservation easement has also been provided along the west and north property lines of Lot 1 to meet the standards of the conservation subdivision which require conservation areas between lots and external road ways. An easement for conservation area satisfies this standard. Note, that the proposed conservation area located along the perimeter of the site will include a five-foot sidewalk within the area due to the rural section design of the abutting streets.

The developer is also required to comply with a Pre-Annexation Development Agreement that requires payment of costs for sewer and water connection fees for each lot in the Addition. The developer has paid these fees at this time in order to proceed with platting of the third phase of the development.

ALTERNATIVES:

1. The City Council can approve the Final Plat of Quarry Estates Subdivision, Third Addition, based upon the staff's findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans with a Public Improvement Agreement and financial security and with the following waiver required:
 - a. A waiver of the subdivision standards of Section 23.603(1)(b) limiting access to existing public streets.
2. The City Council can deny the Final Plat for Quarry Estates Subdivision, Third Addition, if it finds that the project does not conform to city standards or development creates a burden on existing public improvements or creates a need for new public improvements that have not yet been installed.
3. The City Council can deny the Final Plat for Quarry Estates Subdivision, Third 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.

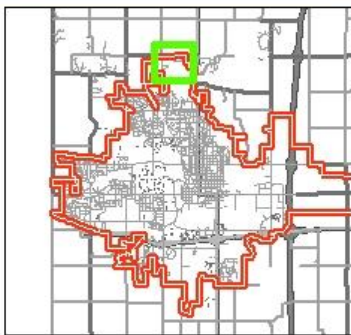
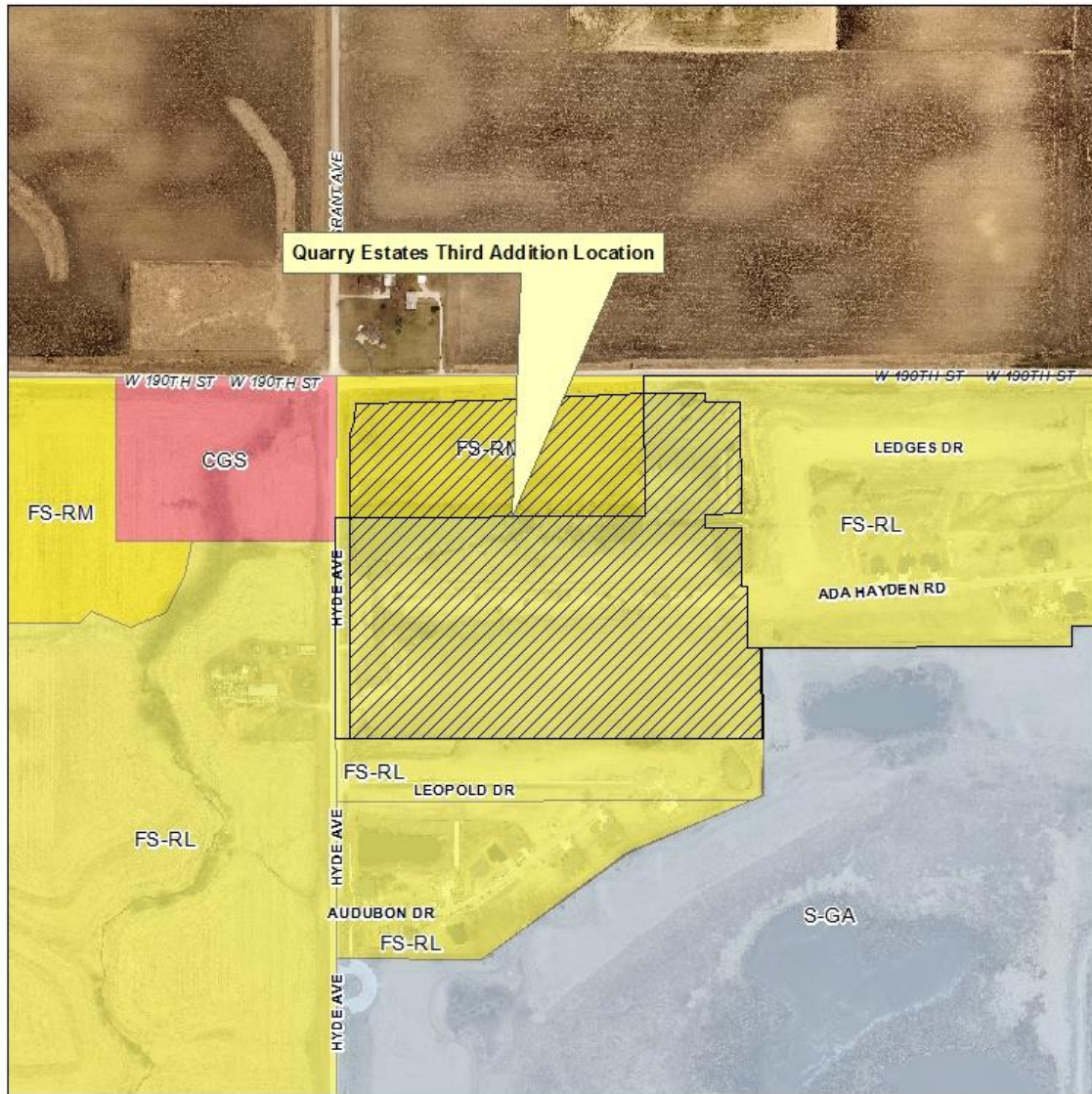
CITY MANAGER'S RECOMMENDED ACTION:

