

COUNCIL ACTION FORM

SUBJECT: DEERY SUBDIVISION, PLAT 2, MINOR FINAL PLAT FOR 1810 SE 16TH STREET

BACKGROUND:

The property owners of 1810 SE 16th Street, AmKin18, LLC and Ambrose Properties, LC are requesting approval of a Final Plat for Deery Subdivision Plat 2, which is a Minor Subdivision of 4.55 acres. A minor subdivision includes three, or fewer, lots and does not require additional public improvements. A minor subdivision does not require a Preliminary Plat, and may be approved by the City Council as a Final Plat, only, subject to the applicant completing the necessary requirements.

The proposed Final Plat divides Parcel A into two new buildable lots. Deery Subdivision is generally located between Southeast 16th Street and Highway 30 and west of the interchange of Highway 30 and S. Dayton Avenue and is located within the “HOC” (Highway-Oriented Commercial) Zoning District (see *Attachment A – Location & Zoning Map*)

Parcel A includes approximately 4.55 acres and is proposed to be divided into Lot 1 (2.96 acres), and Lot 2 (1.59 acres). Parcel A is located at 1810 SE 16th Street, and was recently received site plan approval for a new Spring Hill Suites Hotel. The hotel is to be located on the area identified as the new Lot 1. Construction has not yet begun. The future development of Lot 2 is yet to be determined.

Both Lot 1 and 2 will each have access off of SE 16th Street. An internal drive may also connect the two lots to allow internal circulation. However, no cross access is required with the proposed plat. A shared access easement does exist along the east property line of proposed Lot 2 that was required with the prior subdivision approval. Public utilities serve both proposed lots. Sidewalk has not yet been constructed along the frontage of SE 16th Street.

The applicant has provided an agreement for the installation of street trees and sidewalks. The agreement requires street tree planting and sidewalk installation on the south side of the S.E. 16th Street right-of-way prior to occupancy of structures on each lot as they develop. No financial security is required. The proposed lots are also subject to the original Deery Subdivision and Master Plan requirements for public improvements, common area, and easements.

After reviewing the proposed Final Plat of Deery Subdivision, Plat 2, staff finds that it 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. Approve the Final Plat of Deery Subdivision, Plat 2 based upon the findings and conclusions stated above.
2. Deny the Final Plat of Deery Subdivision, Plat 2 and find that the proposed subdivision does not comply with applicable ordinances, standards or plans.
3. Refer this request back to staff or the applicant for additional information.

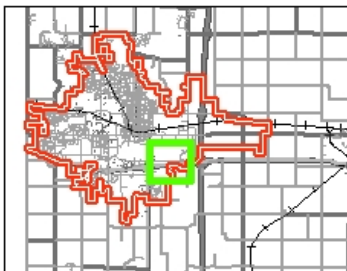
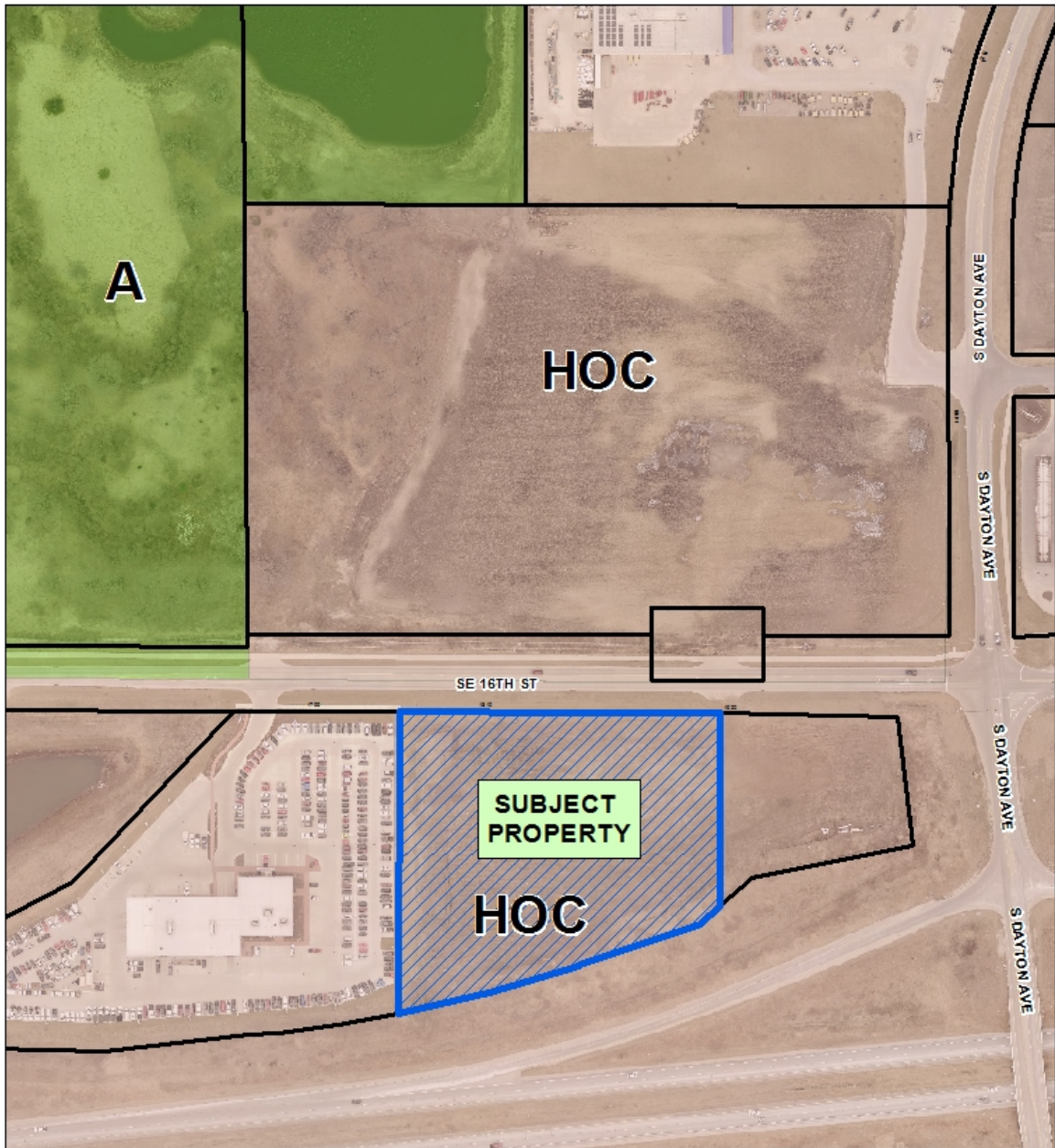
CITY MANAGER’S RECOMMENDED ACTION:

City staff has evaluated the proposed Final Plat of Deery Subdivision, Plat 2, and determined that the proposal is consistent with the requirements of the Municipal Code.

The applicant has provided an agreement for the installation of street trees and sidewalks. The agreement requires street tree planting and sidewalk installation on the south side of the S.E. 16th Street right-of-way prior to occupancy of structures on each lot as they develop. No financial security is required. Other public improvements required by the original Deery Subdivision and Master Plan requirements have either been completed or deferred.

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

Attachment A – Location Map



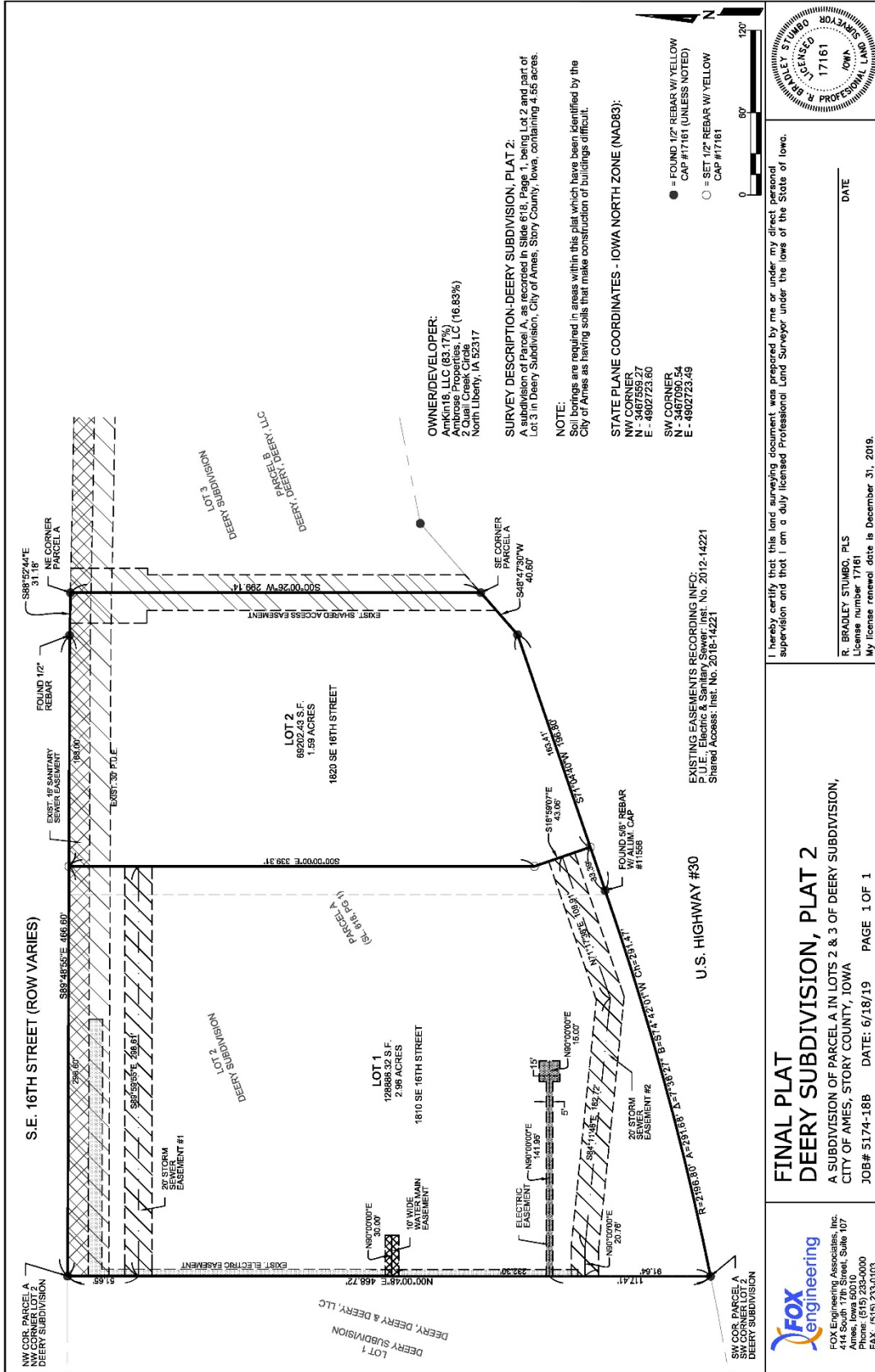
LOCATION & ZONING MAP 1610 SE 16th St

0 125 250 500 Feet

Legend
[Blue hatched box] PARCEL selection
[White box with black border] PARCELS



Attachment B – Final Plat of Deery Subdivision, Plat 2



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:

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.