

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 1100 ADAMS STREET, 3805 CALHOUN AVENUE AND 3815 CALHOUN 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 adjusting the boundary lines of existing tracts. Section 23.308 allows the use of a plat of survey for a boundary line adjustment.

This plat of survey is for a proposed boundary line adjustment of three existing parcels. These parcels comprise Windsor Oaks senior living at 1100 Adams Street and two single-family homes addressed as 3805 and 3815 Calhoun Avenue. The owner of 3805 Calhoun Avenue seeks to incorporate a portion of the Windsor Oaks land to create a larger lot and Windsor Oaks seeks to reduce their lawn maintenance costs.

Windsor Oaks is a Planned Unit Development with Planned Residential District zoning. Staff reviewed the proposed lot line adjustment and found no significant effects on the major site development plan of the PRD for setbacks, landscaping, access, etc. Several easements have been obtained as part of this plat of survey.

Although the City's subdivision code allows this boundary line adjustment to be completed by a plat of survey, the County Auditor's office asks that the City Council affirm that the requirements of the subdivision code are being waived to allow this to be done by a plat of survey. The County believes this third split of Lot 1 of Windsor Oaks subdivision requires, by Code of Iowa, a subdivision plat unless the jurisdiction waives that requirement. If the City Council approves this plat of survey, the waiver will be incorporated into the resolution of approval. The surveyor, acting on behalf of Windsor Oaks, has requested the waiver, which can be found in Attachment D.

Approval of this plat of survey (Attachment C) 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 approve the proposed plat of survey consistent with the boundary line adjustment standards of Chapter 23 and waive subdivision requirements.

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.

ASSISTANT MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey for a boundary line adjustment does not trigger City infrastructure requirements as defined within the Subdivision Code. With the boundary line adjustment, the Windsor Oaks site development plan will have a minor amendment to reflect the change in boundaries of the site, but the PRD zoning district boundary will be unaffected. The proposed boundary line adjustment is explicitly allowed by the Ames subdivision regulations (Section 23.308(2)) to be done through a plat of survey, although the County Auditor requests a formal waiver of the subdivision standards.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1 to approve the plat of survey and waive subdivision requirements.

It should be noted that the City Manager's spouse is employed as executive director of Windsor Oaks Independent Senior Living. To avoid any appearance of a conflict of interest, the City Manager has recused himself from all staff review, consideration and recommendations regarding this action.

**ADDENDUM
PLAT OF SURVEY FOR 1712 E LINCOLN WAY**

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: 1100 Adams Street, 3805 and 3815 Calhoun Avenue

Owner 1 (New Parcel E) Ames Senior Living, 1100 Adams Street,
05-27-275-066

Owner 2 (New Parcel G): Andrew Peter and Tanya Jean Meyer, 3805 Calhoun Avenue
05-27-275-050

Owner 3 (New Parcel F): Joshua J Magie and Amanda J. Kirk, 3815 Calhoun Avenue
05-27-275-040

New Legal Descriptions:

Survey Description-Parcel 'E':

Part of Parcel C in Lot 1 of Windsor Oaks Subdivision in the City of Ames, Story County, Iowa, said part being more particularly described as follows: Beginning at the Northeast Corner of said Lot 1; thence S01°13'36"E, 340.76 feet along the East line thereof; thence departing said line S04°32'01"W, 28.22 feet; thence S14°34'55"W, 24.88 feet; thence S21°44'54"W, 41.08 feet; thence S17°56'03"W, 42.07 feet; thence S04°47'00"W, 20.23 feet to the South line of said Parcel C; thence S88°43'42"W, 110.42 feet; thence S88°44'53"W, 268.57 feet; thence S01°15'05"E, 164.37 feet; thence S88°45'33"W, 215.39 feet to the Southwest Corner of said Parcel C; thence N00°41'47"W, 259.80 feet; thence N88°47'11"E, 223.18 feet; thence N01°14'48"W, 404.09 feet to the Northwest Corner of said Parcel C; thence N89°59'31"E, 410.53 feet to the point of beginning, containing 5.89 acres.

Survey Description-Parcel 'F':

Part of Parcel C in Lot 1 of Windsor Oaks Subdivision and part of the East 200 feet of Lot 15 in Hunter's Subdivision, all in the City of Ames, Story County, Iowa, and all together being described as follows: Commencing at the Northeast Corner of said Parcel C; thence S01°13'36"E, 340.76 feet along the East line thereof to the point of beginning; thence departing said line N88°43'50"E, 153.12 feet to the west line of Calhoun Avenue and a point on a curve; thence southerly, 90.63 feet along said curve concave to the east having a radius of 958.77 feet, a central angle of 5°24'58" and being subtended by a chord which bears S06°32'43"W, 90.60 feet; thence departing said line S88°42'25"W, 166.51 feet; thence N21°44'54"E, 41.08 feet; thence N14°34'55"E, 24.88 feet; thence N04°32'01"E, 28.22 feet to the point of beginning, containing 0.32 acres.

