

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 114 SOUTH 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 combining existing platted lots or conveyance parcels in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 as a boundary line adjustment for the purpose of consolidating parcels.

This plat of survey is for a proposed consolidation of two existing platted lots for Quam Family Properties LLC to enable expansion of an existing commercial building for use by a restaurant. (See Attachment A - Location Map). The proposed "Parcel H" includes Lot 5 and Lot 8 of Kingsbury's First Addition, both addressed as 114 South Duff Avenue, with a total of 17,246 square feet (0.40 acres). Lot 5 is the location of an existing vacant commercial building (formerly occupied by Okoboji Grill) that is planned for partial reconstruction, including an addition to the south side of the building. The proposed building expansion crosses the property line between Lots 5 and 8, requiring a Plat of Survey that combines the two existing lots into a single parcel. Both properties are zoned as Highway-Oriented Commercial (HOC).

The current building has a non-conforming front yard and rear yard setback that are unaffected by the consolidation of the two lots. Note that the restaurant use will also require approval of a remote parking agreement for use of an existing parking lot located to the east across the alley. The lots to the east cannot be combined with these lots due to the intervening right-of-way of the alley.

Boundary line adjustments do not trigger additional infrastructure improvements, unless partial infrastructure improvements exist and are required to be extend across a property. **The proposed parcel meets the requirements of having infrastructure in place to serve the proposed development, as outlined in the Subdivision Code, and does not necessitate further extension of public infrastructure.**

Approval of this plat of survey will allow the applicant to prepare the official plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the plat of survey 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.
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.

MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all Code requirements for the consolidation of properties at 114 South Duff Avenue, owned by the Quam Family Properties LLC, for the boundary line adjustment, and 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 114 SOUTH DUFF AVENUE**

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: Quam Family Properties LLC

Existing Street Addresses: 114 South Duff Avenue

Assessor's Parcel #: 0911200105

New Legal Description: See attached Plat of Survey – Parcel 'H'

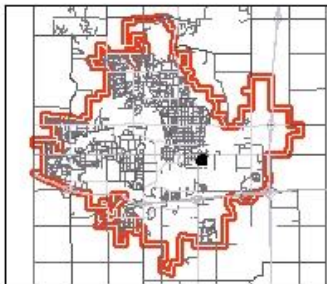
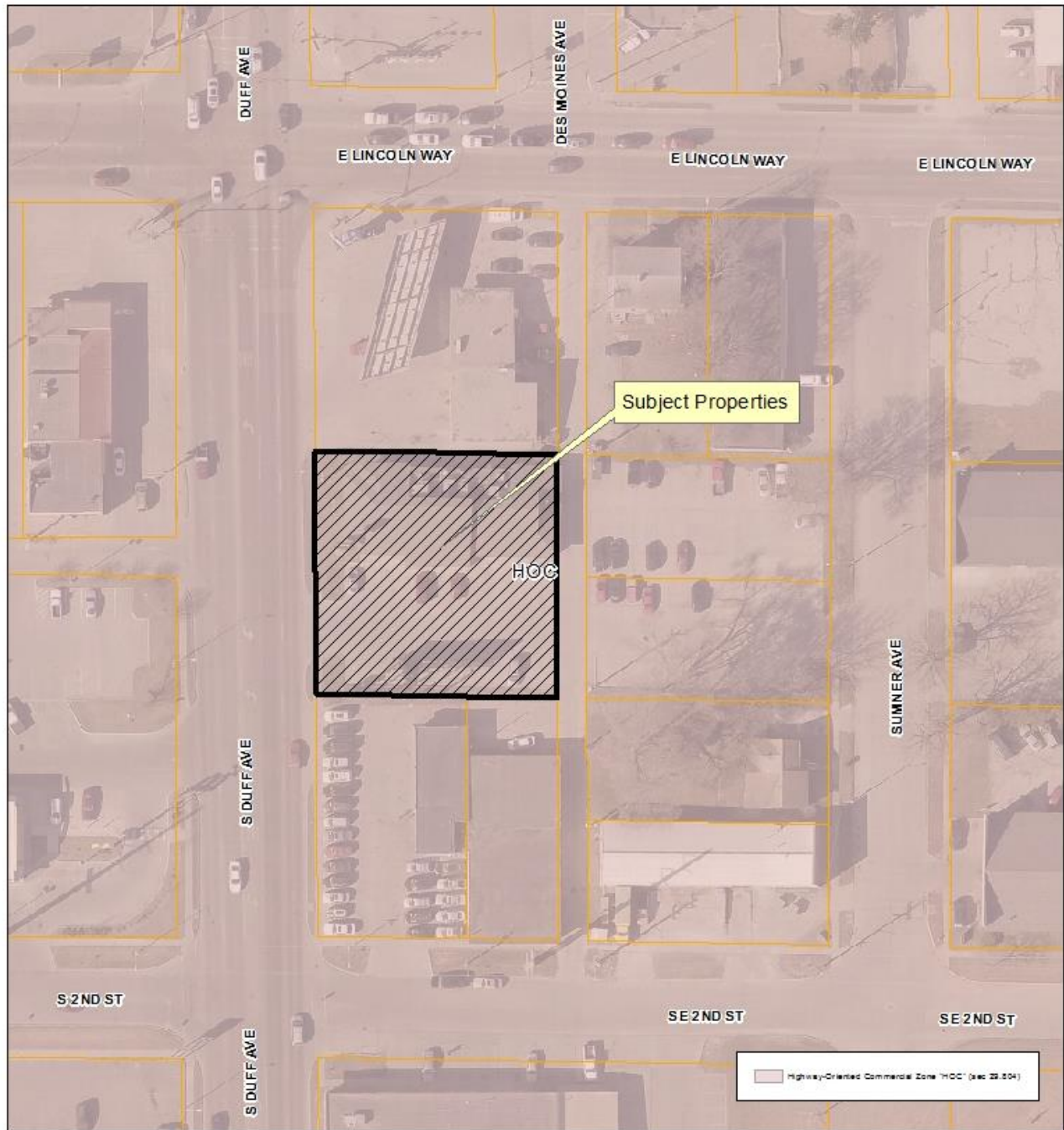
Public Improvements:

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:

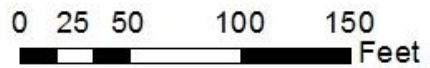
- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

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.

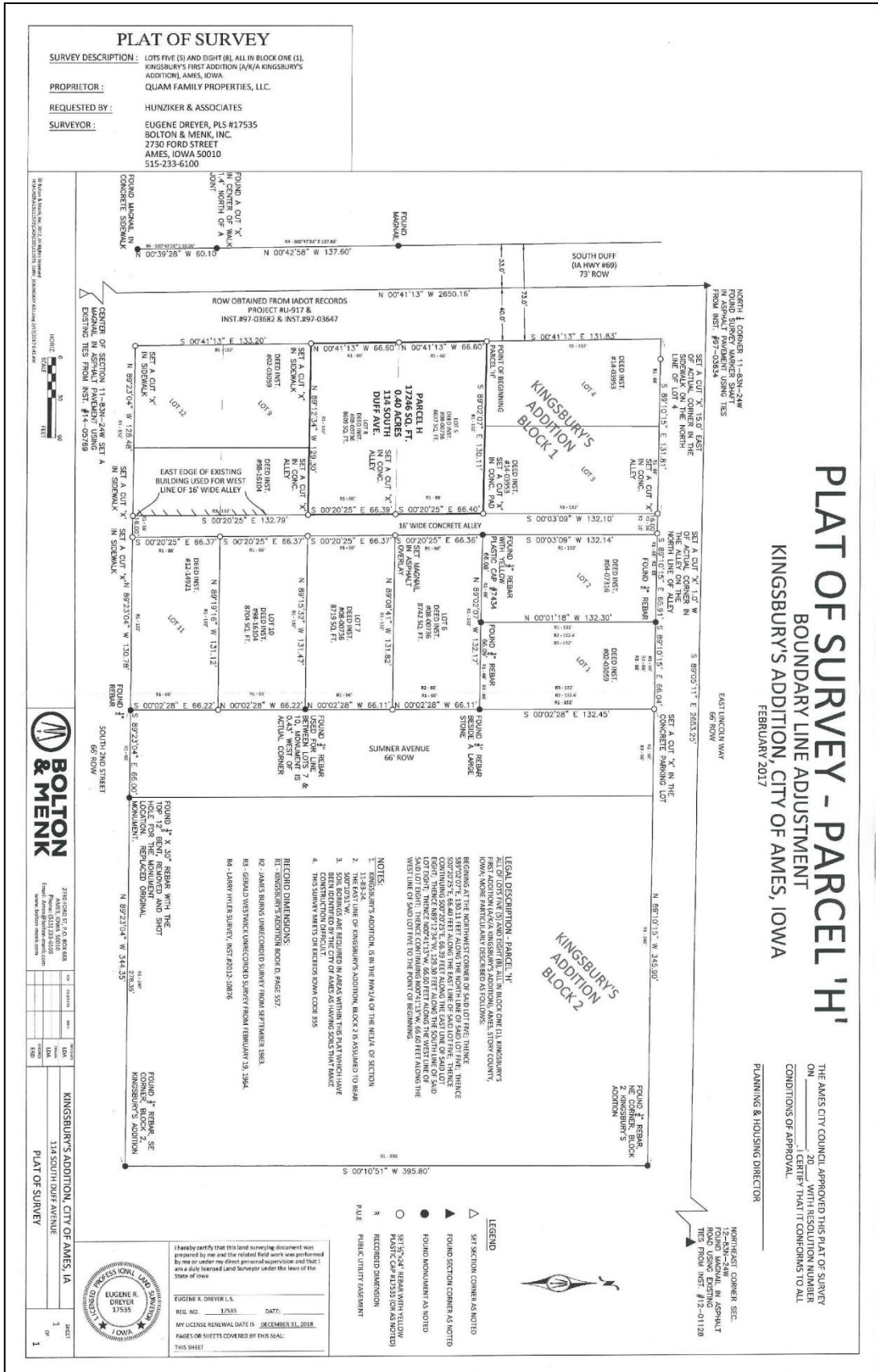
ATTACHMENT A: LOCATION MAP



**Location & Zoning Map
114 South Duff Avenue**



ATTACHMENT B: PROPOSED PLAT OF SURVEY



PLAT OF SURVEY - PARCEL 'H'
BOUNDARY LINE ADJUSTMENT
KINGSBURY'S ADDITION, CITY OF AMES, IOWA
FEBRUARY 2017
PLANNING & HOUSING DIRECTOR

THE AMES CITY COUNCIL APPROVED THIS PLAT OF SURVEY
ON 10/31/2017 WITH RESOLUTION NUMBER 15270
CERTIFY THAT IT CONFORMS TO ALL
CONDITIONS OF APPROVAL.

LEGEND
△ SECTION CORNER AS NOTED
● FOUND SECTION CORNER AS NOTED
○ FOUND MONUMENT AS NOTED
○ SET 1/2" REBAR WITH YELLOW PLASTIC CAP #12335 (OR AS NOTED)
R RECORDED DIMENSION
P PILE
PUBLIC UTILITY easement

LEGAL DESCRIPTION - PARCEL 'H'
PARCEL 'H' IS A 1/4 SECTION 11-88-24W
FIRST ADDITION A/K/A KINGSBURY'S ADDITION, AMES, STORY COUNTY,
IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID LOT TWO; THENCE
S 89°02'07" E 130.11' TO THE POINT OF BEGINNING;
THENCE S 00°03'09" W 132.10' TO THE WEST LINE OF A 16' WIDE
CONCRETE ALLEY; THENCE S 89°02'07" E 130.11' TO THE
POINT OF BEGINNING OF PARCEL 'H' IN CONC. PAD
IN SECT. 11-88-24W; THENCE S 89°02'07" E 130.11'
TO THE WEST LINE OF A 16' WIDE CONCRETE ALLEY;
THENCE S 00°03'09" W 132.10' TO THE WEST LINE OF A 16' WIDE
CONCRETE ALLEY; THENCE S 89°02'07" E 130.11' TO THE
POINT OF BEGINNING OF PARCEL 'H' IN CONC. PAD
IN SECT. 11-88-24W; THENCE S 89°02'07" E 130.11'
TO THE WEST LINE OF A 16' WIDE CONCRETE ALLEY;
THENCE S 00°03'09" W 132.10' TO THE WEST LINE OF A 16' WIDE
CONCRETE ALLEY; THENCE S 89°02'07" E 130.11' TO THE
POINT OF BEGINNING OF PARCEL 'H' IN CONC. PAD
IN SECT. 11-88-24W.

RECORD DIMENSIONS:
R1 - KINGSBURY'S ADDITION BOOK 557.
R2 - JAMES BURNS UNDERCOVER SURVEY FROM SEPTEMBER 1953.
R3 - GERALD WESTWICK UNDERCOVER SURVEY FROM FEBRUARY 15, 1964.
R4 - LARRY HIERER SURVEY AND PHOTO, 20076.



EUGENE R. DREYER
L.S.
PLAT OF SURVEY