

**COUNCIL ACTION FORM**

**SUBJECT: MAJOR FINAL PLAT FOR NORTHRIDGE HEIGHTS SUBDIVISION 15<sup>TH</sup> ADDITION**

**BACKGROUND:**

On June 28, 2011, the City Council approved the most recent revised Preliminary Plat for Northridge Heights Subdivision. The property owner, Uthe Development Company, is now requesting approval of a Final Plat for the Northridge Heights Subdivision 15<sup>th</sup> Addition. The proposed subdivision extends Stange Road to the north and creates eleven lots for single family detached homes east of Stange, seven lots for single family attached homes west of Stange, and Lot 19 to be dedicated to the City for use as a neighborhood park. (See Attachments A & B).

**After reviewing the proposed Final Plat, staff believes it complies with the approved the Preliminary Plat, adopted plans, and all other relevant design and improvement standards required by the Municipal Code.**

The following documents have been submitted with the Final Plat:

- Resolution Accepting the Plat of Northridge Heights, 15th Addition
- Consent to Platting
- Mortgagee's Consent to Platting
- Treasurer's Certificate
- Attorney's Title Opinion
- Agreement for Sidewalk and Street Trees
- Resolution Accepting Public Improvements and Bond
- Agreement for Public Improvements
- Letter of Credit
- Easements (Public utility, surface water flowage, pedestrian walks, shared use paths, temporary fire truck turnaround)
- Request for Waiver of Financial Security

The Final Plat includes public utility, surface water flowage, pedestrian walk, shared use path, and temporary fire truck turnaround easements being granted to the City of Ames. While street lighting, erosion control, and asphalt street surface have not been completed, an agreement and financial security are provided.

There is no financial security on file with the City Clerk's office for sidewalks or street trees. As an alternative to installing sidewalks before lots are platted and homes are constructed, Section 23.403 (14) allows deferment of sidewalks with financial security when installation is considered premature. However, the City's past practice has been to accept a signed, written Agreement for sidewalk and street trees from the owner specifying that, in lieu of financial security, 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 approve the Final Plat with the accompanying Agreement for Sidewalk and street trees, allowing sidewalks and street trees to be deferred until occupancy of structures on abutting sites.

The Preliminary Plat shows an eight-foot wide shared use path and street trees to be installed along Stange Road and Harrison Road adjacent to Lot 19, which will become a City park. No occupancy permits will be required for the City park. The standard Agreement for Sidewalk and Street Trees provides for a two year installation deadline, but requires no financial security for these improvements at this location.

In this case, the City's Parks and Recreation Department and the developer are coordinating the timing of these public improvements with improvements to the park land. Their shared goal is for the City's final grading of the park site to be completed **prior to** construction of the shared use path and installation of the street trees. Depending on the availability of topsoil, the final grading may not be complete until the spring of 2013.

The owner has submitted a memo requesting that the financial security not be required for the path and street trees around Lot 19, stating that the owner has followed the normal procedure for the documents required for sidewalk and street trees and that no financial security has been required for these improvements for any other addition within the subdivision. (See Attachment C).

The alternative is that financial security be provided adequate to cover the cost of the shared use path construction and that an agreement be provided that requires completion of the shared use path along Lot 19 within 90 days of notification by the City that the site is available for this work.

**The installation of a temporary fire truck turnaround which is required as a condition for approval of the final plat has been completed, but the associated "NO Parking" signs have yet to be installed. Rather than delay approval at this time, staff is recommending the final plat be approved with condition that the signs be installed prior to the issuance of any building permits in this addition.**

**Beyond these issues, the proposed subdivision complies with all relevant and applicable design and improvement standards of the Subdivision Regulations, to the City's Land Use Policy Plan, to other adopted City plans, ordinances and standards, and to the City's Zoning Ordinance.**

#### **ALTERNATIVES:**

1. The City Council can:

- a) Waive the subdivision code requirement for financial security for sidewalks in this 15<sup>th</sup> Addition since the Developer has signed the Agreement for Sidewalk and Street Trees requiring the installation of these improvements prior to occupancy or within 24 months of issuance of a building permit; and

