

ITEM # 30a+b
DATE 04/22/08

COUNCIL ACTION FORM

SUBJECT: FINAL PLAT FOR ESTATES WEST SUBDIVISION

BACKGROUND:

Case File: SUB-08-06

Property Owner: Hunziker Land Development Company, L.L.C.
105 S. 16th Street
Ames, Iowa 50010

The property owner is requesting that the Final Plat for the Estates West Subdivision be approved.

The proposed subdivision includes approximately 15 acres, and is located at 516 North Dakota Avenue (the intersection of North Dakota Avenue and Timber Ridge Drive). Please refer to the attached Final Plat drawing.

The proposed Final Plat involves the creation of eleven lots for residential development. The area being platted for development is zoned as "RL" (Residential Low Density). Existing residential development with the same zoning is located north, south, and west of the proposed plat; Munn Woods is located directly east of the proposed plat.

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

- A Resolution Accepting the Final Plat of Estates West Subdivision;
- Consent and Dedication by the Property Owners;
- 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;
- An Agreement for Public Improvements; and,
- An Agreement for Sidewalk and Street Trees.

A Letter of Credit has been filed with the City Clerk's Office in the amount of \$133,382 for the estimated cost of public improvements that are yet to be installed by the Developer. Public improvements covered by the Letter of Credit are described as follows:

- Street: \$123,382
- Street Lights: \$ 8,000
- Erosion Control: \$ 2,000
- Total: \$133,382

Water and sanitary sewer infrastructure for this subdivision has been installed by the Developer, and these improvements have been inspected by the City of Ames. Therefore, these improvements are not part of the Public Improvement Agreement.

Staff finds that the proposed Final Plat fully complies with relevant and applicable design standards of Ames Municipal Code Chapter 23, Subdivisions (see attached Applicable Laws and Policies), 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 Final Plat for Estates West Subdivision, based upon staff's findings and conclusions.
2. If the City Council finds that the reasonably anticipated impact of the Estates West Subdivision will create a burden on existing public improvements or such a need for new public improvements, as described in the attached Section 23.302(10)(c) of the Municipal Code, the City Council can deny approval of the Final Plat for Estates West Subdivision.
3. The City Council can refer this back to staff and/or the developer for additional information.

MANAGER'S RECOMMENDED ACTION:

The proposed Final Plat of Estates West Subdivision is consistent with the Preliminary Plat. The Developer has installed water and sanitary sewer infrastructure and has provided financial security to cover the estimated cost of the remaining public improvements for the street, street lights, and erosion control.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1. This will approve the Final Plat for Estates West Subdivision.

