

**COUNCIL ACTION FORM**

**SUBJECT: MARY ADAMS SUBDIVISION MINOR FINAL PLAT**

**BACKGROUND:**

The City of Ames Parks and Recreation Department is proposing the division of land located at 1013 Adams Street into two lots through approval of a Minor Final Plat. This land was bequeathed to the City of Ames by the Mary Adams Estate, and is proposed for designation as a Local Historic Landmark by the Ames Historical Society. The proposed Final Plat includes 4.97 acres of land divided into Lot 1, which includes the existing house on 2.00 acres of land, and Lot 2, including 2.97 acres of vacant land area. (*See attached Location Map*)

It is the plan of the City to sell Lot 1, including the house, for private ownership, and to retain City ownership of Lot 2 for use as parkland to be called the Adams Memorial Greenway.

On October 26, 2010, the City Council approved an ordinance to rezone the Adams Memorial Greenway (proposed Lot 2) from "RL" (Residential Low Density) to S-GA (Government/Airport). The "RL" zoning was retained for proposed Lot 1. (*See attached Existing Zoning Map*) The City Council will consider the third reading of the rezoning to apply the Historical Preservation Overlay (O-H) zone to the entire subdivision at the January 25<sup>th</sup> meeting.

The following documents have been submitted with the Final Plat:

- Resolution Accepting the Plat of Mary Adams Subdivision
- Resolution Consenting to Platting of Mary Adams Subdivision
- Consent to Platting
- Treasurer's Certificate
- Attorney's Title Opinion

The City Council is required to determine compliance with the applicable law found in Attachment A. Analysis of the proposed subdivision plat demonstrates compliance with zoning and subdivision standards.

Based upon the analysis of City staff, the City Council may conclude that the Final Plat conforms to relevant and applicable design and improvement standards of the 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. Action by the City Council will include the consideration of two resolutions: One resolution is consenting to the platting as owner of the land; the other is accepting and approving the plat of Mary Adams Subdivision.

