

COUNCIL ACTION FORM

SUBJECT: MAJOR SUBDIVISION FINAL PLAT FOR SUNSET RIDGE SUBDIVISION FOURTH ADDITION

BACKGROUND:

Eugene Dreyer, representing Hunziker Land Development, has requested approval of a major subdivision plat for Sunset Ridge Subdivision Fourth Division. The site is located between Wilder Avenue and Hartford Drive, north of Lincoln Way. It is currently a vacant lot and is the next extension of the development known as Sunset Ridge. This proposal is to subdivide the existing outlot into 28 lots – 22 residential lots, five outlots intended for later development, and one lot to be dedicated for street purposes. The location of the project is shown on Attachment 1. The proposed subdivision plat is shown on Attachment 2. The necessary supporting documents have also been submitted.

Public utility easements are being granted as noted on the plat. In addition, Lot D is proposed to be dedicated as extensions of Wilder Avenue and Hartford Drive, and a new street—Springbrook Drive. The public utilities have been installed and the paving is underway, although not complete.

City staff has confirmed that the requirements in Section 23.503 of the *Municipal Code*, Major Final Plats, and applicable site design standards found in Section 23.401 have been satisfied. Please note that a letter of credit in the amount of \$171,450 has been submitted to satisfy the remaining paving, erosion control, and street lighting. In addition, sidewalks have not been installed although the standard sidewalk installation agreement has been submitted and signed. These documents have been reviewed by the City legal staff and Public Works staff and found to be acceptable.

The final subdivision plat is consistent with the preliminary plat that was approved by the City Council on October 24, 1006. Although there are two fewer lots along Springbrook Drive than shown on the approved preliminary plat, this is considered a minor amendment (as defined by Section 23.306(a) of the subdivision regulations), which allows the City Council to accept the change by approving the final plat.

ALTERNATIVES:

1. The City Council can approve the Final Plat for Sunset Ridge Subdivision Fourth Addition by finding that all requirements of Municipal Code §23.302(10) (b) are met.
2. The City Council can deny the Final Plat for Sunset Ridge Subdivision Fourth Addition if it finds that the development creates a burden on existing public improvements or

