

ITEM #: 44  
DATE: 06-27-23  
DEPT: P&H

**COUNCIL ACTION FORM**

**SUBJECT: MINOR SUBDIVISION FINAL PLAT FOR NORTH DAYTON INDUSTRIAL SUBDIVISION, SECOND ADDITION PLAT**

**BACKGROUND:**

Dayton Avenue Development LLC, is requesting approval of a Final Plat for North Dayton Industrial Subdivision, Second Addition, a minor subdivision that would divide Lots 2 and 3 of North Dayton Industrial Subdivision First Addition into three lots total. (See *Attachment A Location & Zoning Map*) The existing lots, addressed as 2161 (Lot 2) & 2401 Bailey Avenue (Lot 3), are zoned General Industrial (GI). **The three proposed lots are proposed as Lot 1 (7.27 acres), Lot 2 (6.97 acres), Lot 3 (7.007 acres) (see Attachment B – Proposed Final Plat).**

A minor subdivision includes three or fewer lots and does not require additional public improvements. A minor subdivision does not require a Preliminary Plat and may be approved by the City Council as a Final Plat only, subject to the applicant completing the necessary requirements. Following City Council approval, the Final Plat must then be recorded with the County Recorder to become an officially recognized subdivision.

The owner prefers to divide these larger lots into three sites to address grading issues of the sites related to larger buildings. The current sites are undeveloped. All three sites will exceed 5 acres and be developed with industrial buildings. The proposed locations of new lot lines will not create any non-conformities with the GI zoning regulations. The proposed subdivision also complies with the TIF Development Agreement that was approved last year with North Dayton Industrial Subdivision First Addition, meaning each lot will conform to minimum size both under GI standards and Development Agreement standards independently.

Public utilities will serve all three lots and are being installed as part of North Dayton Subdivision First Addition. One Public utility Easement located along the property line between lots 2 and 3 of the First Addition will be vacated at the July 11<sup>th</sup> City Council meeting. A resolution setting the date for that hearing is also on this agenda. The Easement is shown through the middle of Lot 2 of this plat. All three lots will be accessible from Bailey Avenue. No sidewalks are required along the Bailey Avenue frontage per the originally approved plat for sidewalks on the east side of Bailey.

Installation of sidewalks are required with subdivisions per Section 23.403. **In this situation the industrial zoning only requires that a sidewalk be constructed along**

