

COUNCIL ACTION FORM

**SUBJECT: FRIEDRICH'S COMMERCIAL SUBDIVISION, SECOND ADDITION
MINOR FINAL PLAT**

BACKGROUND:

Kurt Friedrich of R. Friedrich & Sons, Inc. is requesting approval of a three-lot commercial/industrial subdivision for Friedrich's Commercial Subdivision, Second Addition. The plat includes 11.56 acres of land and is located at 615, 725, and 729 East Lincoln Way. A request to rezone a portion of the land in this subdivision is being processed concurrently with this application for approval of a Final Plat.

The land proposed for replatting with the Final Plat is located on the north side of East Lincoln Way in an area of the community developed with a combination of commercial and industrial land use. The land at 615 East Lincoln Way (proposed Lot 1) is occupied by a building that includes several commercial tenants. The property at 729 East Lincoln Way (proposed Lot 2) is occupied by United Parcel Services. The property at 725 East Lincoln Way (proposed Lot 3) is occupied by a "building contractor" (Friedrich Construction).

Under the current HOC zoning, the proposed Final Plat would trigger the requirement for public sidewalk along the entire frontage of the property. There is currently a sidewalk along the proposed Lot 1 frontage. However, a concurrent application to rezone proposed Lot 2 to GI (General Industrial) will eliminate the requirement for a sidewalk along that lot's frontage. This issue is more fully addressed in the associated and concurrent Council Action Form for the proposed rezone. The recommendation for the rezone stipulates that the Final Plat not be recorded until a terminus to the existing sidewalk along proposed Lot 1 is either installed or financially secured.

Along with the Final Plat, the following documents have been submitted:

- City Council Resolution to Accept the Final Plat and Easements
- Consent to Subdivision Platting signed by the property owner and the mortgagee
- Attorney's Title Opinion verifying ownership and that there are holders of mortgages on the property
- Certificate of the County Treasurer certifying the property is free of taxes and assessments
- New easements for public utilities
- New easements for access
- Sidewalk Agreement for the construction of approximately 20 feet of sidewalk

City staff has determined that the requirements in Section 23.504 of the *Municipal Code*, Minor Final Plats, and applicable site design standards found in Section 23.401 have been satisfied provided the following stipulations are satisfied:

- A. That the Final Plat of Friedrich's Commercial Subdivision, Second Addition be approved only in conjunction with the approval of the rezoning of properties at 615, 725, and 729 East Lincoln Way, and that the zoning boundaries follow the platted lots lines between Lot 1 and Lot 3, and between Lot 2 and Lot 3, as shown on the Final Plat.
- B. That, prior to recording the Final Plat with Story County, a section of sidewalk (approximately 20 feet in length) be constructed by the property owner at the end of the existing sidewalk, which will be oriented to the north for access to the building at 615 E. Lincoln Way. If the property owner chooses not to construct the sidewalk at this time, financial security in an amount sufficient to cover the cost of installation shall be provided to the City prior to recording the Final Plat.

Staff has also determined that the Final Plat complies with the City's Land Use Policy Plan.

ALTERNATIVES:

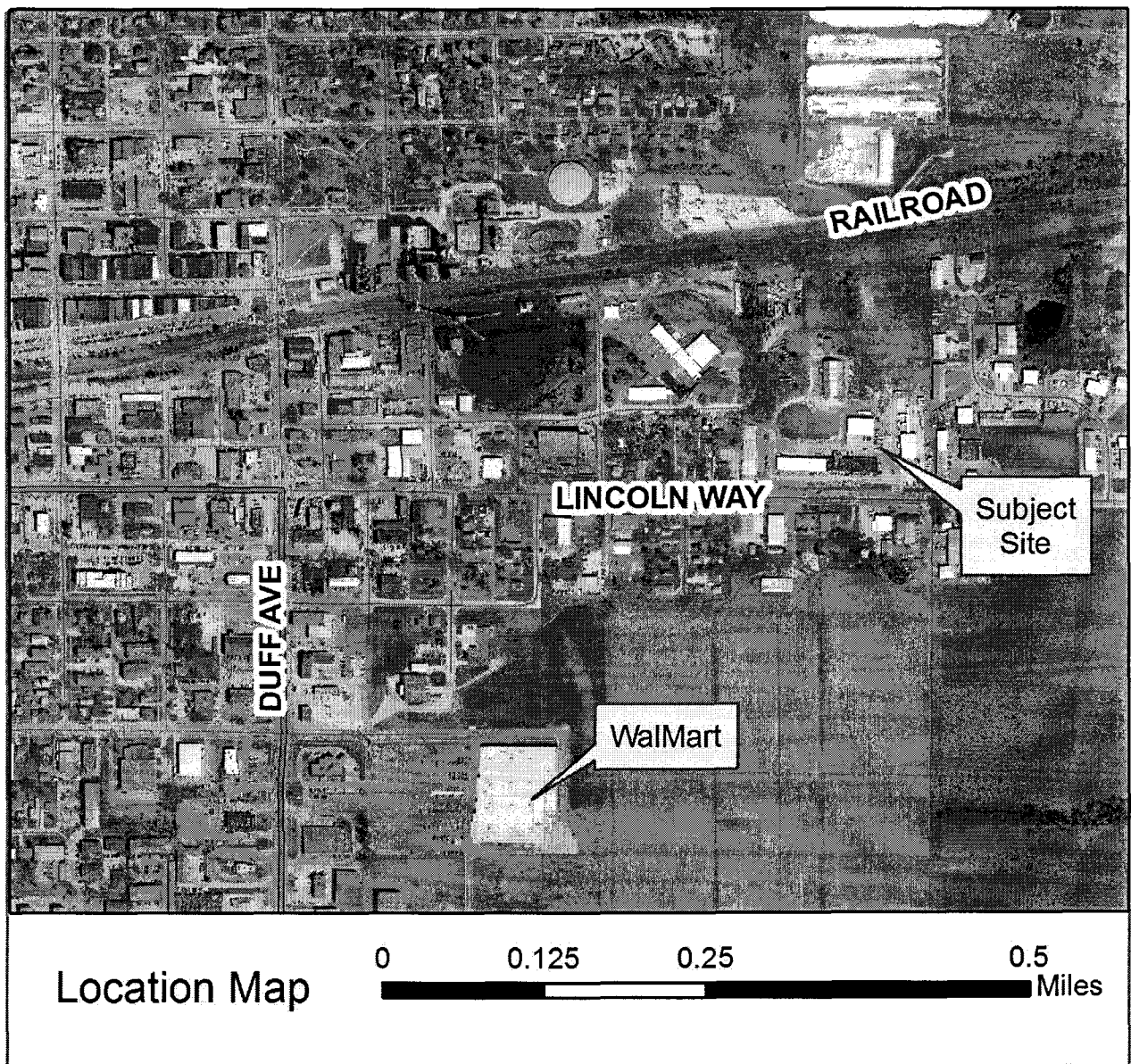
1. The City Council can approve the Final Plat of Friedrich's Commercial Subdivision, Second Addition, based upon the above findings and conclusions, with the two stipulations stated above.
2. If the City Council finds that the conditions of approval for the Final Plat have not been adequately satisfied, the City Council can deny approval of the Final Plat for Friedrich's Commercial 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 Friedrich's Commercial Subdivision, Second Addition is consistent with the requirements of a minor subdivision, given the stipulations for approval recommended above.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 as stated above. Approval of the resolution and compliance with the two stipulations for approval will allow the Final Plat for Friedrich's Commercial Subdivision, Second Addition, and accompanying documents to be recorded in the office of the County Recorder.

In accordance with stipulation #1, this Final Plat should be approved conditioned upon the rezoning ordinance being approved and published.



Final Plat

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