

COUNCIL ACTION FORM

SUBJECT: MAJOR FINAL PLAT FOR SUNSET
RIDGE SUBDIVISION, 9th 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.

Hunziker Land Development, LLC is requesting approval of a major final plat for Sunset Ridge Subdivision, 9th Addition. **This is the site of the recently approved PRD Amendment to develop small lot homes.** The parcel is located at 130 Wilder Avenue on the west end of Lincoln Way, east of Wilder Avenue and as shown on *Attachment A – Location Map*. The Sunset Ridge Subdivision is bound by several Developer's Agreements with Hunziker Land Development Company, LLC, including a 2005 Agreement, a 2010 Amendment, and a 2012 Agreement. Staff believes that the developer has complied with the terms of these agreements as they relate to this parcel.

Sunset Ridge Subdivision, 9th Addition Final Plat includes 15 lots for development of single-family detached dwellings. The development includes Outlot A (.63 acres) for a private street (Wilder Lane) connection to each of the 15 home lots to access the rear loaded garages. Outlot A also includes a blanket easement for public utility and ingress and egress. Outlot B, consisting of 1.48 acres, along with 10-feet along the south side of lots 7 & 8 is included on the plat and identified as open space to meet the minimum 40% open space required for the approved PRD. There is a blanket easement for storm water, storm water detention and surface water flowage also on Outlot B. Neither Outlot A, nor Outlot B will be a city maintenance responsibility: Outlot A will be retained under the control of the Sunset Ridge 9th Addition Home Owners Association and Outlot B will be deeded to the Sunset Ridge Property Owners Association. Outlot B is a component of the PRD requirement for common open space.

Construction of infrastructure is currently underway. New sewer and water connections and public sidewalk along the east side of Wilder Avenue are currently being installed. Financial security, in the amount of \$82,876, as detailed in Exhibit A of the *Agreement*

for *Public Improvements* has been provided to cover the cost of completing the public improvements. These include: erosion control (COSESCO), 13 street trees, sanitary sewer and manhole, water main, and public sidewalk along Wilder Avenue. All public improvements must be installed within three years of final plat approval. Additionally, individual lots may not receive an occupancy permit without installation of adjoining public sidewalk and public street trees per the *Agreement for Sidewalk and Street Trees*. **The City Council is being asked to accept the signed *Agreement for Public Improvements and Agreement for Sidewalk and Street Trees* with financial security for these improvements.** Financial security can be reduced by the City Council as the required infrastructure is installed, inspected, and accepted by the City.

Additional improvements including landscaping, interior street trees along the private street, Wilder Lane, and sidewalk along the west side and north side of Outlot B will be the responsibility of Genesis/Destiny Homes. Genesis/Destiny Homes will install all perimeter landscaping (consisting of 8 trees and 32 shrubs) and the Outlot B sidewalk within 12 months of the final plat. These private improvements are a requirement of the PRD approval and viewed as phasing of improvements per PRD standards.

The installation of the individual trees along Wilder Lane will occur in coordination with the completion of the homes. Where trees are located equal distant to two homes, the first home completed will trigger the tree installation. The plan is for eight trees along Wilder Lane.

With this development, Staff is also recommending Council authorize the phasing of the private improvements (which include landscaping, sidewalks, and trees) as approved in the Major Site Development Plan of the PRD with the timing described by the developer. No specific financial security is provided, only the requirement to complete the work with the construction of the homes and within 12 months of final plat approval. Alternatively, the City Council could add a financial security requirement for the private improvements to remove the obligation from the timing of the single-family home construction, but is not being recommended at this time.

ALTERNATIVES:

1. The City Council can approve the following items with the understanding that the applicant will record the plat and easements within 30 days of City Council's approval:
 - a. Approve the Final Plat of Sunset Ridge Subdivision, 9th Addition and Easements based upon the staff's findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans.
 - b. Accept the *Agreement for Public Improvements, Agreement for Sidewalk and Street Trees*, and financial security in lieu of the installation of the remaining required public improvements with the

stipulation that all public improvements be installed within three years of final plat approval.

