

**COUNCIL ACTION FORM**

**SUBJECT: MAJOR FINAL PLAT FOR BIRCH MEADOWS 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.

**D&R Furman LLC, is requesting approval of a major final plat for Birch Meadows Subdivision 1st Addition.** The Birch Meadows Subdivision lies north of Ontario Street and south of the Union Pacific Rail line as shown on Attachment A – *Location Map*. A preliminary plat for the Birch Meadows Subdivision was approved in October of 2016. The approved preliminary plat calls for 74 single-family detached lots and four outlots for open space and storm water detention. The approval also requires the extension of Ontario Street frontage improvements and utilities with the development of the site. City Council authorized that the developer can provide cash in escrow for the water line extension to the east prior to final plat approval. The cash in escrow condition has not been triggered by this 1<sup>st</sup> Addition.

The Final Plat for Birch Meadows Subdivision 1st Addition includes Lots 1-15 for development of single-family detached homes and three additional outlots for stormwater detention as well as future development and open space. The lots being created for single-family homes are located along both sides of Oregon Avenue, a new street, and both sides of Tennessee and Maryland Streets which are extensions of existing streets to the east in the Brookview Place West Subdivision.

Three outlots in the proposed subdivision total 28.20 acres. Outlot A and B will be permanent open space and stormwater detention. Outlot ZZ will be for future development, including required open space. A sidewalk will be installed from Ontario Street north through Outlot B and adjacent to Lots 7 and 8 as part of pedestrian facilities to serve the future development of the subdivision.

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 lots. A public improvement agreement in the amount of \$138,906 for the unfinished improvements has been submitted with a letter of credit. The developer has also signed a sidewalk and street tree deferral agreement for the installation of sidewalks.

The 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.

### **ALTERNATIVES:**

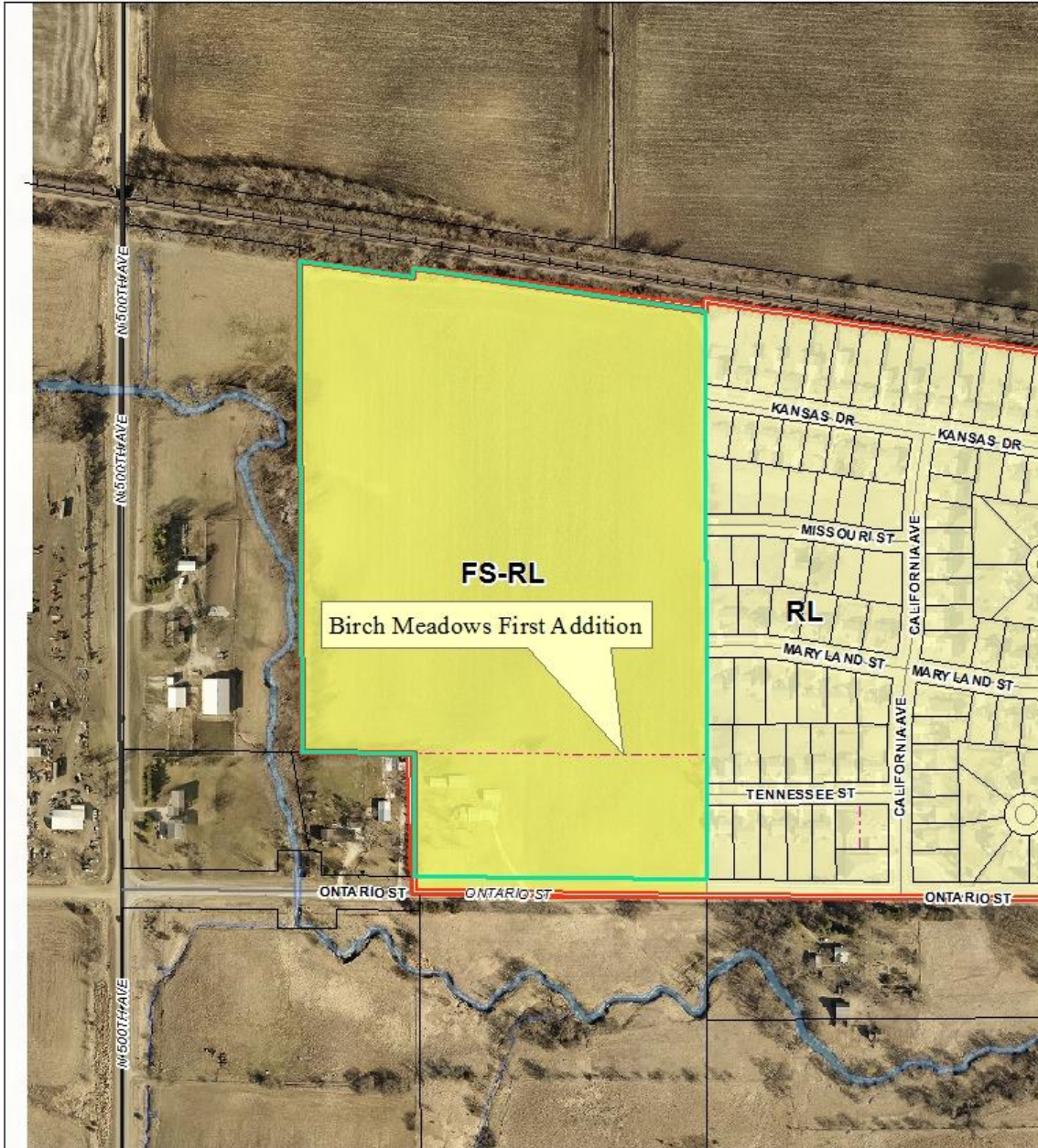
1. The City Council can approve the Final Plat of Birch Meadows Subdivision First Addition based upon the staff's findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, plans and previously approved Development Agreement.
2. The City Council can deny the Final Plat for Birch Meadows 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.
3. The City Council can refer this request back to staff or the applicant for additional information.

