

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 115 9th STREET, 913 DUFF AVENUE, AND 915 DUFF AVENUE

BACKGROUND:

The City's subdivision regulations are found in Chapter 23 of the Ames Municipal Code. These regulations include the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for establishing a recognized property description of official parcels, through approval of a plat of survey, for the purpose of obtaining building permits

This particular plat of survey is to establish official “parcel” letters for each of the three existing pre-established conveyance parcels, for the purpose of clarifying the legal description and parcel boundaries, prior to seeking building permits. (see *Attachment B – Proposed Plat of Survey*). All three proposed parcels (see *Attachment A – Location Map*) are zoned as “RM” (Residential Medium Density) within the “O-SFC” (Single Family Conservation Overlay District). Proposed Parcel “C”, with frontage on 9th Street, is also in the “O-H” (Historical Preservation Overlay District), known in Ames as the Old Town Historic District. There are existing frontage improvements along Duff Avenue and 9th Street, and no new improvements are required with the plat of survey.

The parcels at 913 and 915 Duff Avenue, were previously occupied by apartment buildings (one building on each lot), which were conversions of structures originally constructed as single-family dwellings. These structures were demolished by the current owners in 2011. The property owners desire to establish these legal parcels, in preparation for site plan approval and for the issuance of building permits at some point in the future. Timing for the redevelopment of the two properties is yet to be determined by the owners. The third parcel, at 115 9th Street, could function as vehicular access to the other two parcels, and at a width of eight feet is one-half the width of a former alley.

Once a proposed plat of survey has been approved by the City Council by resolution, and once conditions of approval have been met, if required, the official plat of survey may be prepared for signature by a licensed surveyor. The plat of survey prepared for official signatures shall be submitted to the Planning & Housing Department for the Director's review and signature, confirming that it fully conforms to all conditions of approval. The prepared plat of survey may then be signed by the surveyor, who will submit it for recording in the office of the County Recorder.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed plat of survey for the three parcels located at 115 9th Street, 913 Duff Avenue, and 915 Duff Avenue.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.308 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information or continue the item to a later date if the existing structures have not been demolished.

MANAGER'S RECOMMENDED ACTION:

The retracement of the current lots and creating parcel legal descriptions conforms to the lot line boundary requirements of the O-SFC zoning and satisfies all code requirements for the platting of conveyance parcels. Staff has made a preliminary decision of approval.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.

ADDENDUM
PLAT OF SURVEY FOR 115 9th St., 913 Duff Ave., 915 Duff Ave.

Application for a proposed plat of survey has been submitted for:

- Conveyance parcel (per Section 23.307)
- Boundary line adjustment (per Section 23.309)
- Re-plat to correct error (per Section 23.310)
- Auditor's plat (per Code of Iowa Section 354.15)

The site is located at:

Owners: Harold Pike (115 9th St.)
Julie A. Pike (913 Duff Ave.)
Sherman Avenue Properties LLC (915 Duff Ave.)

Existing Street Addresses: 115 9th Street, 913 Duff Avenue, 915 Duff Avenue

Assessor's Parcel #s: 0902136119, 0902136070, 0902136060

Legal Description: See Attachment C
(Parcel A, B & C Survey Descriptions)

