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| ITEM #: | <u>24</u>       |
| DATE:   | <u>10-22-24</u> |
| DEPT:   | <u>P&amp;H</u>  |

### COUNCIL ACTION FORM

**SUBJECT: FINAL MINOR PLAT AND WAIVER FOR PRAIRIE VIEW INDUSTRIAL,  
FIRST ADDITION LOCATED AT 3800 EAST LINCOLN WAY**

**BACKGROUND:**

Iowa Land & Building Company, a subsidiary of Alliant Energy, is requesting approval of a Final Plat for Prairie View Industrial, First Addition, a minor subdivision that would divide an existing parcel of land into two lots total. (See Attachment A - Location Map) The existing lot, addressed as 3700 E Lincoln Way is zoned Intensive Industrial (II). The two proposed lots are proposed as Lot 1 (19.54 acres), Lot 2 (17.79 acres) (see Attachment B – Proposed Final Plat). Lot A is being dedicated for right-of-way dedication purposes along East Lincoln Way.

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.** Following City Council approval, the Final Plat must then be recorded with the County Recorder to become an officially recognized subdivision.

The property is being divided for future development purposes, which include a new electrical substation planned by Alliant Energy. An access easement has been provided, which extends from East Lincoln Way to the south property line of Lot 1. This easement allows access to Lot 2 and enables access to 40 acres immediately south of this location. East Lincoln Way will provide the sole means of access to Lot 1 and Lot 2.

**The applicant is requesting a waiver of sidewalk/shared use path requirements to allow for a 5-year deferral of shared use path installation along the frontage with East Lincoln Way under Section 23.103 of the Subdivision Ordinance due to it being premature for construction. Typically, the Code allows for an automatic 3-year deferral or development of a site, whichever occurs first.**

Staff is agreeable to allowing for a deferral without cash security through approval of a development agreement. This approach is similar to recent Wyffels deferral agreement on Teller Avenue. **The agreement will specify that the Shared Use Path must be installed after five years by the owner of the property. Additionally, the agreement will specify that the property owner will have the option to pay the City the cost of installing a shared use path for the frontage along Lots 1 & 2 to be used for a future City Shared Use Path project in lieu of its construction, subject to Public Work Director acceptance of the in-lieu fee payment for a City-planned project.**

**The proposed Agreement is being finalized between staff and Alliant Energy representatives. Staff is supportive of Council approving the Shared Use Path deferral agreement subject to an agreement being signed prior to issuance of a Site Development Plan on these lots.**

The Prairie View Industrial Center area is subject to certain utility payment costs for water and sewer infrastructure. Water territory rights have been acquired from Iowa Regional Utilities Association

(IRUA) rural water for Lot 1 according to the terms of the rural water agreement with IRUA and the territory has been transferred to the City. However, Lot 2 has not been bought out and would require future payment to IRUA at the time any future development occurs.

City water & sewer connection fees for the acreage being developed here and an additional 40 acres immediately south of this location owned by Iowa Land & Building Company have been paid for as well. The City's connection fee ordinance requires payment at the time of subdivision or development for all adjacent land under common ownership.

**ALTERNATIVES:**

1. Approve the final plat for Prairie View Industrial First Addition with shared access for Lot 1 and Lot 2 based upon the findings and conclusions stated above and with the following conditions:
  - a. That a Sidewalk Deferral agreement for a Shared Use Path be agreed to and signed with Iowa Land & Building Company prior to issuance of a Minor Site Development Plan on either Lot in the proposed subdivision in accordance with Section 23.103 of the Subdivision Ordinance.
2. Deny the final plat for Prairie View Industrial First Addition, if the City Council finds 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:**

**The proposed final plat for Prairie View Industrial, First Addition is consistent with the City's existing subdivision and Intensive Industrial (II) zoning regulations for each of the proposed lots. The utilities and infrastructure that will serve this subdivision are currently being installed or have been installed already. The requested waiver for sidewalk installation based upon premature conditions and allow for a 5-year deferral of Shared Use Path installation will not impact any other pedestrian or bicycle infrastructure at this time.** Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as stated above.

**ATTACHMENT(S):**

[Attachment A- Prairie View Industrial First Addition Location Map.pdf](#)

[Attachment B- Prairie View Industrial First Addition Final Plat.pdf](#)

[Attachment C- Applicable Rules & Regulations.pdf](#)

[Attachment D- Ames City Council\\_Sidewalk Deferral.pdf](#)