

ITEM # 24  
DATE 03/25/08

## COUNCIL ACTION FORM

### SUBJECT:FINAL PLAT FOR WOODBRIDGE SUBDIVISION

#### BACKGROUND:

**Property Owner:** Richard H. Sevde Residuary Trust, and  
Marguerite Sevde Irrevocable Trust  
1220 Southern Hills Drive  
Ames, Iowa 50010

The property owner is requesting that the Final Plat for the Woodbridge Subdivision be approved. The property owner is also requesting that the City Council defer the requirement to install a sidewalk along Oakwood Road on the south side of the proposed subdivision.

The subject property consists of approximately 6.44 acres, and is generally located northwest of the intersection of University Boulevard and Oakwood Road. Please refer to the attached Final Plat drawing, which includes a Vicinity Map.

The proposed Final Plat involves the creation of two lots for commercial development. The area being platted for development is zoned as "HOC" (Highway Oriented Commercial). Existing commercial development with the same zoning is north of the proposed plat; existing residential development under a Planned Residential District is west of the proposed plat.

The following documents have been submitted and are associated with this Final Plat application:

- A Resolution Accepting the Plat of Woodbridge Subdivision;
- Consent to Plat from the Owners;
- Consent to Plat from the Mortgagees;
- An Attorney's Opinion, which states that the subject property is free from encumbrances, but is subject to easements and restrictions of record and to zoning ordinances of the City of Ames;
- A Certificate of the Treasurer of Story County, Iowa, certifying that the subject property is free from certified taxes and certified special assessments;
- An Easements document; and;
- A Driveway Easement Grant.

The following documents have been submitted and are associated with the request for sidewalk deferment:

- Supplemental Agreement for Sidewalk; and
- Irrevocable Letter of Credit.

Oakwood Road has a rural cross section, with a drainage ditch on the north side adjacent to the property being platted. If the road is ever improved to urban standards, this topographic condition will be changed and make sidewalk construction more feasible. Oakwood Road will be improved when increases in traffic volume lowers the level of service below City standards.

In reviewing this proposal, staff has found that public improvements as required for the development of this parcel for commercial use are in place and meet City standards. Although both lots are addressed from Oakwood Road or University Boulevard, access will be from an access easement, which cannot be removed without City approval.

Staff finds that the proposed Final Plat fully complies with relevant and applicable design standards of Ames Municipal Code Chapter 23, Subdivisions, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted plans.

### **ALTERNATIVES:**

1. The City Council can approve the sidewalk deferment and approve the Final Plat for Woodbridge Subdivision, based upon the findings in the staff's analysis, and subject to the following conditions:
  - a. The Supplemental Agreement for Sidewalk Deferment between Marguerite Sevde, Trustee, Randy Sevde, Co-Trustee, Karin Sevde, Co-Trustee, and the City of Ames, as reviewed and approved by the City Attorney, shall be recorded concurrently with the final plat.
  - b. A letter of credit in the amount of \$8,162 guaranteeing the installation of required improvements shall be filed with the City Clerk prior to plat recordation.
  - c. The Driveway Easement Grant by the Sevde's shall be recorded concurrently with the final plat.
2. The City Council can deny approval of the sidewalk deferment and of the Final Plat for Woodbridge Subdivision.
3. The City Council can refer this back to staff and/or the developer for additional information.

### **MANAGER'S RECOMMENDED ACTION:**

The topographic conditions along Oakwood Road render construction of a sidewalk with this plat as premature. In all other respects, all subdivision requirements have been fulfilled. **It is the recommendation of the City Manager that the City Council approve Alternative #1.** This will approve the sidewalk deferment and approve the Final Plat for Woodbridge Subdivision, subject to conditions.

## Applicable Laws and Policies

Adopted laws and policies applicable to this case file include, but are not limited to, the following:

Ames Municipal Code Section 23.303(3)

**(3) City Council Action on Final Plat for Minor Subdivision:**

a. All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with Section 354.8 of the Iowa Code, as amended or superseded. 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. If the City Council determines that the proposed subdivision will require the installation or upgrade of any public improvements to provide adequate facilities and services to any lot in the proposed subdivision or to maintain adequate facilities and services to any other lot, parcel or tract, the City Council shall deny the Application for Final Plat Approval of a Minor Subdivision and require the Applicant to file a Preliminary Plat for Major Subdivision.

