

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 505 SOUTH DUFF 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:	Nancy S. Bundy
Street Address:	505 S. Duff Avenue (See Attachment A)
Assessor's Parcel #:	0911176005; 0911176020; and 0911176055
Legal Description:	Lots 14, Cayler's Second Addition; Parcel "AW"; and an unplatted parcel.

This plat of survey consolidates three parcels into a single parcel (Parcel AX). One of the existing parcels contains the Texas Roadhouse. The combined lot will likely be the home of future commercial development in addition to the Texas Roadhouse. A copy of the proposed plat of survey is attached for Council consideration. (See Attachment B, Proposed Plat of Survey)

The plat also creates two new easements: a 6-foot pedestrian easement along the north lot line and a 10-foot electric easement along the east property line.

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 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 of the signed pedestrian and electrical easements to the City.
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.

CITY 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. The easements have been requested to serve specific needs of the City. **The 6-foot pedestrian easement is needed to accommodate a future sidewalk when the additional lane of S. 5th Street is constructed.** The 10-foot electric easement protects the existing overhead line on the west side of S. Duff Avenue.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolutions approving the proposed plat of survey subject to receipt of the signed pedestrian and electrical easements.

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



ATTACHMENT B PROPOSED PLAT OF SURVEY

RETURN TO: CIVIL DESIGN ADVANTAGE, 3405 SE CROSSROADS DRIVE, SUITE G, GRIMES, IA, 50111, PH: 386-4400 FAX: 386-4410
PLAT OF SURVEY