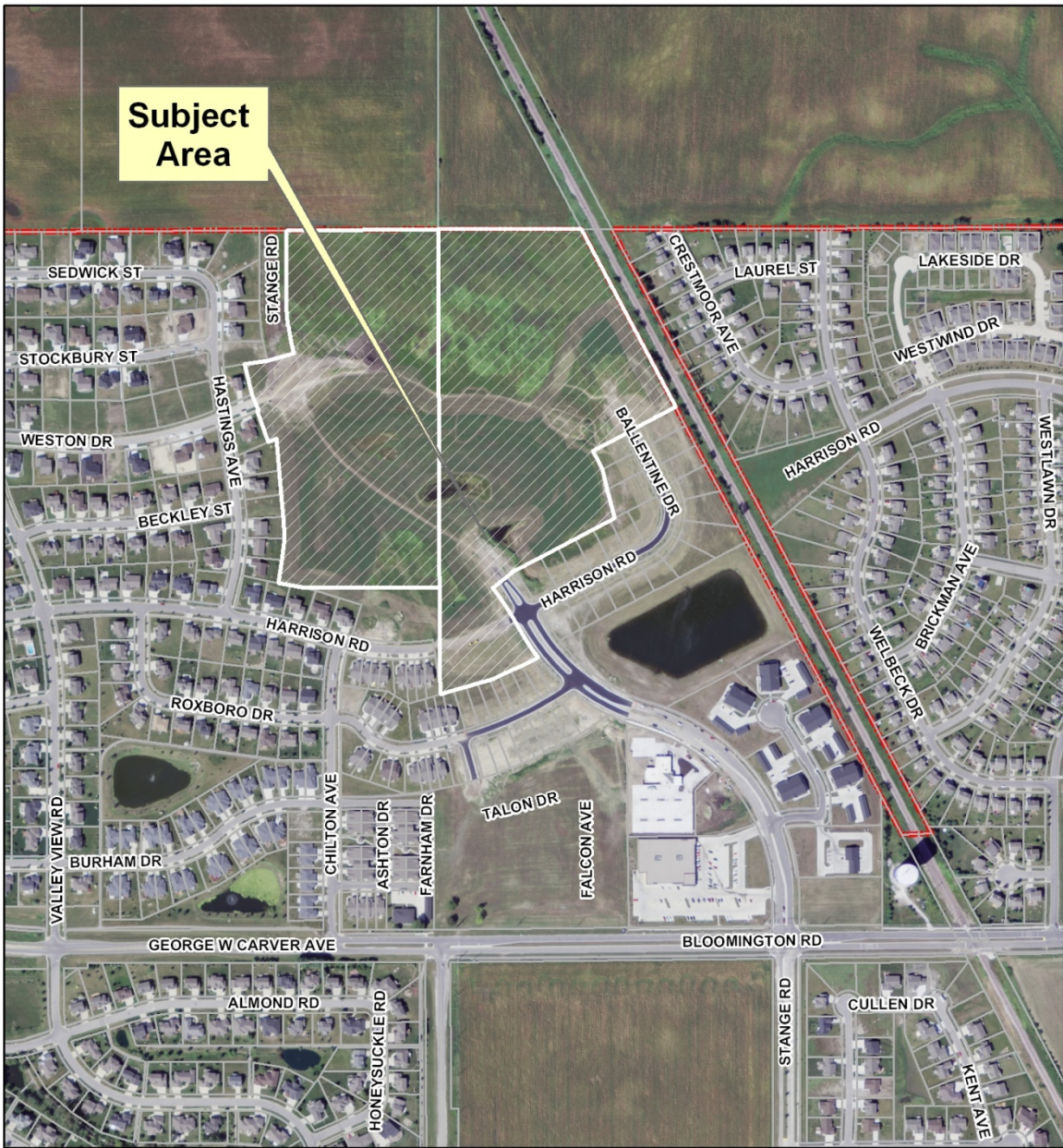
- b) Waive the financial security for the shared use path and street trees adjacent to Lot 19, and
  - c) Approve the Final Plat of Northridge Heights Subdivision, 15<sup>th</sup> Addition, based upon the findings and conclusions stated above; and
  - d) Condition the approval of any building permits in this Addition to the successful installation of the necessary “No Parking” signs adjacent to the fire truck turnaround.
- 2. The City Council can defer action on the Final Plat for Northridge Heights Subdivision 15<sup>th</sup> Addition pending submission of an agreement and financial security for the shared use path adjacent to Lot 19, but not later than July 24, 2012. (The City Code requires a final decision regarding final plat approval be rendered by the City Council within 60 days of the applicant’s application.)
  - 3. The City Council can deny the Final Plat for Northridge Heights 15th 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.

