

**June 16, 2014**

**To: Mayor Bemrich and City Council**

**From: David Fierke, City Manager**

**Subject: Revised Replat for Soldier Ridge Estates**

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**ACTION: Approve Revised Replat for Soldier Ridge Estates**

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**Background**

Soldier Ridge Estates was previously Lot 108 of the Woodlands Addition, which was approved in 1998 and included a development plan consisting of 25 attached condominium units in a combination of duplexes, tri-plexes, and 4-plexes. The Development Plan for Soldier Ridge Estates was revised in 2007, to 24 detached condominium units instead of 25 attached units. The restrictive covenants and final development plan were recorded on April 16, 2009.

A replat of the Soldier Ridge Estates was completed in March of 2013 to adjust lot lines for five lots south of Soldier Ridge Drive. This replat also reduced the number of lots from 24 to 22. In May of 2013, the Plan and Zoning Commission and City Council approved an amendment to the Development Plan for Soldier Ridge Estates, to change the setbacks to the City standard of 20' for front and rear yards instead of the 25' front and rear agreed to as part of the original approval of the Woodlands Addition. A map titled Final Development Plan for Soldier Ridge Estates, Lot 108, Woodlands Addition was approved and recorded showing the change in setbacks.

Since the above changes, the applicant has had some electrical easements altered on the Plat; therefore, has submitted an amendment to the Replat for Soldier Ridge Estates, a part of the Woodlands Development Plat, to alter the location of electric easements on units 14, 16, 17, 18 and 20; and adjust the setbacks to 20' for front and rear yards as previously approved in the Final Development Plan.

**Analysis of Issue**

The City's Land Use Plan designates the area for Residential use throughout most of the Soldier Ridge Estates area and Public use in areas surrounding Soldier Creek and Soldier Creek Trail. The property is zoned Planned Development (PD) as part of the larger Woodlands Subdivision plat. There is adjacent Agricultural (AG) zoning to the north.

The Woodlands plat determined the character of the neighborhood which is a mix of residential densities, single and multi-family residential, as well as common open space

areas. The easement change and setbacks proposed in the amendment will not alter the neighborhood character.

There will be no impact to transportation or parking as a result of the proposed amendment.

According to Article 7 of the City's Subdivision Ordinance, all building lines and easements shall be approved by the City Plan and Zoning Commission prior to the recording of the Final Plat. Because the easements are changing and the setbacks have changed, Staff has required per the Subdivision Ordinance requirements, that the applicant bring forward changes to their initial Plat to ensure an up-to-date Plat is recorded. According to Iowa State Code Section 354.26, corrections or changes to plats shall be recorded and an exact copy shall be filed with the auditor and assessor.

### **Budget Impact**

Final Plat approval does not typically require any City expenditures. Revenue is anticipated through various permits obtained from the City for development.

### **Strategic Plan Impact**

Meets strategic plan policies as identified below.

Policy D.6.1: A variety of housing types in locations consistent with their characteristics and level of services required shall be accommodated.

Policy D.6.7: Innovative and flexible land planning and development practices shall be encouraged to create neighborhoods which provide walkways, trails, bikeways, and green spaces, and better safeguard land, water, energy and historic resources.

### **Existing Plan Impact**

The City's Land Use Plan designates the area in question for residential use. The proposed use is consistent with the planned land use and meets the City's intent for development in this area.

### **Subcommittee or Commission Review / Recommendation**

The Plan & Zoning Commission considered the request for Final Plat approval on June 10, 2014 and recommended approval of the amendment the Revised Replat for Soldier Ridge Estates to alter the location of utility easements and to change the front and rear yard setbacks from 25' to 20' for Soldier Ridge Estates Condominiums, Lot 108 Woodlands Addition to Fort Dodge, Iowa, subject to the City receiving an executed, recorded copy of the amendment for City files.

**Staff Conclusions / Recommendations**

Subject to City Council review, Staff recommends approval of the amendment the Replat for Soldier Ridge Estates to alter the location of utility easements and to change the front and rear yard setbacks from 25' to 20' for Soldier Ridge Estates Condominiums, Lot 108 Woodlands Addition to Fort Dodge, Iowa, subject to the City receiving an executed, recorded copy of the amendment for City files.

**Alternatives**

The alternative would be to not approve the Revised Plat. This action would prevent the development of the previously approved subdivision from moving forward.

**Implementation and Accountability**

If the Council approves the Final Plat, the applicant will facilitate recording of the Revised Replat.