(4) Effect of City Council Action on Minor Subdivision: Following such examination, and within 60 days of the Applicant's filing of the complete Application for Final Plat Approval of a Minor 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 Minor 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.

Ames Municipal Code Section 23.403(14)

(a) Sidewalks and walkways shall be designed to provide convenient access to all properties and shall connect to the City-wide sidewalk system. A minimum of a four-foot wide concrete sidewalk shall be installed in the public right-of-way along each side of any street within residentially and commercially zoned areas and along at least one side of any street within industrially zoned areas. Such a sidewalk shall connect with any sidewalk within the area to be subdivided and with any existing or proposed sidewalk in any adjacent area. Any required sidewalk shall be constructed of concrete and be at least four feet wide.

*(i) A deferment for the installation of sidewalks may be granted by the City Council when topographic conditions exist that make the sidewalk installation difficult or when the installation of the sidewalk is premature. Where the installation of a sidewalk is deferred by the City Council, an agreement will be executed between the property owner/developer and the City of Ames that will ensure the future installation of the sidewalk. The deferment agreement will be accompanied by a cash escrow, letter of credit, or other form of acceptable financial security to cover the cost of the installation of the sidewalk.*

E 1/4 CORNER  
SEC. 16-83-24  
FOUND ALUMINUM  
MONUMENT #8136

**OWNER/DEVELOPER:**

RICHARD H. SEVOIE TRUST  
MARGUERITE SEVOIE IRREV. TRUST  
1220 SOUTHERN HILLS DRIVE  
AMES, IOWA 50010  
515-232-8605

**SURVEY DESCRIPTION - WOODBRIDGE SUBDIVISION:**

A subdivision of Parcel B in Lots 5, 6 and 7, Oakwood Second Addition to the City of Ames, Story County, Iowa being more particularly described as follows: Beginning at the Southwest Corner of said Lot 6; thence N00°02'55"E. 335.28 feet along the west line of said Lot 6; thence S89°26'52"E. 290.00 feet; thence to a point on the East line of said Lot 5; thence S05°34'46"E. 121.78 feet; thence N90°00'00"W. 5.00 feet to the Northeast Corner of said Lot 7; thence S89°45'22"W. 582.64 feet to the Southeast Corner of said Lot 7; thence S89°45'22"W. 582.64 feet to the point of beginning, containing 6.44 acres.

**ZONING DISTRICT: HOC (HIGHWAY ORIENTED COMMERCIAL)**

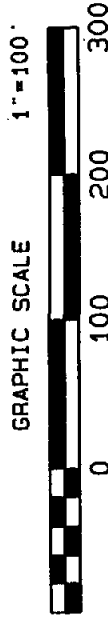
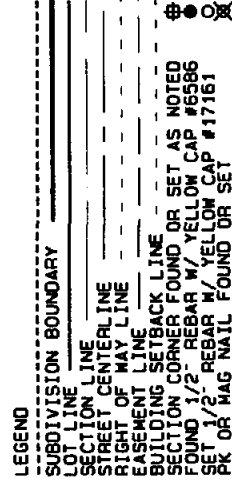
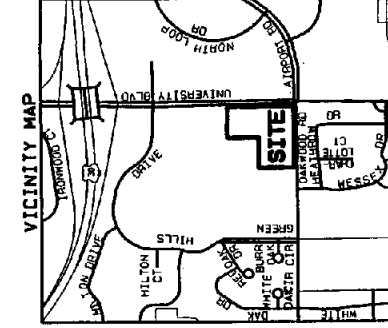
**DESIGN STANDARDS:**

**BUILDING SETBACKS:**  
FRONT: 20' MINIMUM (10' FUEL PUMP CANOPY)  
SIDE: 20' MINIMUM ABUTTING RESIDENTIALLY ZONED LOT  
REAR: 10' MINIMUM

MAXIMUM BUILDING COVERAGE: 50%  
MINIMUM LANDSCAPED AREA: 15%  
MAXIMUM HEIGHT: 85' OR 7 STORIES (18' FUEL PUMP CANOPY)