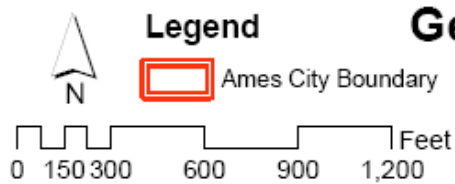
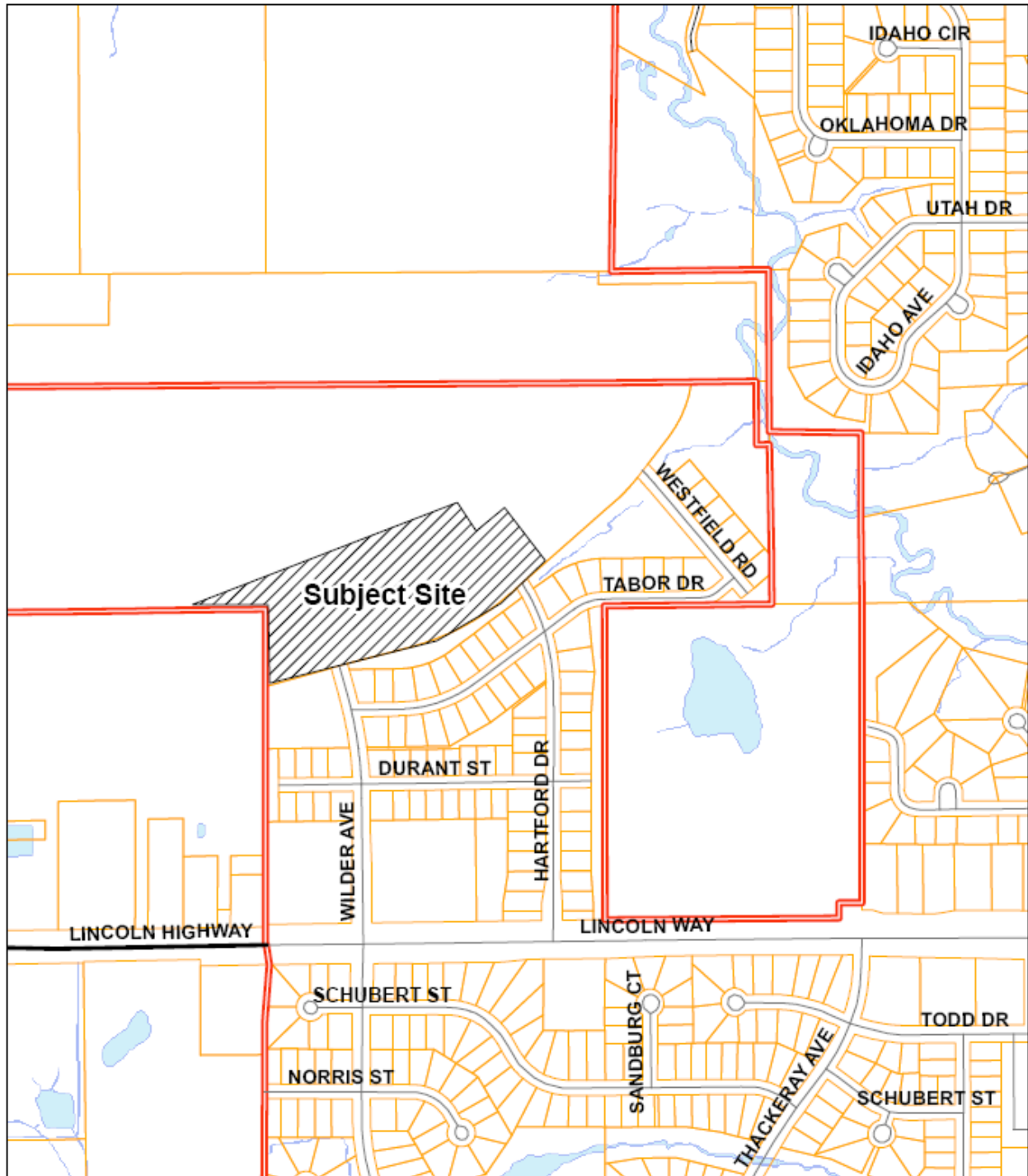
- creates a need for new public improvements that have not yet been installed.
3. The City Council can refer this request back to staff or the applicant for additional information. Final action would need to occur no later than April 26 unless the applicant requested an extension.

MANAGER'S RECOMMENDED ACTION:

City staff has evaluated the proposed final subdivision plat and determined that the proposal is consistent with the Preliminary Plat approved by the City Council and that the plat conforms to the adopted ordinances and policies of the City of Ames as required by Code.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 approving the Final Plat for Sunset Ridge Subdivision Fourth Addition.

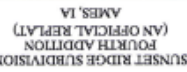
ATTACHMENT 1: GENERAL LOCATION



General Location



SUNSET RIDGE SUBDIVISION
FOURTH ADDITION
(AN OFFICIAL REPLAT)
AMBS, IA



ATTACHMENT 3: APPLICABLE LAW

The laws applicable to this case file are as follows:

Code of Iowa Chapter 354.8 states in part:

A proposed subdivision plat lying within the jurisdiction of a governing body shall be submitted to that governing body for review and approval prior to recording. Governing bodies shall apply reasonable standards and conditions in accordance with applicable statutes and ordinances for the review and approval of subdivisions. The governing body, within sixty days of application for final approval of the subdivision plat, shall determine whether the subdivision conforms to its comprehensive plan and shall give consideration to the possible burden on public improvements and to a balance of interests between the proprietor, future purchasers, and the public interest in the subdivision when reviewing the proposed subdivision and when requiring the installation of public improvements in conjunction with approval of a subdivision. The governing body shall not issue final approval of a subdivision plat unless the subdivision plat conforms to sections 354.6, 354.11, and 355.8.

Ames Municipal Code Section 23.302(10) states as follows:

(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.

(e) 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.