

**COUNCIL ACTION FORM**

**SUBJECT: PLAT OF SURVEY (BOUNDARY LINE ADJUSTMENT) FOR 2812 AND 2814 WEST STREET.**

**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 a boundary line adjustment.

**The proposed Plat of Survey is a boundary line adjustment for two parcels addressed as 2812 West Street (as Parcel 'G') and 2814 West Street (as Parcel 'F'). (See Attachment B – Proposed Plat of Survey.)**

The parcel at 2814 West Street contains a commercial space planned for a restaurant on the main floor and residential units on the second floor. The lot at 2812 West Street contains a single level commercial building with general commercial space. The two lots are both nonconforming for minimum lot frontage of 60 feet.

**The boundary line adjustment is proposed to accommodate an area on Parcel F to place mechanical equipment desired to serve the building located on at 2814 West Street.** The Zoning Ordinance requires that mechanical equipment be located on the same property as the use that is being served by the equipment. The proposed Plat of Survey will alter the boundary lines between both properties along both buildings and within parking lot area located behind both properties. The existing boundary lines already extend through the parking lot and will continue to do so after the lines are adjusted.

Approval of a Plat of Survey requires conformance to all standards of the Zoning Ordinance and the Subdivision Code. Parcels 'F' and 'G' were reviewed to ensure that proposed new boundary line locations did not create new non-conformities or increase existing non-conformities. The change in boundary lines maintains the same lot frontage, building coverage, and net lot size for each property. Currently, the parcels are zoned Neighborhood Commercial (NC).

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 approve the proposed Plat of Survey consistent with the standards of Chapter 23 for approval of a boundary line adjustment.
2. The City Council can deny the proposed Plat of Survey if the City Council finds that the requirements for plats of survey for design and improvements 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 RECOMMENDED ACTION:**

Staff has determined that the proposed Plat of Survey satisfies all Zoning Ordinance standards for nonconforming lots and Subdivision Code requirements for a boundary line adjustment of existing parcels and has made a preliminary decision of approval. The resulting parcels are designed to be conforming to underlying design standards and building setbacks of Neighborhood Commercial (NC) zoning. No public improvements are required with the boundary line adjustment.

**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 2812 WEST STREET & 2814 WEST 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: Mother Lode Enterprises, Inc.

Existing Street Address: Parcel G: 2812 West Street  
Parcel F: 2814 West Street Street

Assessor's Parcel #: Parcel G: 0904352050 and Parcel F: 0904352040

Legal Description:

Survey Description-Parcel 'F':  
Part of the East 32 feet of the West 50 feet and part of the North 93 feet of the East 50 feet of the West 100 feet, all in Lot 1 in Athletic Park Addition to the City of Ames, Story County, Iowa, being more particularly described as follows: Commencing at the Northwest Corner of Lot 3 in said Athletic Park Addition; thence N89°08'50"E, 122.92 feet along the north line of said Athletic Park Addition to the point of beginning; thence continuing N89°08'50"E, 32.00 feet; thence S00°49'51"E, 45.00 feet; thence N89°10'09"E, 15.00 feet; thence S00°49'51"E, 29.00 feet; thence S89°10'09"W, 30.00 feet; thence S00°49'51"E, 29.00 feet; thence N89°10'09"E, 15.00 feet; thence S00°49'51"E, 47.24 feet to the south line of said Lot 1; thence S89°12'06"W, 34.21 feet along said line; thence N00°00'43"E, 150.22 feet to the point of beginning, containing 0.11 acres.

Survey Description-Parcel 'G':  
Part of the East 32 feet of the West 50 feet and part of the North 93 feet of the East 50 feet of the West 100 feet, all in Lot 1 in Athletic Park Addition to the City of Ames, Story County, Iowa, being more particularly described as follows: Commencing at the Northwest Corner of Lot 3 in said Athletic Park Addition; thence N89°08'50"E, 154.92 feet along the north line of said Athletic Park Addition to the point of beginning; thence continuing N89°08'50"E, 50.69 feet; thence S00°49'34"E, 93.00 feet; thence S89°08'50"W, 50.68 feet; thence S00°49'51"E, 10.00 feet; thence S89°10'09"W, 15.00 feet; thence N00°49'51"W, 29.00 feet; thence N89°10'09"E, 30.00 feet; thence N00°49'51"W, 29.00 feet; thence S89°10'09"W, 15.00 feet; thence N00°49'51"W, 45.00 feet to the point of beginning, containing 0.11 acres.

