

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 101, 105, 107 and 205 S. WILMOTH AVENUE

BACKGROUND:

The City's subdivision regulations are found in Chapter 23 of the Ames Municipal Code. These regulations 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 in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 as a boundary line adjustment for purpose of consolidating parcels.

This plat of survey is for a proposed consolidation of four existing parcels for a combined total lot area of 8.91 acres. (Attachment A Location Map). The property at 101 S. Wilmoth is the site of a single-family home which was converted to a 4 unit apartment building. The properties at 105 and 107 S. Wilmoth are two-family residential structures and 205 S. Wilmoth (Parcel M) is a large vacant parcel which was formerly the middle school athletic field. It is intended that the three existing structures will be demolished to allow for the construction of a new mixed-use and residential apartment development. The four parcels have recently been rezoned to the Residential High Density zoning district.

Based on the Zoning Code, only residential apartment buildings are permitted to have more than one structure on a lot. In this case, one building (101 S. Wilmoth) is considered an apartment building, while the other two are considered two-family structures by definition, therefore at minimum, two of the three structures must be demolished prior to recording of the Plat of Survey to avoid creating any non-conforming structures. In this circumstance, the property owner has agreed to let the Police Department use the three structures for training exercises and wishes to delay their demolition. To allow this activity and to meet the zoning limitations on the number of buildings, staff has required that the structures be made uninhabitable through the abandonment of the utilities. The Inspections Division has visually verified that the water and sewer connections to the structures have been abandoned for all three structures, therefore making the structures uninhabitable.

Boundary line adjustments do not trigger additional infrastructure improvements, unless partial infrastructure improvements existing and are required to be extend across a property. The proposed parcel meets the requirements of having complete infrastructure along Lincoln Way and Wilmoth as outlined in the Subdivision Code and does not trigger further extension of infrastructure. **Although there is a planned bikeway facility along the south property line of this site, since it is not currently present, the bikeway**

improvement or dedication is not required with the boundary line adjustment. The development or future subdivision of the property will trigger additional infrastructure improvement requirements.

Approval of this plat of survey 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 County Recorder.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed plat of survey.
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 result of the proposed plat of survey will be creation of the "Enlarged North Parcel" as referred to in the 2015 Settlement Agreement for development of these properties. Combining the parcels was at the option of the property owner in the settlement agreement. **Staff has determined that the proposed plat of survey satisfies all code requirements for a boundary line adjustment of existing lots and has made a preliminary decision of approval.**

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 101, 105, 107, AND 205 S. WILMOTH 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)

The site is located at:

Owners: Breckenridge Group Ames Iowa, LLC

Existing Street Addresses: 101, 105, 107 and 205 S. Wilmoth Avenue

Assessor's Parcel #: 0908225040, 0908225050, 0908225060, and
0908225020

New Legal Description:

Survey Description-Parcel 'P': Parcel M in Lots 5-13, Block 1 in Garden Subdivision and part of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter, as shown on the Plat of Survey filed on May 22, 2014 in Slide 483, Page 4, AND Lots 1-3. Block 1 in said Garden Subdivision, all in Section 8, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa. and all being more particularly described as follows: Beginning at the Northeast Corner of said Lot 1; thence S00°20'56"E, 612.09 feet along the West line of S. Wilmoth Avenue to a point on the North line of the South 16.00 feet of said Northwest Quarter of the Northeast Quarter of the Northeast Quarter: thence N88°47'18"W, 321.06 feet along said line: thence S00°20'56"E, 13.62 feet to the North line of Friedrich's 15th Addition to Ames, Iowa: thence N89°12'56"W, 319.80 feet along said line to the Southwest Corner of said Northwest Quarter of the Northeast Quarter of the Northeast Quarter: thence N00°15'32"W, 137.68 feet along the West line thereof to the Northeast Corner of Lot 1 in C. G. Lee's Subdivision: thence N00°13'19"W, 490.21 feet to the Northwest Corner of said Lot 13: thence S88°48'12"E, 449.51 feet along the North line of said Lots 5-13 to the Northeast Corner of said Lot 5 thence S00°09'35"E 169.32 feet to the Southeast Corner of said Lot 5 thence S88°46'49"E 49.99 feet to the Southwest Corner of said Lot 3 thence N00°10'35"W 169.34 feet to the Northwest Corner of said Lot 1: thence S88°48'12"E, 140.15 feet to the point of beginning. Containing 8.91 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.