The developer is requesting approval of this final plat in order to create Lot 1 for development in accordance with subdivision standards. Outlot WW will require future subdivision approval to be developable. A shared access easement is included with the plat for access to 190th Street between Lot 1 and Outlot WW. The developer has provided financial security for remaining improvements and due to the gap between this addition and the 2nd addition, the developer is ensuring installation of sidewalks along 190th Street to connect to the east within 3 years. This ensures there is not gap in sidewalk connections for the development of the corner lot while awaiting for future single-family development to the east.

City staff has evaluated the proposed final major subdivision plat and determined that the proposal is consistent with the rezoning master plan. In addition, staff has found the proposed minor amendment and requested waiver conforms to adopted ordinances and policies of the City.

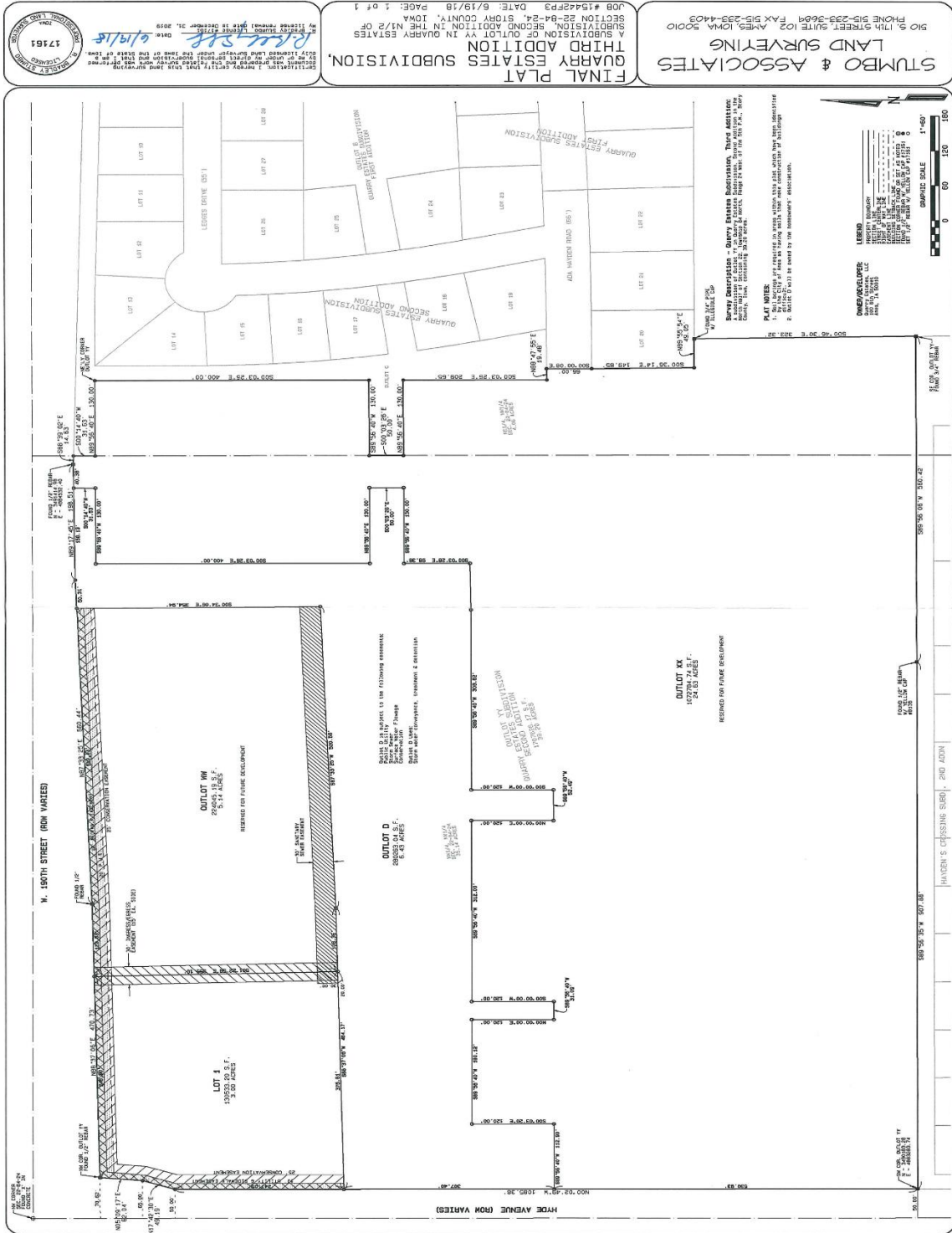
Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 to approve the final plat for Quarry Estates Subdivision, Third Addition.

