

**COUNCIL ACTION FORM**

**SUBJECT: RECISION OF PLAT OF SURVEY for 2017 EAST LINCOLN WAY AND APPROVAL OF A PLAT OF SURVEY FOR 2017 EAST LINCOLN WAY & 320 CARNEGIE AVENUE**

**BACKGROUND:**

The City's subdivision regulations found in Chapter 23 of the Ames Municipal Code 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 proposed plat of survey is for a boundary line adjustment of existing parcel F at 2017 East Lincoln Way and Lot 4 with 36' of Lot 5 of Ray's Subdivision located at 320 Carnegie Avenue. These parcels are currently occupied by Larson Collision and Central Iowa Towing. The parcels have been in their present configuration since 2005 (Parcel F) and 1970 (Lot 4 & 5) when both were approved respectively. However, a plat of survey to modify the boundaries of 2017 East Lincoln Way was approved by the City in 2017, but the property sale and transfer did not occur upon the recording of the earlier plat of survey. In order to approve the new plat of survey, the City Council is asked to rescind its prior approval.

The sites are zoned General Industrial zone (GI) and have industrial buildings on each parcel. The proposed new parcels are labeled as P and N. There is a shared ingress/egress easement from East Lincoln Way across the proposed Parcel N extending to the new boundary of the proposed Parcel P. Access to the proposed Parcel P is also available via Carnegie Avenue. The proposed change shifts approximately 1.7 acres of the site from the rear of existing Parcel F to Parcel P.

The sites were reviewed to ensure that setbacks and building coverage complied with requirements found in the zone development standards of the General Industrial zone (GI). Although the site has a number of nonconformities for paving and landscaping, staff has concluded that that the boundary line adjustment is not creating or exacerbating any non-conformities for the existing non-conforming site improvements. Access to Lincoln Way will be maintained as shared access for the new Parcel N and P.

A Special Use Permit was approved in 2001 by the Zoning Board of Adjustment for 320 Carnegie Avenue for an impoundment lot owned by Central Iowa Towing. The proposed boundary line adjustment enlarges the property on which the impoundment lot is currently located, but does not authorize an increase in the size or relocation of the impoundment area itself. The newly acquired portion of property owned by Central Iowa Towing (Parcel P) will

have only towing services and associated equipment storage conducted on the site. The applicant has provided a written explanation that the car impoundment activities will not occur outside of its current approved area.

New 10-foot wide electrical and utility easements is included on the proposed parcel P. from the boundary line of Parcel N as required by Ames Electric. A utility easement is also being identified as being extended further west through Parcel P to Carnegie Avenue.

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 adopt the resolution to rescind the prior plat of survey approval for 2017 Lincoln Way and approve the proposed Parcel N and P of the attached 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 23.309 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

### **CITY MANAGER'S RECOMMENDED ACTION:**

Staff has determined that the proposed plat of survey satisfies all code requirements for a boundary line adjustment of existing lots and has made a preliminary decision of approval. The resulting two lots are designed to be conforming to underlying design standards and building setbacks of G1 zoning. The boundary line adjustment does not trigger infrastructure requirements unless there is a gap in completion of existing infrastructure, which does not exist for this situation. The changing of the property lines does not authorize an expansion of the existing car impoundment lot along Carnegie.

**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 2017 E Lincoln Way & 320 Carnegie 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: Parcel P: Dustin Tapp  
Parcel N: Wayne Larson

Existing Street Address: 2017 E Lincoln Way & 320 Carnegie Avenue

Assessor's Parcel #: 0901477085 and 0901477160

Legal Description:

Part of Parcel F in the Southeast Quarter of Section 1, Township 83 North, Range 24 West of the 5<sup>th</sup> P.M., City of Ames, Story County, Iowa, as shown on the Plat of Survey filed in Slide 233, Page 1, said part being more particularly described as follows: Beginning at the Southeast Corner of said Parcel F; thence S89°50'01"W, 241.04 feet to the Southwest Corner thereof; thence N00°11'07"W, 382.56 feet along the west line thereof and said line extended; thence N89°49'45"E, 241.06 feet to the east line of said Parcel F; thence S00°10'59"E, 382.57 feet along said line to the point of beginning, containing 2.12 acres.

