

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY (BOUNDARY LINE ADJUSTMENT) FOR 119 WASHINGTON 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 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 (see *Attachment C*) is for a boundary line adjustment to consolidate two existing parcels into a proposed "Parcel E." One is "Parcel A" (5,180.41 square feet) which was previously platted in August 1995. The other is an unplatted parcel described as the west 86 feet of Lot 8, Block 4, Black's Second Addition (6,654.63 square feet). These parcels are located at 119 Washington Avenue and are zoned as "S-SMD" (South Lincoln Sub Area Mixed-Use District). Proposed "Parcel E" includes 11,835.04 square feet (0.27 acres).

The unplatted parcel is occupied by a one-story commercial building presently used for auto repair. The building includes 2,852 square feet of gross floor area. The use and improvements on this parcel are nonconforming to the current South Lincoln Mixed Use District Zoning. "Parcel A" is a gravel parking lot used as parking for the auto repair business. **Combining these two properties does not create any new nonconformities or exacerbate existing nonconformities. Change of use of the site will require improvements in conformance with zoning standards. Upon consolidation, the owner intends to sell the site for use as gathering space in relation to the Grandon Funeral Home located across the alley from the property.**

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 Story County Recorder.

ALTERNATIVES:

1. Approve the Plat of Survey consistent with the standards of Chapter 23 for approval of a boundary line adjustment.
2. 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. Refer this back to staff and/or the property owner for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all Subdivision Code requirements for a boundary line adjustment of existing lots and has made a preliminary decision of approval. The boundary line adjustment to create Parcel E rectifies the conveyance parcel condition of the unplatted parcel. No conflict exists with the existing South Lincoln Sub Area (S-SMD) Mixed-Use District zoning standards and the proposed boundary line adjustment. Typically, frontage upon a street is required for a legal parcel to exist. Uniquely, the requirement for frontage is satisfied by the abutting alley right-of-way for the proposed Parcel E, which is permissible in a commercial zone.

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 119 WASHINGTON 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)

Property Owner(s) & Site Location:

Owner(s): R-L-M Properties, Inc.

Existing Street Address: 119 Washington Avenue

Assessor's Parcel #: 09-11-101-075

Legal Description:

Survey Description-Parcel E:

Part of Lot 8 and Parcel A of Lot 9, as shown on the Plat of Survey filed at Inst. No. 95-07075, all in Block 4 of Blacks Second Addition to Ames, Story County, Iowa, all together being described as follows: Beginning at the Northwest Corner of said Lot 8; thence S89°52'54"E, 86.13 feet along the north line thereof; thence S00°29'41"E, 137.35 feet to the Southeast Corner of said Parcel A; thence N89°47'32"W, 86.31 feet to the Southwest Corner thereof; thence N00°25'18"W, 137.21 feet to the point of beginning, containing 0.27 acres.

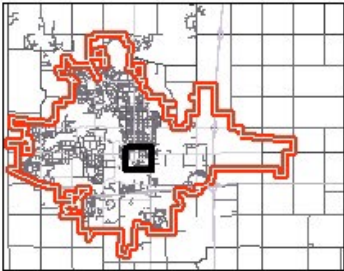
Public Improvements:

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:

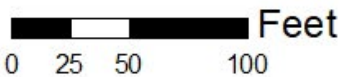
- ☐ Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- ☐ Delayed, subject to an improvement guarantee as described in Section 23.409.
- ☒ Not Applicable. (No additional improvements required other than sidewalk and street trees that are required as part of South Fork Subdivision.)

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.

