

**COUNCIL ACTION FORM**

**SUBJECT: FINAL PLAT FOR NORTHRIDGE HEIGHTS SUBDIVISION 12<sup>TH</sup> ADDITION**

**BACKGROUND:**

**Case File: SUB-08-09**

This is a request by Uthe Development Co., LLC to approve the Final Plat for Northridge Heights Subdivision 12<sup>th</sup> Addition. The proposed subdivision includes approximately 69.131 acres, and is generally located north of Bloomington Road at the intersection with Stange Road. Please refer to the attached Final Plat drawing.

The proposed Final Plat involves the creation of lots for development, described as follows:

- **Lots 1, 2, 3, and 4: For commercial development.**

*In the process of being rezoned from "FS-RM" (Suburban Residential Medium Density) to "CVCN" (Convenience Commercial Node). The first two readings of the rezoning have been approved. Third reading will occur at the June 24 City Council meeting.*

- **Lots 5, 6, 7, 8, and 9: For multiple-family residential development.**

*Zoned as "FS-RM" (Suburban Residential Medium Density)*

- **Outlot 'AA': For use as a stormwater flowage easement, storm sewer easement, and a shared use path easement over the entire outlot.**

*Zoned as "FS-RM" (Suburban Residential Medium Density)*

- **Outlot 'XX': For future single-family detached residential development.**
- 

*Zoned as "FS-RL" (Suburban Residential Low Density)*

- **Outlot 'YY': For future single-family attached residential and multiple-family residential development**

*Zoned as "FS-RM" (Suburban Residential Medium Density)*

**Condition of Approval of the Revised Preliminary Plat.** The resolution approving the Revised Preliminary Plat for Northridge Heights Subdivision included a stipulation that the street, bike path, and any other off-site improvements of the Development Agreement for Northridge Heights Subdivision, dated November 14, 2000, and approved by the City Council shall be required at the time of approval of the final plat for any or all of Lots 400, 401, 402, or 403. The Final Plat proposed at this time includes all of Lots 400, 401, 402 and 403.

**Timing for the Installation of Off-Site Public Improvements.** Timing for the installation of off-site public improvements is addressed in Section V of the Development Agreement for Northridge Heights Subdivision as follows:

**Section V(B)(3)** addresses construction of the City specified improvements for two street lanes on the north side of the now existing segment of Bloomington Road from the east line of the Union Pacific Railroad tracks to George Washington Carver Avenue, said construction to be completed to the satisfaction of the City not later than one year after the construction of 375 dwelling units on the Site.

**Section V(B)(5)** addresses the left turn improvements at the intersection of Stange Road and Bloomington Road for the east-bound, south-bound, and west-bound portions of that intersection. This shall be done simultaneous with construction of the widening improvements on Bloomington Road.

**Section V(B)(6)** addresses construction of the improvements specified for a left turn storage lane at the intersection with George Washington Carver Avenue for all streets proposed for the site. Construction of those left turn storage lanes shall be done and completed in accordance with the schedule set by the City at the time of approval of the final plat of the phase of development for the land abutting on those left turn storage lanes.

**Section V(B)(7)** addresses the installation of traffic control signals at the intersection of Bloomington Road and Stange Road. The installation of traffic control signals shall occur at the time that the widening of Bloomington road occurs, or when the warrants specified by the Manual on Uniform Traffic Control Devices are met, whichever occurs first, but not later than the approval of the final plat for the final phase of development for the site. The City may require the installation of the said traffic control signals as a condition for the approval of any final plat of subdivision submitted for approval after the said warrants have been met.

**Section V(B)(8)** addresses the construction of improvements specified for a left turn lane at the intersection with Stange [and] for all streets proposed for the site between Bloomington Road and Harrison Road. Construction of those left turn lanes shall be done in accordance with the schedule set by the City at the time of approval by the City of the final plat of the phase of development for the land abutting those left turn storage lanes.

**Section V(B)(9)** addresses the construction of Cy-Ride bus stop pads as specified by the City on Stange Road. Those bus stop pads shall be done and completed to the satisfaction of the City in accordance with the schedule and construction specifications set by the City at the time of approval by the City of the final plat of the land abutting a bike

path.