Survey Description-Parcel 'G':

Part of Parcel C in Lot 1 of Windsor Oaks Subdivision and part of the East 200 feet of Lot 15 in Hunter's Subdivision, all in the City of Ames, Story County, Iowa, and all together being described as follows: Beginning at the Southeast Corner of said Parcel C; thence S88°44'27"W, 164.15 feet along the south line thereof to a corner of said Parcel C; thence N01°16'04"W, 129.54 feet to a corner of said Parcel C; thence S88°43'42"W, 11.50 feet along the south line thereof; thence departing said line N04°47'00"E, 20.23 feet; thence N17°56'03"E, 42.07 feet; thence N88°42'25"E, 166.51 feet to the west line of Calhoun Avenue and a point on a curve; thence southerly, 90.26 feet along said curve concave to the east having a radius of 958.77 feet, a central angle of 5°23'38" and being subtended by a chord which bears S01°08'24"W, 90.23 feet; thence S88°42'53"W, 3.10 feet to a corner of said Parcel C; thence S01°18'09"E, 99.34 feet along the east line thereof to the point of beginning, containing 0.73 acres.

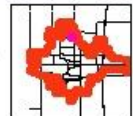
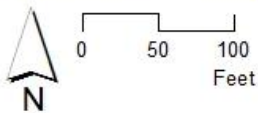
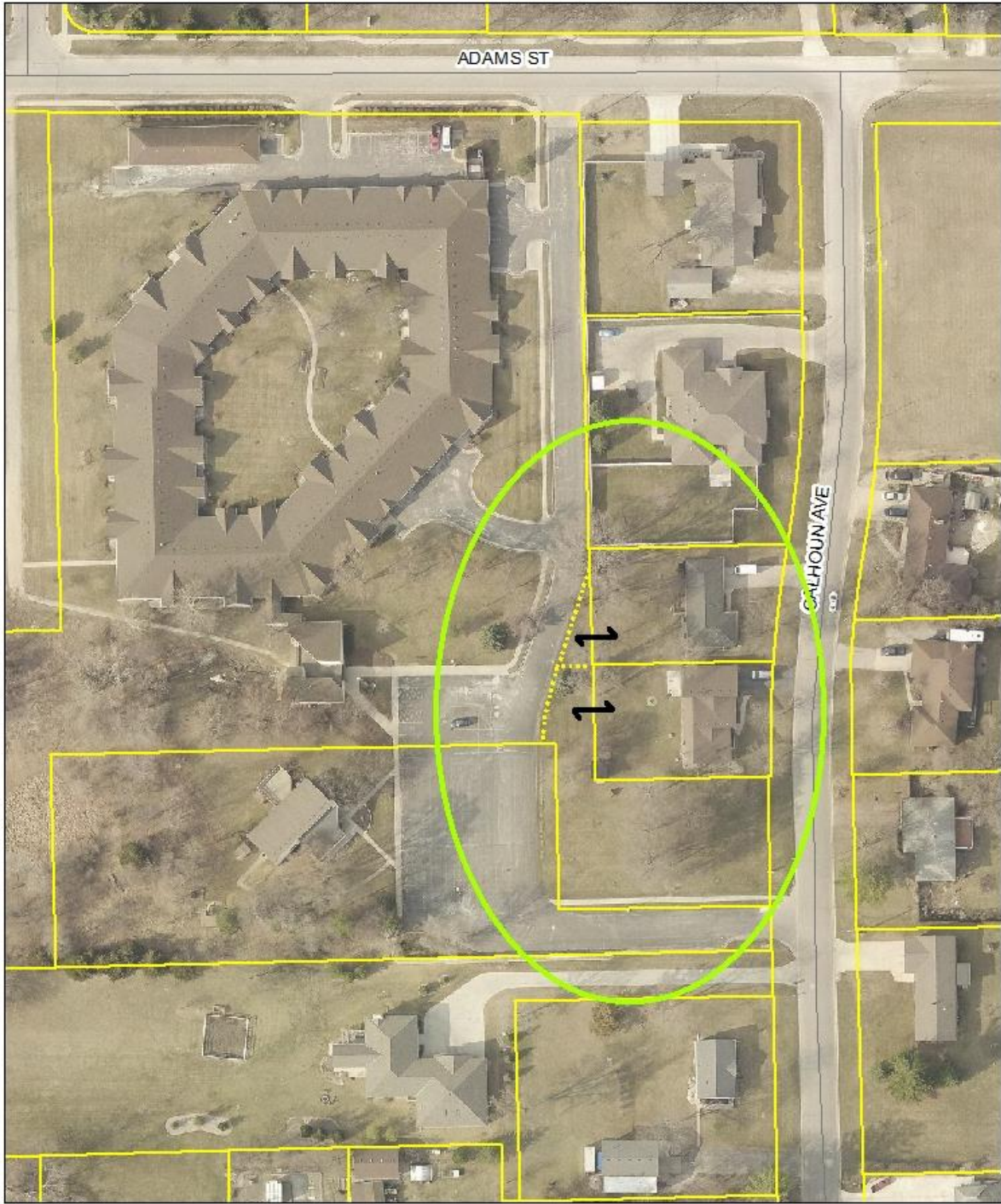
Public Improvements:

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.

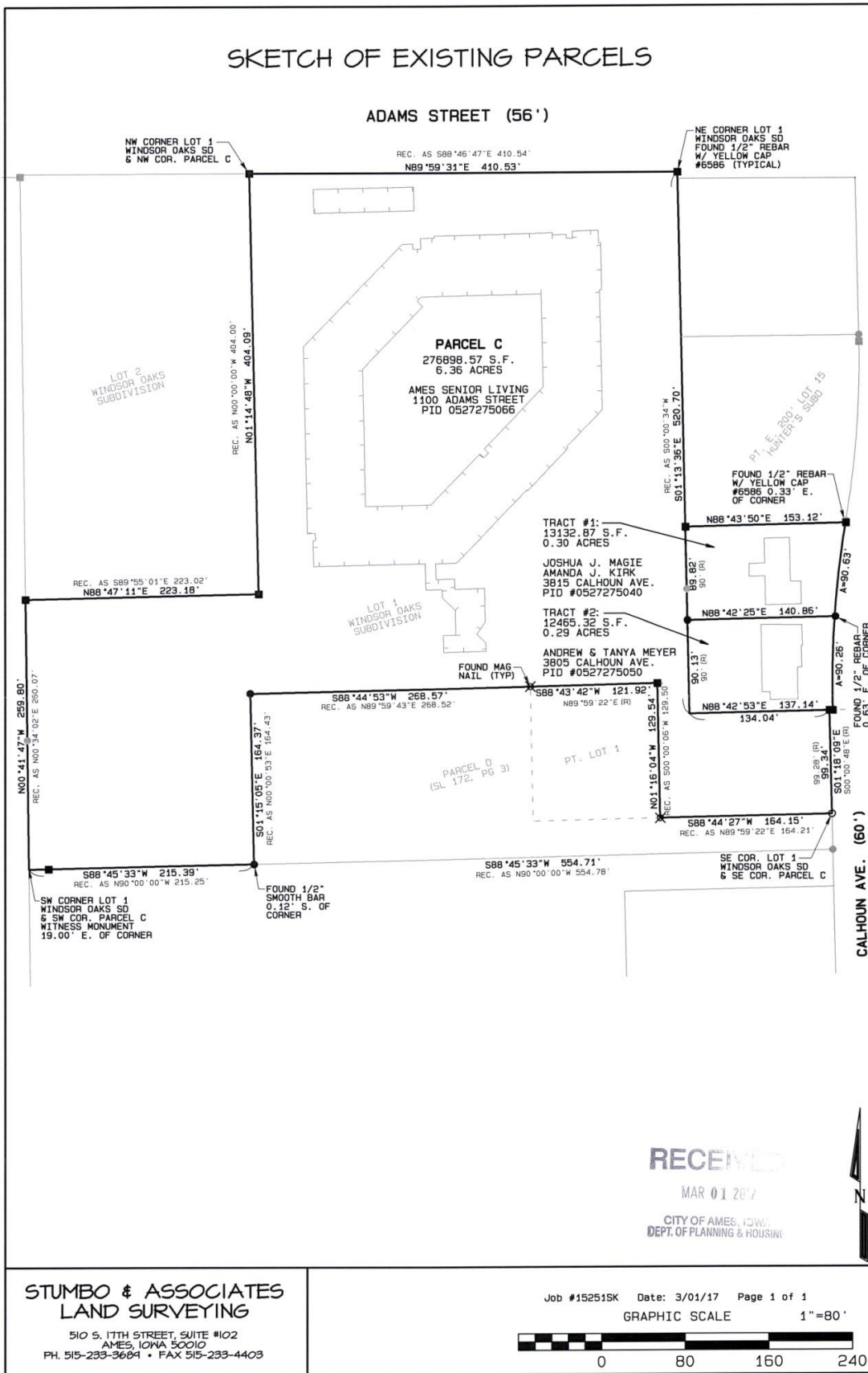
Note: The official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