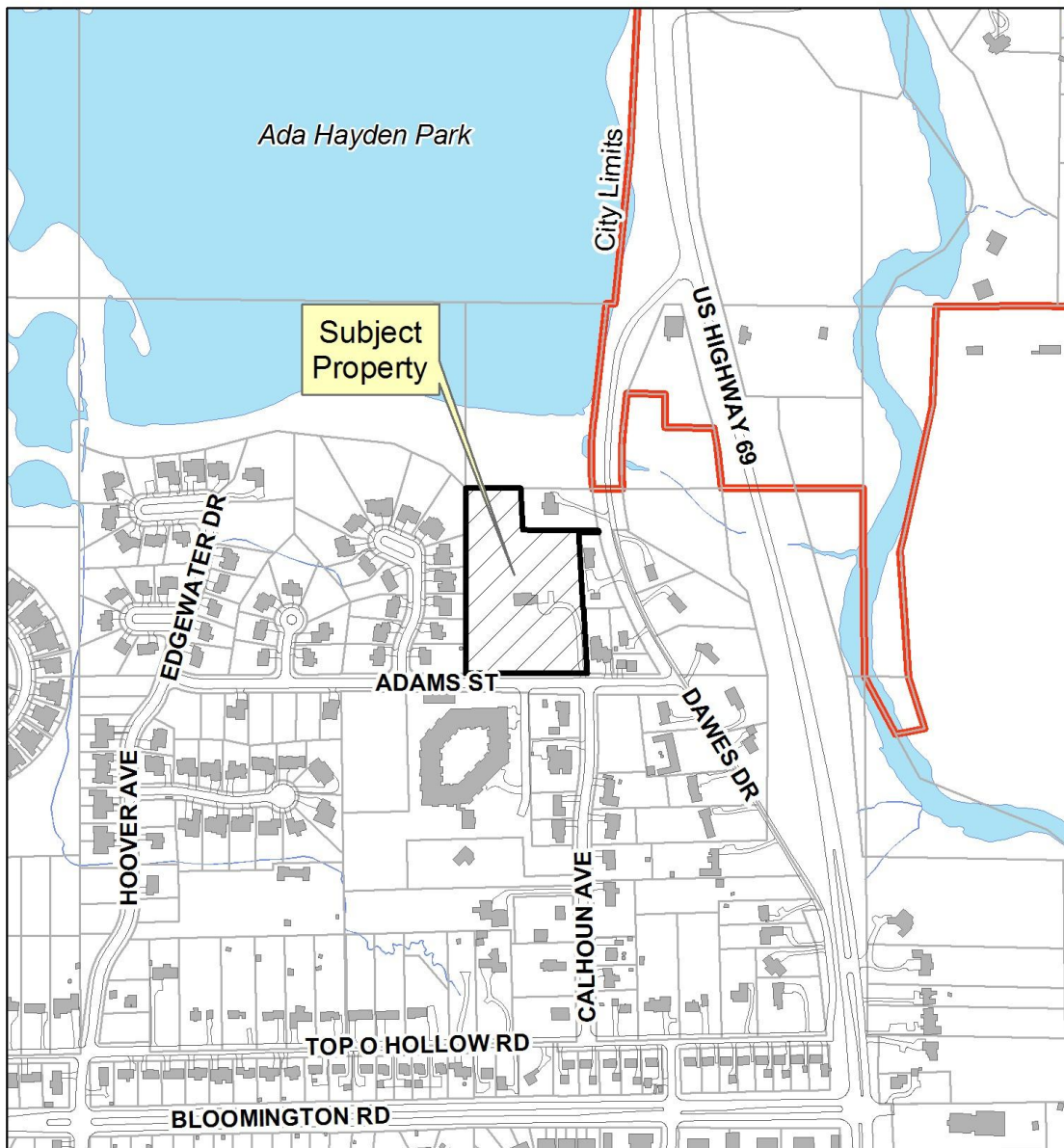
**ALTERNATIVES:**

1. The City Council can consent to the platting, as owner of the property, and approve the Minor Final Plat of Mary Adams Subdivision.
2. The City Council can choose not to consent to the platting, as owner of the property, and deny approval of the Minor Final Plat of Mary Adams Subdivision.
3. The City Council can refer this back to staff for additional information.

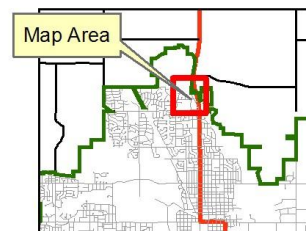
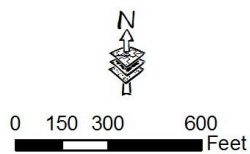
**MANAGER'S RECOMMENDED ACTION:**