Attachment 1- Location and Zoning Map



**Location & Zoning Map
Quarry Estates Third Addition**

Attachment 2- Proposed Final Plat- Quarry Estates Third Addition

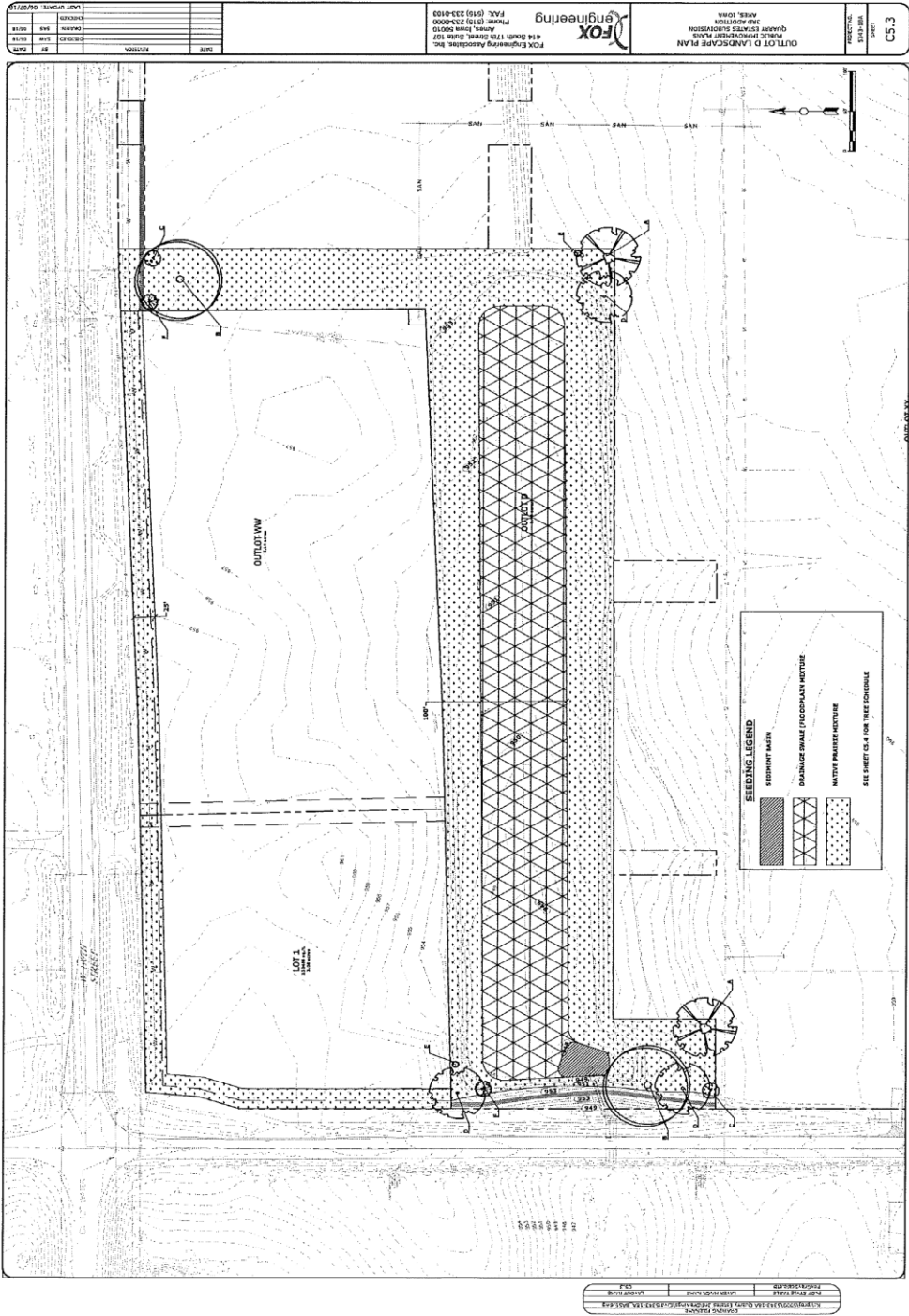


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FINAL PLAT
 QUARRY ESTATES SUBDIVISION
 THIRD ADDITION
 A SUBDIVISION OF OUTLOT XX IN QUARRY ESTATES
 SUBDIVISION SECOND ADDITION IN THE M/2 OF
 SECTION 26-84-24, STOURT COUNTY, IOWA
 JOB #19442FP3 DATE: 6/19/18 PAGE: 1 OF 1

STUMBO & ASSOCIATES
 LAND SURVEYING
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Conservation Areas



Attachment 3- Conservation Management Plan Update

Conservation Management Plan Guidance for Establishment & Management of Prairie and Woodland Areas

Quarry Estates Subdivision - 3rd Addition

Ames, Iowa

June 21, 2018

Contents:

1. Long-term Maintenance
2. Prairie and Woodland Understory Establishment
 - Site Preparation
 - Prairie Establishment – outlying areas
 - Prairie Establishment – internal areas
 - Wetland and Drainage Area Vegetation
3. Site-wide Maintenance During Construction
4. Public Outreach and Education
5. Lawn Care
6. Review of Allowed Tree List

This plan, the guidance offered, and requirements contained herein, apply to all lots in the Quarry Estates Subdivision, including single-family residential, single-family attached, and multi-family/senior living.

1. Long-Term Maintenance:

- This section is listed first to underscore the essential need for long-term management planning for maintenance of the prairie, wetland and woodland areas. Activities directed at keeping all natural areas in good condition should be considered on the same level of importance as planning for lawn care and snow removal.

Furthermore, routine maintenance of established natural areas, performed by knowledgeable and experienced staff, will not only keep the needed labor and inputs to a minimum, it will also be less costly per acre than traditional lawn management and result in a considerably more ecologically desirable setting.