ATTACHMENT A: LOCATION MAP



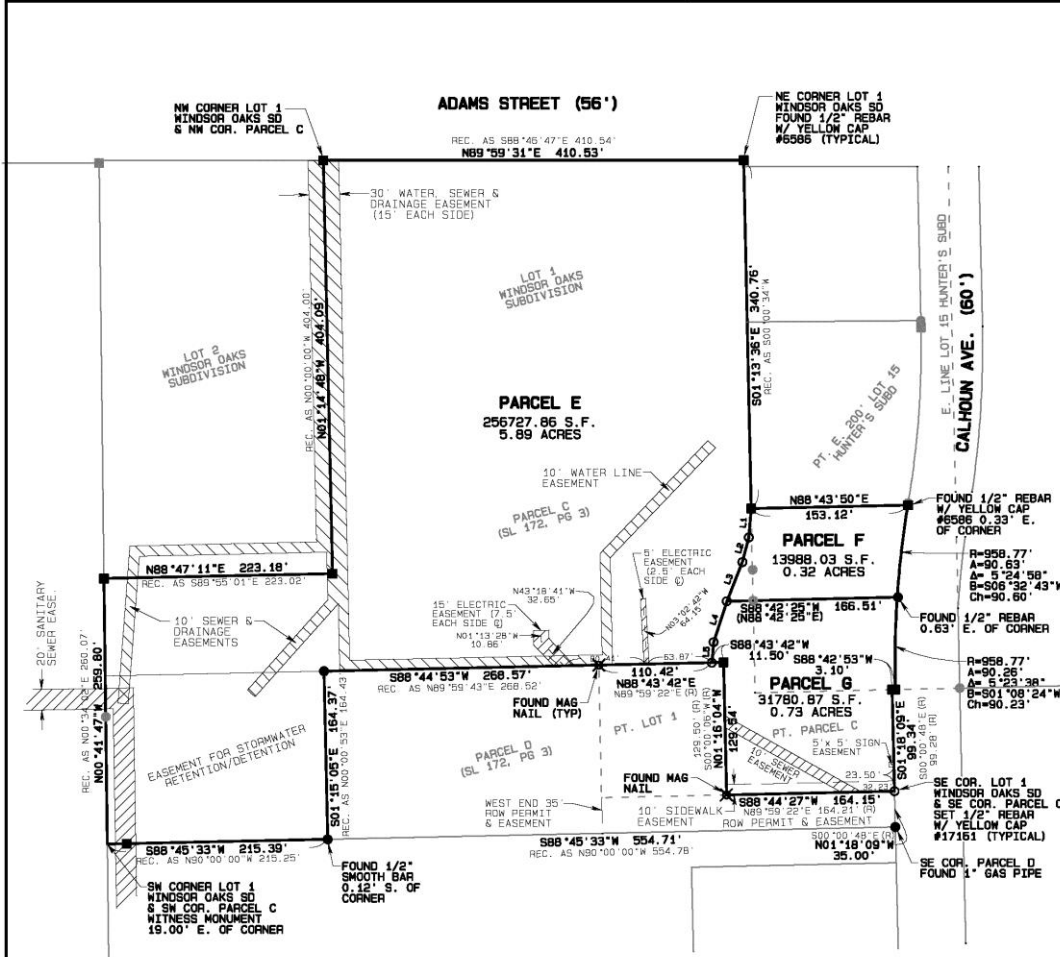
ATTACHMENT B: EXISTING PLAT

SKETCH OF EXISTING PARCELS



ATTACHMENT C: PLAT OF SURVEY

PLAT OF SURVEY	
LOCATION:	PARCEL C IN LOT 1, WINDSOR OAKS SUBDIVISION, AND PART OF THE EAST 200' OF LOT 15, HUNTER'S SUBDIVISION, ALL IN THE CITY OF AMES, STORY COUNTY, IOWA
PROPRIETORS:	PARCEL C, AMES SENIOR LIVING PT. LOT 15, JOSHUA J. MAGIE & AMANDA J. KIRK PT. LOT 15, ANDREW PETER & TANYA JEAN MEYER
REQUESTED BY:	BILL MCCALL, AMES SENIOR LIVING
SURVEYOR:	R. BRADLEY STUMBO, PLS #17161 STUMBO & ASSOCIATES LAND SURVEYING P.O. BOX 1664 AMES, IA 50010 515-233-3689

