

**COUNCIL ACTION FORM**

**SUBJECT: MAJOR FINAL PLAT FOR SUNSET RIDGE SUBDIVISION ELEVENTH ADDITION**

**BACKGROUND:**

The City's subdivision regulations are included in Chapter 23 of the *Municipal Code*. The 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, 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 Land Development, LLC is requesting approval of a Major Final Plat for Sunset Ridge Subdivision, Eleventh Addition.** The Sunset Ridge Subdivision is located north of Lincoln Way along the western corporate limits of the city. The subject property is last phase of the Sunset Ridge development and is located immediately east of the city limits at N 500<sup>th</sup> Street as shown on *Attachment 1– Location and Zoning Map*.

The proposed subdivision includes 32 single-family lots and the replatting of "Outlot T" and "Outlot LL" in Sunset Ridge Subdivision Tenth Addition which contains 11.18 acres (including 1.83 acres of public right-of-way). The property is owned by Hunziker Land Development, LLC.

Thirty-two (32) lots are proposed in the subdivision for single-family detached dwellings as shown on *Attachment 2 – Final Plat of Sunset Ridge Subdivision Eleventh Addition*. The Final Plat aligns with the preliminary plat amendment that was approved on February 9, 2021 by Resolution No. 21-075, as shown on *Attachment 3– Subdivision Map*.

Street extensions connect with existing streets. "Lot A" (1.83 acres) will be dedicated to the City for public right-of-way. Lot A includes:

- Westfield Drive extension westward with a 66' right-of-way;
- Fremont Drive with a 55' right-of-way; and

- Allerton Drive extension with a 55' right-of-way.

Blanket easements are proposed over Outlots "U", "V" & "W". The blanket easements include: public utility, storm sewer, surface water flowage, shared use path, open space, storm water detention (Outlot "U" only), and storm water conveyance (Outlot "U" only).

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 the proposed parcels.

The Public Works Department confirms that public utilities, including water, sanitary sewer, and storm water are currently being installed in the proposed subdivision in compliance with the approved preliminary plat. Easements are provided with the final plat, as required for public utility mains that will serve multiple lots and fire hydrants.

*An Agreement for Public Improvements*, and an *Agreement for Sidewalk and Street Trees* have been prepared for City Council approval with the Final Plat. The *Agreement for Public Improvements* identifies the need for financial security for the completion of certain improvements and utilities including: erosion control (COSESCO), water mains, hydrants, sanitary sewers and drains, storm sewers and drains, manhole adjustments, pavement, pedestrian ramps, street lights, landscaping, and subgrade preparation.

Financial security, in the form of a Letter of Credit, has been submitted to the City in the amount of \$774,874.25, which covers the cost of the remaining improvements, in the event the developer does not install the required improvements. Sidewalks and street trees must be installed prior to the issuance of a Certificate of Occupancy for an individual lot. However, within three years after final plat approval, all sidewalks must be installed per the *Agreement for Sidewalk and Street Trees*. Financial security can be reduced by the City Council as the required infrastructure is installed, inspected, and accepted by the City.