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

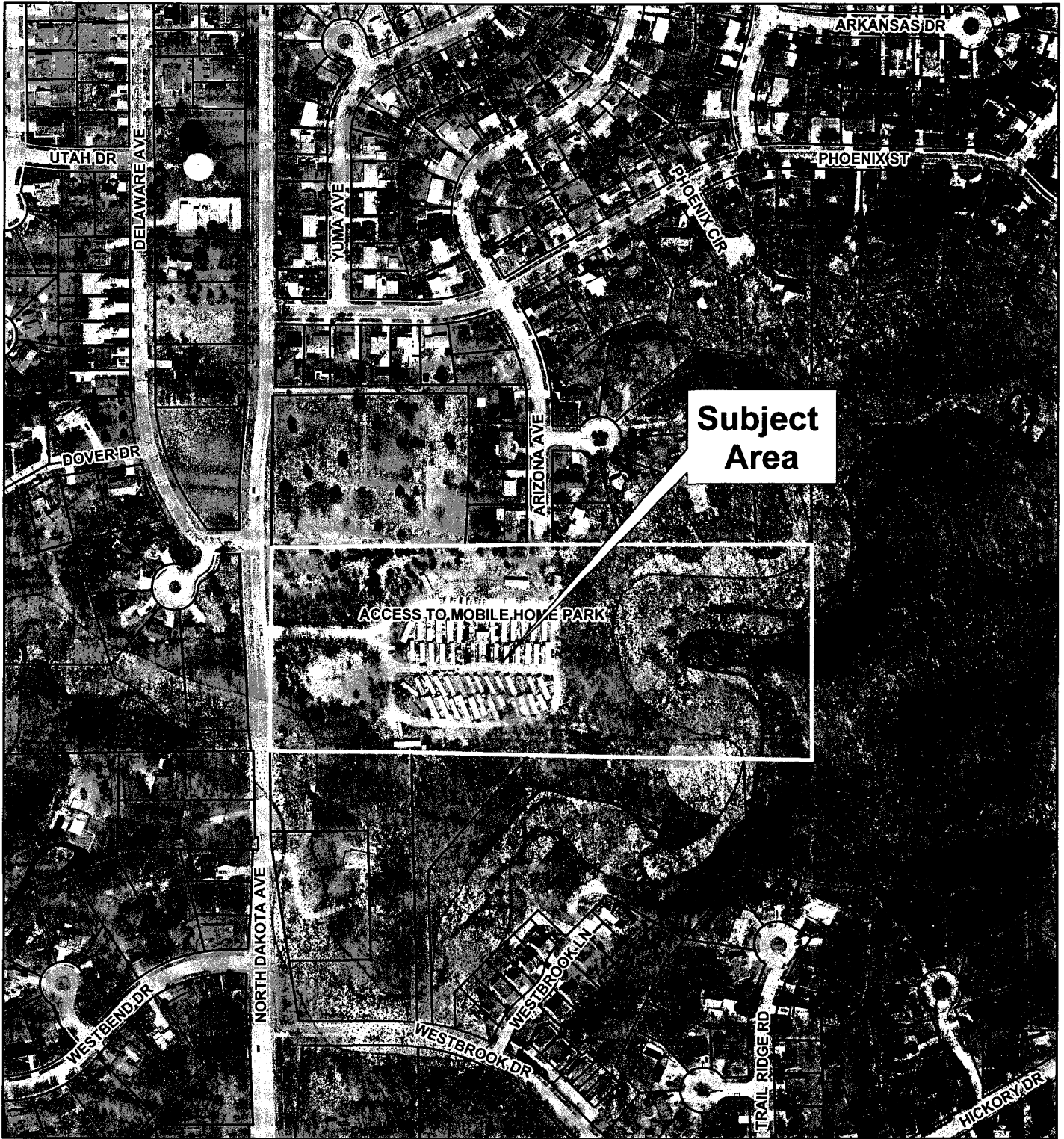
Ames Municipal Code Section 23.302(10)

(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.*

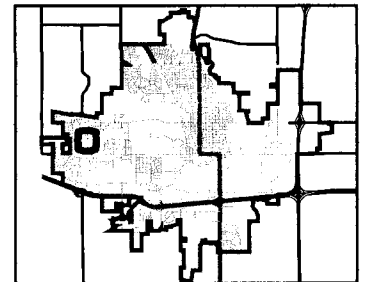
Following such examination, and within 60 days of the Applicant's filing of the complete Application for Final Plat Approval of a Major Subdivision with the Department of Planning and Housing, the City Council shall approve, approve subject to conditions, or disapprove the Application for Final Plat 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.





