

ITEM # 22
DATE 10/14/08

COUNCIL ACTION FORM

SUBJECT: FINAL PLAT FOR ESTATES WEST SECOND ADDITION

BACKGROUND:

Chuck Winkleblack, representing Hunziker Land Development Co, LLC, and the Quam Limited Partnership, is requesting approval of the Final Plat of Estates West Second Addition. The proposed subdivision contains five lots for residential development and one outlot. The subdivision is 6.36 acres and lies east of North Dakota Avenue, north of Westbrook Drive, and south of Arizona Avenue. See the attached Final Plat drawing.

Submitted Documents

The following documents have been submitted, reviewed, and approved by City staff:

- Resolution Accepting the Final Plat of Estates West Subdivision Second Addition;
- Consent to Plat by the Property Owner;
- Attorney's Title Opinion, which states that fee simple title to the properties known as Parcel B and the Clear Creek lot is held by the Quam Limited Partnership and the property known as the two lots of Estates West is held by Hunziker Land Development Company, LLC and is free from encumbrances.
- Certificate of the Treasurer of Story County, Iowa, certifying that the subject property is free from certified taxes and special assessments;
- Easement Grant to the City of Ames for Public Utilities along the frontages of the 5 lots.
- Easement Grant to the City of Ames for long term drainage maintenance of Clear Creek over portions of Lot 3, Lot 4 and Outlot A;
- Easement Grant to the City of Ames for Sanitary Sewer over a portion of Lot 3 and Outlot A;
- Agreement for Sidewalks and Street Trees to be installed prior to occupation of structures.
- Agreement for Public Improvement completion of Water, Sanitary Sewer, Storm Sewer, Paving, Street Lights and Erosion Control, with a letter of credit on file of \$143,371.00.

The Preliminary Plat for Estates West Subdivision, Second Addition was approved by City Council on July 15, 2008. The resolution approving the Preliminary Plat included the following conditions for approval:

- The developer will construct and dedicate all public improvements within the development to City of Ames Urban Standards, as required, including: dedication of public right-of-way, street paving, curb, gutter, sidewalks, street lights, water main, sanitary sewer main, and storm sewer improvements, prior to approval of the Final Plat, or execute an Improvement Agreement to guarantee the completion of all public improvements and provide security in the form of an Improvement Guarantee, as set forth in Section 23.409 of the Ames Municipal Code.

- Civil drawings of all public improvements shall be submitted to the Public Works Department for review and approval prior to installation and prior to final plat approval.
- The rezoning of lot 20, Clear Creek II, as submitted on June 10, 2008 within the rezoning application, shall be completed before the recording of the plat.
- A note shall be placed on the face of the final plat referencing required compliance with Ames Municipal Code Chapter 9, Floodplain Regulations.

The first condition of approval was based upon Section 23.403(14)(a)(i) pertaining to deferral of sidewalks and the requirement for financial securities to guarantee installation of said improvements. **The financial security on file with the City Clerk's office does not include an allotment specifically for sidewalks or street trees as required by said condition of approval. Section 23.403 (14) allows deferment of sidewalks with financial security when installation is considered premature, but does not specify an option for delayed installation of street trees. However it has been past practice to accept a signed, written agreement from the owner, specifying that occupancy of new structures will not be permitted by the city until the sidewalks and street trees associated with the individual lot are installed. Consistent with this practice, the City Council may wish to waive this condition and allow sidewalks and street trees to be deferred until occupancy of structures on abutting sites. City Staff will be addressing how this issue should be addressed more broadly and bring back recommendations on the application of current codes.**

Staff finds that the Preliminary Plat conditions for approval have been satisfied, with the exception of the requirement for financial security for the sidewalks, and installation of street trees. However, if the Council agrees that these should be deferred based upon occupancy of structures on abutting sites as per past practice, staff finds that this requirement will have been addressed, and that the proposed Final Plat complies with relevant and applicable design standards of Ames Municipal Code Chapter 23, Subdivisions, to other City ordinances and standards and to the City's Land Use Policy Plan.