**MANAGER’S RECOMMENDED ACTION:**

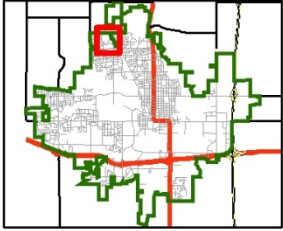
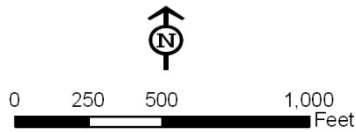
Staff has evaluated the proposed final subdivision plat and determined that the proposal is consistent with the Preliminary Plat approved by the City Council and that the plat conforms to the adopted ordinances and policies of the City of Ames as required by Code. It is the City’s intention that the shared use path and street trees adjacent to a property that is to be dedicated to the City for a park not be completed until after the final grading is completed in the park. Additionally, it is important to the Northridge Heights neighborhood to have pedestrian and bicycle access to the new park as soon as it is available for public use.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as described above.

# Attachment A



**Location Map**  
**Northridge Heights 15th**



**LEGEND**

ADDRESS

FOUND 1/2 REBAR WITH YELLOW PLASTIC CAP #1735S UNLESS OTHERWISE NOTED

SET 1/2 REBAR WITH YELLOW PLASTIC CAP #1735S

SET 5/8 REBAR WITH YELLOW PLASTIC CAP #1735S

PUBLIC UTILITY EASEMENT

SURFACE WATER FLOWAGE EASEMENT

RIGHT-OF-WAY

RECORD DIMENSION

NOTES

1. NORTHBRIDGE HEIGHTS SUBDIVISION, FIFTEENTH ADDITION, IS LOCATED IN THE NORTH HALF OF SECTION 28, T4N, 62W, OF THE 5TH P.M. CITY OF AMES, STORY COUNTY, IOWA.

2. THE NORTH LINE OF THE NW1/4 MEAS 688.78 SQ. FT. AS SHOWN ON THE FINAL PLAT OF NORTHBRIDGE HEIGHTS 10TH ADD.

3. TOTAL AREA OF THE ADDITION IS 45.918 ACRES OR 1,782,300 SQUARE FEET.

4. 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.

