

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY – 1800 EAST 13TH STREET

BACKGROUND:

Application for a proposed plat of survey has been submitted for:

- ☐ Conveyance division of land (per Section 23.307)
- ☒ Boundary line adjustment (per Section 23.308)
- ☐ Re-plat to correct error (per Section 23.310)
- ☐ Auditor's plat (per Code of Iowa Section 354.15)

The subject site is located at:

Street Address: 1800 East 13th Street

Assessor's Parcel #'s: 09-01-100-020 and 09-01-200-010

Legal Description: Attached on proposed plat of survey

Owner: USDA

Contact: Steve DuVall, City of Ames WPC Assistant Director

The City is actively seeking this site for a new Water Treatment Plant. In order to prepare for this acquisition, accurate property lines need to be established. The County Auditor's records currently do not reflect an unrecorded plat of survey in this area from 1950. Additionally, because of the geographic location, the property had been split along quarter/quarter section lines for taxation and tracking purposes, which created two apparent conveyance parcels. This plat improves the accuracy of the property lines along the river, as well as combines the two parcels into one, which is a public benefit regardless of the timing of construction on the site. The current owner, USDA, has consented to the City's recording of this plat by way of a signed affidavit. The proposed plat of survey consolidates two conveyance parcels into one new parcel, known as Parcel "H."

Pursuant to Section 23.307(4)(c), a preliminary decision of approval for the proposed plat of survey has been rendered by the Planning & Housing Department, subject to the following condition:

That the signed affidavit from the owner, USDA, be recorded with the plat of survey.

The preliminary decision of 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.

Under Section 23.307(5), the Council shall render by resolution a final decision of approval if the Council agrees with the Planning & Housing Director's preliminary decision.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed plat of survey if the Council agrees with the Planning & Housing Director's preliminary decision.
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 23.307 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

MANAGER'S RECOMMENDED ACTION:

The Planning & Housing Director has determined that the proposed plat of survey satisfies all code requirements, and has accordingly rendered a preliminary decision to approve the proposed plat of survey.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to adopt the resolution approving the proposed plat of survey. Approval of the resolution will allow the applicant to prepare the official plat of survey incorporating all conditions of approval specified in the resolution. It will further allow the prepared plat of survey to be reviewed and signed by the Planning & Housing Director confirming that it fully conforms to all conditions of approval. Once signed by the Planning & Housing Director, the prepared plat of survey may then be signed by the surveyor, making it the official plat of survey, which may then be recorded in the office of the County Recorder.

It should be noted that according to Section 23.307(10), the official plat of survey shall not be 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.