**NOTES:**

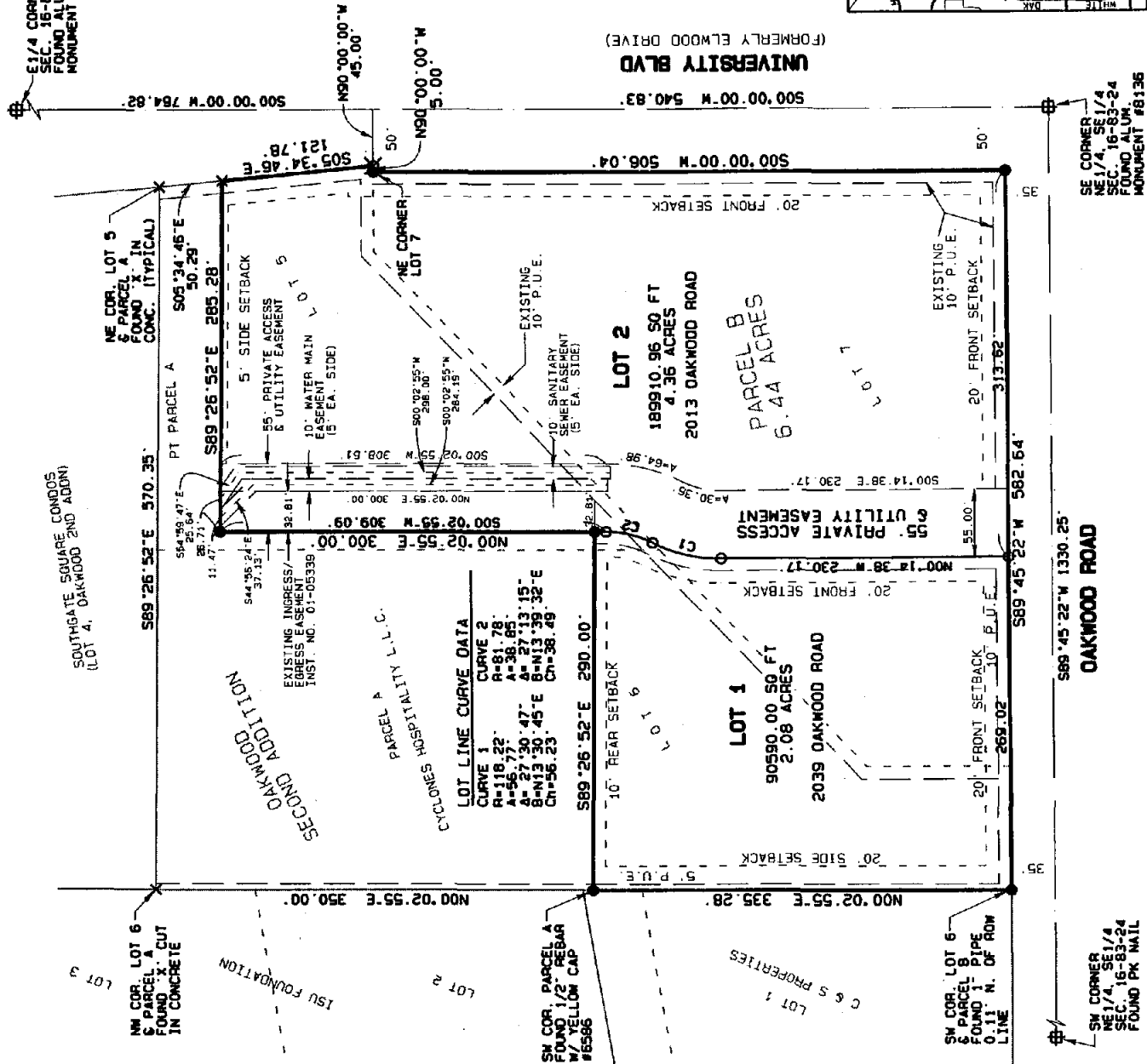
- SOIL BORINGS ARE REQUIRED IN AREAS WITHIN THIS PLAT WHICH HAVE BEEN IDENTIFIED BY THE CITY OF AMES AS HAVING SOILS THAT MAKE CONSTRUCTION OF BUILDINGS DIFFICULT.



Certification: I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Date: 3-20-08

R. Bradley Stumbo License #17161  
My license renewed date: 15 December 31, 2009



**STUMBO & ASSOCIATES**  
**LAND SURVEYING**  
510 S. 17TH STREET, SUITE #102 • AMES, IOWA 50010  
PH. 515-233-3624 • FAX 515-233-4403

**FINAL PLAT**  
**WOODBRIDGE SUBDIVISION**

JOB #14432FP DATE: 3/20/08 PAGE 1 of 1