- Once established, all natural areas should receive, at a minimum, an annual assessment by an ecologist experienced in management of such areas. This includes inspection of all relevant landscapes for environmental (invasive species entry, weeds or tree seedlings, drought effects etc.) and mechanical damage (mowing damage, herbicide overspray, vandalism) issues. Areas in need of repair or restoration should be addressed promptly.
- An annual sweep to remove shrub and tree seedlings should be expected. This can be in the form of prescribed fire or mechanical removal by hand.
 - A healthy prairie area will have few new weeds but surrounding unmanaged areas may serve as a seed source.

- Introduction of trees near prairie areas for landscaping purposes should be seen as increasing prairie management needs due to increased need to remove encroaching tree seedlings.
- All prairie and woodland understory areas should be mowed annually if a prescribed fire has not been administered.
 - Generally mowing is done late spring to allow winter cover to remain in place for animal benefit and leave a more interesting landscape during the dormant season.
 - Prescribed fire is usually done on a three-year rotation, usually in early spring but fall burns are also acceptable. This activity in particular should only be performed by experienced crews with National Wildfire Coordinating Group (NWCG) training and all relevant insurance policies and permits.
- After periods of unusually dry or wet weather some reduction of desirable prairie species may occur. In such cases the annual inspection should especially include recommendations that address any significant areas of bare or sparsely populated ground. These areas should be re-seeded with appropriate seed mix or planted with live plants rather than allowed to become weedy and leading to larger problems.
- Ownership and Management of Conservation Areas

	Conservation Area			
	Ownership		Maintenance	
	Developer/HOA ⁽¹⁾	Owner	Developer/HOA ⁽¹⁾	Owner
1st Addition				
Outlot A	X		X	
Outlot C	X		X	
Lots 14 - 24		X		X ⁽²⁾
2nd Addition				
Outlot C	X		X	
Lots 20-21		X		X ⁽²⁾
3rd Addition				
Outlot D	X		X	
Outlot WW		X		X ⁽²⁾
Lot 1		X		X ⁽²⁾

Notes:

- (1) Initial ownership and maintenance by Quarry Estates LLC, to be transferred to the Quarry Estates Homeowner's Association.
- (2) Compliance by Owner to be enforced by Developer/HOA.