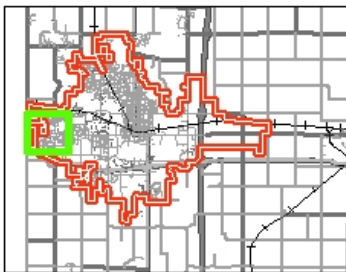
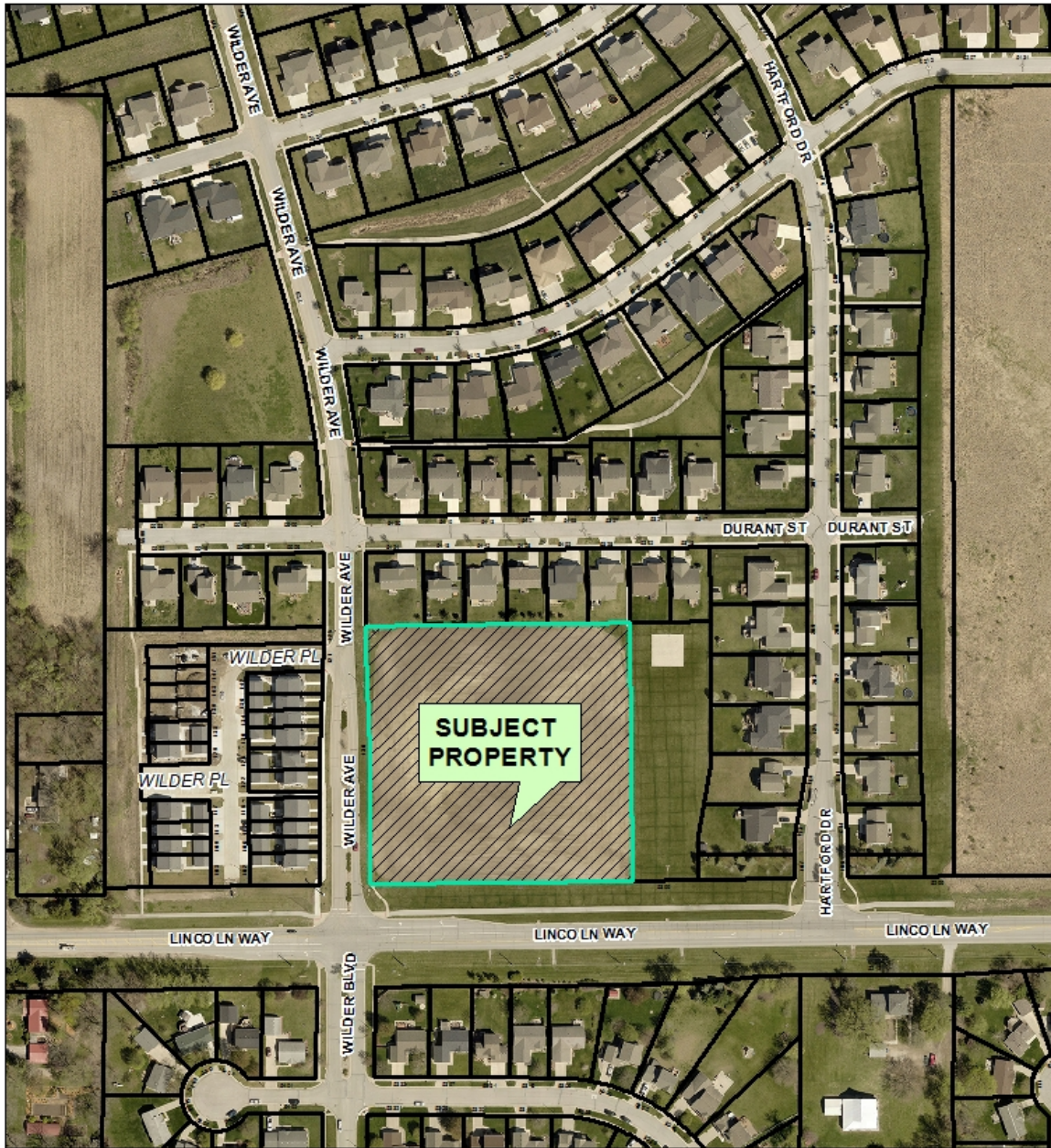
- c. Accept the phasing timeline that Genesis/Destiny Homes will install all perimeter landscaping within Outlot A & B (consisting of 8 trees and 32 shrubs) as well as the Outlot B sidewalk, within 12 months of final plat approval, and that Genesis/Destiny Homes will install the individual trees along Wilder Lane in coordination with the completion of the homes. Where trees are located equal distant to two homes, the first home completed will trigger the tree installation.
2. The City Council can deny the Final Plat for Sunset Ridge Subdivision, 9th 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 or contemplated with the financial security.
3. The City Council can refer this request back to staff or the applicant for additional information.

CITY MANAGER’S RECOMMENDED ACTION:

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

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the final plat for Sunset Ridge Subdivision, 9th Addition as well as the phasing of the private improvements identified above.



ATTACHMENT 1: LOCATION MAP



LOCATION MAP 130 Wilder Avenue

0 125 250 500 Feet

Legend

-  PARCELS selection
-  PARCELS



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)