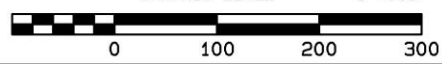


NOTE: THIS PLAT INCORPORATES, AND IS AMENDED FOR, PARCEL C IN LOT 1 OF WINDSOR OAKS SUBD. AND TWO TRACTS IN THE EAST 200' OF LOT 15 OF HUNTER'S SUBD., ALL IN THE CITY OF AMES, IOWA. NEW DEEDS MUST BE FILED FOR THE NEW PARCELS.

LINE	BEARING	DISTANCE	BEARING
L1	S04°32'01"W	28.22'	N04°32'01"E
L2	S14°34'55"W	24.88'	N14°34'55"E
L3	S21°44'54"W	41.08'	N21°44'54"E
L4	S17°56'03"W	42.07'	N17°56'03"E
L5	S04°47'00"W	20.23'	N04°47'00"E

The Ames City Council approved this Plat of Survey on 2017 with Resolution No. I certify that it conforms to all conditions for approval.

GRAPHIC SCALE 1"=100'



STUMBO & ASSOCIATES
LAND SURVEYING
510 S. 17TH STREET, SUITE #102
AMES, IOWA 50010
PH. 515-233-3684 • FAX 515-233-4403

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.



R. Bradley Stumbo License #17161 Date: _____
My license renewal date is December 31, 2017
Job #15251PS Date: 3/28/17 Fieldwork Completed: 2/13/17 Page 1 of 2

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Survey Description-Sign Easement:

Beginning at a point on the east line of Parcel G which is 23.50 feet north of the Southeast Corner thereof; thence S88°41'51"W, 5.00 feet; thence N01°18'09"W, 5.00 feet; thence N88°41'51"E, 5.00 feet to the east line of Parcel G; thence S01°18'09"E, 5.00 feet along said line to the point of beginning.

Survey Description-10' Sewer Easement:

Beginning at a point on the south line of Parcel G which is 32.23 feet west of the Southeast Corner thereof, thence S88°44'27"W, 19.75 feet along said line; thence N60°50'07"W, 130.10 feet to the west line of said Parcel G; thence N01°16'04"W, 11.60 feet along said line; thence S60°50'07"E, 153.00 feet to the point of beginning.

Survey Description-10' Sidewalk Easement:

The south 10.00 feet of Parcel G, being part of Parcel C in Lot 1 of Windsor Oaks Subdivision and part of the East 200 feet of Lot 15 in Hunter's Subdivision, all in the City of Ames, Story County, Iowa.

Survey Description-5' Electric Easement:

A strip 5.00 feet in width in Parcel E, being situated 2.50 feet in each side of the following centerline: Commencing at the Southeast Corner of said Parcel E; thence S88°43'42"W, 63.87 feet along the south line thereof to the point of beginning; thence N03°02'42"W, 64.15 feet, and there terminating.

Survey Description-15' Electric Easement:

A strip 15.00 feet in width in Parcel E, being situated 7.50 feet on each side of the following centerline: Commencing at the Southeast Corner of said Parcel E; thence following the south line thereof S88°43'42"W, 110.42 feet; thence S88°44'53"W, 33.85 feet to the point of beginning; thence N43°18'41"W, 32.65 feet; thence N01°13'28"W, 10.86 feet, and there terminating.

ATTACHMENT D: WAIVER REQUEST



March 28, 2017

Honorable Mayor and Council Members,

I am writing on behalf of Ames Senior Living (Windsor Oaks), Joshua and Amanda Magie and Andrew and Tanya Meyer, owners of the properties surveyed and depicted on the plat being presented for approval, to request that the city waive its subdivision regulations for this Plat of Survey.

During the course of preliminary review by the Developmental Review Committee, the county auditor's office commented that they considered this three-lot boundary line adjustment to be a subdivision instead. Their reasoning was that this constituted the third split of the original Lot 1, Windsor oaks Subdivision. Prior to commencing work on this survey, Ames planning staff had granted approval to perform this survey as a boundary line adjustment.

The rationale for not applying subdivision standards to this survey is that there are no new conveyance parcels being created. We are beginning and ending with three tax parcels, just configured differently.

Thanks you for your consideration.

Brad Stumbo, PLS