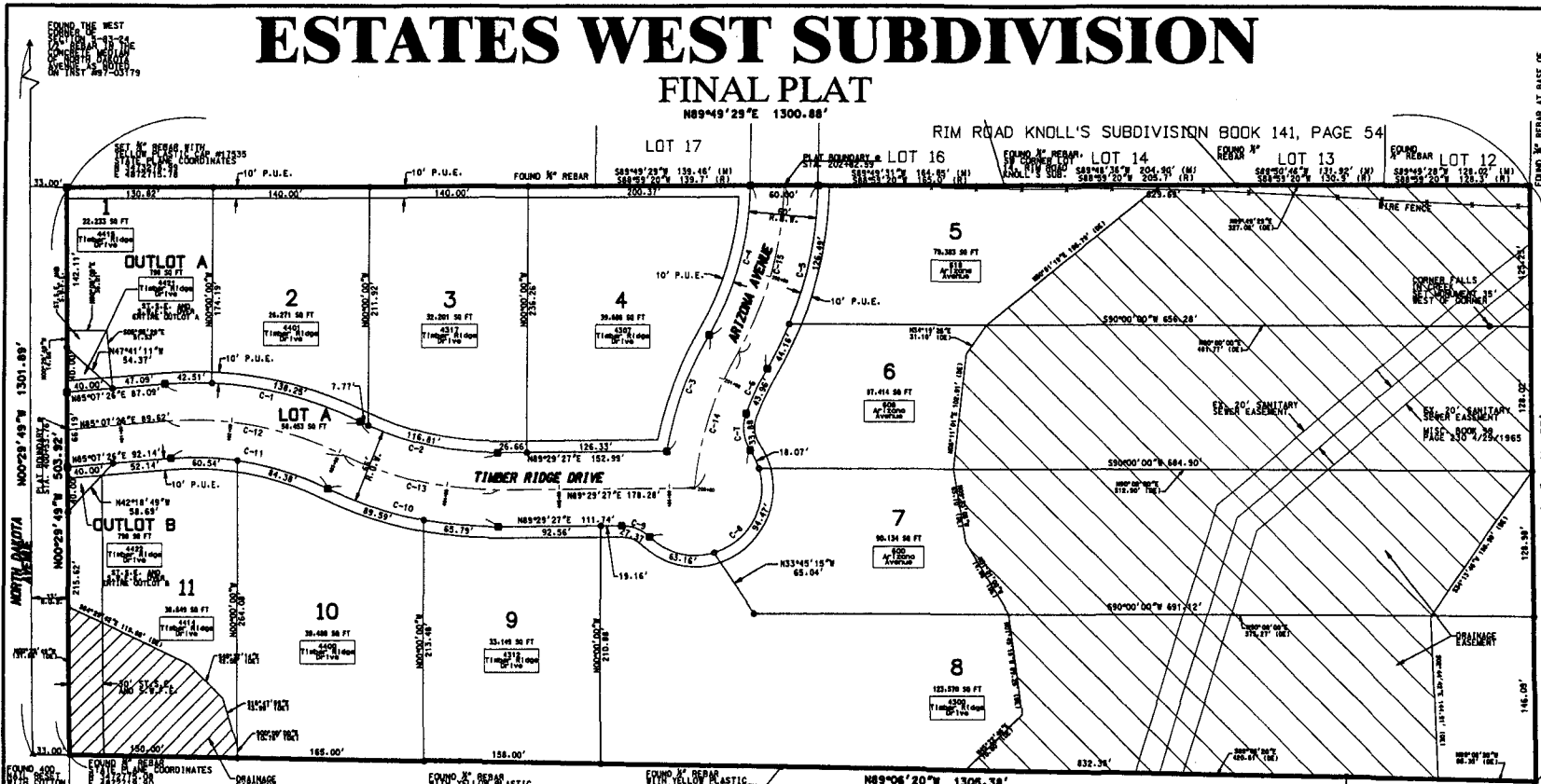
Location Map
Estates West Subdivision
516 North Dakota Ave.
Ames, Iowa

0 185 370 740
Feet



ESTATES WEST SUBDIVISION

FINAL PLAT



PREPARED BY EUGENE R. CHEVER, HNS CONSULTING GROUP, 223 S. WALNUT AVENUE SUITE D, AMES, IA 50010, PHONE: 515-232-1183

STATION	CHORD BEARING	CHORD DISTANCE	CHORD BEARING	CHORD DISTANCE	CHORD BEARING	CHORD DISTANCE
1	N89°49'29\"/>					
2	N89°49'29\"/>					
3	N89°49'29\"/>					
4	N89°49'29\"/>					
5	N89°49'29\"/>					
6	N89°49'29\"/>					
7	N89°49'29\"/>					
8	N89°49'29\"/>					
9	N89°49'29\"/>					
10	N89°49'29\"/>					
11	N89°49'29\"/>					