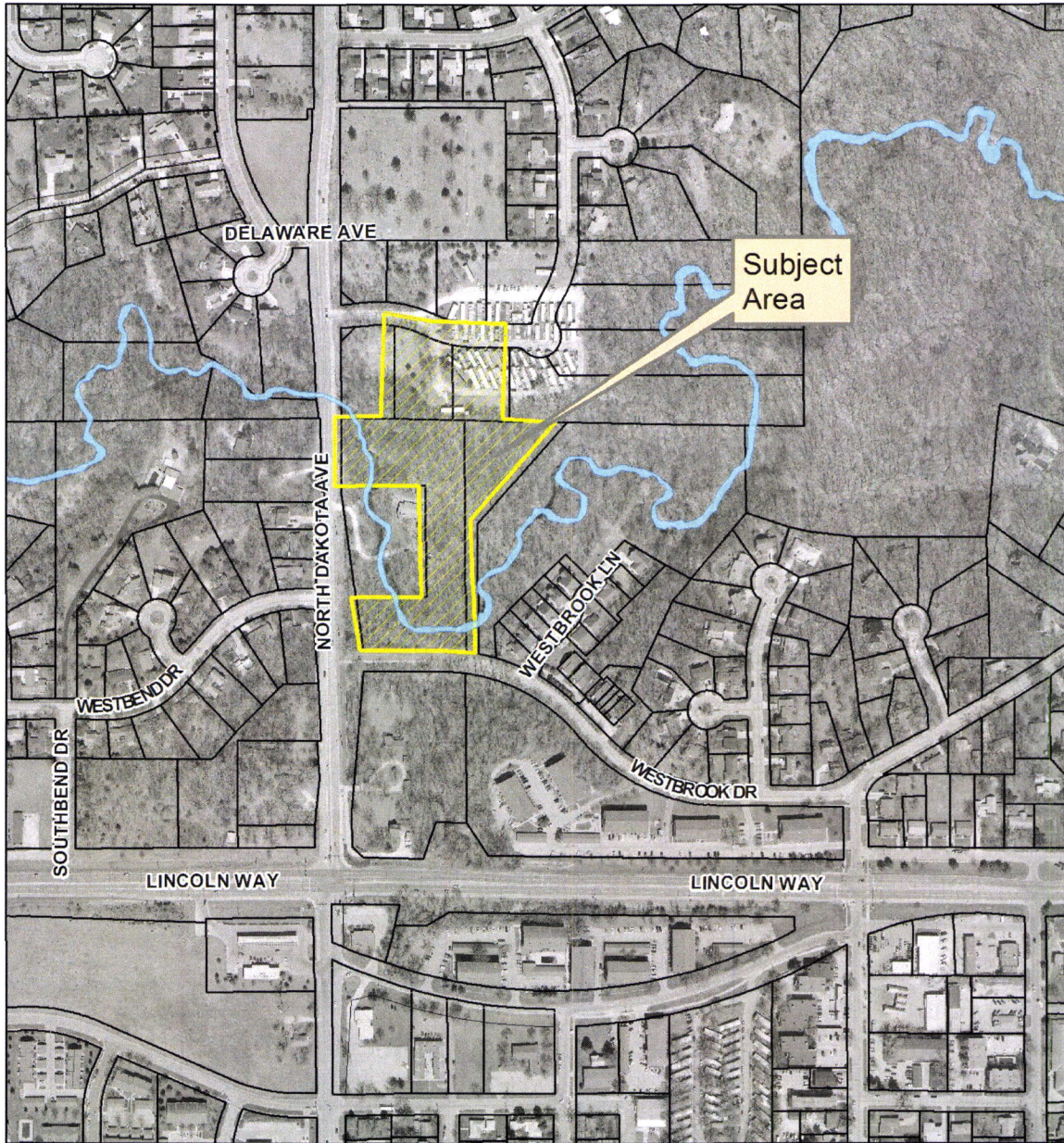
ALTERNATIVES:

1. The City Council can approve the Final Plat of Estates West Second Addition, based upon staff's findings and conclusions. This approval would extend to the Resolution accepting the Final Plat, the Easement Grants to the City, the Agreement for Public Improvements and the Agreement for Sidewalk and Street Trees.
2. If the City Council finds that the conditions of approval for the Final Plat have not been adequately satisfied, the City Council can deny approval of the Final Plat for Estates West Subdivision Second Addition.
3. The City Council can refer this back to staff and/or the owner for additional information.

MANAGER'S RECOMMENDED ACTION:

The proposed Final Plat for Estates West Second Addition is consistent with the requirements of a major subdivision and the stipulations for approval of the Preliminary Plat.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1. Approval of the resolution will allow the Final Plat for Estates West, Second Addition and accompanying documents to be recorded in the office of the County Recorder.

