

COUNCIL ACTION FORM

SUBJECT: VILLAGE PARK SUBDIVISION MAJOR FINAL PLAT

BACKGROUND:

The Hunziker Development Company, LLC has submitted a Final Plat for Village Park Subdivision. The proposed Village Park Subdivision is located west of the Iowa State University Research Park and south of the Wessex apartment development along the extension of Cottonwood Road. (See *Attachment A: Location Map*) The developer is seeking final plat approval to develop the site with medium-density apartments along the west and north boundaries of the site and high-density apartments in the central, and south central portions of the site.

The proposed Final Plat (see *Attachment C: Final Plat of Village Park Subdivision*) includes five existing parcels of land and creates a total of twelve buildable lots, four outlots, and two lots for new public streets, on approximately 20 acres of land located at 3535 S. 530th Avenue (to be renamed as University Boulevard). Cottonwood Road and Aurora Avenue will temporarily terminate in a dead end.

No permanent access is planned to the existing Wessex apartment development to the north, although the final plat does include providing for an emergency vehicle access route through Wessex to benefit the development of this site. This access will remain until such time as Cottonwood Road connects through the land west of this subdivision to the existing terminus of Cottonwood Road in Sunset Subdivision. A 25-foot wide emergency access easement document has been provided as an attachment with the Final Plat, and is shown on the plat centered on the property line between Lots 2 and 3, from Cottonwood Road to the north boundary of the proposed subdivision. **It will be necessary for the developer to obtain an emergency access easement through the Wessex development to University Boulevard prior to the approval of site plans for the Village Park development.**

Site plans for the portion of the site zoned as “FS-RM” (Suburban Residential Medium Density) will require approval of a Major Site Development Plan by the City Council. The RH (Residential High Density) portion of the Village Park development will require staff approval of a Minor Site Development Plan. (See *Attachment B: Zoning Map*)

The applicant has provided an agreement for the installation of street trees and sidewalks. The agreement requires the financial security for the sidewalks, which must be installed the earlier of three years or prior to issuance of a Certificate of Occupancy for a house on the lot. The street trees are deferred until occupancy with no financial security required.

The City Council’s approval of the Preliminary Plat included two conditions. The first was **“that a waiver be granted for the 750-vehicle limit for one point of access, as**

required by Section 23.403(9)(c) of the Municipal Code.” The second condition was **“that the Final Plat of the first phase of Village Park Subdivision include construction of, or financial security for, the installation of the shared-use path located within Outlot D (located generally west of the planned storm water detention facility) prior to approval of the initial Final Plat.”** The Developer has provided a Letter of Credit in the amount of \$461,874.85 for the completion of the improvements including sidewalks and the shared use path. The conditions described at the time of the preliminary plat for the waiver of the two points of access requirement are still the same and are consistent with the Council’s approval of the waiver with the Preliminary Plat.

After reviewing the proposed Final Plat of Village Park Subdivision, staff finds that it complies with the approved Master Plan, Preliminary Plat, adopted plans, Development Agreement, and all other relevant design and improvement standards required by the *Municipal Code*.

ALTERNATIVES:

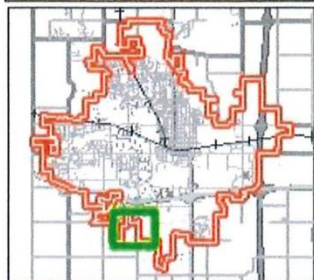
1. The City Council can approve the Final Plat of Village Park Subdivision, based upon findings that the final plat conforms to relevant and applicable design standards, other City ordinances and standards, to the City’s Land Use Policy Plan, and to the City’s other duly adopted plans.
2. The City Council can deny the Final Plat of Village Park Subdivision if it finds that it does not comply with the applicable ordinances, standards or plans.
3. The City Council can refer this request back to staff or the applicant for additional information. (The *Municipal Code* requires a final decision regarding Final Plat approval be rendered by the City Council within 60 days of the complete application for Final Plat approval of a Major Subdivision. City Council must approve, approve subject to conditions, or disapprove the Application for Final Plat Approval of a Major Subdivision no later than October 17, 2016, to meet the 60 day deadline.)

MANAGER’S RECOMMENDED ACTION:

City staff has evaluated the proposed Final Plat of Village Park Subdivision and determined that the proposal is consistent with the Preliminary Plat, conditions attached to the Preliminary Plat, and adopted ordinances and policies of the City as required by the *Municipal Code*.