### **ALTERNATIVES:**

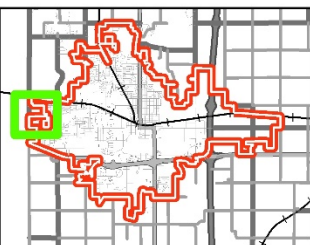
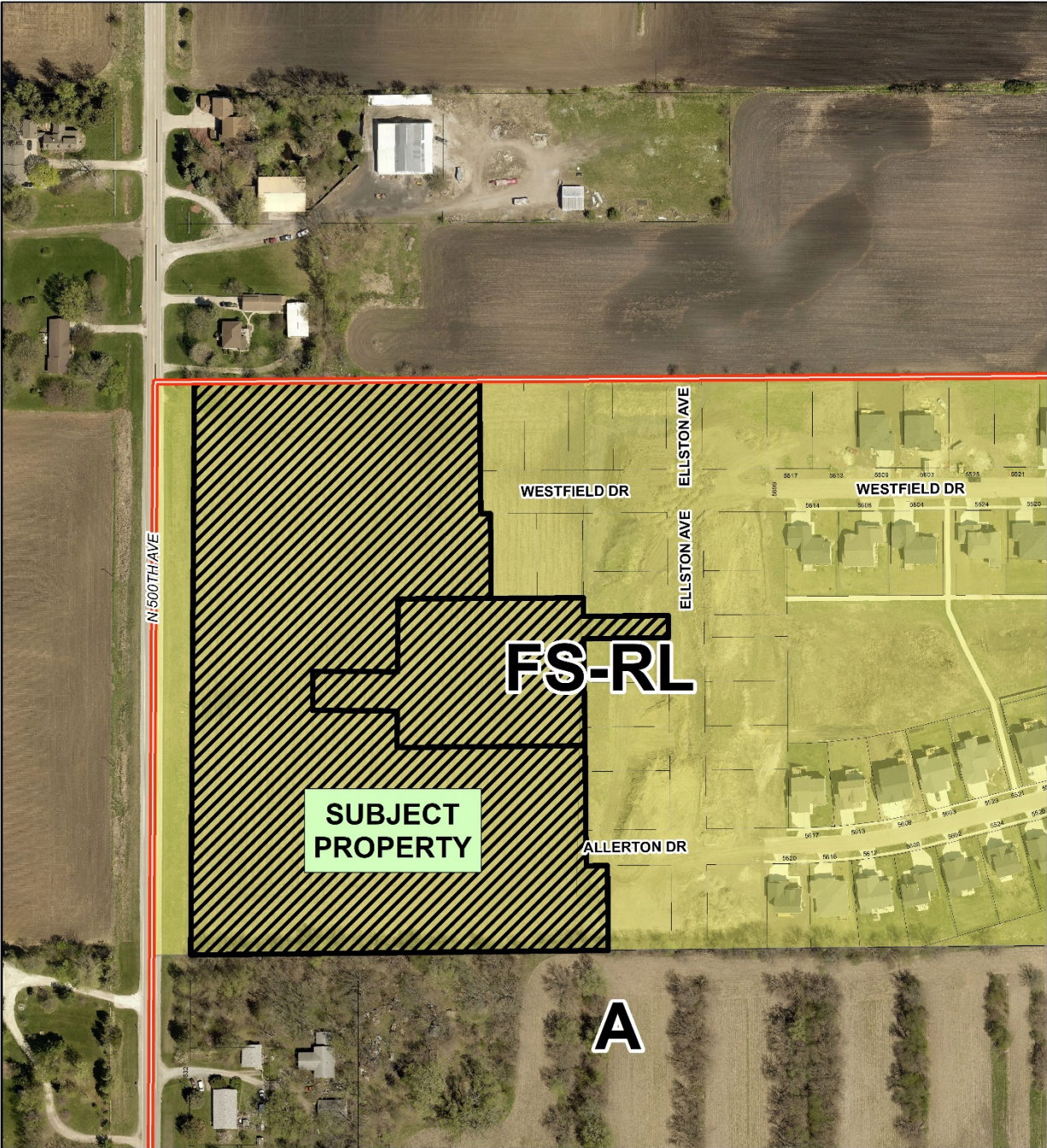
1. Approve the Final Plat of Sunset Ridge Subdivision Eleventh Addition based upon the findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans with a signed *Agreement for Public Improvements* and *Agreement for Sidewalk and Street Trees* with financial security.
2. The City Council can deny the final plat for Sunset Ridge Subdivision Eleventh 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.
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 Final Plat for Sunset Ridge Eleventh Addition conforms to the adopted ordinances and policies of the City as required by Chapter 23 of the *Ames Municipal Code*.

