

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 2410-2428 LINCOLN WAY & 114 WELCH AVENUE & 107-111 STANTON AVENUE

BACKGROUND:

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:

Owner: Kingland Campus Properties, LLC

Street Address: 2410-2428 Lincoln Way & 114 Welch & 107-111 Stanton

Assessor's Parcel #: 09-09-127-180, 09-09-127-010, 09-09-127-020,
09-09-127-030, 09-09-127-040, 09-09-127-055,
09-09-127-065, 09-09-127-075, 09-09-127-080

Legal Description:

PARCEL 'AA' IN BEARDSHEAR'S ADDITION AND PARKER'S ADDITION TO THE CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1 OF SAID BEARDSHEAR'S ADDITION; THENCE S 89°55'58" E, 146.33 FEET ALONG THE NORTH LINE OF SAID LOT 1; THENCE S 89°58'21" E, 43.61 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, ALSO BEING THE NORTHWEST CORNER OF LOT 1, PARKER'S ADDITION; THENCE S 89°59'07" E, 15.48 FEET ALONG THE NORTH LINE OF LOT 1 OF PARKER'S ADDITION; THENCE S 89°54'47" E, 64.52 FEET ALONG THE NORTH LINE OF LOT 1 OF PARKER'S ADDITION; THENCE S 00°26'08" E, 74.21 FEET; THENCE S 89°58'27" E, 110.05 FEET TO THE EAST LINE OF LOT 1 OF SAID PARKER'S ADDITION; THENCE S 00°23'08" E, 114.22 FEET ALONG THE EAST LINE OF LOT 1 OF SAID PARKER'S ADDITION TO THE NORTHEAST CORNER OF PARCEL 'X'; THENCE N 89°54'43" W, 189.95 FEET ALONG THE NORTH LINE OF PARCEL "X" TO THE NORTHWEST CORNER OF PARCEL 'X'; THENCE N00°44'24"E, 7.98 FEET ALONG THE EAST LINE OF PARCEL 'B' TO THE NORTHEAST CORNER OF PARCEL 'B'; THENCE N89°42'49"W, 190.34 FEET TO THE NORTHWEST CORNER OF PARCEL 'B' ON THE EAST RIGHT-OF-WAY LINE OF WELCH AVENUE; THENCE N00°21'50"W, 179.55 FEET ALONG THE WEST LINE OF LOTS 1 AND 2, BLOCK 1, BEARDSHEAR'S ADDITION TO THE POINT OF BEGINNING ON THE EAST RIGHT-OF-WAY OF WELCH AVENUE.

This plat of survey consolidates nine parcels into a single parcel for construction of a three story retail and office building. Staff has requested the property owner provide an emergency vehicle access easement along the south property line for mid-block access to multiple properties. A copy of the proposed plat of survey is attached for Council consideration.

Pursuant to Section 23.308(4)(c), a preliminary decision of approval for the proposed plat or survey has been rendered by the Planning & Housing Department that the proposed lots meet zoning standards, e.g. lot area, width, depth and access. The requested access easement meets the access needs articulated within the Zoning Code for development within Campustown Service Center. The easement would provide for emergency vehicle access off of Welch Avenue along the south property line for a distance of approximately 140 feet. The easement would not interfere with the potential addition of a parking deck accessed from Stanton. **The requested easement is a condition of approval of the plat of survey that is to be provided to the City prior to recordation of the plat.**

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 23.308(5), the Council renders 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 subject to receipt by the City of the signed easement for an emergency access.
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 23.308 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 Department has determined that the proposed plat of survey satisfies all code requirements and has rendered a preliminary decision to approve the proposed plat of survey with the proposed condition of approval for the access easement. The easement ensures there is emergency access available to meet public safety needs for the subject site as well as to surrounding sites upon redevelopment of the subject site.

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 subject to receipt of the signed easement.