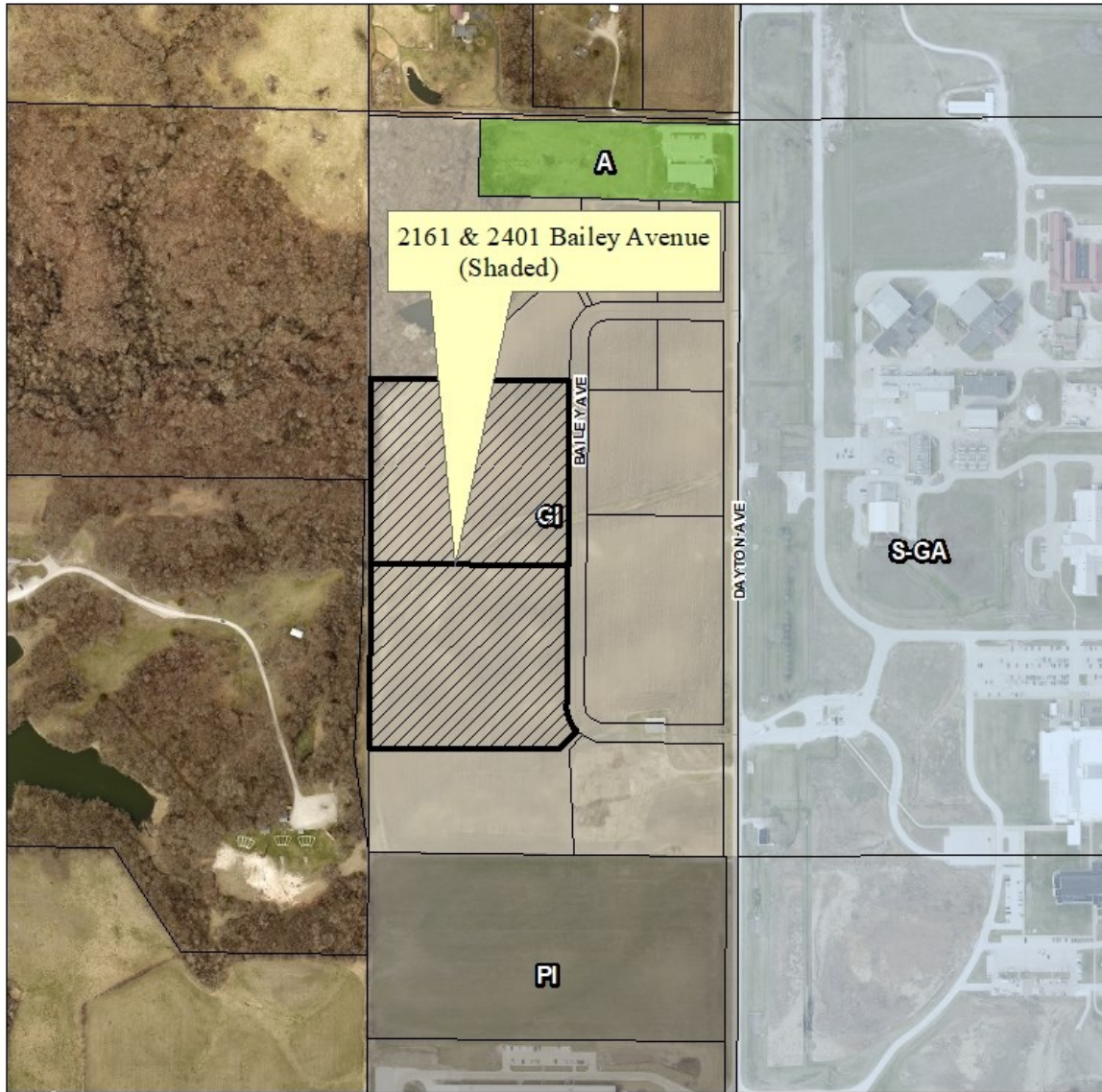
**ALTERNATIVES:**

1. Approve the final plat for North Dayton Industrial Subdivision Second Addition based upon the findings and conclusions stated above.
2. Deny the final plat for North Dayton Industrial Subdivision Second Addition, if the City Council finds that the proposed subdivision does not comply with applicable ordinances, standards or plans.
3. Refer this request back to staff or the applicant for additional information.

**CITY MANAGER'S RECOMMENDATION:**

The proposed final plat for North Dayton Industrial Subdivision Second Addition is consistent with the City's existing subdivision and zoning regulations for each of the proposed lots. The utilities and infrastructure that will serve this subdivision are currently being installed as part of North Dayton Industrial Subdivision Second Addition. The property owner plans to vacate the current PUE to allow for full use of Lot 2. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1.

# Attachment A- Location & Zoning Map



2161 & 2401 Bailey Avenue  
Location & Zoning Map

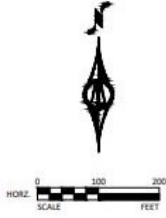


# Attachment B-Proposed Subdivision

## NORTH DAYTON INDUSTRIAL SUBDIVISION, SECOND ADDITION

LOTS 2 AND 3, NORTH DAYTON INDUSTRIAL SUBDIVISION, FIRST ADDITION, CITY OF AMES, STORY COUNTY, IOWA

APRIL 2023



**OWNER/ DEVELOPER:**  
DAYTON AVENUE DEVELOPMENT, LLC.  
105 S. 16TH STREET  
AMES, IA 50010

**NOTES:**

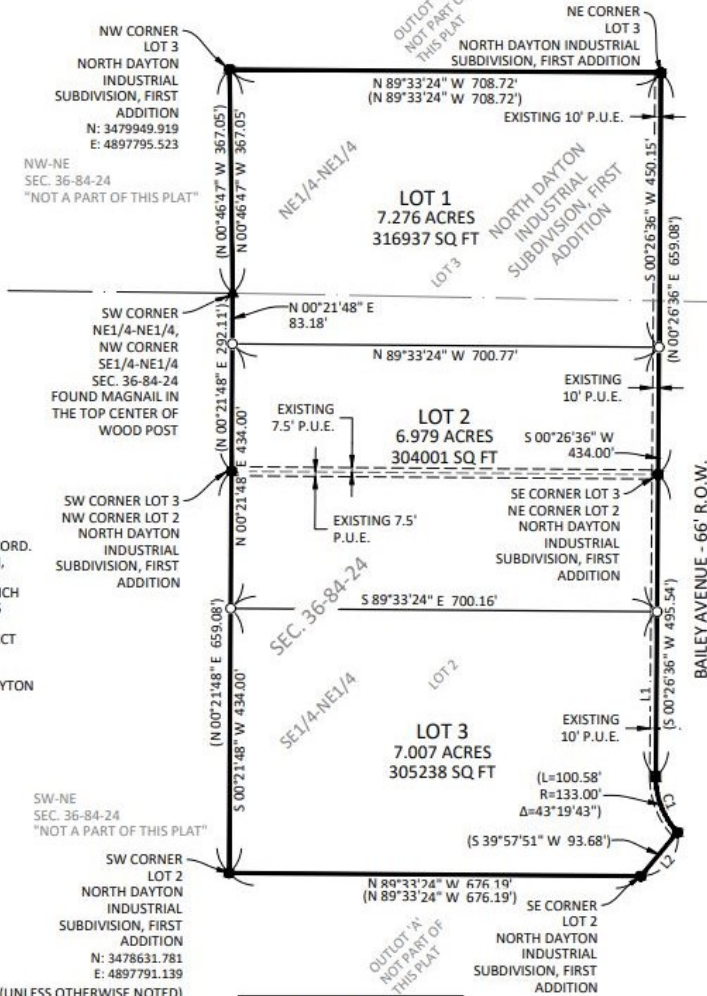
1. THIS SURVEY MEETS OR EXCEEDS IOWA CODE 355.
2. THIS SURVEY IS SUBJECT TO EASEMENTS APPARENT OR OF RECORD.
3. BEARINGS SHOWN ARE IOWA REGIONAL COORDINATE SYSTEM, ZONE 8, US SURVEY FOOT.
4. SOIL BORINGS ARE REQUIRED IN AREAS WITHIN THIS PLAT WHICH HAVE BEEN IDENTIFIED BY THE CITY OF AMES AS HAVING SOILS THAT MAKE CONSTRUCTION OF BUILDINGS DIFFICULT.
5. THE FEMA FLOOD HAZARD ZONE DOES NOT AFFECT THE SUBJECT PROPERTY.
6. DATE OF SURVEY: APRIL 17, 2023
7. RECORD BEARINGS AND DISTANCES ARE FROM THE NORTH DAYTON INDUSTRIAL SUBDIVISION, FIRST ADDITION RECORDED IN INST. #2023-00968.