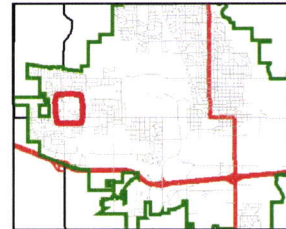


**Proposed
Estates West 2nd Addition**

2003 Aerial Photo



0 187.5 375 750
Feet

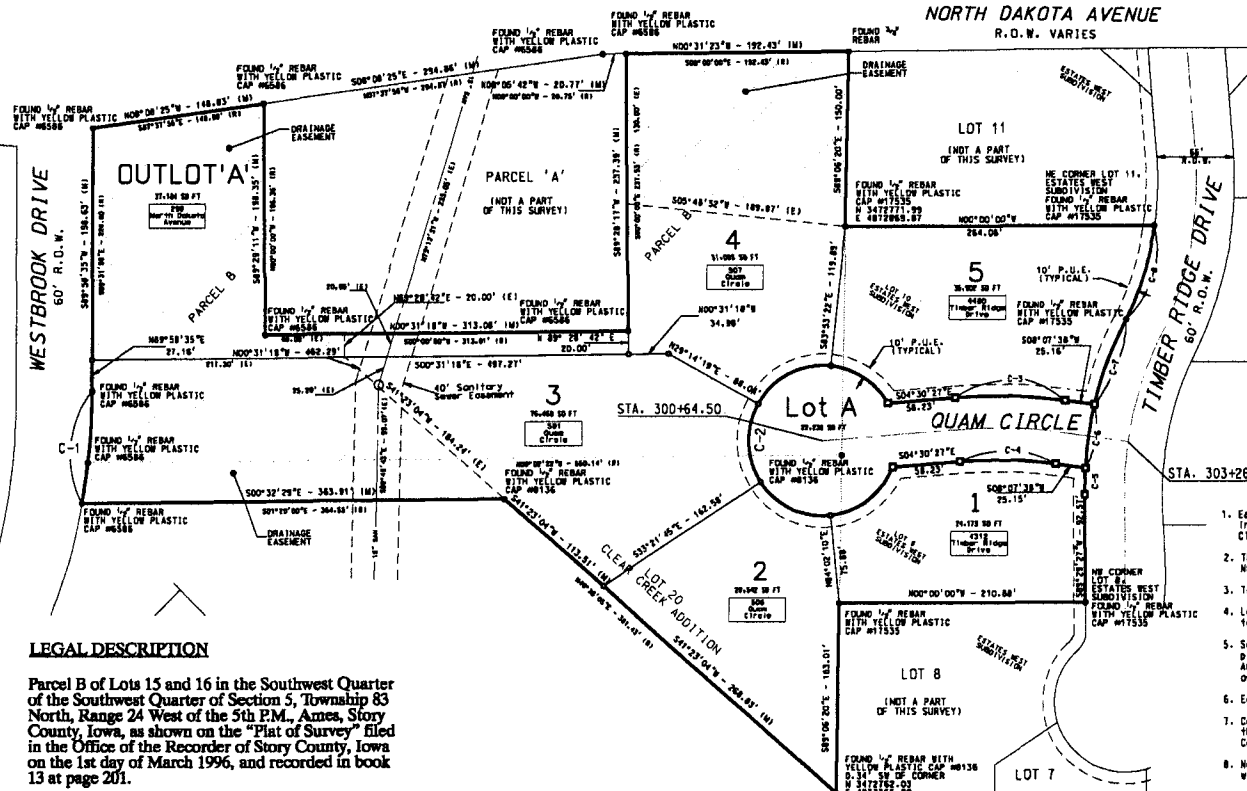


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OCT 09 2008

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

ESTATES WEST SUBDIVISION SECOND ADDITION FINAL PLAT



OWNER LOT 20 CLEAR CREEK ADDITION:
Quam Limited Partnership
105 S. 16th Street
Ames, IA 50010

OWNER PARCEL B:
Quam Limited Partnership
2200 Hamilton Dr. Apt 306
Ames, IA, 50014

OWNER LOTS 9 & 10 ESTATES WEST SUBDIVISION
Hurtzler Land Development Co. LLC
c/o Hurtzler & Associates
105 S. 16th Street
Ames, IA, 50010

APPLICANT:
Hurtzler Land Development Co. LLC
c/o Hurtzler & Associates
105 S. 16th Street
Ames, IA 50010

PREPARED BY:
HMS Consulting Group
225 Walnut Avenue, Ste. D
Ames, IA 50010

LEGEND

- Set 5/8" rebar with yellow plastic cap #17835.....
- Found monument as noted.....
- Set 1/2" rebar with yellow plastic cap #17535.....
- Public Utility Easement.....
- Measured Distance.....
- Recorded Distance.....
- Easement Distance.....

