

**COUNCIL ACTION FORM**

**SUBJECT:** MAJOR FINAL PLAT FOR HAYDEN'S RIDGE - TOWNHOME COMMUNITY SUBDIVISION

**BACKGROUND:**

The City's subdivision regulations are included in Chapter 23 of the Ames Municipal Code. Once the applicant has completed the necessary requirements, including providing required public improvements or presenting financial security for their completion, an application for a "Final Plat" may then be made for City Council approval. The Final Plat must be found to conform to the ordinances of the City and any conditions placed upon the Preliminary Plat approval. An approved Final Plat must then be recorded with the County Recorder to become an officially recognized subdivision plat.

574 Investments LLC, represented by Kurt Friedrich and Luke Jensen, has submitted a final major subdivision plat for the Planned Unit Development known as Hayden's Ridge Townhome Development. Hayden's Ridge is currently addressed as 2098 W. 190<sup>th</sup> Street as shown on the location map in Attachment A. The Preliminary Plat and Major Site Development Plan for this PUD subdivision were approved on February 22<sup>nd</sup>, 2022.

**The project was approved as a PUD and a conservation subdivision with private streets, stormwater treatment, public water and sanitary sewer infrastructure, and a mix of public and private sidewalks.** The review of the proposed Final Plat finds that it complies with the approved Preliminary Plat and Major Site Development Plan lotting and improvement requirements of the approved PUD rezoning.

Hayden's Ridge Subdivision includes 44 residential lots and two outlots. Outlot A (0.36 acres) includes area for open space and conservation easement along the northern edge of the subdivision. Outlot B (1.93 acres) includes area for open space and private streets (Attachment B). The residential lots include 32 single-family attached lots in the northern half of the subdivision and 12 bi-attached lots along the south portion of the site. The site is accessed from 190<sup>th</sup> Street via a shared driveway easement with the Vintage Co-op.

The subdivision is located within a conservation area for Ada Hayden Watershed and as a result must conform to the Conservation Subdivision standards. The east and south boundaries of the subdivision abut the Quarry Estates Conservation area. The existing outlot that this subdivision is being created from is an outlot within the Quarry Estates Conservation Subdivision. The projected stormwater flows from the new homes and associated development within this subdivision have been reviewed by the City's engineer and can be handled by the existing conservation areas and detention pond to the south in Quarry Estates. A conservation easement extending across the proposed

Outlot A along the north edge of the site also satisfies the design and treatment standards for Hayden's Ridge.

The remaining required improvements in Hayden's Ridge Subdivision include, sidewalk paving, street signage, topsoil spread, seeding and some landscaping. Financial security in the amount of \$138,425.32 has been provided for the necessary improvements. The financial security includes the costs of installing all the remaining sidewalk along 190<sup>th</sup> Street across the site and connecting across the abutting outlot to the existing sidewalk to the east. Additionally, a second sidewalk connection from the southeast corner of the site to McFarland Avenue through the abutting outlot is required. The Quarry Estates Outlot conservation areas allow for sidewalks to be placed in those areas.

**The streets within Hayden's Ridge- Townhome Community are private streets. As a result, they are not included in the financial security for Public Improvements. The City staff has confirmed that the developer's improvement plans (design and material thickness of the proposed private streets) meet the City's private street standards. Additionally, Chapter 23 requires that upon completion, a qualified engineer must certify the construction of the street is consistent with the approved plans. A stipulation is included with this project to put the developer on notice that this must occur prior to occupancy of a dwelling in the project.**

**The City Council is being asked to accept the signed Improvement Agreement with financial security for those improvements. Financial security can be reduced by the City Council as the required infrastructure is installed, inspected, and accepted by the City.**

A Conservation Management Plan update is a requirement of the Subdivision Code for this Addition. The Conservation Management Plan (CMP), prepared by Inger Lamb of Prairie Landscapes of Iowa, details the installation, long-term maintenance, public outreach and education, and lawn care coordination of the prairie and woodland areas. An updated CMP reflecting Hayden's Ridge- Townhome Community was required and has been accepted by the Municipal Engineer.

**ALTERNATIVES:**

1. Approve the Final Plat of Hayden’s Ridge Subdivision, based upon the staff’s findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans with acceptance of the:
  - a. Public Improvement Agreement,
  - b. Financial security of \$138,425.32 for public improvements and sidewalks,
  - c. Updated Conservation Subdivision Management Plan, and
  - d. Stipulation by the developer for an engineer to certify to the City prior to occupancy of a dwelling that the construction of the private streets were completed consistent with the approved plans.
  
2. Deny the Final Plat for Hayden’s Ridge Subdivision based on the finding that the development creates a burden on existing public improvements or creates a need for new public improvements that have not yet been installed.

**CITY MANAGER’S RECOMMENDED ACTION:**

City staff has evaluated the proposed final Major Subdivision plat for the Planned Unit Development known as Hayden’s Ridge-Townhome Community. The proposed Major Final Plat is consistent with the Major Site Development Plan and Preliminary Plat approved by City Council as part of rezoning as a PUD. An updated Conservation Management Plan has been submitted and reviewed and complies with the City’s Conservation Management policy. The Major Final Plat conforms to the adopted ordinances and policies of the City as required by Code and other agreements.

Because this Final Plat is the first project since the City Council adopted private street standards in 2021, staff has included a stipulation to put the developer on notice of the code requirement to verify that construction of the private streets were accomplished in accordance with the approved plans prior to occupancy of the homes. This is a departure from how the City treats public streets with financial security, but is similar to how a condition for a multi-family development with private improvements would be finalized with City staff.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 to approve the final plat for Hayden’s Ridge Subdivision.







## Attachment C- Applicable Laws

### 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)*