

ITEM #: 15  
DATE: 03-24-20

**COUNCIL ACTION FORM**

**REQUEST: SCENIC VALLEY SUBDIVISION, FIFTH ADDITION MAJOR FINAL PLAT**

**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, a "final plat application" may then be submitted 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.

Hunziker Development Co., LLC, has submitted a final subdivision plat for Scenic Valley Subdivision, Fifth Addition, which is a partial platting of an approved preliminary plat affecting the northern portion of the site. The subject area of this plat was part of a Major Amendment to the Preliminary Plat approved by the City Council on December 11, 2018 that addressed reconfiguration of lots and storm water improvements.

**The proposed final plat includes six residential lots for single-family detached homes along Cartier Avenue. There will be three lots on each side of the extended street. This final plat shows one less lot on the west side of the street than drawn on the revised preliminary plat. The three lots are larger than previously shown. The revised density is calculated at approximately 3.76 dwelling units per acre with approval of this addition. Minimum density is 3.75 dwelling units per acre.**

The applicant has provided an agreement for the installation of street trees and sidewalks. The agreement requires the financial security for the sidewalks which must be installed the earlier of three years or prior to issuance of a certificate of occupancy for a house on the lot. Due to replatting of the area, the sidewalks will be 5 feet in width rather than the previously permitted 4 feet.

The developer has provided a letter of credit in the amount of \$75,588.60 for the completion of public improvements including sidewalks, which the City Council is asked to accept, along with those improvements already completed.

**Note that the final plat proprietor name will be updated to reflect the property owner as Hunziker Development Group LLC. The applicant will provide these updated sheets to the City prior to City Council action on the request.**

**ALTERNATIVES:**

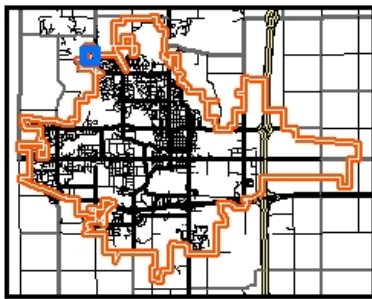
1. The City Council can approve the following two items:
  - a. Approve the Final Plat of Scenic Valley Subdivision, Fifth Addition, based upon findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans.
  - b. Accept the completed improvements along with the Improvement Agreement and financial security in lieu of the installation of the remaining required improvements.
  
2. The City Council can deny the Final Plat for Scenic Valley Subdivision, Fifth 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.