Part of Parcel F, as shown on the Plat of Survey filed in Slide 233, Page 1, in the Southeast Quarter of Section 1, Township 83 North, Range 24 West of the 5<sup>th</sup> P.M., and Lots 4 and 5, except the south 113.2 feet of said Lot 5, in Ray's Subdivision of Lot 6, Block 3, Landfill Addition, all in the City of Ames, Story County, Iowa, and all together being more particularly described as follows: Beginning at a point on the east line of said Parcel F which is 382.57 feet North of the Southeast Corner thereof; thence S89°49'45"W, 241.06 feet; thence S00°11'07"E, 32.34 feet; thence S89°47'41"W, 159.00 feet to the east line of Lot 6 in said Ray's Addition; thence N00°10'37"W, 170.01 feet to the Northeast Corner of said South 113.2 feet of said Lot 5; thence S89°45'29"W, 396.20 feet to the Northwest Corner of said South 113.2 feet of said Lot 5; thence N00°24'37"W, 266.07 feet to the Northwest Corner of said Lot 4; thence N89°49'49"E, 397.23 feet to the Northeast Corner thereof; thence S00°11'23"E, 229.17 feet to the Northwest Corner of said Parcel F; thence N89°49'45"E, 400.03 feet to the Northeast Corner thereof; thence S00°10'59"E, 173.98 feet to the point of beginning, containing 4.14 acres.

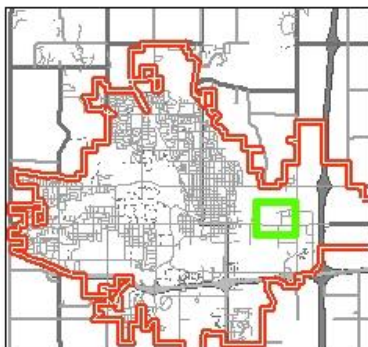
**Public Improvements:**

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. (no additional improvements required)