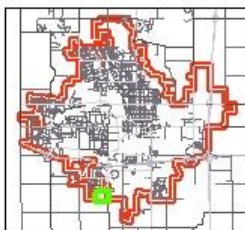
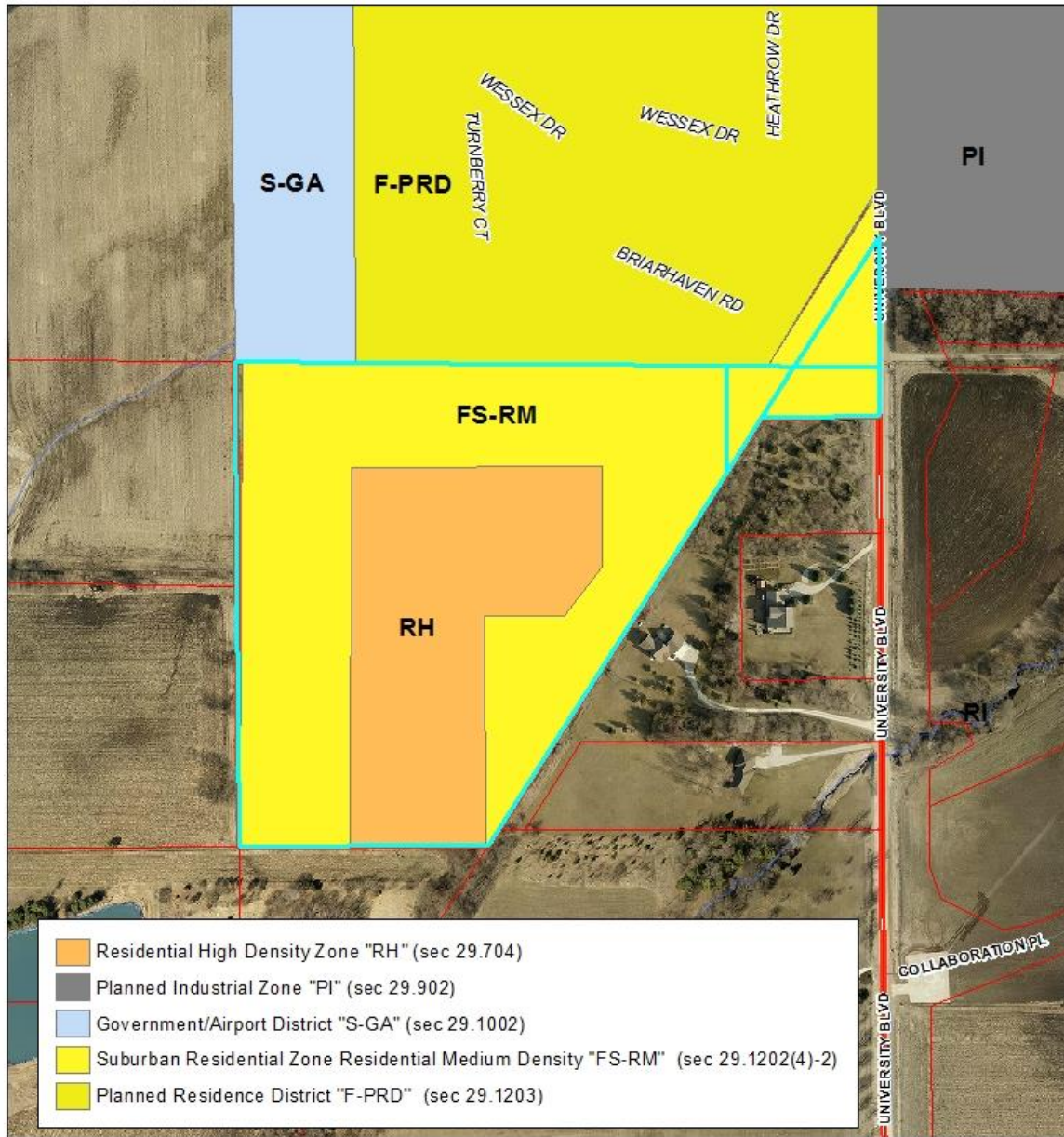
Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as described above.

Attachment A – Location Map

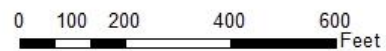


Location Map
3535 S. 530th Avenue

Attachment B – Zoning Map



Zoning Map 3535 S. 530th 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:

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) 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)