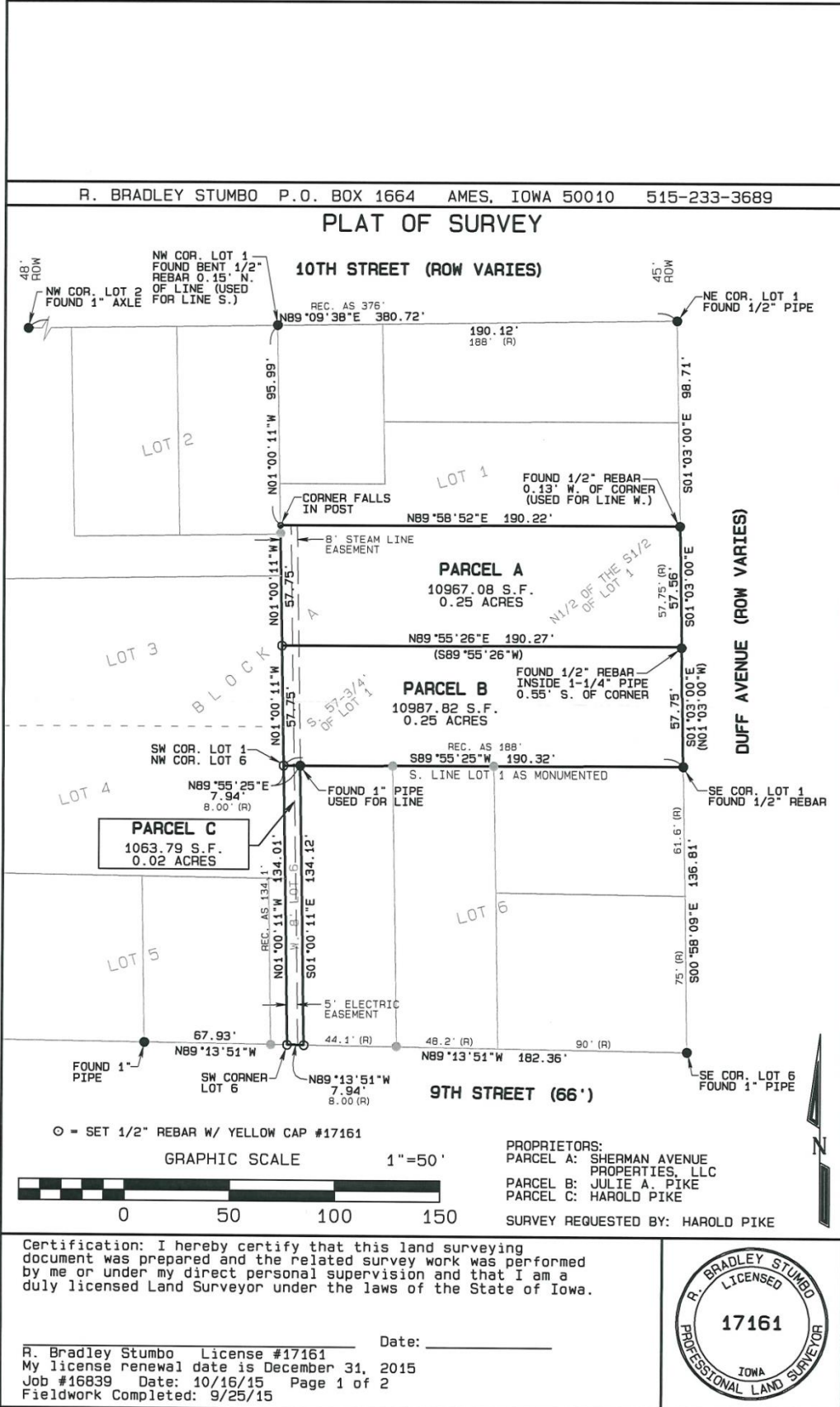
Public Improvements:

The preliminary decision of the Planning Director finds that approval requires all public improvements associated with and required for the proposed plat of survey be:

- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

Note: The official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

ATTACHMENT B: PROPOSED PLAT OF SURVEY



ATTACHMENT C: PARCELS A, B & C SURVEY DESCRIPTIONS

Job #16839

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Survey Description-Parcel A:

The North Half of the South Half of Lot 1 in Block A in the Southeast Corner of the East Half of the Northwest Quarter of Section 2, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, as described in the Warranty Deed filed on August 15, 2011 at Inst. No. 11-07778, and being more particularly described as follows: Commencing at the Southeast Corner of said Lot 1; thence N01°03'00"W, 57.75 feet along the East line thereof to the point of beginning; thence S89°55'26"W, 190.27 feet to the West line of said Lot 1; thence N01°00'11"W, 57.75 feet along said line; thence N89°58'52"E, 190.22 feet to the East line of said Lot 1; thence S01°03'00"E, 57.56 feet along said line to the point of beginning, containing 0.25 acres.

Survey Description-Parcel B:

The South 57-3/4 feet of Lot 1 in Block A in the Southeast Corner of the East Half of the Northwest Quarter of Section 2, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, as described in the Warranty Deed filed on January 22, 1993 in Book 294, Page 115, and being more particularly described as follows: Beginning at the Southeast Corner of said Lot 1; thence S89°55'25"W, 190.32 feet to the Southwest Corner thereof; thence N01°00'11"W, 57.75 feet along the West line of said Lot 1; thence N89°55'26"E, 190.27 feet to the East line of said Lot 1; thence S01°03'00"E, 57.75 feet along said line to the point of beginning, containing 0.25 acres.

Survey Description-Parcel C:

The West 8 feet of Lot 6 in Block A in the Southeast Corner of the East Half of the Northwest Quarter of Section 2, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, as described in the Quit Claim Deed filed on November 2, 2011 at Inst. No. 11-10906, and being more particularly described as follows: Beginning at the Southwest Corner of said Lot 6; thence N01°00'11"W, 134.01 feet to the Northwest Corner thereof; thence N89°55'25"E, 7.94 feet along the North line of said Lot 6; thence S01°00'11"E, 134.12 feet to the South line thereof; thence N89°13'51"W, 7.94 feet to the point of beginning, containing 0.02 acres.

The Ames City Council approved this Plat of Survey on _____, 2015, with Resolution No. _____. I certify that it conforms to all conditions for approval.

Planning and Housing Director