

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 202 SE 5th STREET

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 for the consolidation of conveyance parcels and for boundary line adjustments.

This proposed plat of survey is for a conveyance parcel located at 202 SE 5th Street. The conveyance parcel has been in its present configuration since the 1950's.

The existing parcel is .71 acres and is zoned Highway Oriented Commercial (HOC). The site contains a retail building that is being remodeled for continued commercial use.

The site has access to all City utilities and all utilities exist inside the right of way along SE 5th Street. The site requires no additional public improvements. The developer recently completed a sidewalk connection across the site's frontage to full a requirement of the Subdivision Code.

Approval of this plat of survey (Attachment B) 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 RECOMMENDATION:

Staff has determined that the proposed plat of survey satisfies all code requirements 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 202 SE 5TH STREET**

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: Lieu Thi Pham, Nhan Van Luu, Thanh Van Luu, Christine Thi Luu

Existing Street Address: 202 SE 5TH Street

Assessor's Parcel #: 0911251020

Legal Description: COMMENCING AT THE NE CORNER OF LOT3, CHAVIS ADDITION TO THE CITY OF AMES; THENCE N00 32'03"W, 10.00 FEET ALONG THE SOUTH RIGHT-OF-WAY OF SOUTHEAST FIFTH STREET TO THE NORTHWEST CORNER OF LOT 1, WALMART'S SUBDIVISION, FIRST ADDITION; THENCE N00 37'46"W, 202.55 FEET ALONG THE WEST LINE OF SAID LOT 1, WALMART'S SUBDIVISION; THENCE S89 58'40"E, 151.87 FEET TO THE EAST LINE OF LOT 4 OF SAID CHAVIS SUBDIVISION; THENCE N00 32'03"W, 202.58 FEET ALONG THE EAST LINE OF LOTS 3 AND 4 OF SAID CHAVIS ADDITION TO THE POINT OF BEGINNING.

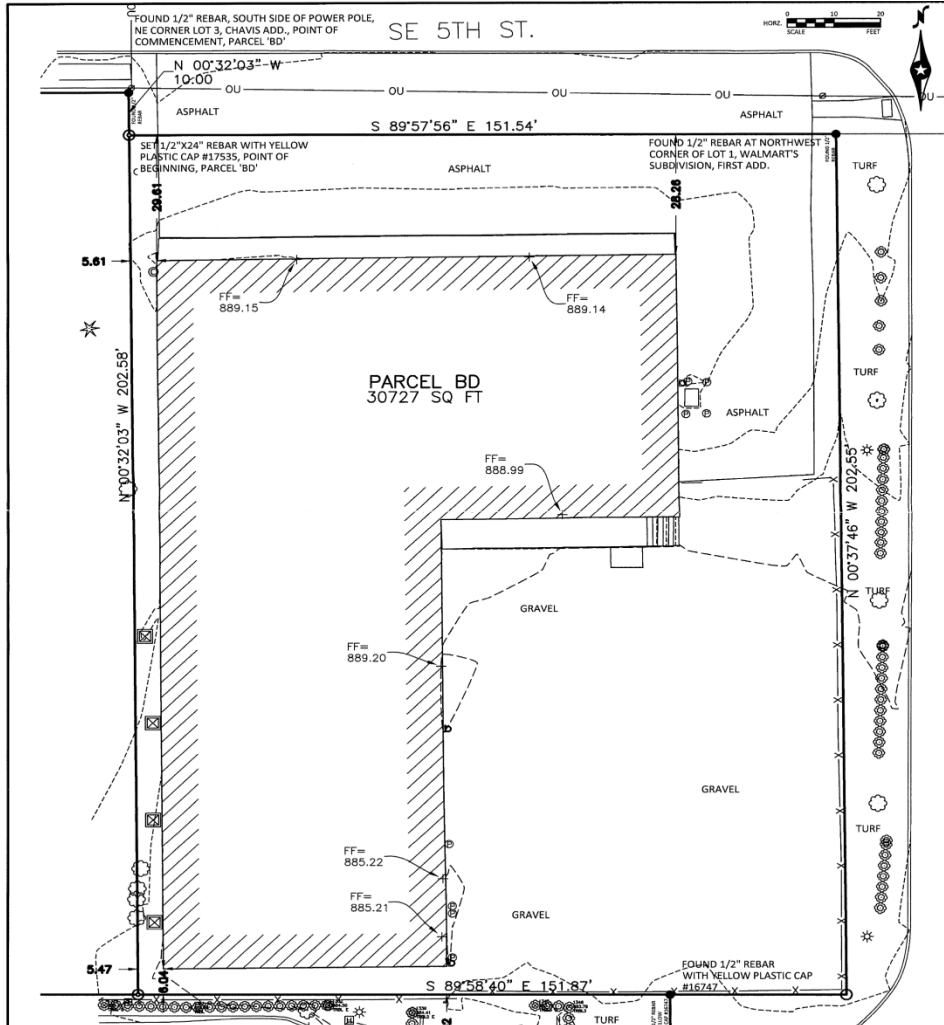
Public Improvements:

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. (no additional improvements required)