- Regular and Periodic Maintenance Responsibilities - The Developer continues to contract with a landscaping professional to provide on-going maintenance, in accordance with this plan. The Quarry Estates Homeowner's Association will be required to continue the prescribed

maintenance when those responsibilities are transferred, along with ownership of the common spaces (outlots).

- Maintenance Costs and Funding on an On-going Basis - Implementation of the maintenance program for the conservation areas has been at the Developer's cost. The Quarry Estates Homeowner's Association(HOA) will be required to continue with the prescribed maintenance program (and costs thereof) when those responsibilities are transferred, along with ownership of the common spaces (outlots). It's anticipated the HOA will budget for the required maintenance costs, as they budget for other common area/shared costs.
- On-going Maintenance and Financial Security (2-year) for On-going Operation and Maintenance of Conservation Areas - The current cost of maintaining conservation areas is \$750 per acre per year. These costs are anticipated to decrease as the conservation area plantings become established (over a 3 to 5-year period, as described in this plan).

2. Prairie and Woodland Understory Establishment:

Site Preparation (establishing new prairie area)

- Existing tree assessment:
 - Careful evaluation of existing trees with emphasis on preservation of existing desirable species
 - Weedy maples (box elder and silver/soft maple), mulberry and honeysuckle should be removed. These species re-seed prolifically, leading to increased annual maintenance.
 - Remove by cutting and treating the stumps with glyphosate or triclopyr
 - No use of Tordon should be allowed onsite
 - If near a water body herbicide should be compatible with water usage
 - Consider leaving larger stumps for signage, art installations, and/or casual seating.
- Existing lawn grass and hayfield to be converted to prairie and woodland understory:
 - Mow in normal cycle until herbicide treatment begins
 - Spray with glyphosate (grass) and aminopyralid (areas with clover, alfalfa, bird's foot trefoil)
 - Repeated inspections and additional treatments as green-up occurs
 - No tilling or soil disturbance
 - Seed will be broadcast directly onto killed grass so no erosion control needed

Prairie Establishment- Seeding

- All areas with treated vegetation should be seeded by hand-broadcasting
 - Areas closer to walkways to be seeded with a high density mix of somewhat shorter species, emphasizing flowering species with a wide range of blooming times
 - Areas under trees to be seeded with a savanna species mix, again emphasizing attractive species but maintaining diversity and high plant density
 - Areas receiving stormwater runoff and sump pump flow will be seeded with species that tolerate periodic wet conditions

Prairie Establishment – First three years

- Seeded areas monitored approximately every two weeks for weed growth
 - If weed growth is sufficient to cause significant shade on desirable seedlings: weed or mow
 - Weeding to be done by hand in areas not too dense with weeds
 - If necessary spot mow or use mechanical trimmer on weedy areas.
 - This sets back weeds and favors growth of native species, but does reduce flowering and lead to a less attractive stand during establishment.
 - Desirable to maximize flower display to improve public and new landowner reception, therefore hand weeding is preferred where possible
 - Monitor for Canada thistle, alfalfa, bird's foot trefoil, quackgrass, brome etc. and treat with appropriate herbicide as needed
- Areas that have been damaged or not developing as expected should be evaluated and re-seeded
 - Care to be taken to use species that germinate readily during any warm season seeding
- Continued monitoring and removal of maple seedlings, honeysuckle, cedars, mulberry etc.

Prairie Establishment – Mature stand

- Annual early spring mowing of all seeded areas if no prescribed burn conducted
- Coordinate with Ada Hayden HP staff and Ames Fire Department if prescribed fire is appropriate
- Continued iterative maintenance: monitor for weeds and damage, treat as needed

3. Site-wide Maintenance During Construction:

It is important to understand the impact of letting a weedy stand of vegetation develop during construction:

- In traditional post-construction landscaping either sod or lawn grass seed is established.
 - Sod and seeded lawns can be managed for weeds by use of broad-leaf herbicides (and the weed-smothering effect of sod).
- Establishing a natural prairie landscape post-construction is considerably different:
 - Broad-leaf herbicides will damage prairie species along with the weedy species, and there is no sod to smother weed seeds.
 - Furthermore, the weed seeds will contaminate the border areas being prepared for seeding
 - For these reasons it is strongly recommended that weeds in the areas to be developed are kept well under control, to a larger degree than with typical construction, with mowing or spraying treatments as construction goes on. Not following thru with this recommendation will lead to a longer (unattractive) establishment period and considerably more management labor expense.