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

City staff has evaluated the proposed final subdivision plat and determined that the proposal is consistent with the 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 single family home lots and associated outlots reflect the approved preliminary plat and conform to the approved master plan under FS-RL zoning regulations.

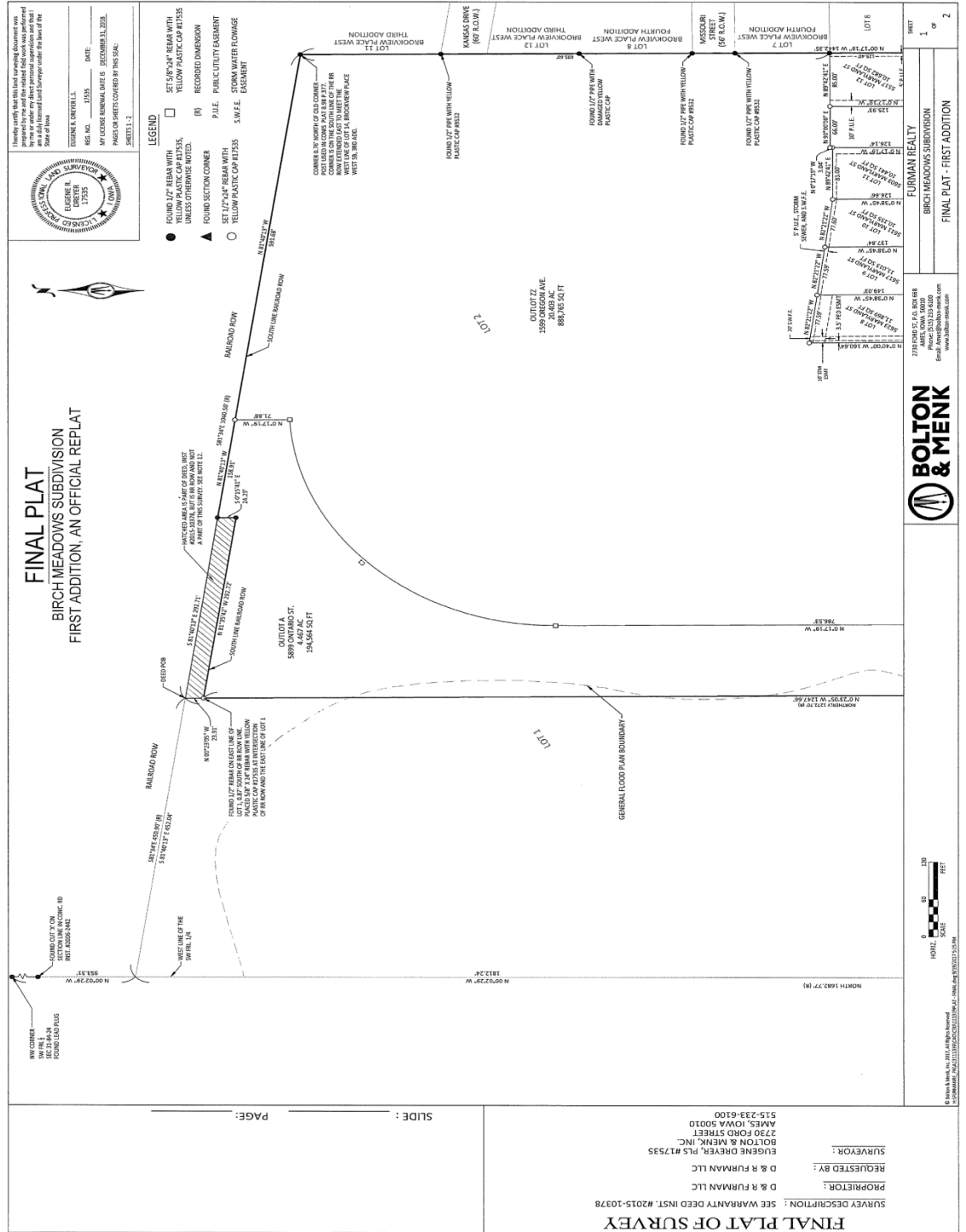
**Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the final plat for Birch Meadows Subdivision 1st Addition.**