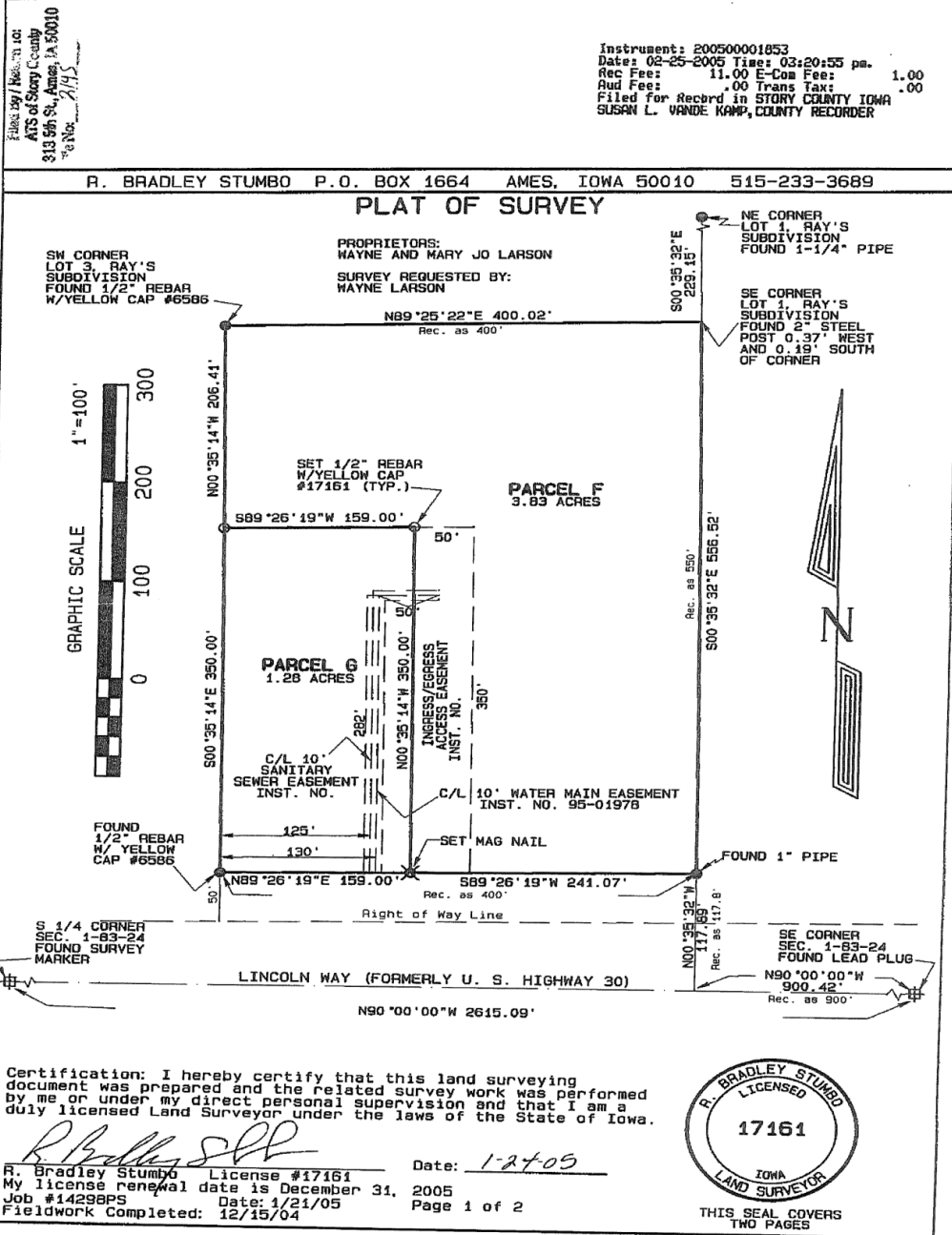
Note: The official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