Signed



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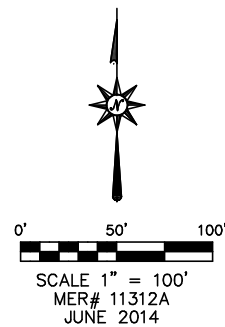
Carissa Miller  
Associate Planner  
Business Affairs & Community Growth

Approved



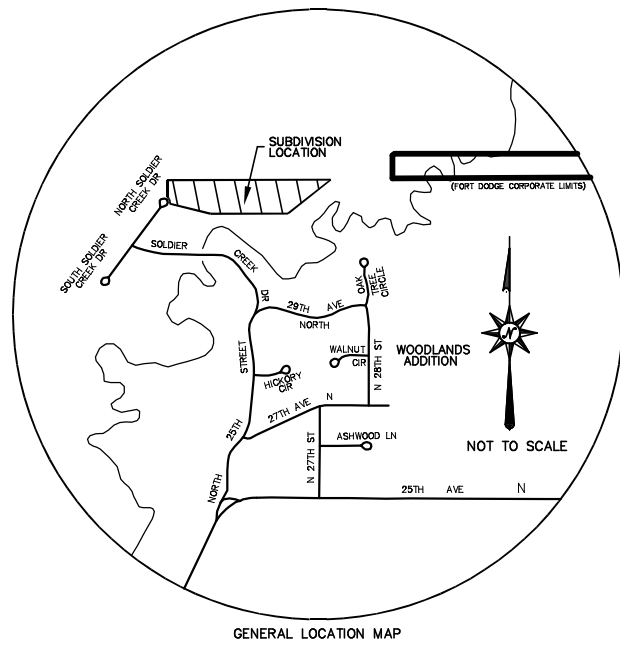
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David R. Fierke  
City Manager

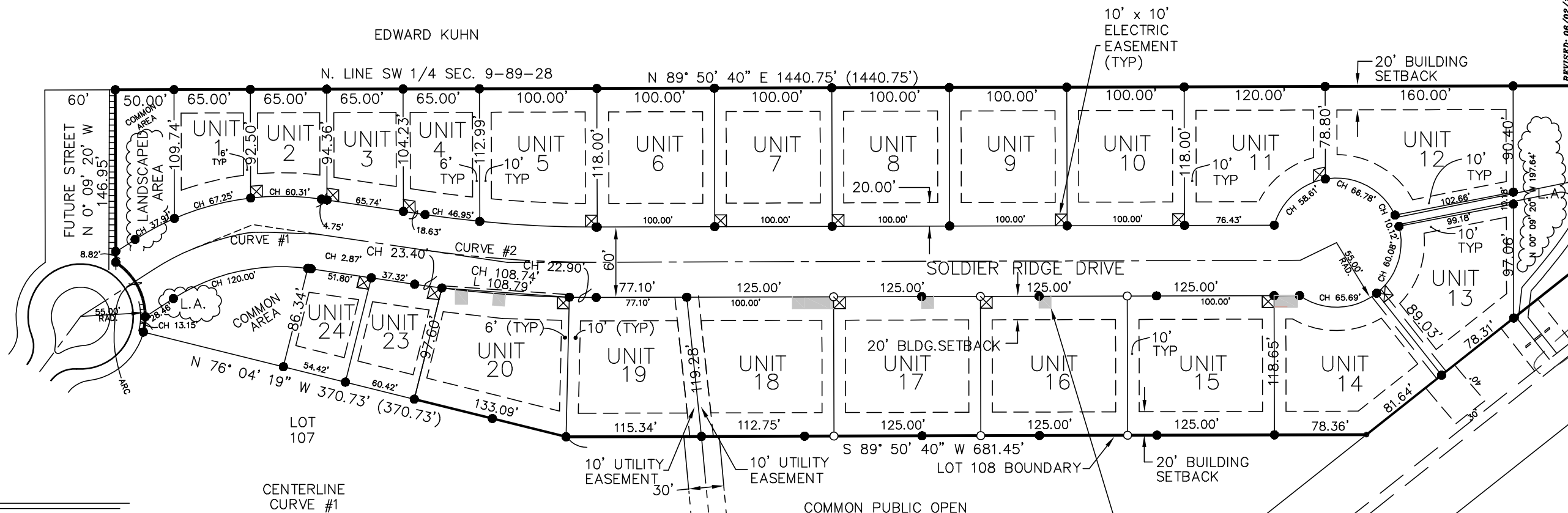


LEGEND

PROPERTY CORNERS FOUND	●
I. PIN/CAP #7813	
I. PIN 5/8" X 24" W/ORANGE CAP #8652	
PROPERTY CORNER SET	○
I. PIN 5/8" X 24" W/YELLOW CAP # 10164	
REFERENCE CORNER SET	■
5/8" X 24" I. PIN W/ORANGE CAP #8652	
BUILDING SETBACK	---
MEASUREMENT OF RECORD	(370.73')
MEASURED DISTANCE	370.73'
10'X10' ELECTRIC EASEMENT	⊠
ELECTRIC EASEMENTS VACATED	■