- OWNER & APPLICANT:**
Hunziker Land Development Co. LLC
c/o Hunziker & Associates
105 S. 16th Street
Ames, IA 50010
- PREPARED BY:**
HNS Consulting Group
223 S. Walnut Avenue, Ste. D
Ames, IA 50010
- NOTES**
- Estates West is located in the SW¼ of Section 5-83-24 of the 5th P.M., City of Ames, Story County Iowa.
 - The East ROW of North Dakota is assumed to bear N00°29'49\"/>
 - Total area of Addition - 15.437 acres
 - Lot 'A', containing 1.342 acres, to be dedicated to the City of Ames for street purposes.
 - 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.
 - Easements as shown.
 - Coordinates shown at the NW corner of Lot 1 and the SW corner of Lot 11, are on the State Plane Coordinate System, Iowa North Zone (NAD 83).
 - This survey meets or exceeds Iowa Code 355.8 (15).
 - The development of Lots 1 through 11 shall be subject to Municipal Code, Chapter 9, Flood Plain Zoning regulations.

LEGAL DESCRIPTION

That portion of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section Five, Township Eighty-three North, Range Twenty-four West of the 5th P.M., Iowa, Lying South of the South Line extended, of the Ontario Cemetery, approximately Five Hundred Feet North and South, and containing approximately Fifteen Acres.

Metes & Bounds for Story County Auditor only:
Commencing at the Northwest corner of the Northwest Quarter of the Southwest Quarter (NW¼ - SW¼) of Section 5-83-24 Thence S 89°06'20\"/>

- LEGEND**
- Set 5/8\"/>
 - Found monument as noted.....
 - Set 1/2\"/>
 - Public Utility Easement.....P.U.E.
 - Surface Water Flowage Easement.....S.W.F.E.
 - Storm Sewer Easement.....S.T.S.E.
 - Measured Distances.....(M)
 - Recorded Distances.....(R)
 - Drainage Easement bearing and distance.....(DE)