# Attachment A- Location Map

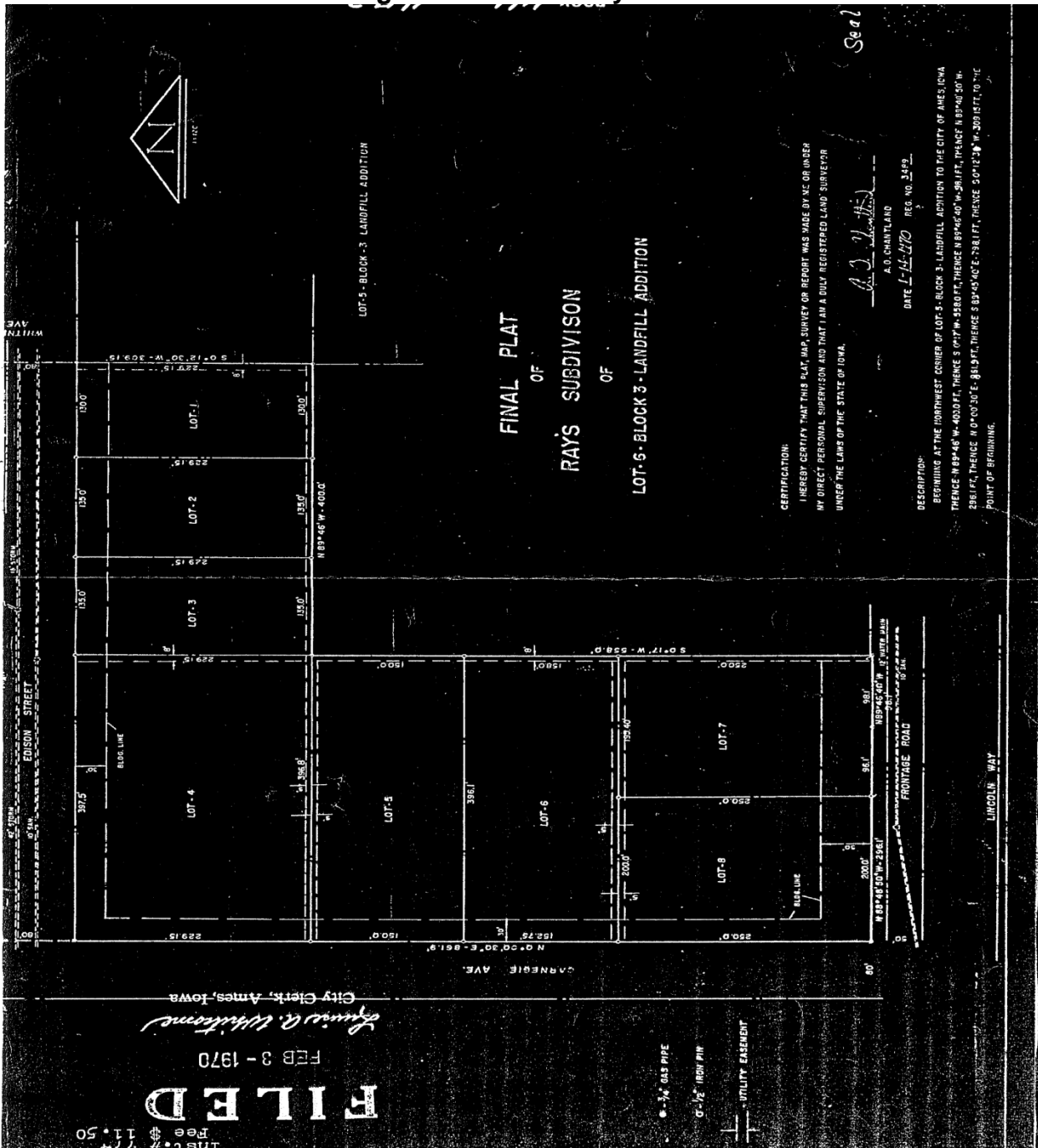


**2017 East Lincoln Way &  
320 Carnegie Avenue  
Location map**

# Attachment B- 2017 East Lincoln Way-Parcel F



Attachment B Cont. Existing Lot 4 & Lot 5- Rays Subdivision



FILED

FEB 3 - 1970

City Clerk, Ames, Iowa

Instr. # 774 Fee \$ 11.50

6" - 3/4" GAS PIPE  
 6" - 1/2" IRON PIPE  
 UTILITY EASEMENT

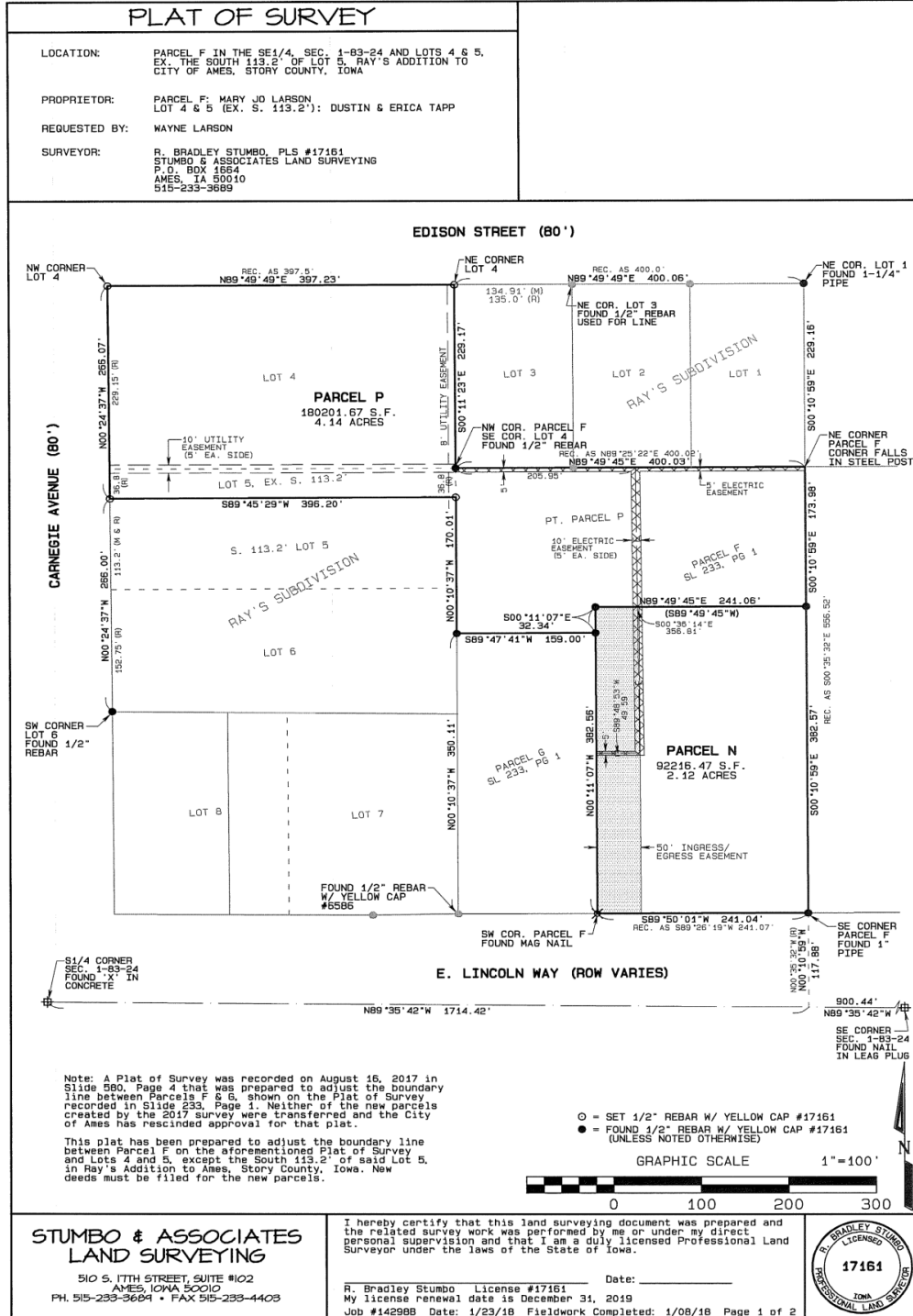
Seal

CERTIFICATION:  
 I HEREBY CERTIFY THAT THIS PLAT, MAP, SURVEY OR REPORT WAS MADE BY ME OR UNDER  
 MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR  
 UNDER THE LAWS OF THE STATE OF IOWA.

A.O. CHANTLAND  
 DATE FEB 14 1970  
 REG. NO. 3459

DESCRIPTION:  
 BEGINNING AT THE NORTHWEST CORNER OF LOT-5-BLOCK 3-LANDFILL ADDITION TO THE CITY OF AMES, IOWA  
 THENCE N 89° 46' W - 400.00 FT, THENCE S 01° 17' W - 388.0 FT, THENCE N 89° 46' 40" W - 381 FT, THENCE N 89° 46' 50" W -  
 286.1 FT, THENCE N 0° 03' 50" E - 88.5 FT, THENCE S 83° 45' 40" E - 758.1 FT, THENCE S 0° 12' 30" W - 309.8 FT, TO THE  
 POINT OF BEGINNING.

# Attachment C- Plat of Survey



**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.

Date: \_\_\_\_\_

R. Bradley Stumbo License #17161  
 My license renewal date is December 31, 2019  
 Job #142988 Date: 1/23/18 Fieldwork Completed: 1/08/18 Page 1 of 2