# Attachment A- Location Map



**Birch Meadows First Addition  
Zoning And Location Map**

# Attachment B- Birch Meadows First Addition Final Plat



I, the undersigned, being a duly qualified and licensed Professional Engineer in the State of Iowa, certify that I am the author of the above described plat and that I prepared the same in accordance with the laws and regulations of the State of Iowa.

DATE: \_\_\_\_\_  
 REG. NO.: 19355  
 MY LICENSE EXPIRES ON: SEPTEMBER 31, 2021.  
 PAGES OR SHEETS COVERED BY THIS SEAL: SHEETS: 1-1

EUGENE DREYER, INC.  
 ENGINEER



- LEGEND**
- FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP PLTSS
  - ▲ FOUND SECTION CORNER
  - SET 1/2" x 1/4" REBAR WITH YELLOW PLASTIC CAP PLTSS
  - SET 5/8" x 1/4" REBAR WITH YELLOW PLASTIC CAP PLTSS
  - RECORDED DIMENSION
  - RI PUBLIC UTILITY BASEMENT
  - SW.F.E. S.W.F.E.
  - SW.F.E. S.W.F.E.

## FINAL PLAT BIRCH MEADOWS SUBDIVISION FIRST ADDITION, AN OFFICIAL REPLAT

RAILROAD ROW

OUTLOT A  
 5899 OREGON ST.  
 1584.564 SQ. FT.

OUTLOT B  
 2550 OREGON AVE.  
 20.049 A.C.  
 886,176.50 SQ. FT.

GENERAL FLOOD PLAIN BOUNDARY

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

LOT 7

PAGE: \_\_\_\_\_

SIDE: \_\_\_\_\_

**FINAL PLAT OF SURVEY**

SURVEY DESCRIPTION: SEE WARRANT DEED INST. #2015-10378

PROPRIETOR: D & R FURMAN LLC

REQUESTED BY: D & R FURMAN LLC

SURVEYOR: EUGENE DREYER, PLS #15355

BOLTON & MENK, INC.