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

## ATTACHMENT 1: LOCATION AND ZONING MAP



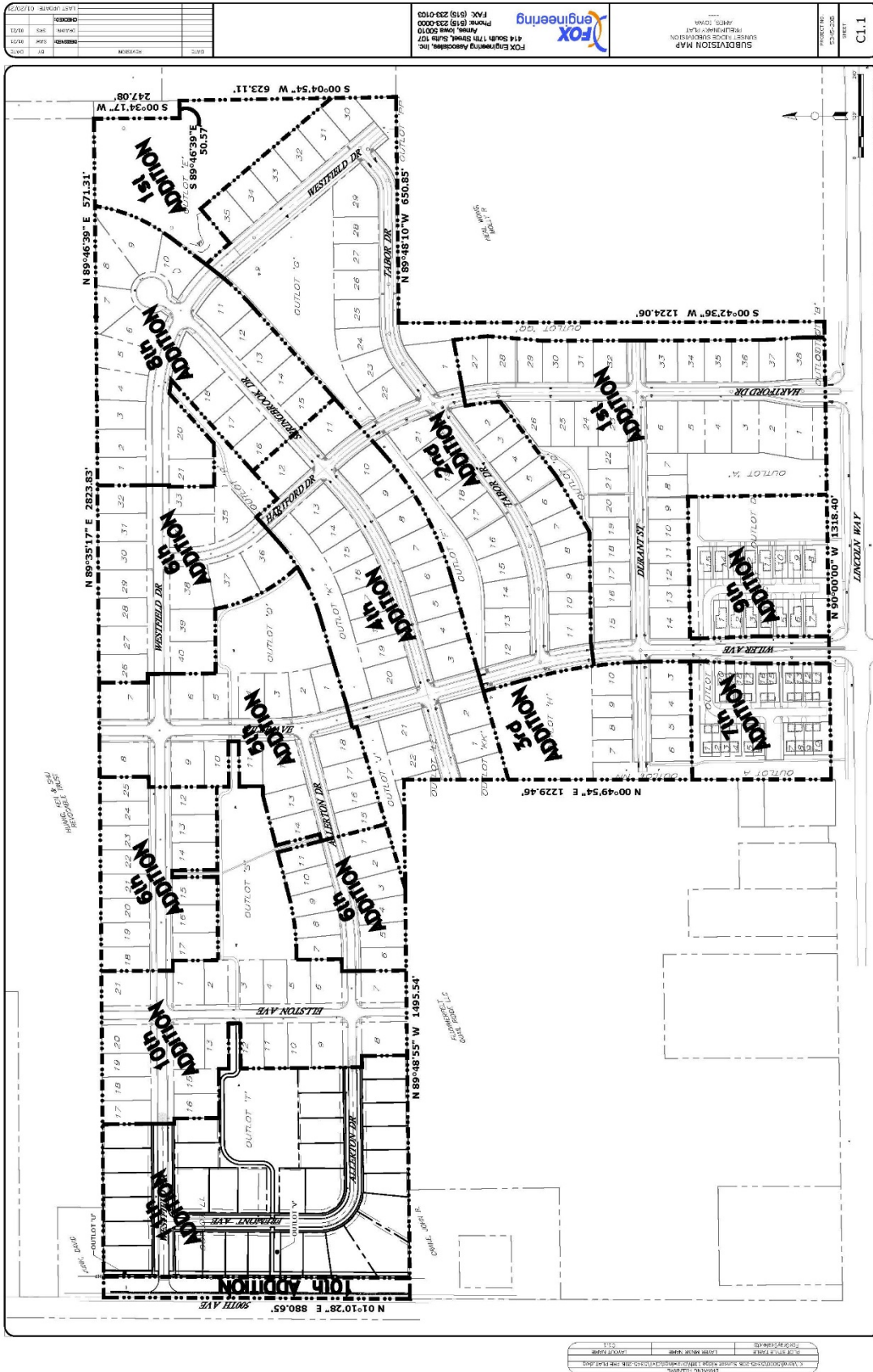
**Sunset Ridge, Eleventh Addition  
Zoning & Location Map**



0 125 250 500 Feet

FINAL PLAT  
SUNSET RIDGE SUBDIVISION, ELEVENTH ADDITION  
CITY OF AMES, STORY COUNTY, IOWA





## **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)*