**LEGAL DESCRIPTION:**

LOTS 2 AND 3, NORTH DAYTON INDUSTRIAL SUBDIVISION, FIRST ADDITION, CITY OF AMES, STORY COUNTY, IOWA.

**LEGEND:**

- FOUND 1/2" REBAR WITH PINK PLASTIC CAP #24413 (UNLESS OTHERWISE NOTED)
- SET 1/2" x 24" REBAR WITH PINK PLASTIC CAP #24413 (UNLESS OTHERWISE NOTED)
- FOUND 5/8" x 24" REBAR WITH PINK PLASTIC CAP #24413 (UNLESS OTHERWISE NOTED)
- ▲ FOUND SECTION CORNER (AS NOTED)
- (R) RECORDED DIMENSION
- EASEMENT LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- (D) DEED DIMENSION



LINE TABLE		
LINE #	LENGTH	BEARING
L1	270.47'	S0°26'36"W
L2	93.68'	S39°57'51"W

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH LENGTH	CH BEARING
C1	100.58'	133.00'	43°19'43"	98.20'	S21°13'02"E

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.

LUKE D. AHRENS L.S.  
REG. NO. 24413 DATE: 12/31/2023  
MY LICENSE RENEWAL DATE IS 12/31/2023  
PAGES OR SHEETS COVERED BY THIS SEAL: THIS SHEET

**FINAL PLAT - NORTH DAYTON INDUSTRIAL SUBDIVISION, SECOND ADDITION**  
LOTS 2 AND 3, NORTH DAYTON INDUSTRIAL SUBDIVISION, FIRST ADDITION, CITY OF AMES, STORY COUNTY, IOWA



1519 BALTIMORE DRIVE  
AMES, IOWA 50010  
(515) 233-6100

SHEET  
1  
OF  
1

1519R12\_FINAL120508CADIC202308-125075-FINAL PLAT - LOTS 2-3.DWG 4/19/2023 8:00 AM IOWA SURVEYOR REGISTRATION BOARD

## **Attachment C**

### **Applicable Laws**

The laws applicable to this case file are as follows:

*Code of Iowa*, Chapter 354.8 states in part:

A proposed subdivision plat lying within the jurisdiction of a governing body shall be submitted to that governing body for review and approval prior to recording. Governing bodies shall apply reasonable standards and conditions in accordance with applicable statutes and ordinances for the review and approval of subdivisions. The governing body, within sixty days of application for final approval of the subdivision plat, shall determine whether the subdivision conforms to its comprehensive plan and shall give consideration to the possible burden on public improvements and to a balance of interests between the proprietor, future purchasers, and the public interest in the subdivision when reviewing the proposed subdivision and when requiring the installation of public improvements in conjunction with approval of a subdivision. The governing body shall not issue final approval of a subdivision plat unless the subdivision plat conforms to sections 354.6, 354.11, and 355.8.

*Ames Municipal Code* Section 23.303(3) states as follows:

(3) City Council Action on Final Plat for Minor Subdivision:

(a) All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with Section 354.8 of the Iowa Code, as amended or superseded. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat, any comments, recommendations or reports examined or made by the Department of Planning and Housing, and such other information as it deems necessary or reasonable to consider.

(b) Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans. If the City Council determines that the proposed subdivision will require the installation or upgrade of any public improvements to provide adequate facilities and services to any lot in the proposed subdivision or to maintain adequate facilities and services to any other lot, parcel or tract, the City Council shall deny the Application for Final Plat Approval of a Minor Subdivision and require the Applicant to file a Preliminary Plat for Major Subdivision.