5. LOT 19 IS TO BE DEDICATED TO THE CITY OF AMES FOR A PARK.

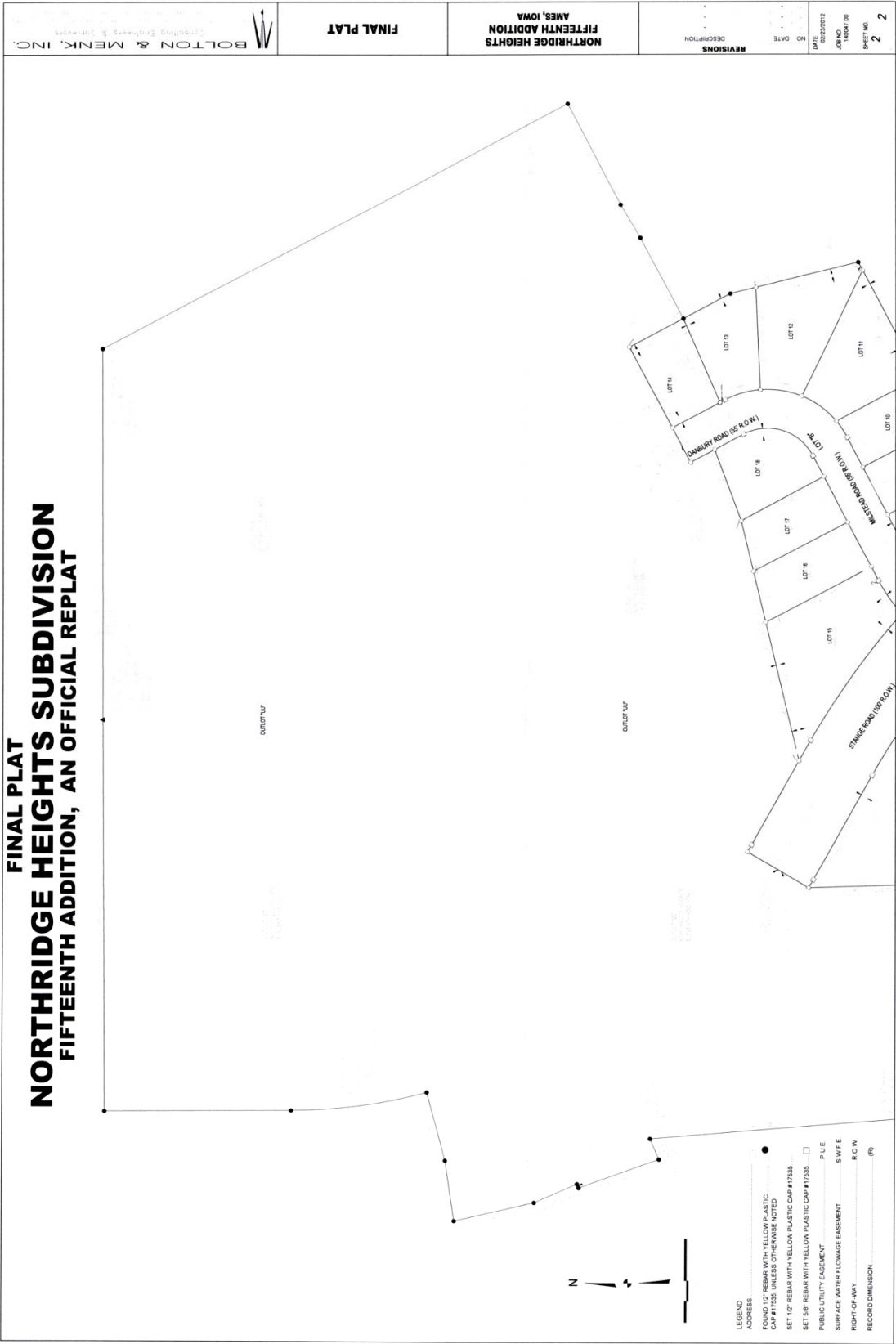
6. THE SURVEY MEETS OR EXCEEDS IOWA CODE 460.101 LOT ARE ON IOWA STATE PLANE COORDINATE SYSTEM, IOWA ZONE NORTH, NAD 83.

7. THIS SURVEY MEETS OR EXCEEDS IOWA CODE 460.101 LOT ARE TO BE DEDICATED TO THE CITY OF AMES FOR STREET PURPOSES.

8. LOT 1A, CONTAINING 20.87 SQ. FT., AND LOT 1B, CONTAINING 83.75 SQ. FT., TO BE DEDICATED TO THE CITY OF AMES FOR STREET PURPOSES.

9. THE PURPOSE OF THE OUTLOTS IS FOR FUTURE PLATTING AS SHOWN ON PRELIMINARY PLAN APPROVED BY CITY COUNCIL, RESOLUTION 11-211, JUNE 21, 2011.

Attachment B



## ATTACHMENT C

Date: June 15, 2012

To: Honorable Mayor and City Council

From: Chuck Winkleblack, manager  
Hunziker Land Development Company, LLC

RE: Financial security for Northridge Heights 15<sup>th</sup> addition

Dear Mayor and Council,

I respectfully request that financial security not be required for the path and street trees around lot 19 (the park) in the 15<sup>th</sup> addition. The parks and rec department does not want the path installed at this time because it would get damaged through the park construction. We have not previously been asked to provide financial security for sidewalks and street trees for any other addition within the subdivision.

Prior to submitting the required documents for the final plat I asked the city staff what items I needed to provide a letter of credit for. We agreed on the amounts to be secured, I then had our attorney prepare the needed documents, secured and paid for a letter of credit for the agreed upon amounts. That is the normal procedure; my understanding is that since this is the city park the staff feels the need to require additional security.

Thank you in advance for your consideration.

Chuck Winkleblack