NOTES

1. Estates West Subdivision Second Addition is located in the SW 1/4 of Section 5-83-24 of the 5th P.M., City of Ames, Story County Iowa.
2. The West line of Lot 4 is assumed to bear N00°31'23"W.
3. Total area of Addition - 6.327 acres
4. Lot 'A', containing 0.511 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 at the NE corner of Lot 2 and the SW corner of Lot 5, are on the State Plane Coordinate System, Iowa North Zone (NAD 83).
8. No vehicular access from North Dakota Avenue will be allowed to Outlot A & Lot 4.
9. No vehicular access from Westbrook Drive will be allowed to Lot 3.
10. City of Ames Municipal Code, Chapter 9 (Flood Plain Zoning Regulations) applies to Lots 3 & 4 and Outlot A.
11. Drainage easements shown are easements to the City of Ames for the long term maintenance of Clear Creek, pursuant to City of Ames Municipal Code, Chapter 23, Subdivision Regulations, Storm Water Management, 23.40(15).
12. This survey meets or exceeds Iowa Code 355.8 (15).

LEGAL DESCRIPTION

Parcel B of Lots 15 and 16 in the Southwest Quarter of the Southwest Quarter of Section 5, Township 83 North, Range 24 West of the 5th P.M., Ames, Story County, Iowa, as shown on the "Plat of Survey" filed in the Office of the Recorder of Story County, Iowa on the 1st day of March 1996, and recorded in book 13 at page 201.

AND

Lot 20 (twenty), Clear Creek Addition II to City of Ames, Story County, Iowa as recorded in the Story County Recorder's Office on March 31, 1981 as Instrument #81-05552.

AND

Lot 9 (nine) and Lot 10 (ten), Estates West Subdivision, City of Ames, Story County, Iowa, as recorded in the Story County Recorder's Office on April 25, 2008 on Slide 330, Page 2.

CURVE DATA					
CURVE	SUB-CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING
C-1		529.53	107°27'05"	36.60'	96.46' S85°01'03"E
C-2	LOT 1	64.50	309°31'37"	348.45'	N85°29'33"E
	LOT 2	64.50	63°18'25"	71.27'	S37°37'03"E
C-3	LOT 3	64.50	62°36'05"	70.47'	N25°20'12"E
	LOT 4	64.50	62°36'05"	70.47'	N87°56'17"E
C-4	LOT 4	64.50	66°52'19"	75.28'	S27°19'31"E
	LOT 5	64.50	54°08'44"	60.95'	S33°11'00"W
C-5		427.50'	127°38'05"	94.27'	N01°28'36"E
C-6		372.50'	127°38'04"	82.14'	N01°48'36"E
C-7		333.00'	03°53'58"	22.66'	N81°31'34"W
C-8		333.00'	03°28'27"	25.06'	S81°51'51"W
C-9		333.00'	13°21'35"	77.65'	N70°27'21"W
C-10		267.00'	18°06'29"	84.38'	S72°49'48"E

AMES OFFICE
 225 Walnut Avenue, Ste. D
 Ames, IA 50010
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 FAX (515) 281-1001

HMS
 CONSULTING GROUP
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REVISIONS
 NO. DATE DESCRIPTION

ESTATES WEST SUBDIVISION
 SECOND ADDITION
 AMES, IOWA

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OCT 09 2008

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

ESTATES WEST SUBDIVISION SECOND ADDITION FINAL PLAT

NORTH DAKOTA AVENUE
R.D.W. VARIES

60' R.O.W.

TIMBER RIDGE DRIVE

60' R.O.W.

QUAM CIRCLE

60' R.O.W.

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PREPARED BY:
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223 S. Main Avenue, Ste. D
Ames, IA 50010

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Set 5/8" rebar with yellow plastic cap #17535
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AMES, IOWA

ESTATES WEST SUBDIVISION
SECOND ADDITION

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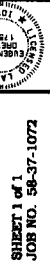
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(515) 223-1100



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SHEET 1 OF 1
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