4. Public Outreach and Education:

- People who are not familiar with native landscapes (or have seen failed attempts at establishing such areas) are often put off by what can be a weedy appearance when compared to traditional park-like landscaping.

- This is especially true during establishment years, and even more so during establishment on weedy sites.
 - Again, emphasis on benefits of preventing weeds from setting seed during construction phase
- There will always be some people that prefer a traditional high maintenance, controlled landscape, but with education and exposure to healthy natural landscapes many people will enthusiastically embrace a more natural appearance and the benefits offered.
- To help people have accurate and realistic interpretations of these natural areas the following outreach and education is recommended:
 - Education:
 - Signage onsite, both temporary explanations during establishment and more permanent once the site is well underway. This should include QR codes for access to websites with broader information than that immediately available onsite.
 - Especially useful to point out the natural landscape as historic, and in scarce supply
 - Emphasis can be placed on the often underappreciated benefits to water quality and stormwater management concerns that are derived from native landscapes
 - Today many people are interested in milkweeds for butterfly gardens, this is great but useful to argue many less showy species benefit from a broad prairie matrix – not just butterflies
 - Emphasis on habitat establishment is generally well received
 - Phrasing like “During establishment of prairies, first year they sleep, second year they creep, third year they leap” conveys need for patience
 - Know that education in the second growing season after seeding is important – this is when patience can wane in those unaccustomed to the timeframe needed to establish prairie. Keeping residents and other interested parties updated with progress during this time period can prevent many frustrations on both the part of managers and those waiting to see a mature stand.
 - Hold onsite meetings advertised to both the public and new homeowners to provide opportunity for questions and comments (see comment directly above).
 - Once established, scheduled walking tours around the natural areas with knowledgeable ecologist
 - Provide website and other social media with current information updates and access to deeper explanations
 - Consider interviewing previous landowners for oral history of site, historic perspective on century farm as part of education signage. Old photos could be useful for website development.
 - Borders:
 - Research has shown that a paved edge, fencing, signage etc. silently send a message that the landscaping is designed and intentional, not just a case of someone not bothering to mow or otherwise maintain the area

- Recommend that the internal prairie areas between parallel lots be delineated by spaced boulders or fence posts
 - Zero maintenance “fencing”
 - Spacing can be fairly broad
 - Brings in the “glacial erratic” story to the historic landscapes educational piece
 - Allows some seating for watching birds and butterflies
 - Lawnmowers prevented from cutting into prairie areas to turn etc.
 - Heavy enough to prevent creative re-location

5. Lawn Care:

Coordination with Lawn Care Providers: Typically lawn care companies do not understand prairie management and often don’t appreciate prairie vegetation and the problems caused by their actions. This commonly leads to issues with herbicide overspray during dandelion treatments, mowing damage and other issues. Any contract with a lawn care provider should include specific language to address potential damage and significant financial penalties when such occurs. Note, minor penalties can be (and have been) seen as cheaper than taking time to mow and spray carefully.

Placement of boulders near lawn-prairie interfaces is one of the most effective methods of preventing mowing damage, and requires much less maintenance than fencing. Additionally, can be used for casual seating.

Recommendations for lawn care at homes within Quarry Estates: Low-environmental impact lawn care is one of the easiest and most important ways homeowners can help the local environment. There are many ways to reduce the fertilize/irrigate/mow/repeat cycle. Some information and recommendations:

- **Run-off:** Anything applied to a lawn has the potential to move off the lawn onto down slope areas.
 - Any herbicides that contact adjacent vegetation (via drift during application or as run-off during rainfall) will have an impact. The most common herbicides are “broad leaf” herbicides – selected to kill dandelions and other weeds in the grass. The majority of plants in the conservation areas and in the Ada Hayden Heritage Park prairies are also broadleaf species, will also be killed or damaged by lawn care herbicides.
 - It’s therefore important to use extreme care during application, and using the minimum amount of chemical necessary
 - Corn gluten can be used as a more natural way of preventing weed seed germination. Considerable information is available on the internet about this agricultural by-product.
 - Fertilizers are also prone to traveling downhill to adjacent vegetation. The surrounding conservation areas are negatively impacted by fertilizers. Water bodies grow unhealthy and unattractive “blooms” of algae and scum, and natural areas are impacted with weed populations increasing in response to fertilization.
 - Reducing fertilizer use has many important benefits - less damage to surrounding vegetation via run-off, and slowed lawn growth allowing fewer mowing cycles and less thatch buildup.