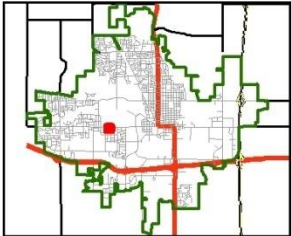
Approval of the resolution will allow the applicant to prepare the official plat of survey, and the Planning & Housing Director to review and sign the plat of survey confirming that it fully conforms to all conditions of approval. Once signed by the Planning & Housing Director, the prepared plat of survey 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 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

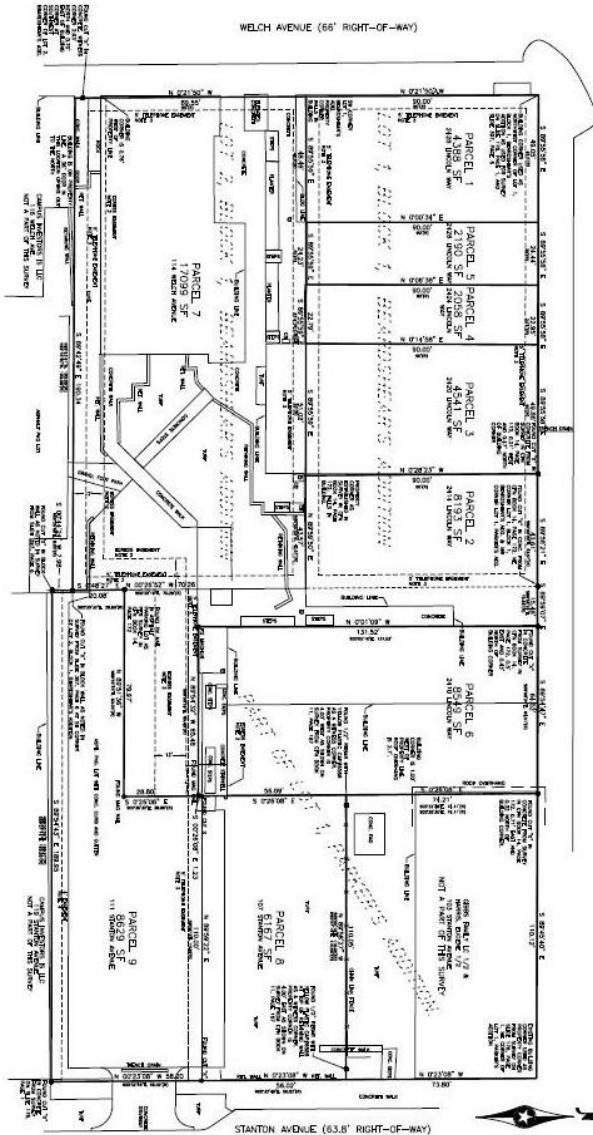


LOCATION MAP
2400 Block Lincoln Way



EXISTING CONDITIONS

UNCLIN WAY (33' HIGHT-OF-WAY FROM SECTION LINE)



1. PROPERTY AT LOTS 1 & 2, BLOCK 1 OF BEARDSHEAR'S ADDITION HAVE BEEN REMOVED FROM THE SPECIAL

FLOOD HAZARD ZONE (SFHA) AS OF MARCH 17, 2011, FEMA CASE NUMBER 11-07-1120A.

2. TERMS, CONDITIONS, AND EASEMENT CONTAINED IN EASEMENT AND AGREEMENT DATED JULY 20, 1938.

RECORDED JULY 22, 1935, IN BOOK 53, PAGE 559. (SHOWN ON FLAT)

3. RIGHT-OF-WAY PERMIT IN FAVOR OF NORTHWESTERN BELL TELEPHONE COMPANY DATED AUGUST 6, 1969.

RECORDED SEPTEMBER 24, 1969, IN BOOK 111, PAGE 76. (SHOWN ON FLAT)

4. EASEMENT FOR CONSTRUCTING, RECONSTRUCTING, MAINTAINING, AND REPAIRING REINFORCED CONCRETE AND

STEEL FOOTINGS FOR THE BENEFIT OF ADJOINING LAND AS CONTAINED IN EASEMENT AGREEMENT DATED

OCTOBER 17, 2003. RECORDED OCTOBER 27, 2003. AS INSTRUMENT NO. 03-22341. (SHOWN ON PLAT)

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1026405 - Printing & Typesetting Services\CSO\1026405-1 - Printing Completed 4/12/13 1:40 pm

EXISTING CONDITIONS

AMES, IOWA

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