LOT 109



CENTERLINE CURVE #1	CH BEARING N 77° 48' 15" E DELTA 41° 20' 05" CHORD 141.18' ARC LENGTH 144.29' RADIUS 200.00' TANGENT 75.44'
CENTERLINE CURVE #2	CH BEARING N 85° 50' 31" E DELTA 8° 37' 37" CHORD 150.43' ARC LENGTH 150.57' RADIUS 1000.00' TANGENT 75.43'

ZONING: PD  
OWNER & DEVELOPER: JIJ COMPANY  
1735 RIVER FOREST DRIVE  
FORT DODGE, IOWA  
515-573-8254

DESCRIPTION:  
REPLAT OF SOLDIER RIDGE ESTATES CONDOMINIUMS,  
LOT 108 WOODLANDS ADDITION TO FORT DODGE, IOWA

NOTE:  
LOT 108 BUILDING SETBACK REQUIREMENTS  
ARE 20' ON FRONT AND BACK AND 10' ON  
SIDES UNLESS OTHERWISE NOTED.  
ONLY TREES CONFLICTING WITH ACCESS DRIVES,  
UTILITIES OR SINGLE FAMILY UNITS SHALL  
BE REMOVED.  
6' SETBACK SIDE YARD ON UNITS 1-4, AND  
UNITS 20-24.  
6' SETBACK EAST SIDE ON UNIT 12 & 13

MORTGAGE HOLDER	DATE
ATTORNEY'S OPINION	DATE
WEBS COUNTY TREASURER	DATE
PLANNING AND ZONING CHAIRMAN	DATE
WEBS COUNTY AUDITOR	DATE
FORT DODGE MAYOR	DATE
FORT DODGE CITY CLERK	DATE
OWNER	DATE
OWNER	DATE

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

JOHN P. LENNON      LICENSE NO. 10164      DATE  
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014

PAGES COVERED BY THIS CERTIFICATION: 1

REVISED REPLAT OF SOLDIER RIDGE ESTATES CONDOMINIUMS,  
LOT 108 WOODLANDS ADDITION TO FORT DODGE

Prepared by Carissa Miller, Business Affairs and Community Development, City of Fort Dodge, 819 1<sup>st</sup> Avenue South, Fort Dodge, Iowa 50501, 515-573-8321.  
Return to: Carissa Miller, 819 1st Avenue South, Fort Dodge, Iowa 50501

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION APPROVING THE REVISED REPLAT OF SOLDIER RIDGE ESTATES CONDOMINIUMS LOTS 15 THROUGH 22 TO WEBSTER COUNTY, IOWA, FURTHER DESCRIBED HEREWITH.

WHEREAS, MER Engineering has filed with the Clerk of the City of Fort Dodge, Iowa, a Plat of the following described real estate:

REPLAT OF UNITS 15 THROUGH 22, SOLDIER RIDGE ESTATES CONDOMINIUMS,  
LOT 108 WOODLANDS ADDITION TO FORT DODGE, IOWA

As described in the Surveyor's Certificate dated \_\_\_\_\_, as recorded in the Webster County Recorder's Office on \_\_\_\_\_, slide # \_\_\_\_\_ said premises are therein subdivided and dedicated under the name REVISED REPLAT OF SOLDIER RIDGE ESTATES CONDOMINIUMS to Webster County, Iowa; and

WHEREAS, said Plat and Subdivision have been submitted to the Plan and Zoning Commission of the City of Fort Dodge, and its approval thereof has been granted and entered on the 10th day of June, 2014;

WHEREAS, Resolution 13-08-148 approving the Replat of Soldier Ridge Estates is hereby rescinded;

NOW THEREFORE BE IT RESOLVED:

1. That the Revised Replat of Soldier Ridge Estates to Webster County, Iowa, be and the same is hereby approved.
2. That the Mayor and City Clerk be directed to execute whatever instruments may be necessary to the approval and acceptance of the Revised Replat of said Subdivision thereto and to certify the to the adoption of this Resolution.

The Undersigned Matt Bemrich, Mayor, and Jeff Nemmers, City Clerk, of the City of Fort Dodge, Iowa hereby certify that the foregoing is a true copy of the Resolution duly adopted by vote of the City Council of the City of Fort Dodge, at a regular meeting of said City Council held in its Council Chambers on the

23rd day of June, 2014, and that the instrument to which this certificate is affixed is the identical Plat referred to in said Resolution.

IN WITNESS WHEREOF, we affix our hands and the Seal of the City of Fort Dodge, Iowa this 23rd day of June, 2014.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Other: \_\_\_\_\_

(City Seal)

CITY OF FORT DODGE

BY: \_\_\_\_\_  
Matt Bemrich, Mayor

ATTEST:

\_\_\_\_\_  
Jeff Nemmers, City Clerk

STATE OF IOWA, WEBSTER COUNTY, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me personally known, who being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of said corporation; that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its City Council; and that the said Mayor and City Clerk as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

\_\_\_\_\_  
Notary Public in and for said State of Iowa.