

ITEM#: 24
DATE: 1-10-23
DEPT: P&H

COUNCIL ACTION FORM

SUBJECT: MINOR SUBDIVISION FINAL PLAT FOR THE BLUFFS AT DANKBAR FARMS, FIRST ADDITION PLAT

BACKGROUND:

Friedrich Land Development Company, LLC and Friedrich & Sons, Inc. are requesting approval of a Final Plat for The Bluffs at Dankbar Farms, First Addition, **a minor subdivision that would create two undevelopable outlots.** This land (108.21 acres) was annexed in to City in 2022 with an accompanying annexation agreement. (see *Attachment B – Proposed Final Plat*). Proposed Outlot ZZ will be 915,305 square feet (21.01 acres). Proposed Outlot YY will be 3,798,204 square feet (87.20 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 project qualifies as a minor subdivision with no public improvements by the action of the City Council waiving requirements for improvements, because neither lot is developable until it is replatted in the future. Future platting will require a preliminary plat due to required infrastructure improvements. No building permits can be issued for either of the proposed outlots.**

The existing three parcels are located at the southwest corner of G W Carver Avenue and Cameron School Road. The parcels are used for agricultural purposes and are undeveloped. A high pressure gas line does run through the site within proposed Outlot ZZ.

This property is currently in the process of being rezoned with master plan. Third reading of the rezoning ordinance and accompanying master plan is on this same agenda. The master plan addresses types of uses, sanitary sewer capacity, open space, and planned connections. **The proposed configuration of the two outlots is consistent with the proposed rezoning boundaries and planned extension of Everest Avenue. Everest will be extended through proposed Outlot YY.**

The Annexation Agreement for this property includes requirements for future traffic improvements and connections, traffic signal fees, sanitary sewer capacity and open space planning that are all tied to preliminary and final plat approval. **With this proposed Minor Final Plat these obligations are not yet fulfilled. However, the annexation agreement obligations will continue until there are satisfied with future Preliminary Plat approval. Additionally, the Annexation Agreement requires the developer to pay a proportional share of the traffic signal costs upon approval**

of second final plat. Therefore, approval of this plat does not require payment of the fee, but the next final plat will require it.

With the City Council's waiver of improvement requirements related to the two outlots, no public infrastructure will be installed at this time. Public utilities, roadway improvement, and other infrastructure will be installed as a future date based upon approval of future preliminary and final plats. These improvements will be reviewed for compliance with the existing Annexation Agreement and Zoning Master Plan.