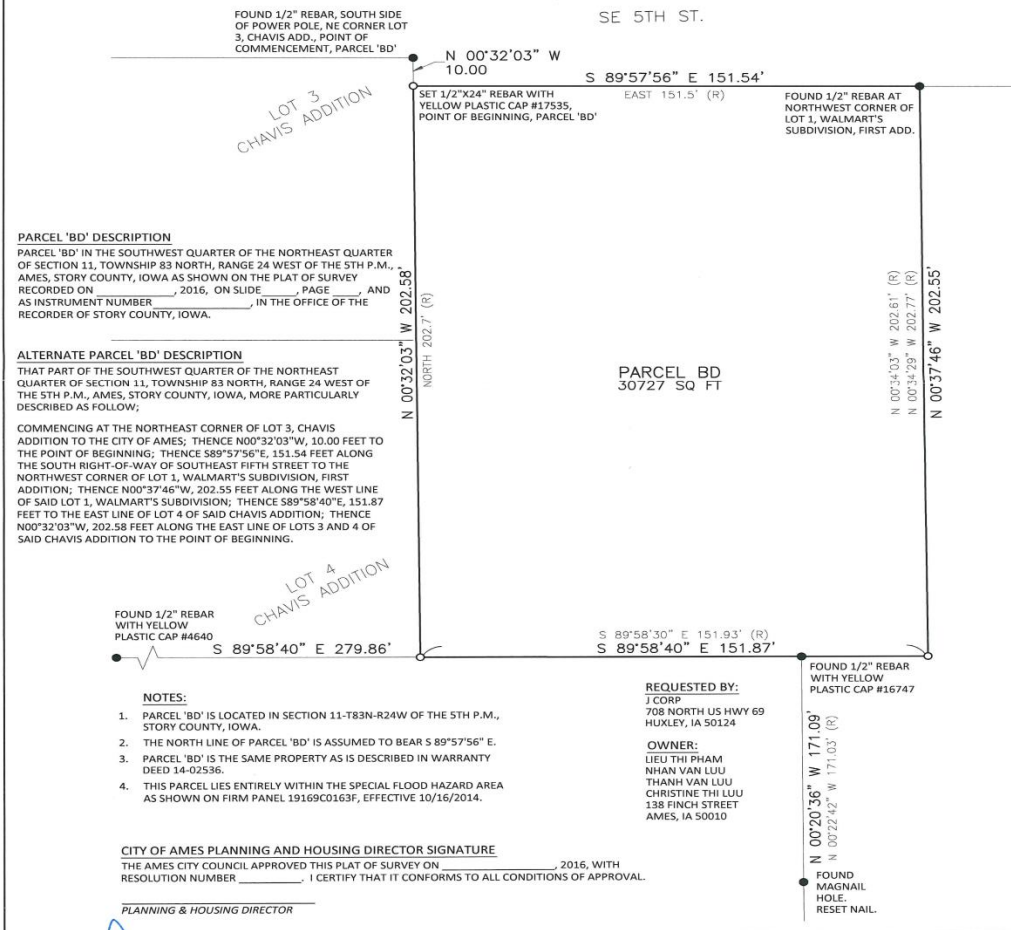
Note: The official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

Attachment A- Existing Conditions



Attachment B-Plat of Survey

PLAT OF SURVEY



PARCEL 'BD' DESCRIPTION

PARCEL 'BD' IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., AMES, STORY COUNTY, IOWA AS SHOWN ON THE PLAT OF SURVEY RECORDED ON _____, 2016, ON SLIDE _____, PAGE _____ AND AS INSTRUMENT NUMBER _____, IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA.

ALTERNATE PARCEL 'BD' DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 3, CHAVIS ADDITION TO THE CITY OF AMES; THENCE N00°32'03"W, 10.00 FEET TO THE POINT OF BEGINNING; THENCE S89°57'56"E, 151.54 FEET ALONG THE SOUTH RIGHT-OF-WAY OF SOUTHEAST FIFTH STREET TO THE NORTHWEST CORNER OF LOT 1, WALMART'S SUBDIVISION, FIRST ADDITION; THENCE N00°37'46"W, 202.55 FEET ALONG THE WEST LINE OF SAID LOT 1, WALMART'S SUBDIVISION; THENCE S89°58'40"E, 151.87 FEET TO THE EAST LINE OF LOT 4 OF SAID CHAVIS ADDITION; THENCE N00°32'03"W, 202.58 FEET ALONG THE EAST LINE OF LOTS 3 AND 4 OF SAID CHAVIS ADDITION TO THE POINT OF BEGINNING.

PARCEL BD
30727 SQ FT

FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP #4640
S 89°58'40" E 279.86'

S 89°58'30" E 151.93' (R)
S 89°58'40" E 151.87'

FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP #16747

- NOTES:**
1. PARCEL 'BD' IS LOCATED IN SECTION 11-T83N-R24W OF THE 5TH P.M., STORY COUNTY, IOWA.
 2. THE NORTH LINE OF PARCEL 'BD' IS ASSUMED TO BEAR S 89°57'56" E.
 3. PARCEL 'BD' IS THE SAME PROPERTY AS IS DESCRIBED IN WARRANTY DEED 14-02536.
 4. THIS PARCEL LIES ENTIRELY WITHIN THE SPECIAL FLOOD HAZARD AREA AS SHOWN ON FIRM PANEL 19169C0163F, EFFECTIVE 10/16/2014.

REQUESTED BY:
J CORP
708 NORTH US HWY 69
HUXLEY, IA 50124

OWNER:
LIEU THI PHAM
NHAN VAN LUU
THANH VAN LUU
CHRISTINE THI LUU
138 FINCH STREET
AMES, IA 50010

CITY OF AMES PLANNING AND HOUSING DIRECTOR SIGNATURE
THE AMES CITY COUNCIL APPROVED THIS PLAT OF SURVEY ON _____, 2016, WITH RESOLUTION NUMBER _____. I CERTIFY THAT IT CONFORMS TO ALL CONDITIONS OF APPROVAL.

PLANNING & HOUSING DIRECTOR

N 00°20'36" W 171.09'
N 00°22'42" W 171.03' (R)

FOUND MAGNAIL HOLE. RESET NAIL.