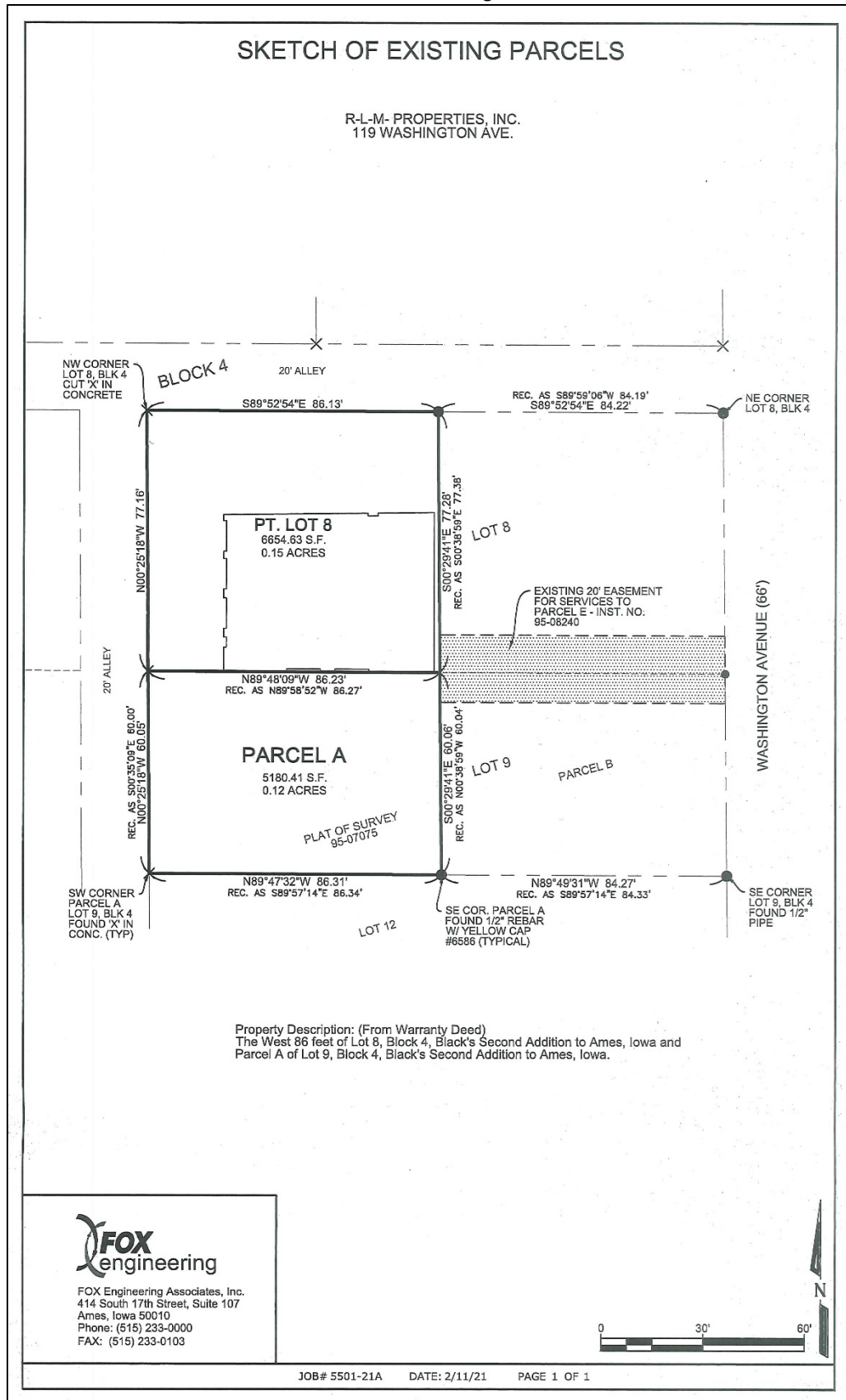
Attachment A - Location Map



Location Map
119 Washington Avenue



Attachment B - Existing Conditions



Attachment C - Plat of Survey

PLAT OF SURVEY	
LOCATION:	LOTS 8 & 9, BLOCK 4, BLACK'S 2ND ADDITION CITY OF AMES, STORY COUNTY, IOWA
PROPRIETOR:	R-L-M PROPERTIES, INC.
REQUESTED BY:	TIM GRANDON
SURVEYOR:	R. BRADLEY STUMBO, PLS #17161 FOX ENGINEERING ASSOCIATES, INC. AMES, IA 50010 515-233-0000

Block 4

Parcel E
11835.04 S.F.
0.27 ACRES

Parcel A

Parcel B

Lot 8

Lot 9

Lot 12

Washington Avenue (66')

20' Alley

20' Easement

Survey Description-Parcel E:
Part of Lot 8 and Parcel A of Lot 9, as shown on the Plat of Survey filed at Inst. No. 95-07075, all in Block 4 of Blacks Second Addition to Ames, Story County, Iowa, all together being described as follows: Beginning at the Northwest Corner of said Lot 8; thence S89°52'54"E, 86.13 feet along the north line thereof; thence S00°29'41"E, 137.35 feet to the Southeast Corner of said Parcel A; thence N89°47'32"W, 86.31 feet to the Southwest Corner thereof; thence N00°25'18"W, 137.21 feet to the point of beginning, containing 0.27 acres.

The Ames City Council approved this Plat of Survey on 2/11/21, **with Resolution No.** 2121, **I certify that it conforms to all conditions of approval.**

Planning & Housing Director

<p>FOX Engineering Associates, Inc. 414 South 17th Street, Suite 107 Ames, Iowa 50010 Phone: (515) 233-0000 FAX: (515) 233-0103</p>	<p>I hereby certify that this land surveying document was prepared 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.</p> <p>R. BRADLEY STUMBO, PLS License number P17161 My license renewal date is December 31, 2021.</p>	<p>DATE _____</p> <p>Professional Land Surveyor Seal for R. Bradley Stumbo, License #17161, Iowa.</p>
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JOB# 5501-21A DATE: 2/11/21 FIELDWORK COMPLETED: 1/21/21 PAGE 1 OF 1