**Section V(B)(10)** addresses the construction of bike path improvements. Bike path improvements shall be constructed in accordance with the schedule set by the City at the time of approval of the final plat of the land abutting a bike path.

The City of Ames has budgeted for the completion of street widening for Bloomington Road east to Hyde Avenue. This will add two additional lanes for a total of four lanes and is included in the 2007/08 CIP.

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

- Resolution Accepting the Final Plat of Northridge Heights Subdivision 12<sup>th</sup> Addition;
- Consent to Plat by the Property Owner;
- Attorney's Title Opinion;
- Certificate of the Treasurer of Story County, Iowa, certifying that the subject property is free from certified taxes and certified special assessments;
- Easement Document to the City of Ames for public utilities, storm sewer and surface water flowage, sanitary sewer and water main, and electric utilities.
- Agreement for On-Site Public Improvements; and,
- Agreement for Sidewalk and Street Trees.

**Staff finds that the Preliminary Plat conditions for approval have been satisfied with the exception of Stipulation #3 in the resolution approving the Preliminary Plat, which specifies that the street, bike path, and any other improvements of the Development Agreement for Northridge Heights Subdivision be required at the time of approval of the final plat. While this condition cannot be met, the City Council can nonetheless approve the Final Plat, subject to approval of a resolution approving the Developer's Agreement for off-site improvements relating to Bloomington Road expansion to allow a Letter of Credit to be filed as security for completion of said off-site improvements.**

**Acceptance of a Developer's Agreement, including a Letter of Credit to guarantee completion of required public improvements is the typical way in which the City Council has allowed the approval of final plats for new subdivisions where the installation of streets and other infrastructure has not been completed prior to approval of the final plat. Therefore, City Council action to approve this final plat and allow the completion of off-site public improvements, which are guaranteed through a Developer's Agreement, is consistent with past practice.**

The applicant has been notified by staff of the City Council's option in this regard so that he might prepare an agreement and provide the associated financial security to cover the estimated cost of off-site improvements should the City Council choose to allow deferral of improvements. These items must be submitted in time for staff to review prior to the City Council meeting on Tuesday evening, June 24. **Should the City Council choose to allow deferral, the staff will be recommending that the off-site improvements be completed prior to the issuance of a Certificate of Occupancy for any structure within the plat.**

Staff also 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 Final Plat for Northridge Heights Subdivision 12<sup>th</sup> Addition, based upon staff's findings and conclusions, subject to the following conditions:
  - A. Approval of the resolution approving the Developer's Agreement for Off-Site Improvements relating to Bloomington Road expansion to allow a Letter of Credit to be filed as security for completion of said off-site improvements.
  - B. All off-site improvements shall be completed prior to the issuance of a Certificate of Occupancy for any structure on a lot in Northridge Heights Subdivision 12<sup>th</sup> Addition, as included in the Developer's Agreement for Off-Site Improvements.
2. The City Council can deny approval of the Final Plat for Northridge Heights Subdivision 12<sup>th</sup> Addition based on the finding that the Final Plat submittal does not comply with the conditions of approval of the Revised Preliminary Plat for Northridge Heights 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 Northridge Heights Subdivision 12<sup>th</sup> Addition is consistent with the Preliminary Plat, provided the City Council accepts the Developer's Agreement and includes financial security to guarantee the installation of all required off-site public improvements. **Assuming that prior to the City Council meeting the Developer submits a Developer's Agreement for the off-site public improvements, including a Letter of Credit for the estimated cost of such improvements, and such agreement and financial security are determined to be acceptable by staff, it is the recommendation of the City Manager that the City Council approve Alternative #1.** This will approve the Final Plat for Northridge Heights Subdivision 12<sup>th</sup> Addition, subject to the following conditions:

- A. Approval of the resolution approving the Developer's Agreement for Off-Site Improvements relating to Bloomington Road expansion to allow a Letter of Credit to be filed as security for completion of said off-site improvements.
- B. All off-site improvements shall be completed prior to the issuance of a Certificate of Occupancy for any structure on a lot in Northridge Heights Subdivision 12<sup>th</sup> Addition, as included in the Developer's Agreement for Off-Site Improvements.