2730 FORD STREET  
 AMES, IOWA 50010  
 515-233-6100



BIRCH MEADOWS SUBDIVISION  
 FINAL PLAT - FIRST ADDITION

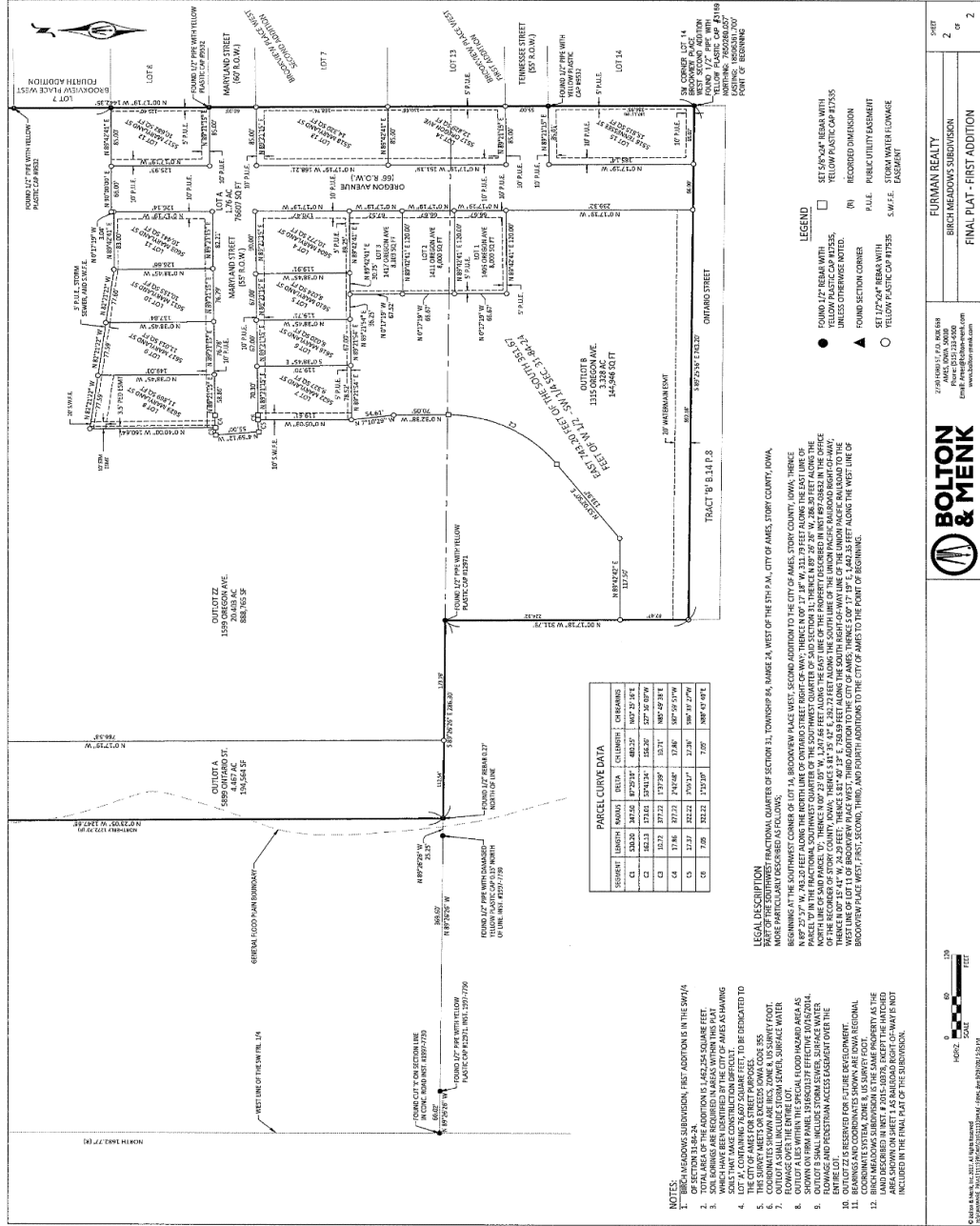
1 of 2 SHEETS

7770 STATE ST. S.W. 35408  
 AMES, IOWA 50010  
 Phone: 515-233-6100  
 Fax: 515-233-6101  
 Email: info@bolton-menk.com  
 www.bolton-menk.com

GRAPHIC SCALE  
 0 60 120 FEET

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 C:\Documents\2017\10378\10378-01.dwg, Aug 18/2015 10:14:14

# Attachment B- Continued



		2525 HAWKLEY ST, AMES, IA 50008 PH: 563.428.0888 EMAIL: info@boltonmenk.com WWW.BOLTONMENK.COM	SHEET 2 OF 2
BIRCH MEADOWS SUBDIVISION FINAL PLAT - FIRST ADDITION			

## Attachment C

### 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)*