

ITEM # 19aεb
DATE 09/25/07

COUNCIL ACTION FORM

SUBJECT: FINAL PLAT APPROVAL – NORTHRIDGE HEIGHTS 11TH ADDITION

BACKGROUND:

Applicant: Uthe Development Co. LLC **Property Owner:** Uthe Development Co.
Chuck Winkleblack
105 South 16th Street
Ames, Iowa 50010

Request: The applicant is requesting final plat approval of the 11th Addition of the Northridge Heights Subdivision. This is a 44-lot subdivision located at in the Northridge Heights development, and encompasses a portion of Outlot H of the 8th Addition, and Outlot F of the 9th Addition. Preliminary plat approval was originally granted December 11, 2006. Since that time, various amendments to the plat have been approved, and final plat for nine divisions have been approved and recorded.

Applicable Laws and Policies:

Adopted laws and policies applicable to this case file are attached for the Council's consideration

Staff Analysis:

This proposed plat is called the Eleventh Division of the Northridge Heights Subdivision. It should be noted, however, that the Tenth Addition has not yet been submitted, approved or recorded. Moreover, the divisions have not progressed in accordance with the approved Phase Plan that was approved with the Master Plan for the Northridge Heights Subdivision. However, after consulting with the City's Legal Department, staff concluded that phasing may progress differently than originally approved so long as the phases are logical in relationship to the infrastructure improvements and the Development Agreement and are consistent with the approved preliminary plat.

The applicant has installed and completed installation of storm sewer, sanitary sewer, and water mains. Items that have not yet been installed include electric utilities and streets, which will require bonding in the amount of \$296,500.00. This is reflected in the *Resolution Accepting Public Improvements and Bond on Northridge Heights Subdivision Eleventh Addition, Ames, Story County, Iowa*. Sidewalks and streets will be installed per a signed and submitted *Agreement for Sidewalk and Street Trees*, which will require sidewalks and street trees to be installed either prior to issuance of building permits for affected lots, or prior to issuance of occupancy permits.

In reviewing this proposal, staff reviewed the proposed final plat against the approved preliminary plat and found that it fully complies with the layout, form, and conditions of the approved preliminary plat. Additionally, the City Attorney reviewed and approved the following documents, which were submitted pursuant to Code of Iowa Section 354.11, (of which, items 1, 2 & 3 must be recorded with the subdivision plat along with a certified resolution approving the subdivision):

1. Consent and Dedication by Requisite Parties
2. Attorney Opinion of Title and Mortgage Holders
3. Treasurer's Certificate on Taxes
4. Execution of Easements by Requisite Parties
5. Sidewalk Agreement
6. Agreement for Public Improvements Form

ALTERNATIVES:

1. The City Council can approve the request for final plat by approving the *Resolution Accepting the Final Plat of Northridge Heights Subdivision, Division Eleven, Ames Story County, Iowa*, and also by approving the *Resolution Accepting Public Improvements and Bond on Northridge Heights Subdivision Eleventh Addition, Ames, Story County, Iowa*, which is for the amount of \$296,500.00.
2. The City Council can require that all public improvements described on the approved Preliminary Plat be installed and dedicated prior to approval of the final plat.
3. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

It is the recommendation of the City Manager that the City Council act in accordance with Alternative 1, which is to approve the *Resolution Accepting the Final Plat of Northridge Heights Subdivision, Division Eleven, Ames Story County, Iowa*, and also by approving the *Resolution Accepting Public Improvements and Bond on Northridge Heights Subdivision Eleventh Addition, Ames, Story County, Iowa*, which is for the amount of \$296,500.00.

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: (verbatim language is shown in *italics*, other references are paraphrased):

Code of Iowa, Section 354.6

Ames Municipal Code Section 2.302(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.*

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.

NORTHRIDGE HEIGHTS SUBDIVISION

ELEVENTH ADDITION

(AN OFFICIAL REPLAT)

LEGEND

- Set 5/8" raster with yellow plastic cap #17535.....□
- Found 5/8" raster with yellow plastic cap #19029.....●
- Set 1/2" raster with yellow plastic cap #17535.....○
- Public Utility Easement.....P.U.E.
- Surface Water Flowage Easement.....S.W.F.E.
- Storm Sewer Easement.....S.S.E.
- Proprietor Easement.....P.E.

DESCRIPTION

Outlot H, Northridge Heights Subdivision, 8th Addition, and Outlot F, Northridge Heights Subdivision, 5th Addition, City of Ames, Story County, Iowa.

NOTES

1. Northridge Heights Subdivision, Eleventh Addition, an Official Replat, is located in the NW 1/4 of Section 28-84-24 of the 5th P.M., City of Ames, Story County Iowa.
2. The East Line of the NW 1/4 bears S00°14'04"E as shown on the Plat of Survey filed 1/18/2004, Instrument No. 04-1433 in the Office of the Story County Recorder.
3. Total area of Addition - 35.356 acres
4. Lot 'L', comprising 3.447 acres, to be dedicated to the City of Ames for street purposes. Lot 'M', containing 1.078 acres, to be dedicated to the City of Ames for street purposes.
5. Soil Borings are required in areas within this plat which have been identified by the City of Ames as having soils that make construction of buildings difficult.
6. Easements as shown.
7. Coordinates shown of the NE and SE corner of Outlot '22', NR Heights 11th Addition, are on the State Plane Coordinate System, Iowa North Zone (NAD 83).
8. This survey meets or exceeds Iowa Code 355.8 (15).



LOT	AREA	LOT AREA & STREET ADDRESSES
1	10.361	1111 WESTON DRIVE
2	10.361	1111 WESTON DRIVE
3	10.361	1111 WESTON DRIVE
4	10.361	1111 WESTON DRIVE
5	10.361	1111 WESTON DRIVE
6	10.361	1111 WESTON DRIVE
7	10.361	1111 WESTON DRIVE
8	10.361	1111 WESTON DRIVE
9	10.361	1111 WESTON DRIVE
10	10.361	1111 WESTON DRIVE
11	10.361	1111 WESTON DRIVE
12	10.361	1111 WESTON DRIVE
13	10.361	1111 WESTON DRIVE
14	10.361	1111 WESTON DRIVE
15	10.361	1111 WESTON DRIVE
16	10.361	1111 WESTON DRIVE
17	10.361	1111 WESTON DRIVE
18	10.361	1111 WESTON DRIVE
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38	10.361	1111 WESTON DRIVE
39	10.361	1111 WESTON DRIVE
40	10.361	1111 WESTON DRIVE
41	10.361	1111 WESTON DRIVE
42	10.361	1111 WESTON DRIVE
43	10.361	1111 WESTON DRIVE
44	10.361	1111 WESTON DRIVE

CURVE	CHORD	CHORD BEARING	CHORD LENGTH	CHORD BEARING	CHORD BEARING	CHORD BEARING
C-1	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-2	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-3	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-4	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-5	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-6	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-7	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-8	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-9	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-10	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-11	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-12	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-13	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-14	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-15	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-16	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E
C-17	100.00	S00°00'00"E	100.00	S00°00'00"E	S00°00'00"E	S00°00'00"E

Prepared by:
 Uthe Development Co. LLC
 C/O Hunziker & Associates
 105 S. 16th Street
 Ames, IA 50010

Replat of:
 Uthe Development Co. LLC
 C/O Hunziker & Associates
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RESUBDIVISION
 REVISIONS
 NO. DATE

NORTHRIDGE HEIGHTS SUBDIVISION
 ELEVENTH ADDITION
 (AN OFFICIAL REPLAT)
 AMES, IA

Northridge Heights Subdivision Outlot H