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

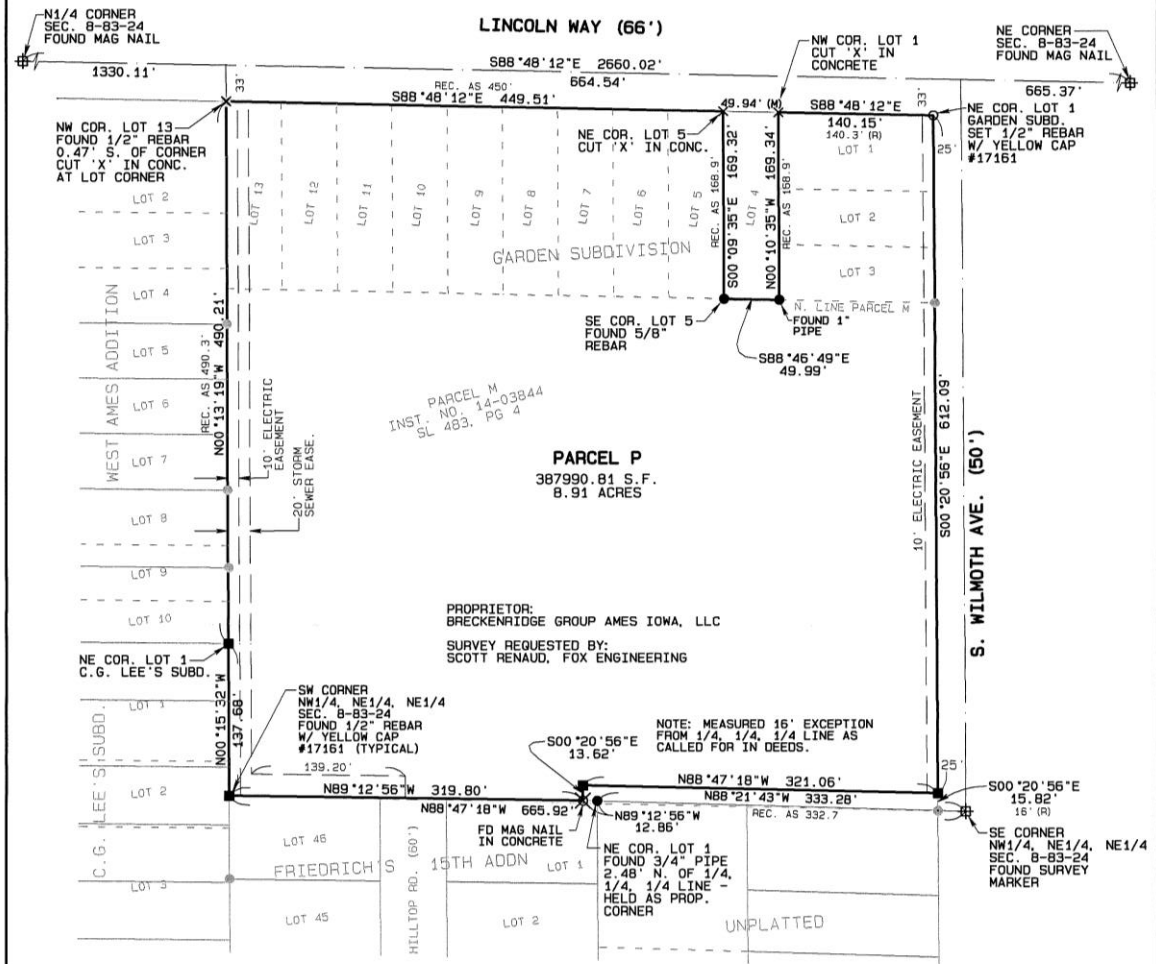


**Location Map
101, 105, 107 and
205 S. Wilmoth Avenue**

ATTACHMENT B: PROPOSED PLAT OF SURVEY

R. BRADLEY STUMBO P.O. BOX 1664 AMES, IOWA 50010 515-233-3689

PLAT OF SURVEY



Survey Description-Parcel 'P':
Parcel M in Lots 5-13, Block 1 in Garden Subdivision and part of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter, as shown on the Plat of Survey filed on May 22, 2014 in Slide 483, Page 4, AND Lots 1-3, Block 1 in said Garden Subdivision, all in Section 8, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, and all being more particularly described as follows: Beginning at the Northeast Corner of said Lot 1; thence S00°20'56"E, 612.09 feet along the West line of S. Wilmoth Avenue to a point on the North line of the South 16.00 feet of said Northwest Quarter of the Northeast Quarter; thence N88°47'18"W, 321.06 feet along said line; thence S00°20'56"E, 43.62 feet to the North line of Friedrich's 15th Addition to Ames, Iowa; thence N89°12'56"W, 319.80 feet along said line to the Southwest Corner of said Northwest Quarter of the Northeast Quarter of the Northeast Quarter; thence N00°15'32"W, 137.68 feet along the West line thereof to the Northeast Corner of Lot 1 in C. G. Lee's Subdivision; thence N00°13'19"W, 490.21 feet to the Northwest Corner of said Lot 13; thence S88°48'12"E, 449.51 feet along the North line of said Lots 5-13 to the Northeast Corner of said Lot 5; thence S00°09'35"E, 169.32 feet to the Southeast Corner of said Lot 5; thence S88°46'49"E, 49.99 feet to the Southwest Corner of said Lot 3; thence N00°10'35"W, 169.34 feet to the Northwest Corner of said Lot 1; thence S88°48'12"E, 140.15 feet to the point of beginning, containing 8.91 acres.



GRAPHIC SCALE 1"=100'



The Ames City Council approved this Plat of Survey on _____, 2016, with Resolution No. _____
I certify that it conforms to all conditions for approval.

Planning and Housing Director _____

STUMBO & ASSOCIATES
LAND SURVEYING

510 S. 17TH STREET, SUITE #102
AMES, IOWA 50010
PH. 515-233-3684 • FAX 515-233-4403

Certification: I hereby certify that this land surveying document was prepared and the related survey 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.

R. Bradley Stumbo License #17161
My license renewal date is December 31, 2017
Job #165338 Date: 1/04/16 Page 1 of 1
Fieldwork Completed: 9/11/15

Date: _____