**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.

**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No.1, as described above.**

## **Attachment A: Location Map**



## Location Map Scenic Valley, Fifth Addition Cartier Avenue

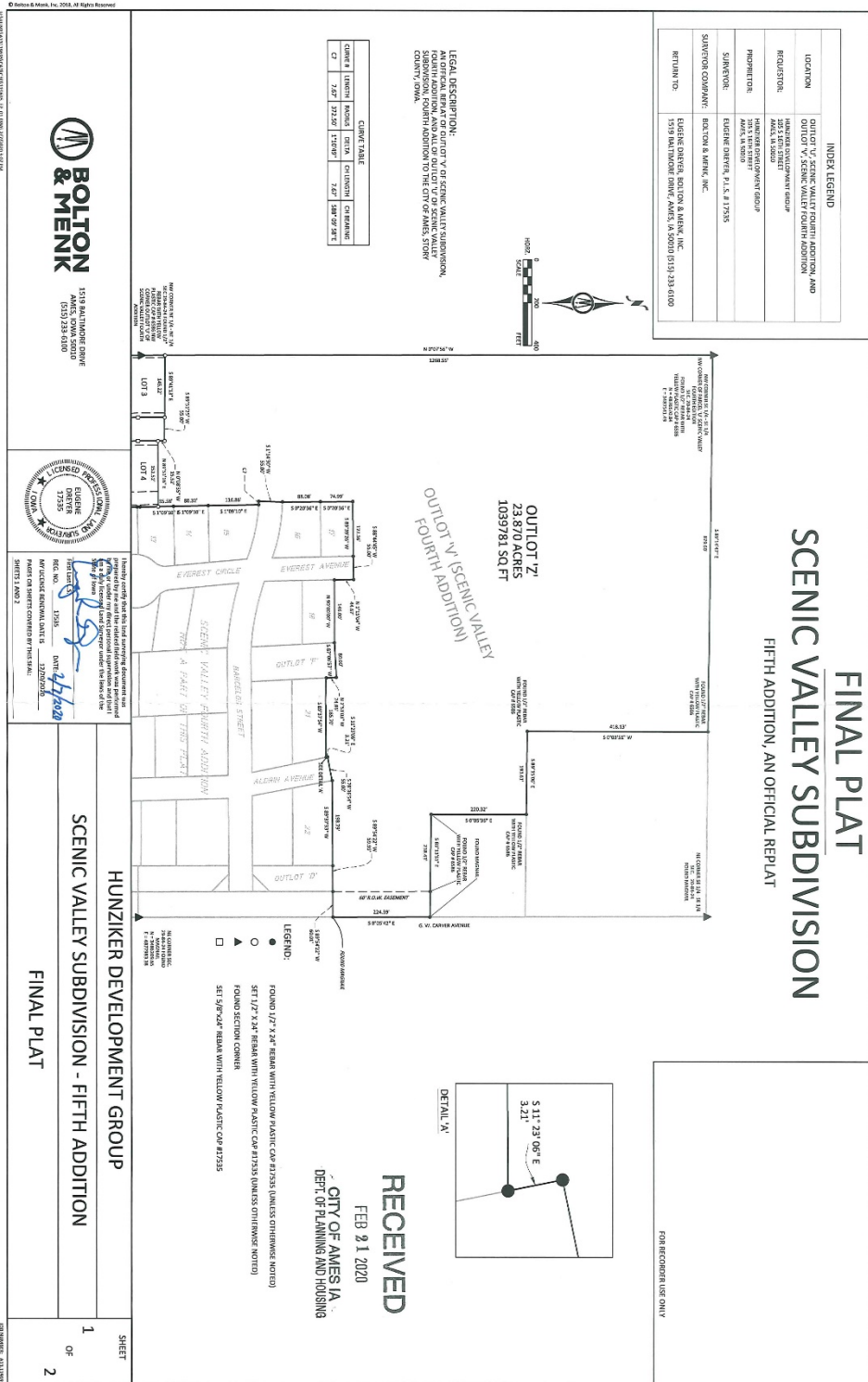
0 100 200 400  
Feet







# Attachment C: Proposed Lot Layout



# FINAL PLAT

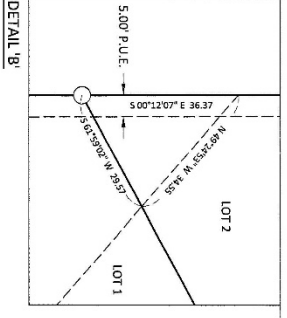
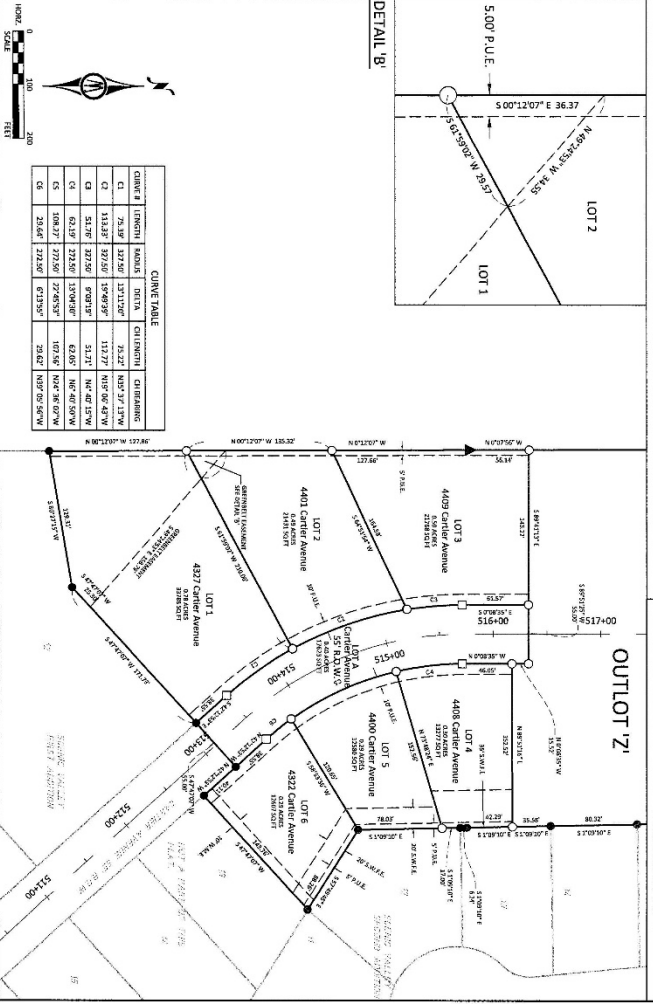
## SCENIC VALLEY SUBDIVISION

