

**COUNCIL ACTION FORM**

**SUBJECT: MAJOR FINAL PLAT FOR CRANE FARM SUBDIVISION FIRST ADDITION**

**BACKGROUND:**

The City's subdivision regulations are included in Chapter 23 of the Ames Municipal Code. This "Subdivision Code" includes the process for creating or modifying property boundaries, and specifies whether any improvements are required in conjunction with the platting of property. The creation of new lots is classified as either a major or minor subdivision, with a major subdivision requiring a two step platting process to finalize the creation of new lots. The "Preliminary Plat" is first approved by the City Council, and identifies the layout of the subdivision and any necessary or required public improvements. Once the applicant has completed the necessary requirements, including provision of required public improvements or provision of financial security for their completion, an application for a "Final Plat" may then be made for City Council approval. After City Council approval of the Final Plat, it must then be recorded with the County Recorder to become an officially recognized subdivision plat.

Pinnacle Properties LLC, representing the owners of 896 South 500<sup>th</sup> Avenue is requesting approval of a major final plat for Crane Farm Subdivision. The Crane Farm Subdivision lies north of Highway 30 on the east side of South 500<sup>th</sup> Avenue as shown on Attachment A – *Location Map*.

The final Plat includes Lot 1 for development of apartment dwellings and three additional outlots for future development and open space. The lot being created for apartment dwellings is located along the south side of Mortensen Road and will have access via Mortensen Road once constructed. The proposed lot 1 totals 8.825 acres in size.

Three outlots in the proposed subdivision total 38.28 acres. Outlots A will be open space. Outlot Y will be for future development. Outlot Z will be for future development as well as open space that will contain a yet to be constructed bus turnaround in the northwest corner of the outlot. All lots meet minimum size requirements and frontage requirements for the FS-RL and FS-RM zoning district.

Public improvements, including streets, sidewalks, sanitary sewer, water, storm sewer system, street lights, trails, sub-drains and seeding for storm water detention basins are required as part of this major subdivision. New sewer and water connections are installed or available adjacent to the proposed Lot 1.

Public Works Department has reviewed a submitted Storm Water Management Plan for this subdivision and has determined that the development will comply with all applicable stormwater requirements.

### **DEVELOPMENT AGREEMENT:**

At the time of the preliminary plat approval, the developer indicated a desire to enter into a Development Agreement to coordinate the City's sharing of costs for over-sizing of Mortenson Road and the responsibility of the developer for improvements. A Development Agreement has been proposed for City Council approval between the City and the developer. If City Council enters into the accompanying development agreement, it alters the applicant's improvement requires that were conditions of the preliminary plat approval. Out of consideration for over-sizing the construction of Mortenson Road as a minor arterial street, the developer will have no obligations for off-site or frontage improvements and must only complete improvements on site. The agreement explains the timeline for construction of the Mortensen Road extension, provision of easements, and the construction of a bus to fulfill the conditions of the preliminary plat approval.

### **ALTERNATIVES:**

1. The City Council can approve the Final Plat of Crane Farm Subdivision First Addition based upon the staff's findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans with a Development Agreement included.

*City Council can accept this alternative if it has approved the development agreement in the previous agenda item. **If the development agreement is not approved, the conditions of the preliminary plat and financial security requirements for the first addition are not adequate.***

2. The City Council can refer this request back to staff or the applicant for additional information.

*If City Council does not approve the development agreement, City Council can defer action on the final plat to allow the applicant to update the plat documents and provide appropriate financial security for required improvements.*

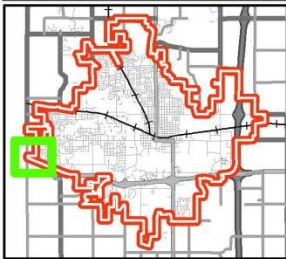
3. The City Council can deny the Final Plat for Crane Farm Subdivision First Addition, if it finds that the development creates a burden on existing public improvements or creates a need for new public improvements that have not yet been installed.

### **MANAGER'S RECOMMENDATION:**

City staff has evaluated the proposed final subdivision plat and determined that the proposal is consistent with the master plan and preliminary plat and that the plat conforms to the adopted ordinances and policies of the City as required by Chapter 23 of the Municipal Code. The proposed development agreement modified the conditions of the original preliminary plat and replaces them with divided responsibilities for improvements, primarily recognizing the City benefit of over-sizing of Mortenson Road within the incentivized areas of the Southwest I Allowable Growth Area.

**Therefore, assuming the City Council has approved the development agreement reflected in the previous agenda item, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the final plat for Crane Farm Subdivision.**

## Attachment A- Location map



**Location Map**  
**896 S. 500th Avenue**





## Applicable Laws and Policies Pertaining to Final Plat Approval

Adopted laws and policies applicable to this case file include, but are not limited to, the following:

*Ames Municipal Code Section 23.302*

(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.

*(Ord. No. 3524, 5-25-99)*