## 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

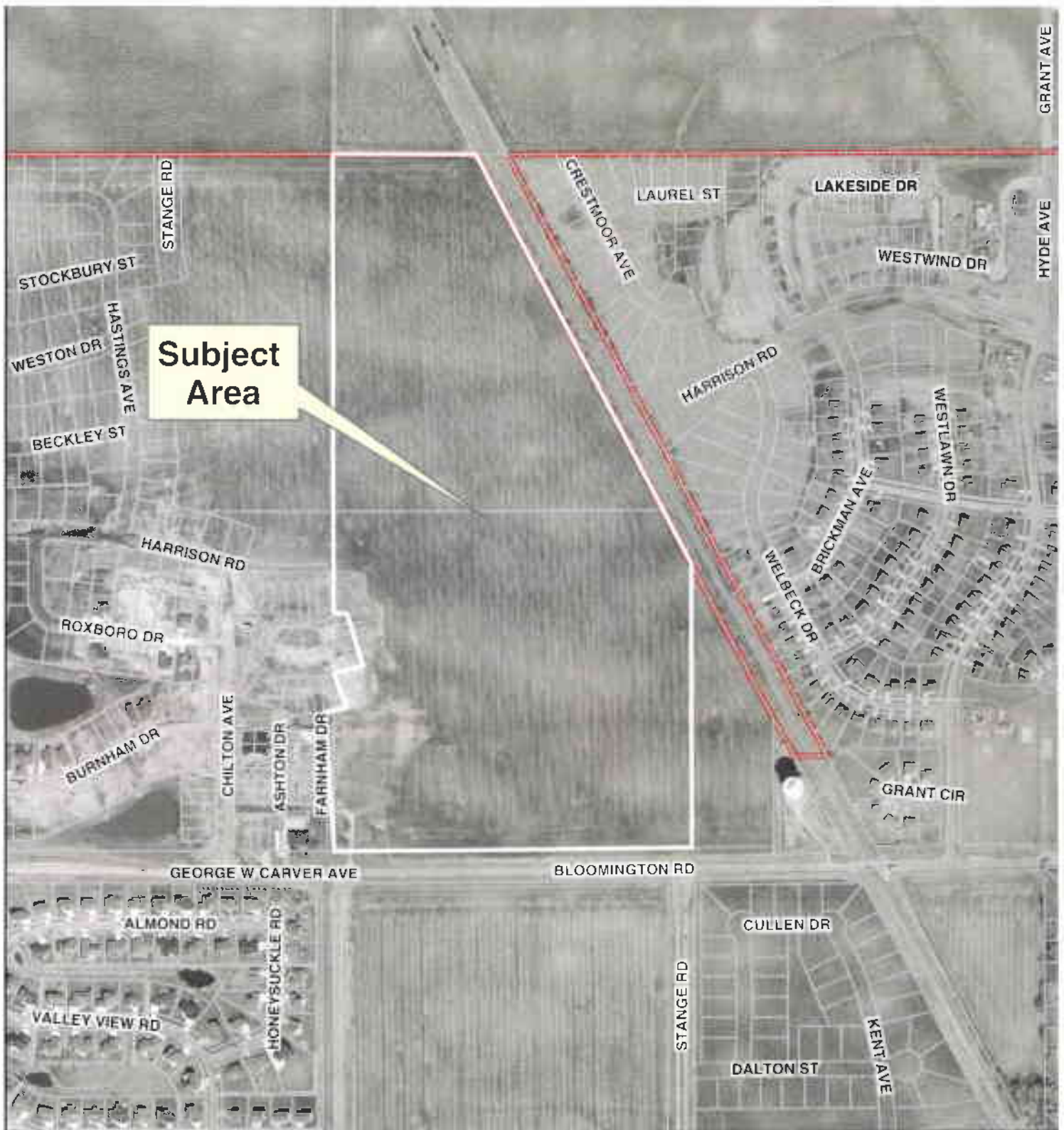
Ames Municipal Code Section 23.302(10)