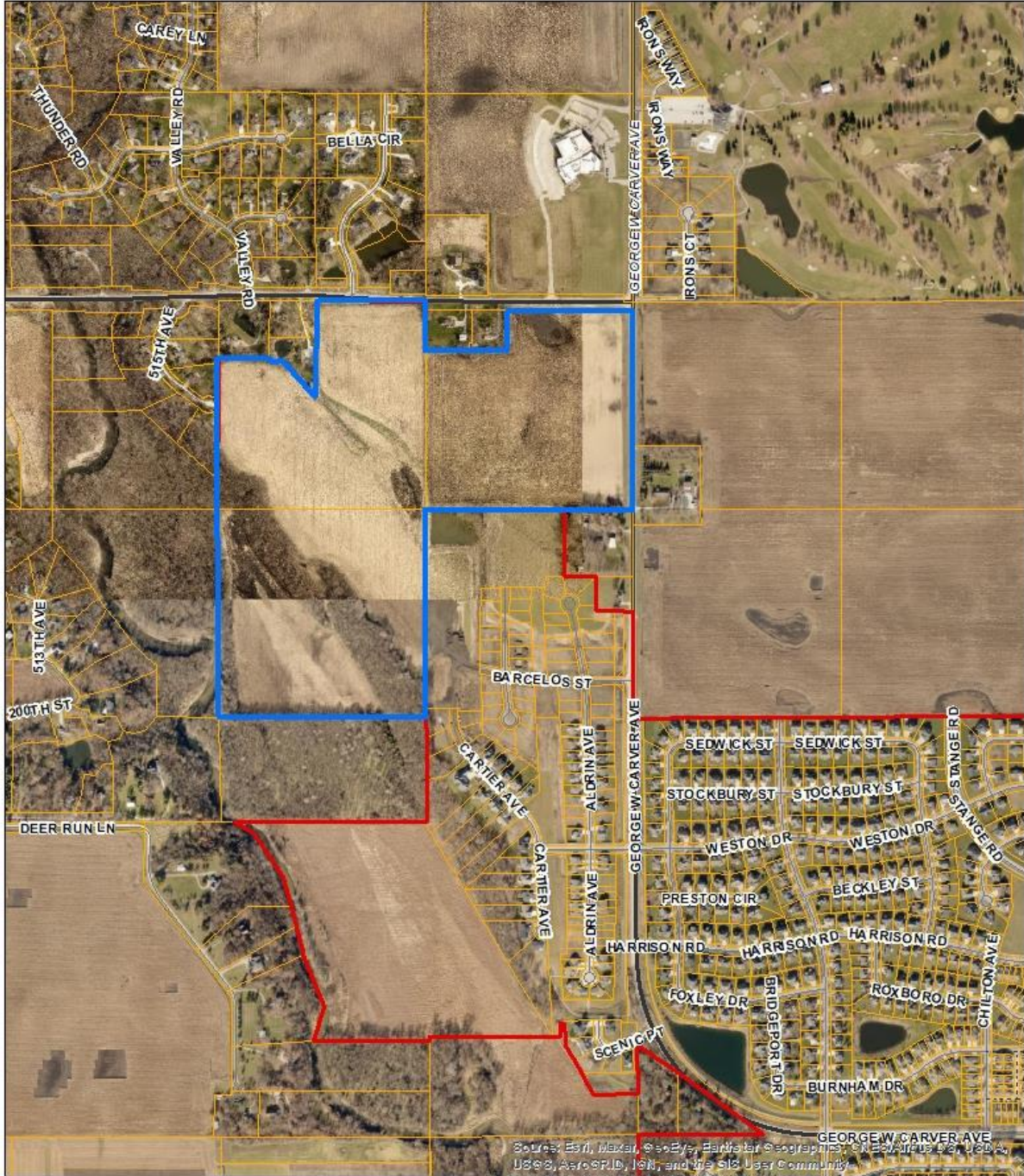
ALTERNATIVES:

1. The City Council can approve the Minor Final Plat for The Bluffs at Dankbar Farms, First Addition, including a waiver of improvement requirements, based upon the findings and conclusions stated above.
2. The City Council can deny the final plat for The Bluffs at Dankbar Farms, First Addition, if the City Council finds that the proposed subdivision does not comply with applicable ordinances, standards or plans.
3. The City Council defer its approval until the completion of the rezoning with master plan process.

CITY MANAGER'S RECOMMENDATION:

The proposed final plat for The Bluffs at Dankbar Farms, First Addition will create two outlots for the purpose of ownership transfer and will be undevelopable as approved. Future preliminary and final plats will need to be approved in order for any future development to occur. Future development will comply with the applicable Annexation Agreement and Zoning with Master Plan for this site. Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1.

