

COUNCIL ACTION FORM

**SUBJECT: UNIVERSITY TOWERS SUBDIVISION, FIRST ADDITION –
MINOR SUBDIVISION FINAL PLAT**

BACKGROUND:

Gilbane Development Company is requesting approval of a Final Plat for a Minor Subdivision of property located at 111 Lynn Avenue (*See Attachment A*). Approval of this subdivision will enable the construction of a seven-story building that will contain a parking garage on the lower level, commercial uses at the street level, and apartment units on floors two through seven.

A Minor Subdivision allows for filing of a Final Plat without the need of a Preliminary Plat. This is permitted when the subdivision does not require installation of public infrastructure, with exceptions of sidewalks, and when there are less than three lots created by the plat. The subject site is served by existing infrastructure and no offsite improvements are required.

The proposed Final Plat is a division of Parcel “U” (approved as a Plat of Survey in 2002), which includes the former right-of-way for the Ft. Dodge, Des Moines & Southern Railroad, and parts of Lots 5 and 24 of Parker’s Addition. The proposed subdivision replats Parcel “U” into two new platted lots (Lots 1 and 2, University Towers Subdivision, First Addition). **The proposed subdivision includes 1.59 acres. The size of Lot 1 is 0.97 acres, and Lot 2 includes 0.62 acres.**

The subdivision is zoned as Campustown Service Center (CSC), which requires no setback from each property line, unless it abuts a residentially-zoned lot. For this subdivision, the building planned for Lot 1 may be constructed to the lot lines, without any minimum setback.

In addition to meeting building setbacks, each of the proposed properties must meet individual parking and landscaping requirements. The proposed lot layout allows for each parcel to comply with these requirements. The Final Plat also allows for shared ingress and egress to access and circulation through each site, and includes a cross parking and access easement for use of the parking garage on Lot 2, by the residents of the existing apartment building on Lot 1. Easements for electric utility access are described on the Final Plat, and easement documents. No public improvements are required for this subdivision as the site is bounded on two sides by improved public streets, sidewalks, and utility services to the site.

The proposed subdivision 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. Council previously approved a remote parking agreement for 111 Lynn Avenue to allow for the demolition of the parking structure and modification to the site

for remodeling of the University Tower building and the new construction of the building along Chamberlain.

ALTERNATIVES:

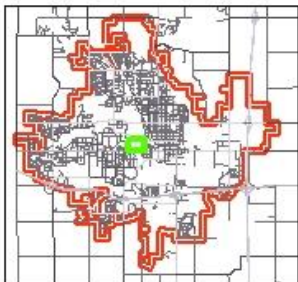
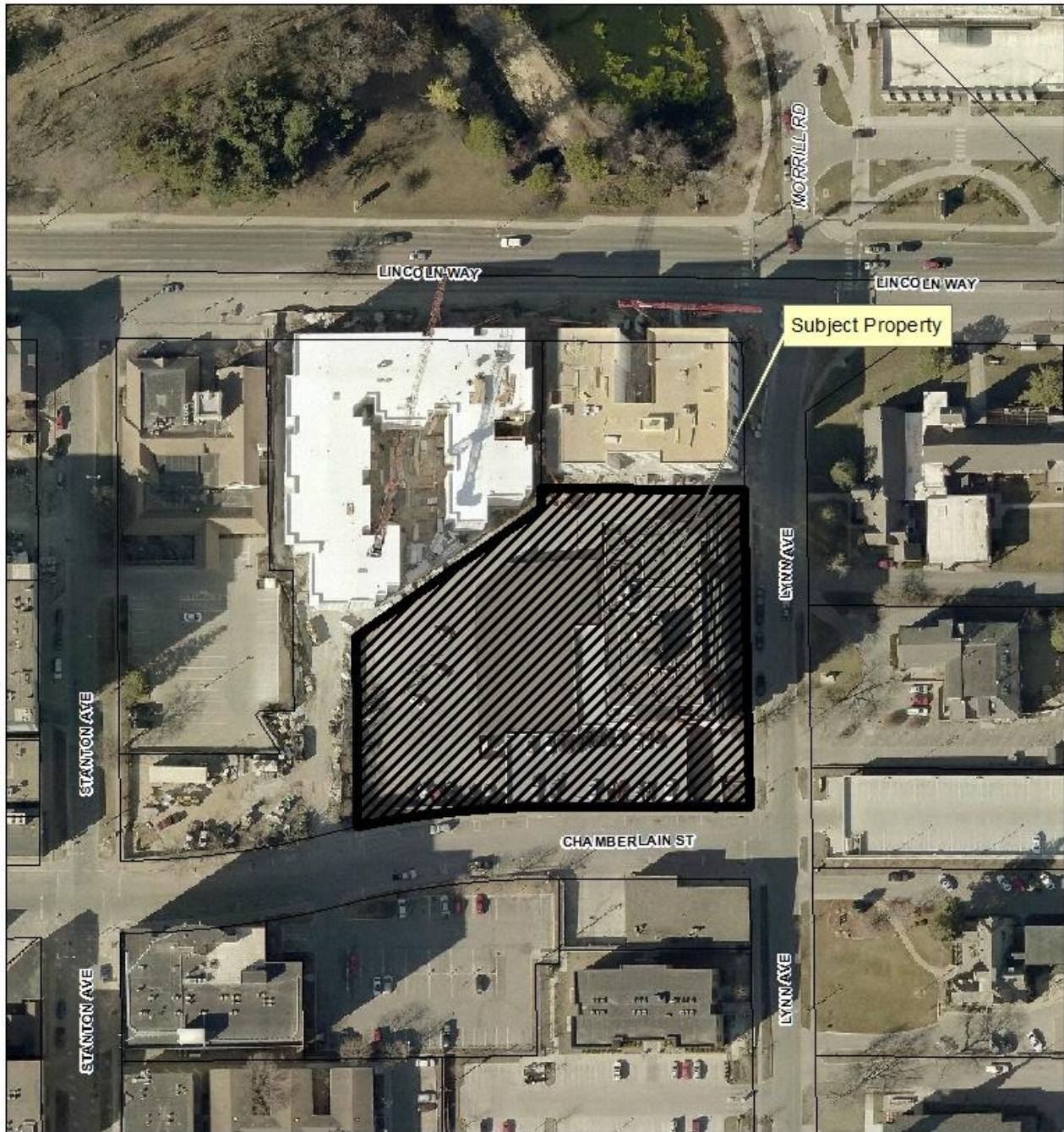
1. The City Council can approve the Minor Final Plat for University Towers Subdivision, First Addition, based upon findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans.
2. The City Council can deny the Minor Final Plat for University Towers Subdivision, First Addition, if the City Council finds that the Final Plat does not comply with the applicable ordinances, standards or plans.
3. The City Council can refer this request back to staff for additional information.