- (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.*

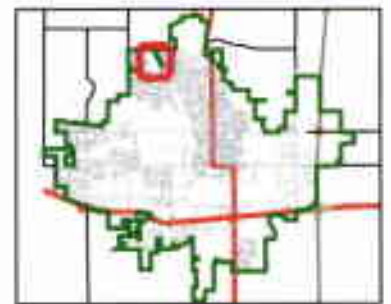






**Location Map  
Northridge Heights 12th Add.  
Final Plat**

0 287.5 575 1,150 Feet



Prepared by: Eugene B. Steyer, H&S Consulting, Credit 223 S. Wallis Avenue Suite B, Ames, IA 50010 Phone: 515-231-1043

# NORTHRIDGE HEIGHTS SUBDIVISION

## TWELFTH ADDITION (AN OFFICIAL REPLAT)



**LEGEND**

|   |   |
|---|---|
| Set 5/97' corner w/lt.                                      | ○ |
| Set 10/01/01' 3' cap w/lt 1153                              | ○ |
| Found 5/87' near blue yellow electric cap #9223 or as noted | ○ |
| Set 1/22' corner w/lt.                                      | ○ |
| Set 10/01/01' 3' cap w/lt 11535                             | ○ |
| Public Utility Columns                                      | ○ |
| Surface Water Flowage Equipment                             | ○ |
| Water Meter Columns   | ○ |
| Water Main Columns  | ○ |
| Sanitary Sewer Columns                                      | ○ |
| Water Main Columns  | ○ |
| Record Station  | ○ |

**DESCRIPTION**

Outlot V and Outlot Z, Northridge Heights Subdivision, 1st Addition are Outlot B, Northridge Heights Subdivision, 1st Addition, City of Ames, Story County, Iowa

- NOTES**
1. Northridge Heights Subdivision, Twelfth Addition (Official Replat), is located in the NE 1/4 of Section 28-54-24 of the 5th R & 10 of Ames, Story County, Iowa.
  2. The North line of the NE 1/4 Section 28-54-24 is shown on the Plat of Survey filed 8/19/2008, Instrument No. 02-12368 in the Office of the Story County Recorder.
  3. Total area of addition = 68.131 acres.
  4. A total of 4.348 acres is to be dedicated to the City of Ames for street purposes.
  5. All borrowings are required in areas within this plat which have been identified by the City of Ames as having soils that cause construction of buildings difficult.
  6. Containing no more.
  7. Coordinates shown at the NE and SE corner of Outlot 'AA' are heights 12 ft above the mean sea level on the State Plane Coordinate System, Iowa North Zone (180 811).
  8. This survey meets or exceeds Iowa Code 205.8 119.