AMES OFFICE
223 S. Walnut Ave. Ste. D
Ames, IA 50010
515-232-1183
www.hns.com

REVISIONS
NO. DATE DESCRIPTION

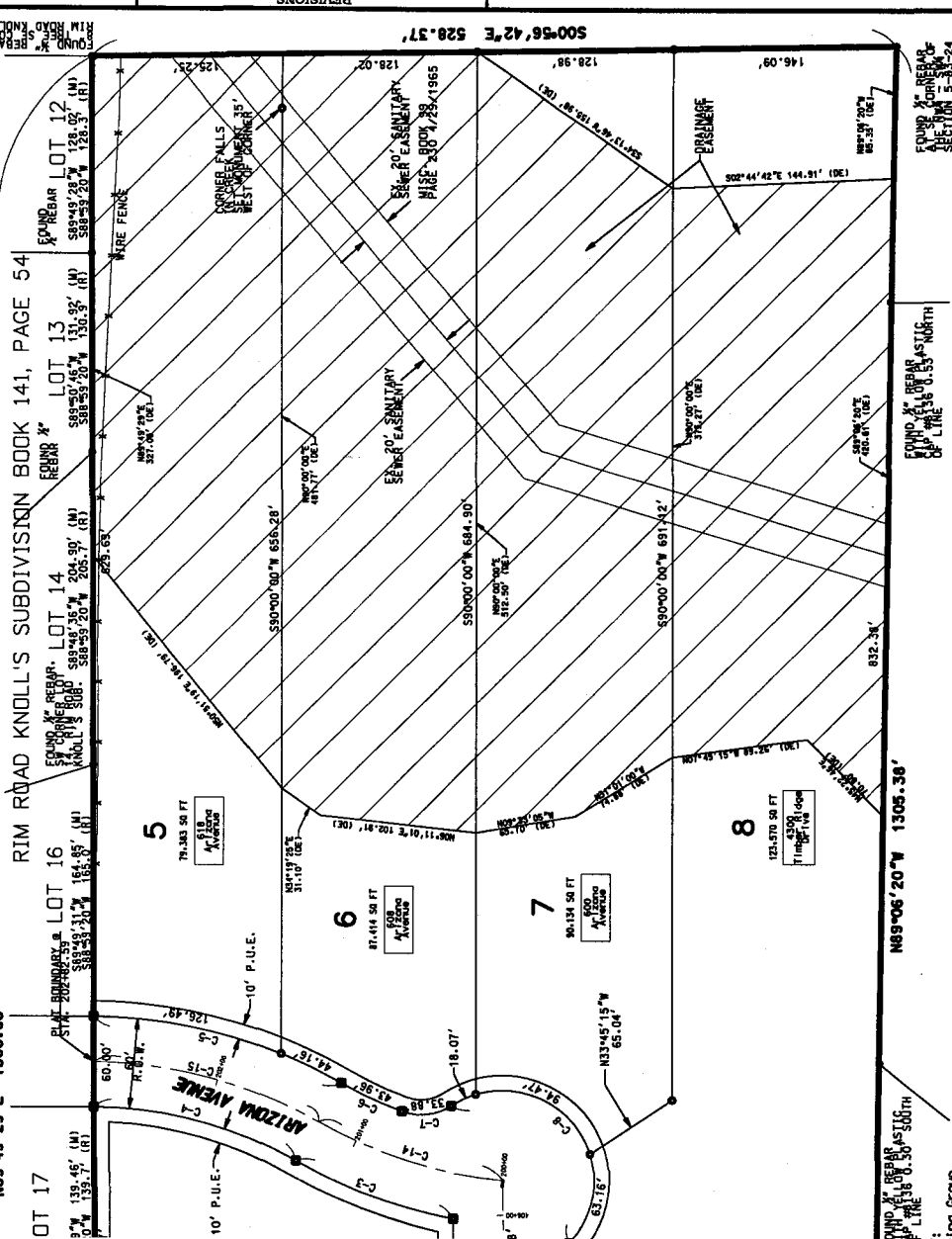
ESTATES WEST SUBDIVISION
AMES, IOWA

SHEET 1 of 1
JOB NO. 58-37-1072

EST SUBDIVISION FINAL PLAT

N89°49'29"E 1300.88'

RIM ROAD KNOLL'S SUBDIVISION BOOK 141, PAGE 54



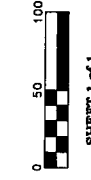
LEGAL DESCRIPTION

The Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section Five, Township Eighty-four North, Range Twenty-four West of the 5th P.M. Meridian, County of Story, State of Iowa, containing approximately Fifteen Acres.

Metes & Bounds for Story County Auditor only:
 Commencing at the Southwest corner of the Northwest Quarter of the Southwest Quarter (NW 1/4 - SW 1/4) of Section 5-83-24; Thence S. 89°16'20" E. 33.00 feet to the Point of Beginning on the East ROW of North Dakota Avenue; Thence N 00°29'49" W. 503.92 feet along said ROW to the Southwest corner of the Ontario cemetery; Thence N 89°49'29" E. 1,300.88 feet along the South line of said cemetery and the South line of Rim Road Knoll's Subdivision to the Southeast corner of Lot 12 of Rim Road Knoll's Subdivision; Thence S 00°56'42" E. 528.37 feet to the Southeast corner of the Northwest Quarter of the Southwest Quarter of Section 5-83-24; Thence N 89°06'20" W. 1,305.38 feet to the Point of Beginning.

LEGEND

- Set 5/8" rebar with yellow plastic cap #17535.....
- Found monument as noted.....
- Set 1/2" rebar with yellow plastic cap #17535.....
- Public Utility Easement.....P.U.E.
- Surface Water Flowage Easement.....S.W.F.E.
- Storm Sewer Easement.....S.T.S.E.
- Measured Distance.....(M)
- Recorded Distance.....(R)
- Drainage Easement bearing and distance.....(DE)



SHEET 1 of 1
JOB NO. 58-37-1072

NO.	DATE	DESCRIPTION

4/16/08
111533
11336
11336