MANAGER'S RECOMMENDED ACTION:

The proposed Final Plat for University Towers Subdivision, First Addition conforms to the City's subdivision and zoning regulations, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted plans.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the Final Plat for University Towers Subdivision, First Addition.

Attachment A : Location Map



**University Towers Subdivision
First Addition
111 Lynn Avenue**

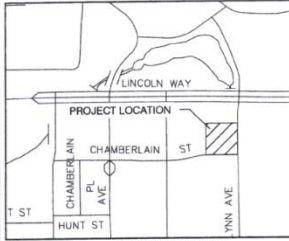


0 40 80 160 240
Feet

Attachment B : Final Plat

PREPARED BY - CLAPSADDLE-GARBER ASSOCIATES, INC., 16 EAST MAIN STREET, P.O. BOX 734, MARSHALL TOWN, IOWA 50158 - PHONE 641-752-6701

FINAL PLAT UNIVERSITY TOWERS SUBDIVISION, FIRST ADDITION



VICINITY MAP
NOT TO SCALE

EXISTING PROPERTY EASEMENTS

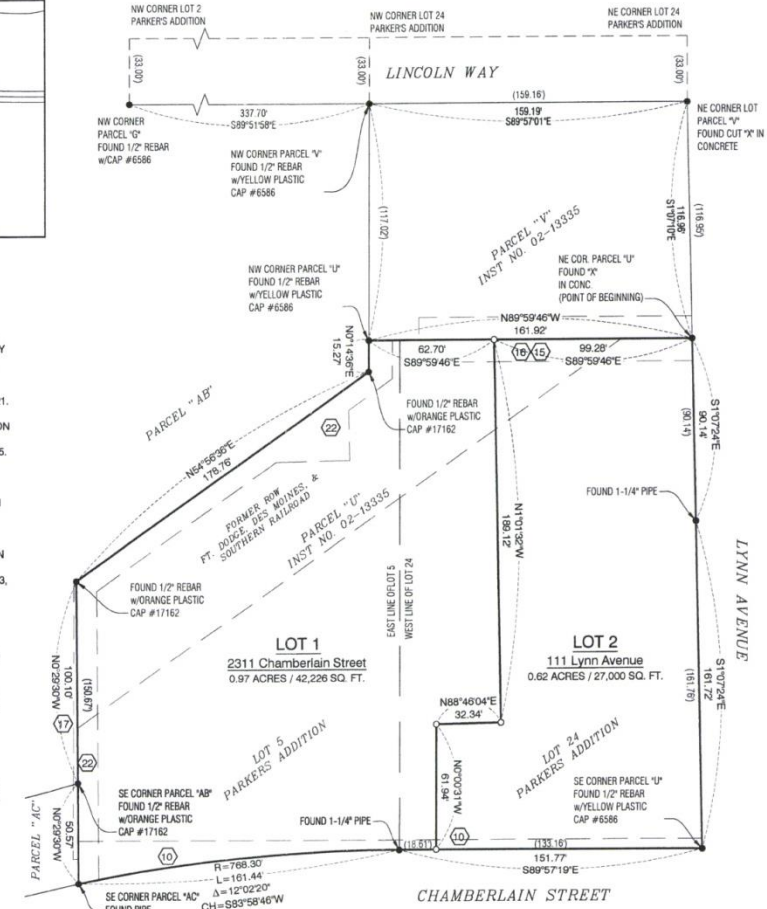
- 10. EASEMENTS FOR RETAINING WALL AND INCIDENTAL RIGHT IN FAVOR OF THE CITY OF AMES, IOWA AS CONTAINED IN THE RIGHT-OF-WAY PERMIT AND EASEMENT DATED FEBRUARY 3, 1969, RECORDED FEBRUARY 3, 1969 IN BOOK 109, PAGE 521.
- 15. EASEMENTS AND MATTERS AS SHOWN ON THE PLAT OF SURVEY RECORDED SEPTEMBER 3, 2002 AS INST. NO. 0213335.
- 16. TERMS, CONDITIONS, COVENANTS, RESTRICTIONS, OBLIGATIONS AND PROVISIONS THEREOF AS CONTAINED IN THE AGREEMENT FOR EASEMENTS, DATED DECEMBER 4, 2002, RECORDED DECEMBER 5, 2002, AS DOCUMENT NO. 02-19718, AS AMENDED BY THAT CERTAIN PARTIAL RELEASE OF EASEMENT AGREEMENT DATED SEPTEMBER 27, 2013, RECORDED SEPTEMBER 30, 2013 AS INSTRUMENT NO. 201311677 AND RE-RECORDED OCTOBER 2, 2013 AS INSTRUMENT NO. 2013-11852.
- 17. TERMS, CONDITIONS, OBLIGATIONS AND INCIDENTAL RIGHTS AS CONTAINED IN EASEMENT AGREEMENT DATED JUNE 6, 2008, RECORDED JUNE 18, 2008 AS INST. NO. 08-06825.
- 22. EASEMENTS, TERMS, CONDITIONS, COVENANTS AND PROVISIONS AS CONTAINED IN THE CITY OF AMES ELECTRIC FACILITIES EASEMENT DATED JULY 14, 2014, RECORDED JULY 25, 2014, AS DOCUMENT NO. 2014-00008251.

LAND SURVEYOR:

CLAPSADDLE-GARBER ASSOCIATES, INC.
