

**COUNCIL ACTION FORM**

**SUBJECT:**      **FOUNTAINVIEW SUBDIVISION, SECOND AND THIRD ADDITIONS  
MINOR SUBDIVISION FINAL PLAT**

**BACKGROUND:**

Dickson Jensen of The Ridge at Fountainview, LLC is requesting approval of two final plats dividing existing parcels in the Fountainview Subdivision. The Final Plat for the Second Addition divides Parcel B into two lots. The Final Plat for the Third Addition divides Parcel C into three lots. Attachment 1 shows the subject site in its current configuration. The total area of both subdivisions is 9.8 acres. A copy of the plat is included as Attachment 2.

All of the property is zoned Residential High Density (RH). Site plans have been submitted for eight apartment buildings with a total of 204 units. The site is located in a larger area with similar zoning and uses and represents the only remaining undeveloped properties. A platted open space of 2.5 acres is east of these properties.

Full utilities exist to serve this site, so no public improvements are needed. These two plats provide an easement across the front of these lots for private utility service connections from the existing public utilities to the apartment buildings. The plats also provide storm water flowage easements to accommodate surface flow in swales to collection points, in addition to the existing storm water flowage easement on the west end of the property. Stormwater throughout the Fountainview Subdivision is collected and conveyed to a central detention area, a pond which is an amenity in the neighborhood.

The sidewalk and street trees along the south side of Maricopa that were approved with the Preliminary Plat will be completed with development of each lot in these Plats. The Agreement specifically ties completion of the sidewalk along existing Outlot E to the development of Lot 1 of the Second Addition. The proposed Final Plats comply with the approved Preliminary Plat and all conditions of approval of the Preliminary Plat have been met previously.

The City Council is asked to determine compliance with the applicable law found in Attachment 3. 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 both Final Plats conform 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.**

**ALTERNATIVES:**

**The City Council must act separately on each Final Plat.**

1. The City Council can approve the Final Plat for Fountainview Second Addition and approve the Final Plat for Fountainview Third Addition.
2. The City Council can deny the Final Plat for Fountainview Second Addition and deny the Final Plat for Fountainview Third Addition..
3. The City Council can refer this request back to staff or the applicant for additional information to be returned not later than the City Council meeting of September 25, 2012.

**MANAGER'S RECOMMENDED ACTION:**

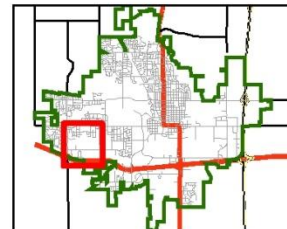
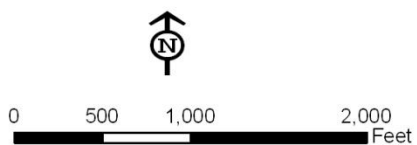
The proposed Minor Final Plats for Fountainview Second and Third Additions are consistent with the existing zoning, as well as the subdivision and zoning regulations. The proposed plats would allow the completion of the development of the Fountainview area according to the City Council's land use policies.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the Final Plat for Fountainview Second Addition and approving the Final Plat for Fountainview Third Addition.

## ATTACHMENT 1: GENERAL LOCATION



### Location Map Fountainview 2nd & 3rd Additions

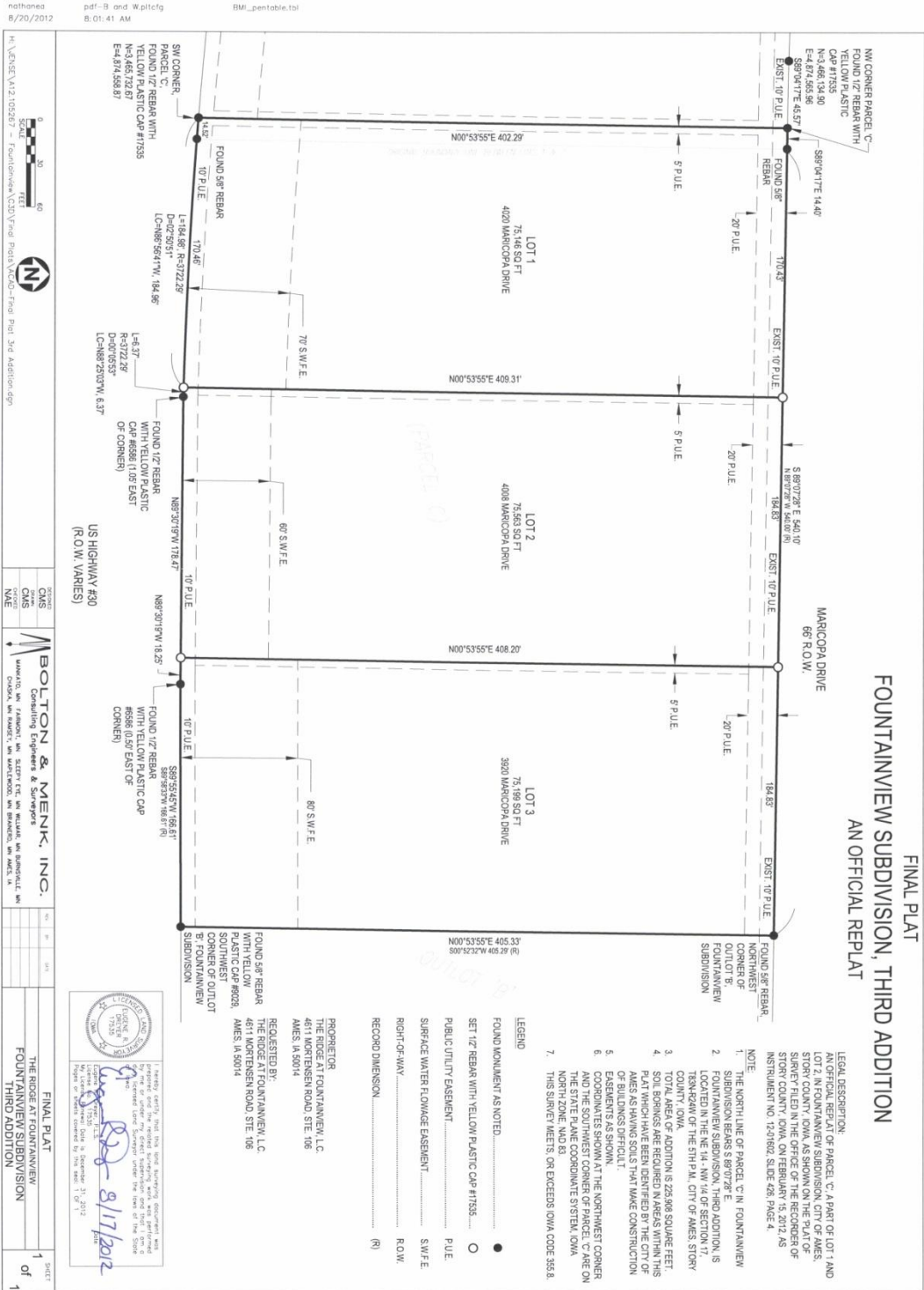




## 4



# ATTACHMENT 2: FINAL PLAT



### **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 23.303(3) states as follows:

(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 and 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.