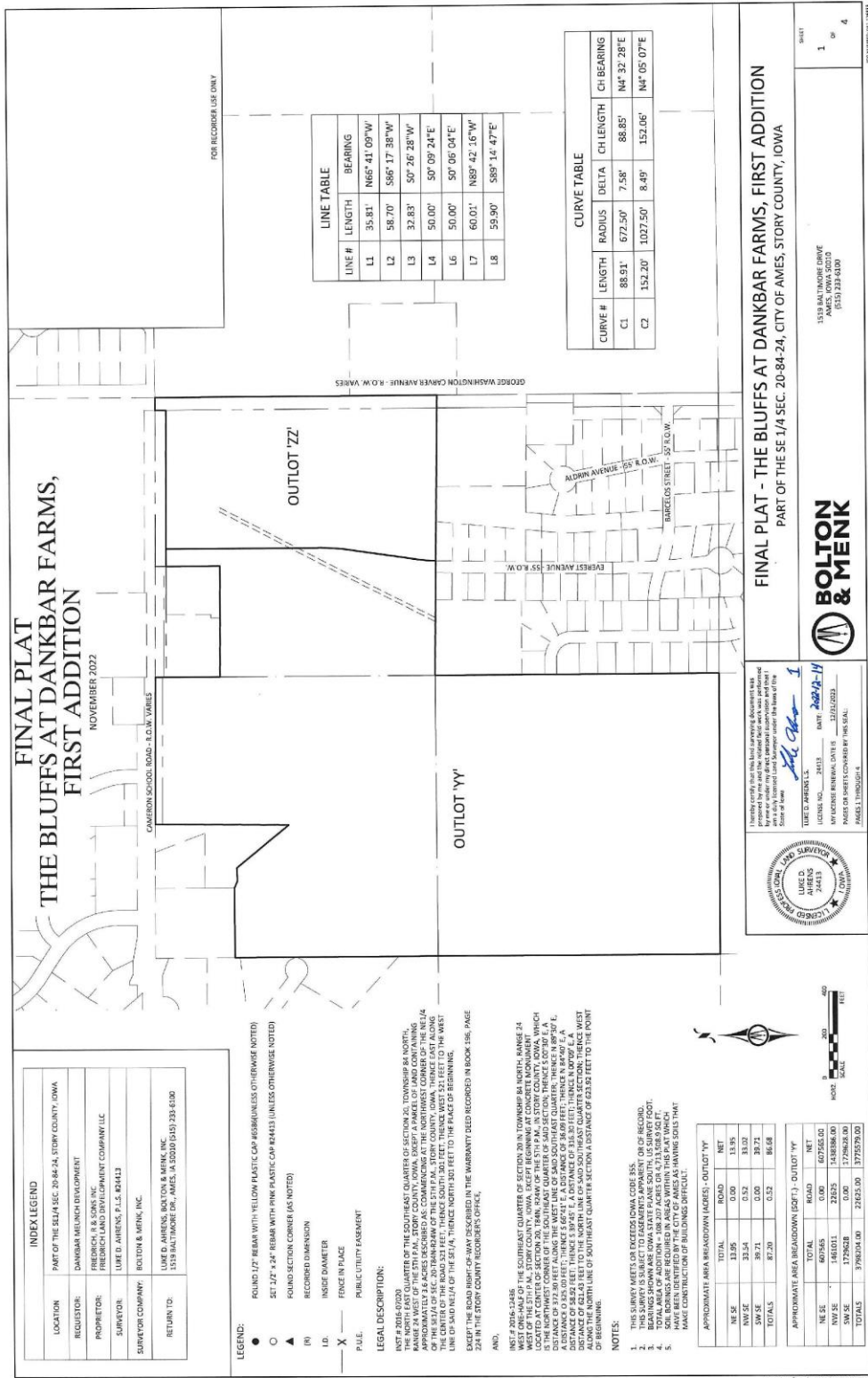
Attachment A Location Map

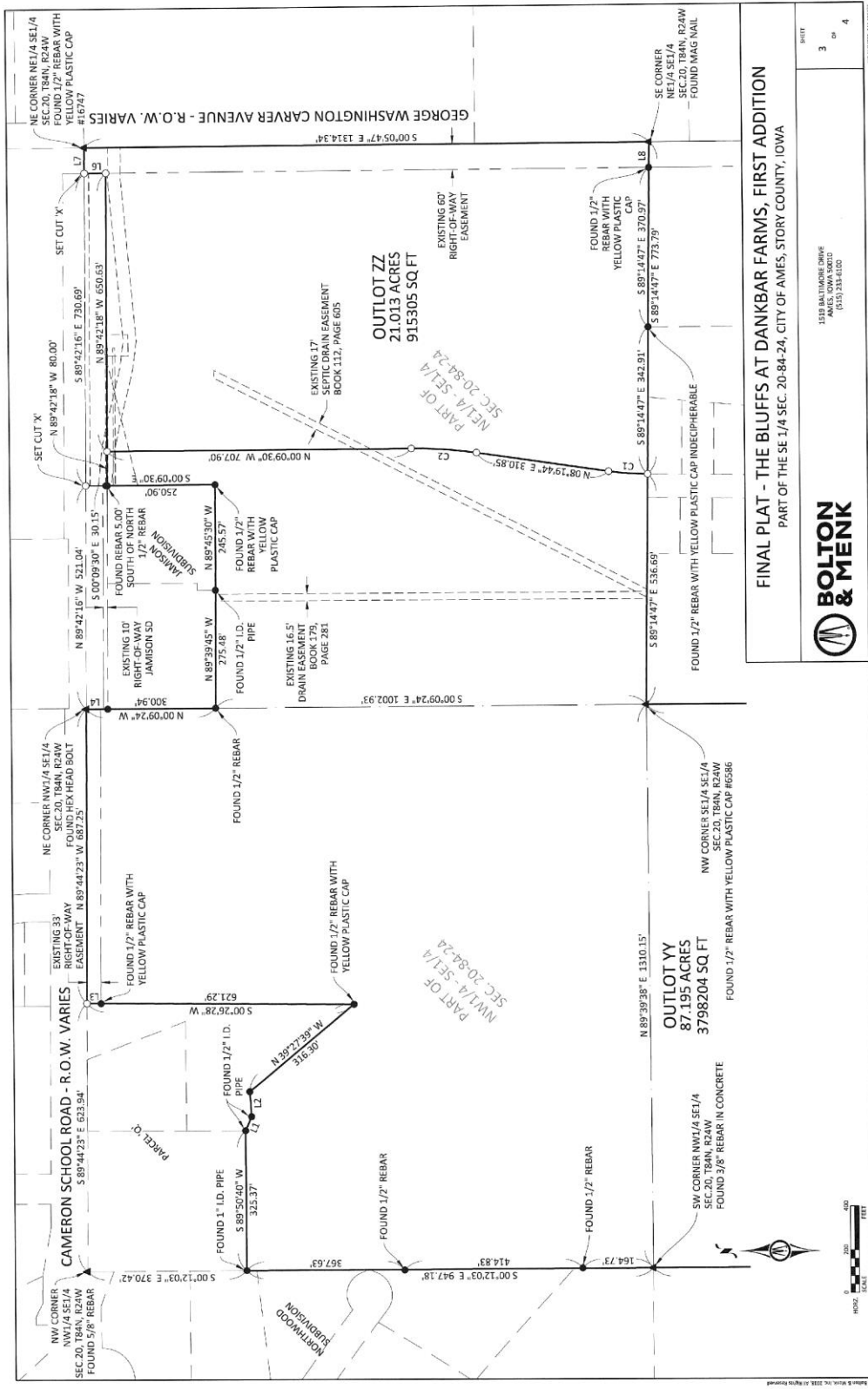


The Bluffs at Dankbar Farms, First Addition
Minor Final Plat

Attachment B

Proposed Final Plat of The Bluffs as Dankbar Farms, First Addition





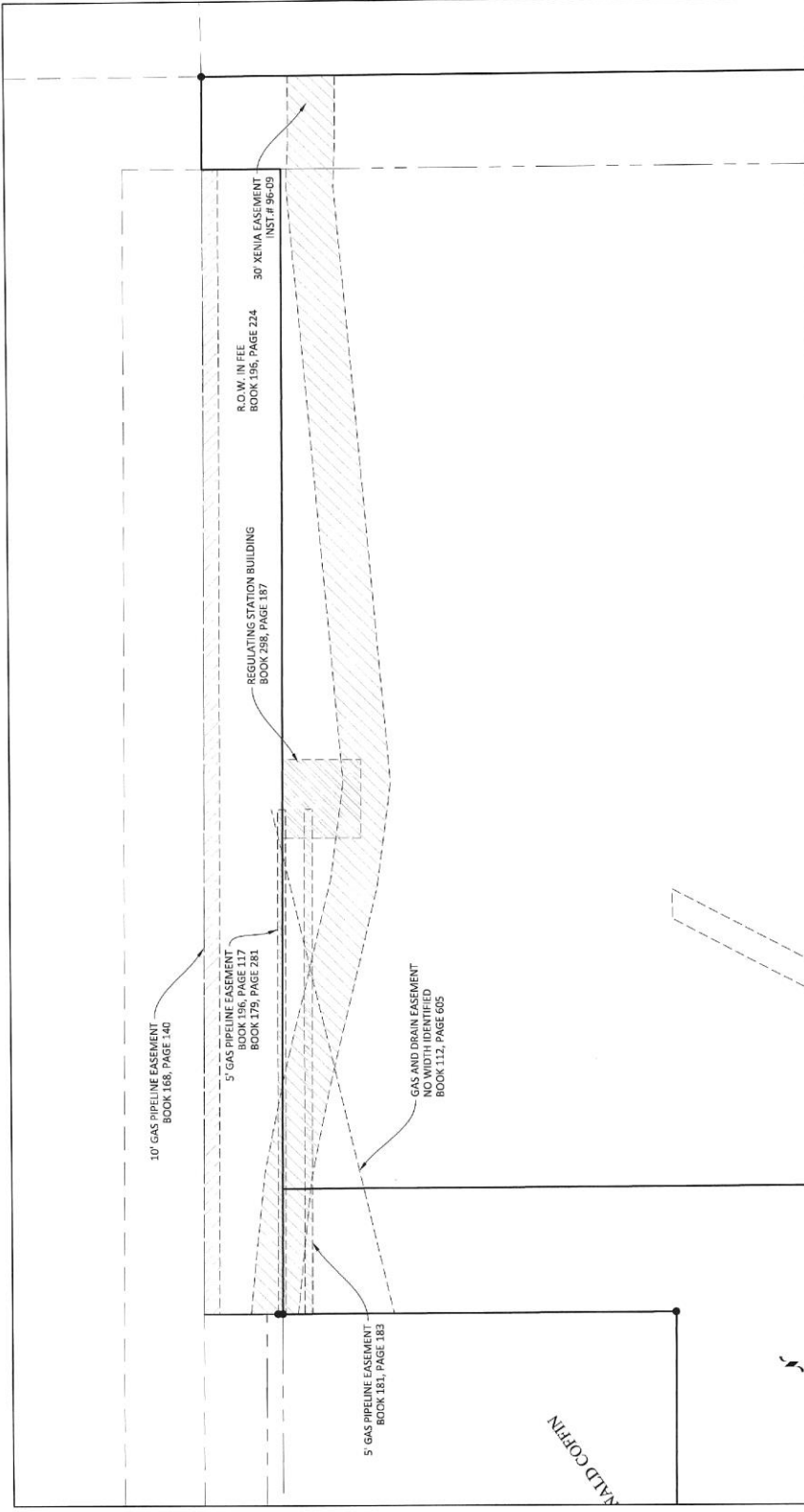
FINAL PLAT - THE BLUFFS AT DANKBAR FARMS, FIRST ADDITION
 PART OF THE SE 1/4 SEC. 20-84-24, CITY OF AMES, STORY COUNTY, IOWA



1559 BALTIMORE DRIVE
 AMES, IOWA 50010
 (515) 234-6100

SHEET
 3 of 4

DATE PLOTTED: 04/11/2024 10:00:00 AM. PLOT SCALE: 1"=40'. PLOT ORIGIN: 1559.0000, 1559.0000. PLOT SIZE: 11.0000 X 11.0000. PLOT AREA: 121.0000 SQ. FT.



FINAL PLAT - THE BLUFFS AT DANKBAR FARMS - FIRST ADDITION - EASEMENT DETAIL
 PART OF THE SE 1/4 SEC. 20-84-24, CITY OF AMES, STORY COUNTY, IOWA



1519 BALTIMORE DRIVE
 AMES, IOWA 50010
 (515) 235-6100

SHEET
 4 OF 4

DATE PLOTTED: 11/11/2011 10:51:11 AM

Attachment C Applicable Laws

The laws applicable to this case file are as follows:

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.