1523 S. BELL AVE., SUITE 101
AMES, IOWA 50010
APRIL 2, 2014

ENGINEER:

CLAPSADDLE-GARBER ASSOCIATES, INC.
1523 S. BELL AVE., SUITE 101
AMES, IOWA 50010



SURVEY REQUESTED BY: GILBANE DEVELOPMENT COMPANY
FIELD WORK COMPLETED: 07-13-15

OWNER OF RECORD:

CYCLONE INNS LLC
7 JACKSON WALKWAY
PROVIDENCE, RI 02903

DEVELOPER:

GILBANE DEVELOPMENT COMPANY
100 PENN SQUARE EAST
SUITE 1040
PHILADELPHIA, PA 19107

DESCRIPTION: UNIVERSITY TOWERS SUBDIVISION, FIRST ADDITION

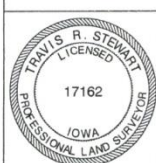
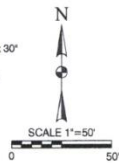
PARCEL "U", A PART OF LOTS FIVE (5) AND TWENTY-FOUR (24) IN PARKERS ADDITION TO AMES, STORY COUNTY, IOWA, AS APPEARS IN THE PLAT OF SURVEY RECORDED IN INSTRUMENT NO. 02-13335 IN THE OFFICE OF THE RECORDER, STORY COUNTY, IOWA, CONTAINING 1.59 ACRES.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

NOTE:
SOIL BORINGS ARE REQUIRED IN AREAS WITHIN THIS PLAT WHICH HAVE BEEN IDENTIFIED BY THE CITY OF AMES AS HAVING SOILS THAT MAKE CONSTRUCTION OF BUILDINGS DIFFICULT.
NOTE:
ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS.

LEGEND:

- ▲ GOVERNMENT CORNER MONUMENT FOUND
- △ GOVERNMENT CORNER MONUMENT SET 1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #17162
- PARCEL OR LOT CORNER MONUMENT FOUND
- SET 1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #17162
- () RECORDED AS
- ◻ EXISTING EASEMENT SEE PAGE 2 OF 2



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 Professional Land Surveyor under the laws of the State of Iowa.

Travis R. Stewart, PLS
Iowa License Number 17162
My License Renewal Date is December 31, 2015
Pages or sheets covered by this seal: THIS SHEET



Clapsaddle-Garber Associates, Inc.
16 East Main Street
Marshalltown, Iowa 50158
Ph 641-752-6701
www.garberassociates.com

DRAWN	RWA	SHEET NO.	1 of 1
DATE	07-13-15	PROJECT NO.	5533.05

2015RegSurvey5533-Plat of Survey - A2 (06/01/15) 11:53 am - Plat (06/01/15) 11:53 am - 15066

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.