- Using low/no phosphate fertilizers in place of traditional fertilizers is essential to protect downstream water bodies; most algal blooms are the direct result of phosphorus contamination from upstream sources. Furthermore, current research shows that established lawns do not need phosphorus fertilizers - application to mature sod just leads to faster grass growth and more mowing cycles. The detrimental effects of phosphorus runoff on downstream water bodies are severe enough that its use is prohibited on all grounds in Quarry Estates, both conservation areas and homeowner lots. Only non-phosphorus fertilizers are allowed; these will have a zero in the NPK listing (example: an NPK of 22-0-15 would contain 22% nitrogen (N), 0% phosphorus (P) and 15% potassium (K).
 - High nitrogen fertilizers also have negative downstream effects similar to phosphorus runoff. Use of slow-release nitrogen sources reduces potential runoff damage while providing the lawn with enough nitrogen to remain green and healthy.
 - Insecticides are potent chemicals with a higher chance of impacting humans and wildlife than other common lawn care chemicals (fertilizers and herbicides). Considerable caution should be used when deciding to use an insecticide. It is estimated that over 95% of common lawn insects are not pests, and do not need to be killed. Pest insects are often in higher concentrations in lawns that have lush growth due to high inputs of fertilizers, so reducing fertilizers also reduces insect concerns without use of insecticides.
- **Mowing:** Lawn mowers engines are far less efficient than car engines, and can damage lawns if not used optimally. Lawns that are healthy require less irrigation, herbicides, and pesticides.
 - Mowing grass so that at least 3.5" of blade remains helps keep the grass healthy (keep in mind a grass plant "wants" to grow 12-18" tall, so keeping it short really stresses the plant)
 - This also slows the rate of soil drying.
 - Cutting off 1/3 of the grass blade at most leads to healthier lawns
 - Using a mulching mower allows the grass clippings to return to the soil as a natural fertilizer, and does not lead to thatch build-up. Additionally, lawn clippings are not taken off site.
 - Mowing when rain is predicted in the next 24 hours leads to healthier grass
 - Keeping mower blades sharp helps reduce mowing stress to the lawn
- **Irrigation:** Reduced lawn irrigation leads to reduced runoff potential, reduced use of water purified for human use, and lower maintenance costs.
 - Consider using low water-use "eco-grass" (grass seed mixes that are slower, low-growing plants that don't need to be mowed routinely) in backyard areas that are not used frequently or are otherwise hard to maintain traditional lawns. These do not require irrigation.
 - Irrigate only in the early AM. More water is used if irrigation is done during late AM and afternoon hours. Late day irrigation can lead to disease problems in a lawn that is damp all night.
 - Irrigating deeply but less frequently is better for the lawn and uses less water. Having an irrigation system that is simple to turn off after rain events leads to healthier lawns, less run-off, and less water use.

- Consider the use of rain sensors on irrigation systems. Set to prohibit irrigation when raining to limit run-off and excessive water use.
- Commercial lawn care: if you hire a company to mow and “treat” your lawn you should inquire what their treatments are, why they are doing them, when they do them, and what chemicals are applied. You can request that they limit the use of chemicals or use alternatives that are less damaging to the natural areas surrounding Quarry Estates.

6. Trees to be planted:

- Use only native species, this feeds into the native landscapes story for this subdivision and aids habitat establishment.
- Planting trees in prairie areas will lead to ongoing increased management via the need for tree seedling removal
- Recommend adding Bur oak, White oak, swamp white oak, hazelnut, eastern wahoo, service berry, honey locust, shagbark hickory, KY coffeetree, hackberry and native hawthornes to list
 - Other species to be recommended for specific locations
- Some comments on current tree list:
 - Avoid invasive species or those that re-seed profusely (leading to increased management needs):
 - Amur maple should be actively avoided:
 - <http://www.dnr.state.mn.us/invasives/terrestrialplants/woody/amurmaple.html>
 - <http://dnr.wi.gov/topic/Invasives/fact/AmurMaple.html>
 - Flowering pear: includes the very invasive Bradford pear:
 - <http://mdc.mo.gov/newsroom/avoid-invasive-trees-such-bradford-pear-landscape-plantings>
 - <http://caseytrees.org/blog/invasive-tree-week-bradford-pear/>
 - Norway maple: not native to the US and considered invasive
 - <http://www.nps.gov/plants/alien/pubs/midatlantic/acpl.htm>
 - <http://www.dnr.state.mn.us/invasives/terrestrialplants/woody/norwaymaple.html>
 - Maples:
 - Invasive Norway & Amur maples covered under Invasive heading
 - Tartarian maple: Not as invasive as Amur maple but not native to our area
 - Sugar maple: We are west of its range. This species struggles here unless very well sited.
 - <http://maple.dnr.cornell.edu/pubs/trees.htm>
 - http://www.na.fs.fed.us/pubs/silvics_manual/volume_2/acer/saccharum.htm
 - Black Maple: Does much better in our area than sugar maple.
 - http://www.na.fs.fed.us/pubs/silvics_manual/volume_2/acer/nigrum.htm
 - Lindens:
 - Littleleaf linden: Native to Europe