| Lot No. | Area (Acres) | Owner        |
|---------|--------------|--------------|
| 1       | 0.12         | City of Ames |
| 2       | 0.15         | City of Ames |
| 3       | 0.18         | City of Ames |
| 4       | 0.21         | City of Ames |
| 5       | 0.24         | City of Ames |
| 6       | 0.27         | City of Ames |
| 7       | 0.30         | City of Ames |
| 8       | 0.33         | City of Ames |
| 9       | 0.36         | City of Ames |
| 10      | 0.39         | City of Ames |
| 11      | 0.42         | City of Ames |
| 12      | 0.45         | City of Ames |
| 13      | 0.48         | City of Ames |
| 14      | 0.51         | City of Ames |
| 15      | 0.54         | City of Ames |
| 16      | 0.57         | City of Ames |
| 17      | 0.60         | City of Ames |
| 18      | 0.63         | City of Ames |
| 19      | 0.66         | City of Ames |
| 20      | 0.69         | City of Ames |
| 21      | 0.72         | City of Ames |
| 22      | 0.75         | City of Ames |
| 23      | 0.78         | City of Ames |
| 24      | 0.81         | City of Ames |
| 25      | 0.84         | City of Ames |
| 26      | 0.87         | City of Ames |
| 27      | 0.90         | City of Ames |
| 28      | 0.93         | City of Ames |
| 29      | 0.96         | City of Ames |
| 30      | 0.99         | City of Ames |
| 31      | 1.02         | City of Ames |
| 32      | 1.05         | City of Ames |
| 33      | 1.08         | City of Ames |
| 34      | 1.11         | City of Ames |
| 35      | 1.14         | City of Ames |
| 36      | 1.17         | City of Ames |
| 37      | 1.20         | City of Ames |
| 38      | 1.23         | City of Ames |
| 39      | 1.26         | City of Ames |
| 40      | 1.29         | City of Ames |
| 41      | 1.32         | City of Ames |
| 42      | 1.35         | City of Ames |
| 43      | 1.38         | City of Ames |
| 44      | 1.41         | City of Ames |
| 45      | 1.44         | City of Ames |
| 46      | 1.47         | City of Ames |
| 47      | 1.50         | City of Ames |
| 48      | 1.53         | City of Ames |
| 49      | 1.56         | City of Ames |
| 50      | 1.59         | City of Ames |
| 51      | 1.62         | City of Ames |
| 52      | 1.65         | City of Ames |
| 53      | 1.68         | City of Ames |
| 54      | 1.71         | City of Ames |
| 55      | 1.74         | City of Ames |
| 56      | 1.77         | City of Ames |
| 57      | 1.80         | City of Ames |
| 58      | 1.83         | City of Ames |
| 59      | 1.86         | City of Ames |
| 60      | 1.89         | City of Ames |
| 61      | 1.92         | City of Ames |
| 62      | 1.95         | City of Ames |
| 63      | 1.98         | City of Ames |
| 64      | 2.01         | City of Ames |
| 65      | 2.04         | City of Ames |
| 66      | 2.07         | City of Ames |
| 67      | 2.10         | City of Ames |
| 68      | 2.13         | City of Ames |
| 69      | 2.16         | City of Ames |
| 70      | 2.19         | City of Ames |
| 71      | 2.22         | City of Ames |
| 72      | 2.25         | City of Ames |
| 73      | 2.28         | City of Ames |
| 74      | 2.31         | City of Ames |
| 75      | 2.34         | City of Ames |
| 76      | 2.37         | City of Ames |
| 77      | 2.40         | City of Ames |
| 78      | 2.43         | City of Ames |
| 79      | 2.46         | City of Ames |
| 80      | 2.49         | City of Ames |
| 81      | 2.52         | City of Ames |
| 82      | 2.55         | City of Ames |
| 83      | 2.58         | City of Ames |
| 84      | 2.61         | City of Ames |
| 85      | 2.64         | City of Ames |
| 86      | 2.67         | City of Ames |
| 87      | 2.70         | City of Ames |
| 88      | 2.73         | City of Ames |
| 89      | 2.76         | City of Ames |
| 90      | 2.79         | City of Ames |
| 91      | 2.82         | City of Ames |
| 92      | 2.85         | City of Ames |
| 93      | 2.88         | City of Ames |
| 94      | 2.91         | City of Ames |
| 95      | 2.94         | City of Ames |
| 96      | 2.97         | City of Ames |
| 97      | 3.00         | City of Ames |
| 98      | 3.03         | City of Ames |
| 99      | 3.06         | City of Ames |
| 100     | 3.09         | City of Ames |
| 101     | 3.12         | City of Ames |
| 102     | 3.15         | City of Ames |
| 103     | 3.18         | City of Ames |
| 104     | 3.21         | City of Ames |
| 105     | 3.24         | City of Ames |