### FIFTH ADDITION, AN OFFICIAL REPLAT

INDEX LEGEND	
LOCATION	OUTLOT 'V', SCENIC VALLEY FOURTH ADDITION, AND OUTLOT 'Y', SCENIC VALLEY FIFTH ADDITION, AMES, IA 50010
REQUESTOR	HUNZKER DEVELOPMENT GROUP AMES, IA 50010
PROPRIETOR	HUNZKER DEVELOPMENT GROUP 105 S. AGRIC STREET AMES, IA 50010
SUBJECT	EUGENE DWYER, P.L.S. #17255
SUBJECT COMPANY	BOLTON & MENK, INC.
RETURN TO:	EUGENE DWYER, BOLTON & MENK, INC. 1517 BALTIMORE DRIVE, AMES, IA 50010 (515) 233-6100

- NOTES:**
- SCENIC VALLEY SUBDIVISION, FIFTH ADDITION, IS IN THE NORTHWEST 1/4 OF SECTION 29-94-24 AND THE SOUTHEAST QUARTER OF SECTION 29-94-24 AND THE SOUTHEAST QUARTER OF SECTION 29-94-24.
  - TOTAL AREA OF THE FIFTH ADDITION IS 26.925 ACRES OR 117263.56 SQ. FT. (380,000 SQ. FT. MINUS 115,076.44 SQ. FT. OF THE SCENIC VALLEY SUBDIVISION, FIFTH ADDITION, WHICH HAS BEEN IDENTIFIED IN THE CITY OF AMES AS HAVING RIGHTS THAT MAKE CONSTRUCTION OF BUILDINGS DIFFICULT.
  - THE CITY OF AMES HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT THE SUBDIVISION MEETS OR EXCEEDS IOWA CODE §§ 33.81(3) THROUGH 33.81(10).
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- LEGEND:**
- FOUND 1/2" X 24" REBAR WITH YELLOW PLASTIC CAP #17355 (UNLESS OTHERWISE NOTED)
  - SET 1/2" X 24" REBAR WITH YELLOW PLASTIC CAP #17355 (UNLESS OTHERWISE NOTED)
  - ▲ FOUND SECTION CORNER
  - SET 3/8" X 24" REBAR WITH YELLOW PLASTIC CAP #17355
  - ▣ PUBLIC UTILITY EASEMENT
  - W.M.E. WATER MAIN EASEMENT
  - S.W.F.E. STORM WATER FLOWAGE EASEMENT



CUMULATIVE TABLE					
CURVE #	LENGTH	ARC	DELTA	CHORD	CHORD BEARING
C1	21.38'	327.50'	137.120°	32.22'	N47°37'13\"/>
C2	13.13'	197.50'	157.27°	14.97'	N47°06'27\"/>
C3	51.18'	327.50'	89°01'48\"/>		
C4	62.12'	322.50'	130°08'48\"/>		
C5	108.37'	322.50'	127°08'58\"/>		
C6	23.66'	322.50'	67°30'21\"/>		

HUNZKER DEVELOPMENT GROUP

SCENIC VALLEY SUBDIVISION - FIFTH ADDITION

FINAL PLAT

2 OF 2

SHEET

**BOLTON & MENK**

1518 BALTIMORE DRIVE  
AMES, IOWA 50010  
(515) 233-6100

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## Attachment D: Applicable Subdivision Law

The laws applicable to this Preliminary Plat Subdivision include, but are not limited to, the following: (verbatim language is shown in *italics*, other references are paraphrased):

Code of Iowa Chapter 354, Section 8 requires that the governing body shall determine whether the subdivision conforms to its Land Use Policy Plan.

Ames Municipal Code Chapter 23, Subdivisions, Division I, outlines the general provisions for subdivisions within the City limits and within two miles of the City limits of Ames.

Ames Municipal Code Section 23.302(10):

(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)