

COUNCIL ACTION FORM

SUBJECT: **AMENDED PLAT OF SURVEY FOR 202 SE 5th STREET**

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 for the consolidation of conveyance parcels and for boundary line adjustments.

This amended plat of survey is for a conveyance parcel located at 202 SE 5th Street. The conveyance parcel has been in its present configuration since the 1950's. The existing parcel is .71 acres and is zoned Highway Oriented Commercial (HOC). The site contains a retail building that has been remodeled for continued commercial use.

A plat of survey was initially approved on June 28, 2016 and is being brought for reconsideration based on an incorrect legal description that was provided by the applicant with the prior plat. The previously approved plat of survey is provided in Attachment B. An amended plat of survey is provided in Attachment C.

The site has access to all City utilities and all utilities exist inside the right of way along SE 5th Street. The site requires no additional public improvements. The developer recently completed a sidewalk connection across the site's frontage to full a requirement of the Subdivision Code.

Approval of this amended plat of survey (Attachment C) will allow the applicant to prepare the official amended plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the amended plat of survey confirming that it fully conforms to all conditions of approval. The amended 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 amended plat of survey.
2. The City Council can deny the amended 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.

CITY MANAGER'S RECOMMENDATION:

Staff has determined that the amended plat of survey satisfies all code requirements 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 amended plat of survey.

**ADDENDUM
PLAT OF SURVEY FOR 202 SE 5TH STREET**

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: Lieu Thi Pham, Nhan Van Luu, Thanh Van Luu, Christine Thi Luu

Existing Street Address: 202 SE 5TH Street

Assessor's Parcel #: 0911251020

Legal Description: COMMENCING AT THE NE CORNER OF LOT 3, CHAVIS ADDITION TO THE CITY OF AMES; THENCE S00° 32'03"E, 10.00 FEET TO THE POINT OF BEGINNING; THENCE S89°57'56"E, 151.54 FEET ALONG THE SOUTH RIGHT-OF-WAY OF SOUTHEAST FIFTH STREET TO THE NORTHWEST CORNER OF LOT 1, WALMART'S SUBDIVISION, FIRST ADDITION; THENCE S00 37'46"E, 202.55 FEET ALONG THE WEST LINE OF SAID LOT 1, WALMART'S SUBDIVISION; THENCE N89 58'40"W, 151.87 FEET TO THE EAST LINE OF LOT 4 OF SAID CHAVIS ADDITION; THENCE N00 32'03"W, 202.58 FEET ALONG THE EAST LINE OF LOTS 3 AND 4 OF SAID CHAVIS ADDITION TO THE POINT OF BEGINNING.

Public Improvements:

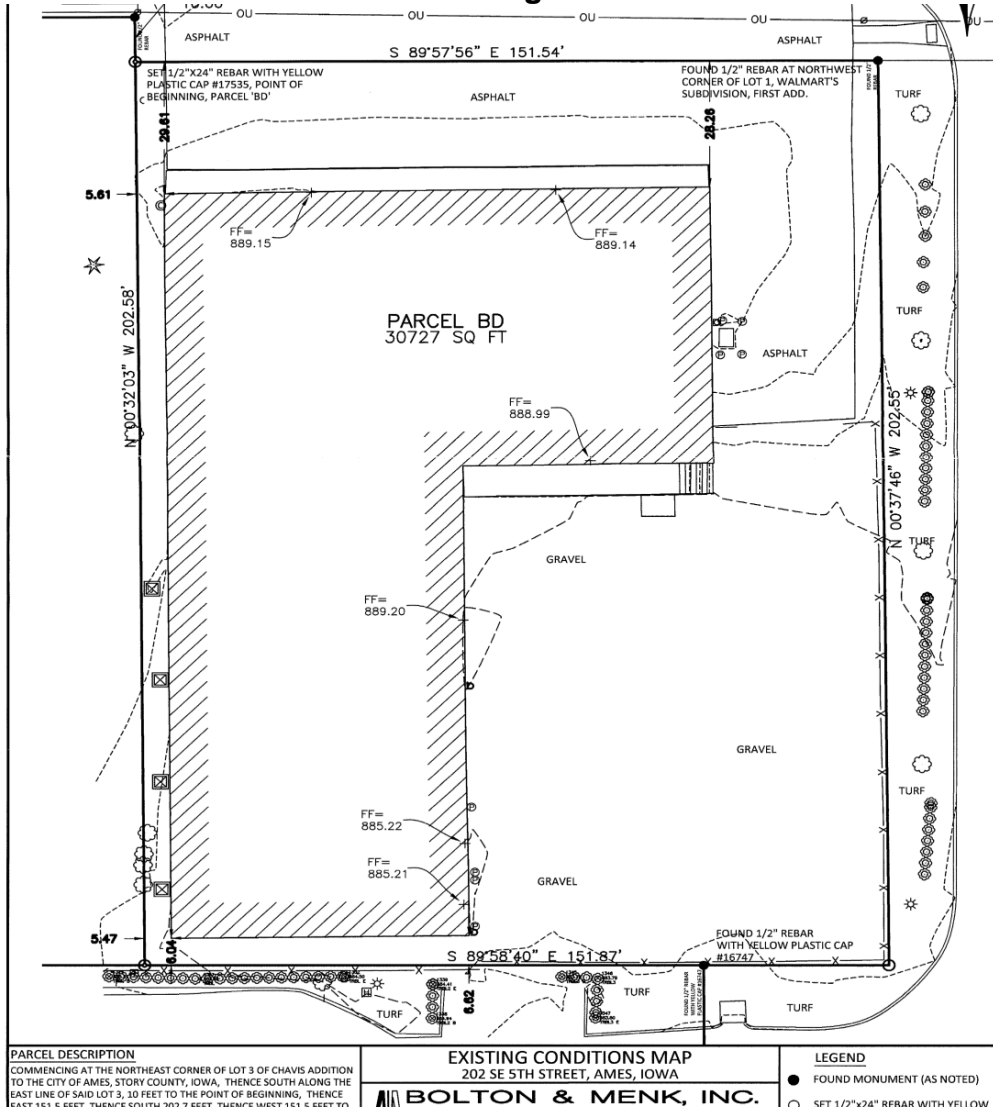
The preliminary decision of the Planning Director finds that approval requires all public improvements associated with and required for the proposed plat of survey be:

- 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. (no additional improvements required)

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

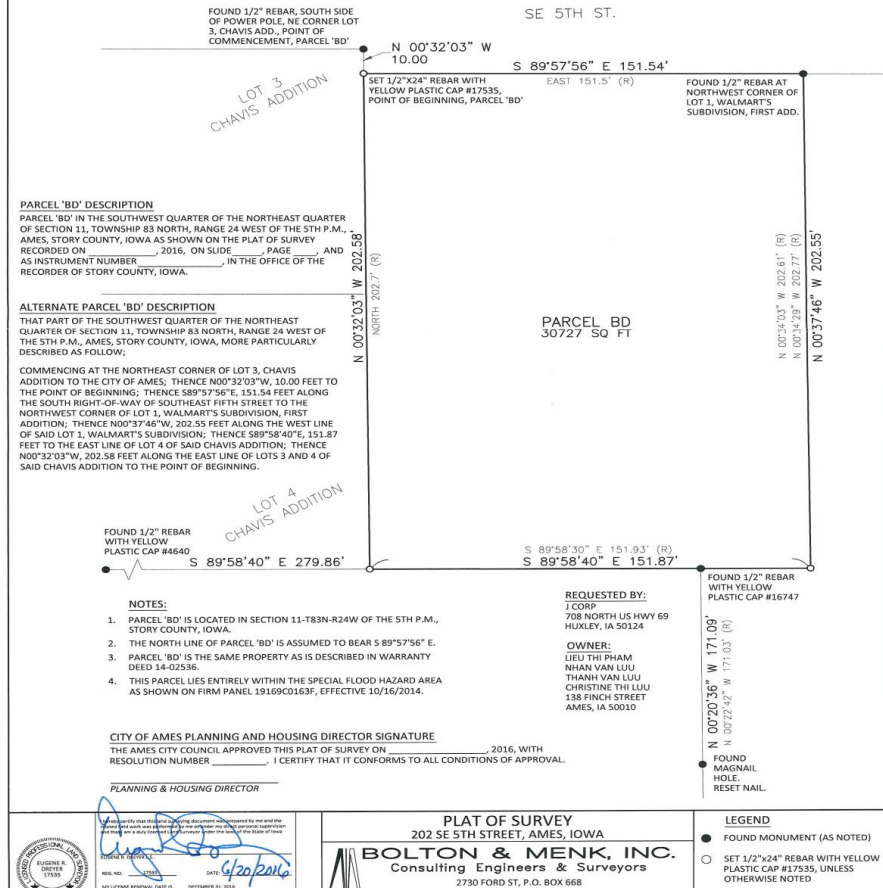
the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

Attachment A- Existing Conditions



Attachment B- June 2016 Plat of Survey

PLAT OF SURVEY



Attachment C- Amended Plat of Survey

**** AMENDED PLAT OF SURVEY ****

SURVEY DESCRIPTION: PARCEL 'BD' IN THE SOUTHWEST QUARTER OF THE NE 1/4 OF SEC. 11-83-24, AMES, STORY COUNTY, IOWA.