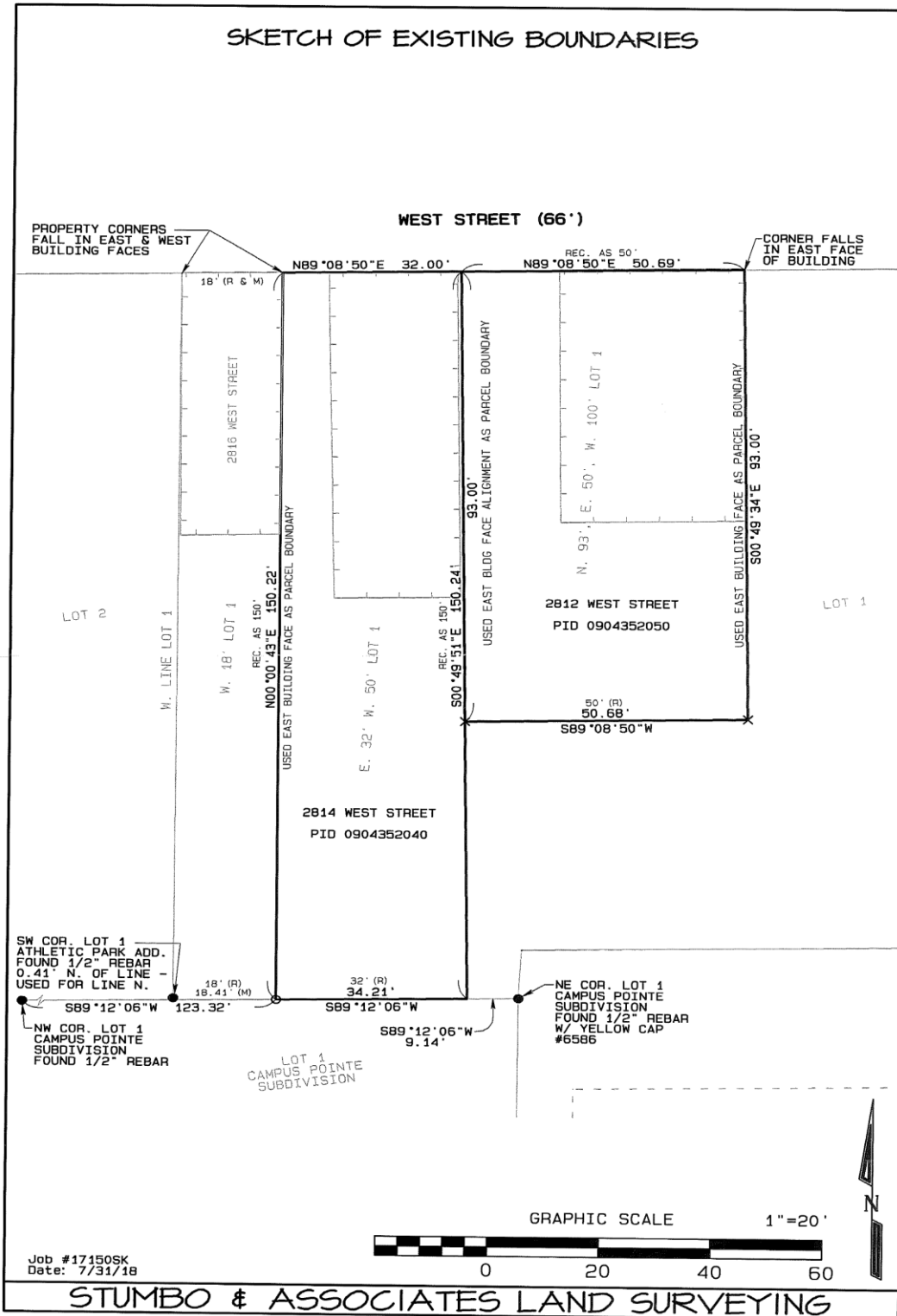
**Public Improvements:**

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:

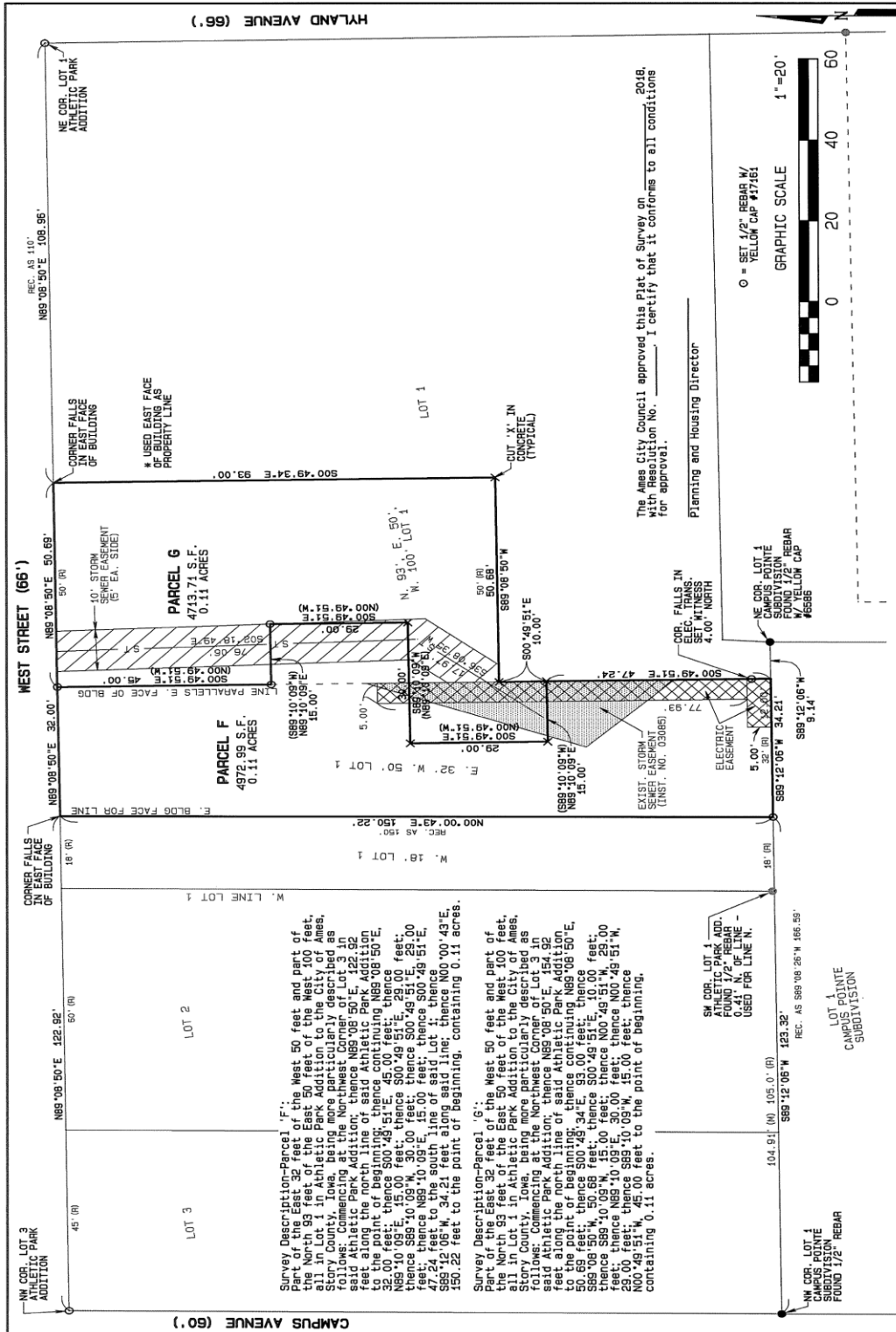
- Installed prior to creation and recordation of the official Plat of Survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable. (no additional improvements required)

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- Existing Conditions



# Attachment B- Proposed Plat of Survey



**STUMBO & ASSOCIATES**  
**LAND SURVEYING**  
 510 S. 17TH STREET, SUITE #102 • AMES, IOWA 50010  
 PH: 515-233-5684 • FAX 515-233-4403

**PLAT OF SURVEY**  
 IN LOT 1, ATHLETIC PARK ADDITION  
 CITY OF AMES, STORY COUNTY, IOWA

**PROPRIETORS:** MOTHER LOUE ENTERPRISES, INC.  
**SURVEY REQUESTED BY:** DAN COX

**DATE:** 9/07/18 **PAGE 1 OF 1**

**FIELDWORK COMPLETED:** 9/07/18

**Job #17150**

**Surveyor:** R. Bradley Stumbo, License #17181  
 My license renewal date is December 31, 2019

**Certification:** I hereby certify that this land surveying document was prepared and the related auxiliary work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

**Remarks:** The Ames City Council approved this Plat of Survey on \_\_\_\_\_, 2018, with Resolution No. \_\_\_\_\_, I certify that it conforms to all conditions for approval.

**Planning and Housing Director**