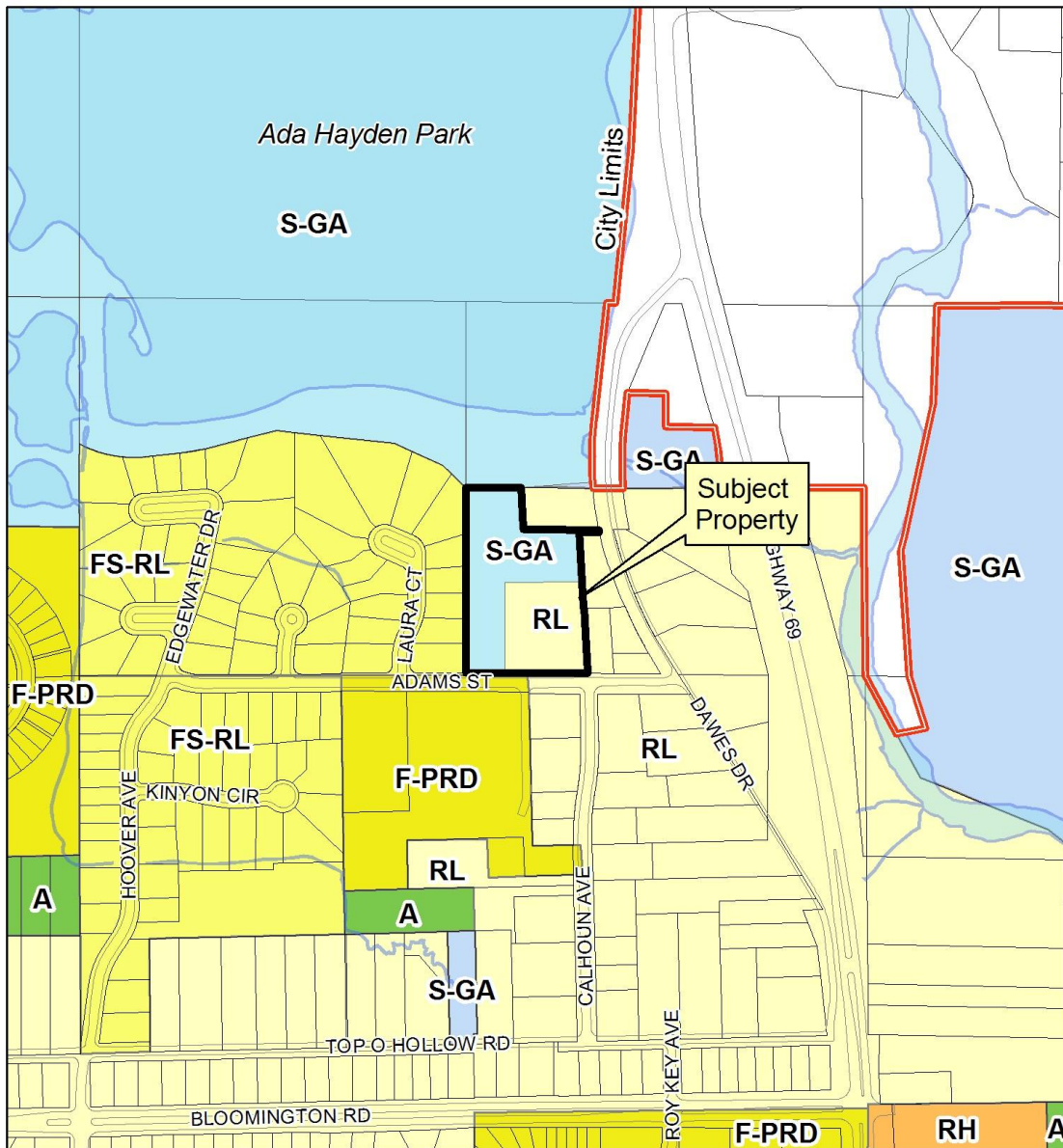
The proposed Minor Final Plat for Mary Adams Subdivision is consistent with the existing zoning, the proposed "O-H" zoning overlay, as well as subdivision and zoning regulations. The proposed plat will allow the City to sell an existing single family home separately from the public parkland, on what is currently one parcel.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, thereby consenting to the platting and approving the resolution that will accept the Final Plat of Mary Adams Subdivision. This will allow the Final Plat for Mary Adams Subdivision and accompanying documents to be recorded in the office of the Story County Recorder.



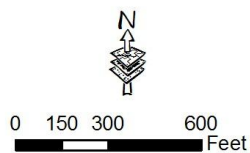
**Location Map**  
**1013 and 1025 Adams Street**





## Existing Zoning 1013 and 1025 Adams Street

### Legend



Map Created by Department of  
Planning & Housing  
December 9, 2010

- Agricultural Zone "A"
- Residential Low Density Zone "RL"
- Residential High Density Zone "RH"
- Government/Airport District "S-GA"
- Suburban Residential Zone Residential Low Density "FS-RL"
- Planned Residence District "F-PRD"

## Attachment A

### 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 23.303(3) states:**

(3) City Council Action on Final Plat for Minor Subdivision:

- (a) “All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with Section 354.8 of the *Iowa Code*, as amended or superseded. 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. If the City Council determines that the proposed subdivision will require the installation or upgrade of any public improvements to provide adequate facilities or services to any lot in the proposed subdivision or to maintain adequate facilities and services to any other lot, parcel or tract, the City Council shall deny the Application for Final Plat approval of a Minor Subdivision and require the Applicant to file a Preliminary Plat for Major Subdivision.”

**Ames *Municipal Code* Section 23.303(4) states:**

- (4) “Effect of City Council Action on Minor Subdivision: Following such examination, and within 60 days of the applicant’s filing of the complete Application for Final Plat approval of a Minor 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 Minor 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.”

# Attachment B

## Final Plat of Mary Adams Subdivision