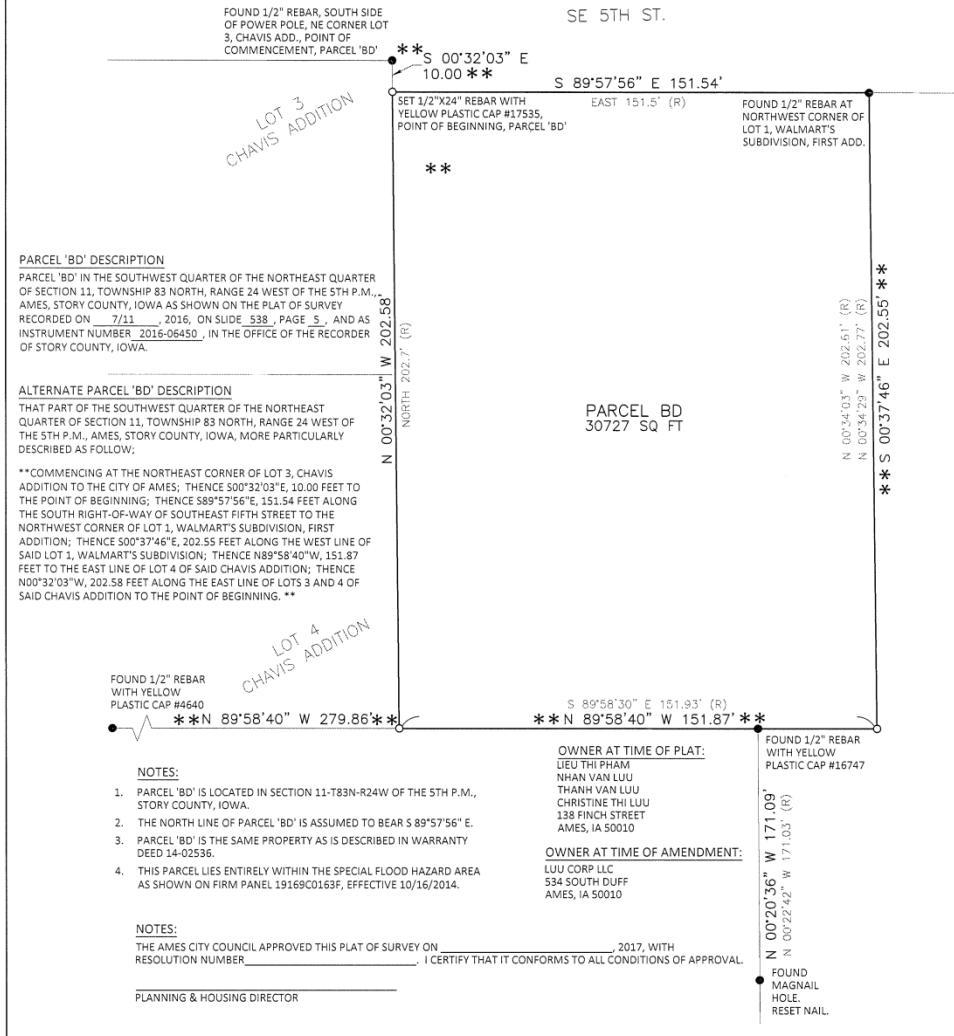
PROPRIETOR: LUU CORP LLC

REQUESTED BY: J CORP

SURVEYOR: EUGENE DREYER, PLS #17535
BOLTON & MENK, INC.
2730 FORD STREET
AMES, IOWA 50010
515-233-6100

SLIDE: _____ **PAGE:** _____

**** AMENDED PLAT OF SURVEY ****



I hereby certify that this land surveying document was prepared by me and the related field 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.

EUGENE DREYER
PLS #17535
DATE: _____
MY LICENSE RENEWAL DATE IS: _____, DECEMBER 31, 2028
PAGES OR SHEETS COVERED BY THIS SEAL: _____
SHEETS COVERED: _____

PLAT OF SURVEY
202 SE 5TH STREET, AMES, IOWA

BOLTON & MENK, INC.
Consulting Engineers & Surveyors
2730 FORD ST, P.O. BOX 668
AMES, IOWA 50010
(515)-233-1600

LEGEND

- FOUND MONUMENT (AS NOTED)
- SET 1/2"x24" REBAR WITH YELLOW PLASTIC CAP #17535, UNLESS OTHERWISE NOTED
- (R) RECORDED DIMENSION