- <http://www.plantmaps.com/nrm/tilia-cordata-small-leaved-lime-little-leaf-linden-native-range-map.php>
 - American Linden is native, preferred:
 - http://www.na.fs.fed.us/pubs/silvics_manual/volume_2/tilia/americana.htm
 - Crabapples: showy for short period then very prone to losing leaves, dropping fruit, and generally unattractive look
 - Ginko: native to China
 - Hornbeam vs Hophornbeam
 - Both species also called ironwood, possibility for confusion amongst suppliers is high
 - Hornbeam (*Carpinus caroliniana*) similar to issues w/Sugar maple = we are west of its native range so specimens must be very carefully sited with expectations of only short term survival
 - Hophornbeam = ironwood (*Ostrya virginiana*), understory tree genuinely native to central IA

Attachment 4

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)

Attachment 5- Plat Amendment Standards

Ames Municipal Code Section 23.306

Sec. 23.306. AMENDMENTS.

(1) Any changes to the design, layout, configuration, circulation pattern, access, or dimensions of a preliminary or final plat shall be considered as either a major or minor amendment to the plat, as follows:

(a) Minor Amendment. Minor amendments are those that:

- i. Do not result in any more than one additional lot, net;
- ii. Do not result in any fewer lots than allowed by minimum density standards applicable to the subdivision;
- iii. Do not change the category of the originally approved subdivision from a minor subdivision to a major subdivision
- iv. Do not change the dimensions of any lots that do not otherwise comply with adopted lot dimensional standards, or which otherwise results in a non-conforming lot;
- v. Do not change the general layout of utilities, drainage patterns, storm water facilities, streets, alleys and/or easements;
- vi. Are not inconsistent with an approved master plan associated with the subdivision; and
- vii. Make only minor adjustments in the alignment or dimensions of streets, lots, alleys, and/or easements as otherwise allowed by adopted standards as opposed to deletions, additions or relocations of said streets, lots, alleys, and/or access easements.

(b) Major Amendments. Major amendments are those that:

- i. Eliminate any access easements or rights-of-way identified on the preliminary or final plat;
- ii. Eliminate or revise any plat conditions, restrictions or covenants on or associated with the plat, and
- iii. Are not otherwise defined as a minor amendment under the provisions of this Section.

(2) Amendment Process. Amendments shall be processed as follows:

(a) Minor amendments to a preliminary plat may be made at the time of final plat approval. Minor amendments to a final plat may be processed as a minor subdivision, under the provisions of Section 23.303.

(b) Major amendments shall be processed as an amendment to the original preliminary plat. An application for a major amendment shall include all information required for a preliminary plat application, except that information pertaining to ownership, and information pertaining to existing physical features or structures, shall be required only for those areas of the plat affected by the amendment. (Note: Plat conditions/restrictions, easements, and other rights or forms of ownership defined by geographic area may have claim by property owners beyond the defined area. All persons or entities whose ownership or other legal rights are affected by the proposed amendment shall be a party to the amendment application).

(Ord. No. 4020; 1-12-10)

Attachment 6- Waiver Standards

Ames Municipal Code Section 23.103

Sec. 23.103. WAIVER/MODIFICATION.

(1) Where, in the case of a particular subdivision, it can be shown that strict compliance with the requirements of the Regulations would result in extraordinary hardship to the Applicant or would prove inconsistent with the purpose of the Regulations because of unusual topography or other conditions, the City Council may modify or waive the requirements of the Regulations so that substantial justice may be done and the public interest secured provided, however, that such modification or waiver shall not have the effect of nullifying the intent and purpose of the Regulations. In no case shall any modification or waiver be more than necessary to eliminate the hardship or conform to the purpose of the Regulations. In so granting a modification or waiver, the City Council may impose such additional conditions as are necessary to secure substantially the objectives of the requirements so modified or waived.

(2) The requirements of the Regulations for the platting of a Minor Subdivision may be waived by city staff when it is determined by city staff that:

(a) A clear and accurate description of the area of land will be provided by means of a plat of survey to be procured by the property owner, and in compliance with Section 23.307.

(b) With respect to that area of land, all substantive requirements and standards of the Regulations are already met.