| 106     | 3.27         | City of Ames |
| 107     | 3.30         | City of Ames |
| 108     | 3.33         | City of Ames |
| 109     | 3.36         | City of Ames |
| 110     | 3.39         | City of Ames |
| 111     | 3.42         | City of Ames |
| 112     | 3.45         | City of Ames |
| 113     | 3.48         | City of Ames |
| 114     | 3.51         | City of Ames |
| 115     | 3.54         | City of Ames |
| 116     | 3.57         | City of Ames |
| 117     | 3.60         | City of Ames |
| 118     | 3.63         | City of Ames |
| 119     | 3.66         | City of Ames |
| 120     | 3.69         | City of Ames |
| 121     | 3.72         | City of Ames |
| 122     | 3.75         | City of Ames |
| 123     | 3.78         | City of Ames |
| 124     | 3.81         | City of Ames |
| 125     | 3.84         | City of Ames |
| 126     | 3.87         | City of Ames |
| 127     | 3.90         | City of Ames |
| 128     | 3.93         | City of Ames |
| 129     | 3.96         | City of Ames |
| 130     | 3.99         | City of Ames |
| 131     | 4.02         | City of Ames |
| 132     | 4.05         | City of Ames |
| 133     | 4.08         | City of Ames |
| 134     | 4.11         | City of Ames |
| 135     | 4.14         | City of Ames |
| 136     | 4.17         | City of Ames |
| 137     | 4.20         | City of Ames |
| 138     | 4.23         | City of Ames |
| 139     | 4.26         | City of Ames |
| 140     | 4.29         | City of Ames |
| 141     | 4.32         | City of Ames |
| 142     | 4.35         | City of Ames |
| 143     | 4.38         | City of Ames |
| 144     | 4.41         | City of Ames |
| 145     | 4.44         | City of Ames |
| 146     | 4.47         | City of Ames |
| 147     | 4.50         | City of Ames |
| 148     | 4.53         | City of Ames |
| 149     | 4.56         | City of Ames |
| 150     | 4.59         | City of Ames |
| 151     | 4.62         | City of Ames |
| 152     | 4.65         | City of Ames |
| 153     | 4.68         | City of Ames |
| 154     | 4.71         | City of Ames |
| 155     | 4.74         | City of Ames |
| 156     | 4.77         | City of Ames |
| 157     | 4.80         | City of Ames |
| 158     | 4.83         | City of Ames |
| 159     | 4.86         | City of Ames |
| 160     | 4.89         | City of Ames |
| 161     | 4.92         | City of Ames |
| 162     | 4.95         | City of Ames |
| 163     | 4.98         | City of Ames |
| 164     | 5.01         | City of Ames |
| 165     | 5.04         | City of Ames |
| 166     | 5.07         | City of Ames |
| 167     | 5.10         | City of Ames |
| 168     | 5.13         | City of Ames |
| 169     | 5.16         | City of Ames |
| 170     | 5.19         | City of Ames |
| 171     | 5.22         | City of Ames |
| 172     | 5.25         | City of Ames |
| 173     | 5.28         | City of Ames |
| 174     | 5.31         | City of Ames |
| 175     | 5.34         | City of Ames |
| 176     | 5.37         | City of Ames |
| 177     | 5.40         | City of Ames |
| 178     | 5.43         | City of Ames |
| 179     | 5.46         | City of Ames |
| 180     | 5.49         | City of Ames |
| 181     | 5.52         | City of Ames |
| 182     | 5.55         | City of Ames |
| 183     | 5.58         | City of Ames |
| 184     | 5.61         | City of Ames |
| 185     | 5.64         | City of Ames |
| 186     | 5.67         | City of Ames |
| 187     | 5.70         | City of Ames |
| 188     | 5.73         | City of Ames |
| 189     | 5.76         | City of Ames |
| 190     | 5.79         | City of Ames |
| 191     | 5.82         | City of Ames |
| 192     | 5.85         | City of Ames |
| 193     | 5.88         | City of Ames |
| 194     | 5.91         | City of Ames |
| 195     | 5.94         | City of Ames |
| 196     | 5.97         | City of Ames |
| 197     | 6.00         | City of Ames |
| 198     | 6.03         | City of Ames |
| 199     | 6.06         | City of Ames |
| 200     | 6.09         | City of Ames |

**CONVEYANCE:**  
 UMG Development Co. LLC  
 C/O Hummer & Associates  
 106 E. 16th Street  
 Ames, IA 50010

**RECORDED BY:**  
 UMG Development Co. LLC  
 C/O Hummer & Associates  
 106 E. 16th Street  
 Ames, IA 50010

NORTH RIDGE HEIGHTS SUBDIVISION  
 TWELFTH ADDITION  
 (AN OFFICIAL REPLAT)  
 AMES, IA

RECEIVED  
 JUN 19 2008  
 CITY OF AMES, IOWA  
 DEPT. OF PLANNING & HOUSING

H&S  
 HUME & ASSOCIATES  
 106 E. 16TH STREET  
 AMES, IA 50010  
 PH: 515-231-1043  
 FAX: 515-231-1044  
 WWW.HUMERANDASSOCIATES.COM