

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 301 & 305 S. 4th STREET

BACKGROUND:

The City's subdivision regulations are found in Chapter 23 of the *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 the purpose of consolidating parcels.

This Plat of Survey is for the purpose of adjusting the property boundary between existing "Parcel BE" (301 S. 4th Street), and Lot 8, in Cayler's Subdivision (305 S. 4th Street) to expand parking for 301 S. 4th Street. "Parcel BE" would be designated as "Parcel BF", and Lot 8 would become "Parcel U." Proposed "Parcel BF" is the location of a 24-unit apartment building that is being reconstructed, following a fire that destroyed the previous 33-unit apartment building in June, 2016. "Parcel U" is occupied by a single-family detached dwelling.

On March 8, 2017, the Zoning Board of Adjustment granted approval of an amendment to the Special Use Permit for the reconstruction of the non-conforming apartment building at 301 S. 4th Street, subject to approval of the Plat of Survey. The March 7th approval allows for the reconstruction of the apartment building with two additional units and seven bedrooms by providing for additional parking. The reconstructed apartment building would include 26 units, with a total of 74 bedrooms, if the Plat of Survey is approved and the parking lot expansion is completed. **Adjusting the property boundary between 305 S. 4th Street, and 301 S. 4th Street, is necessary to provide land area for seven additional parking spaces at 301 S. 4th Street, as required for the seven bedrooms being added to the apartment building.** If the Plat of Survey is not approved, the apartment building would still be reconstructed, but with slightly fewer units and bedrooms.

Existing "Parcel BE", at 301 S. 4th Street, is located in the "RH" (Residential High Density) zoning district. Lot 8, at 305 S. 4th Street, is located in the "S-SMD" (South Lincoln Sub Area Mixed-Use District). No change in the zoning boundary between the two zoning districts is proposed as part of the boundary line adjustment between the two properties. Typically, we avoid split zoning of properties due to regulatory complications of two different zones on one parcel. However, in this case the development standards for the planned parking lot are the same whether it is built within the RH zoning district of the S-SMD zoning district.

Plats of Survey are to comply with all Design and Improvement Standards in the Subdivision Ordinance. South 4th Street is a dead end street that terminates at the west property line of 301 S. 4th Street. The Public Works Department has not identified a need to establish a cul-de-sac at the end of S. 4th Street, at this time. The proposed parcel meets the requirements of having complete infrastructure, as outlined in the Subdivision Code, with the exception of the cul-de-sac at the end of S. 4th Street, and does not trigger further extension of infrastructure. The electric easement along the north property line of existing "Parcel BE" will be extended to the west property line of the proposed "Parcel BF", at the current width of 5.5 feet.

Approval 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 Story County Recorder.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed Plat of Survey, with the following condition:
 - A. The ownership of the rear portion of Lot 8, must be changed from Steve and Dawn Jones to A & D Partnership, prior to recording of the Plat of Survey, once approved by the City Council.
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:

Staff has determined that the proposed Plat of Survey satisfies all code requirements for approval. **Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1.**

ADDENDUM
PLAT OF SURVEY FOR 301 & 305 S. 4TH 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: A & D Partnership
Steve and Dawn Jones

Existing Street Addresses: 301 S. 4th Street
305 S. 4th Street

Assessor's Parcel #: 0911175070
0911175410

New Legal Description: See Attachment C: Survey Description

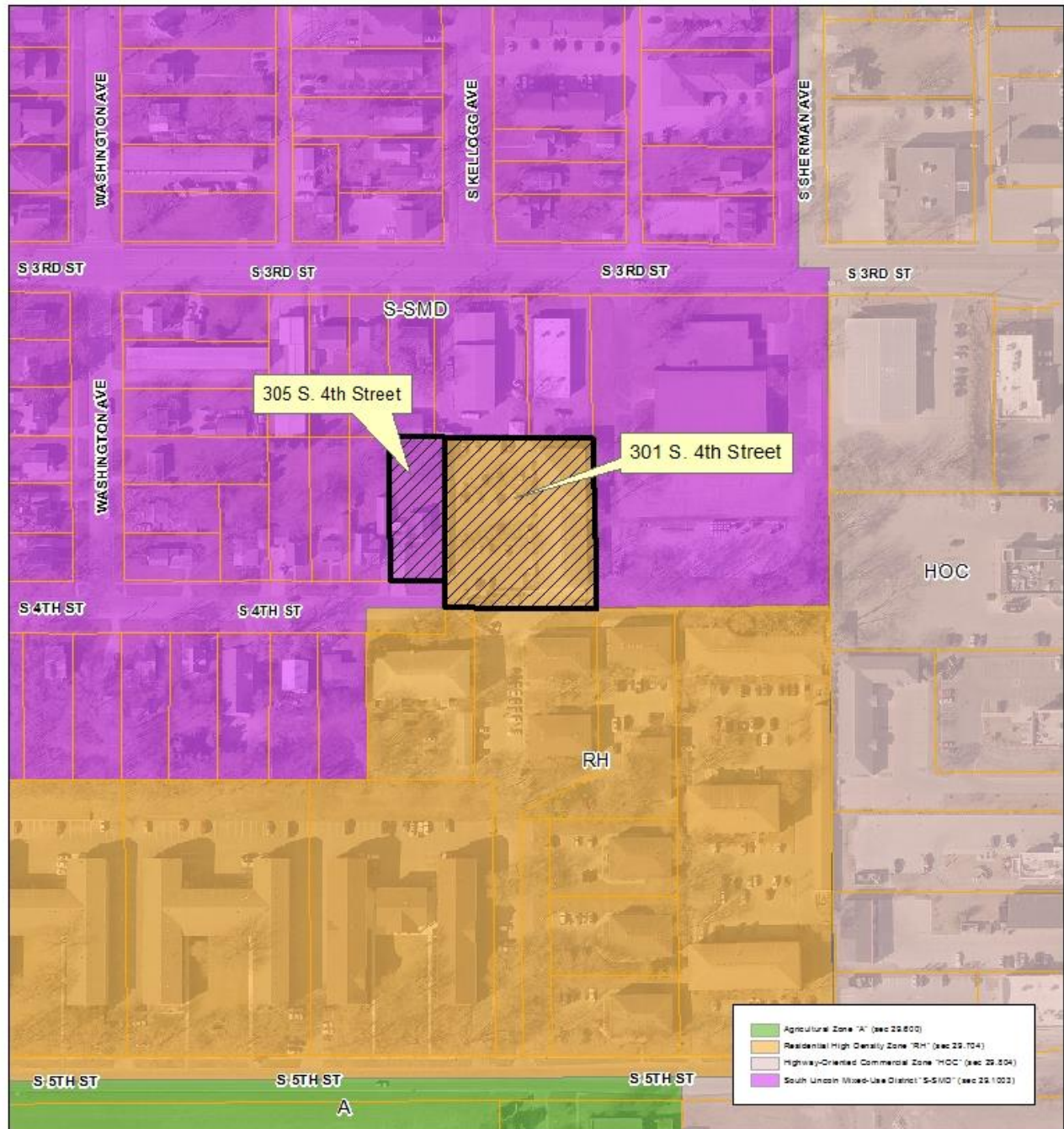
Public Improvements:

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 & ZONING MAP

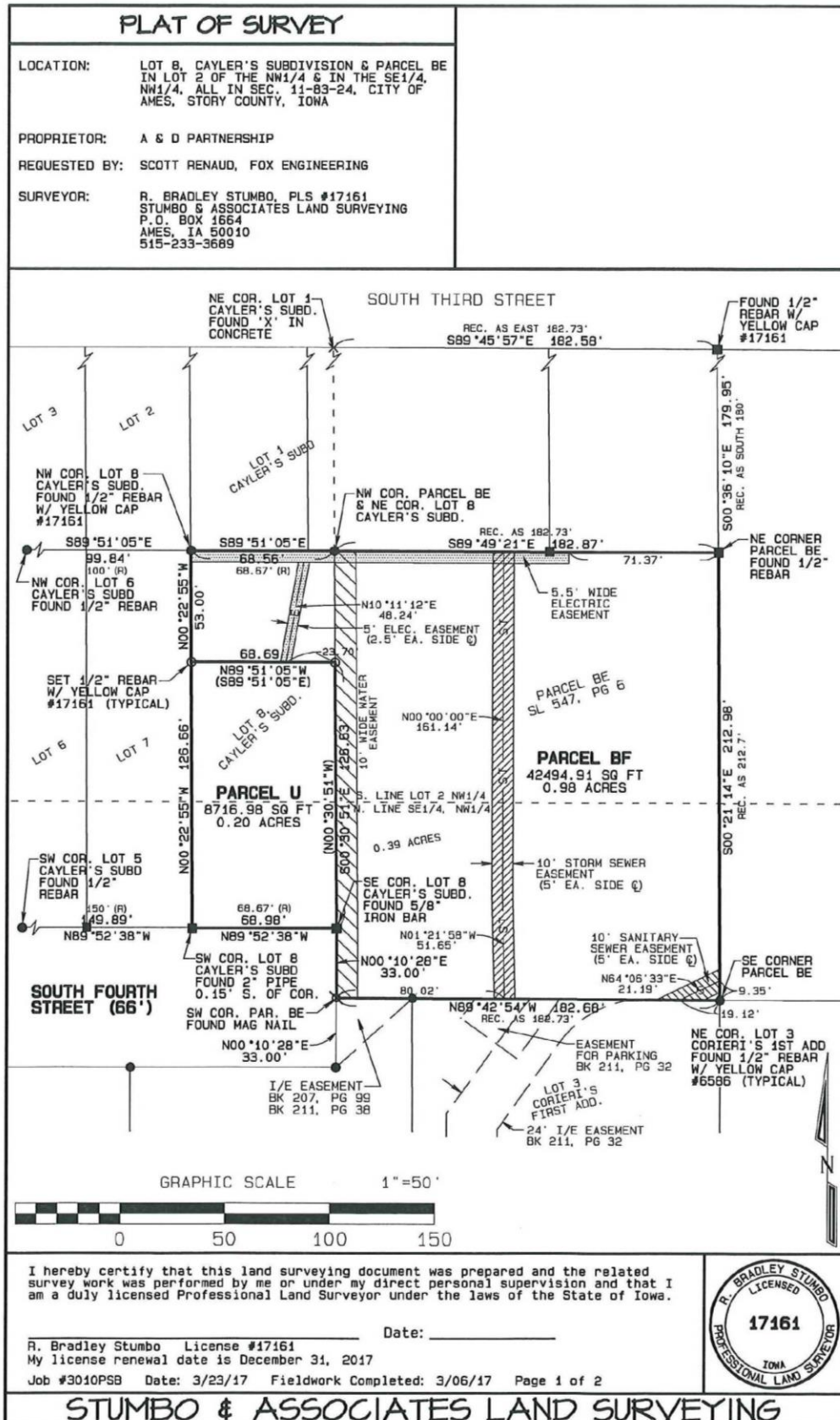


Location & Zoning Map 301 & 305 S. 4th Street



0 55 110 220 330 Feet

ATTACHMENT B: PROPOSED PLAT OF SURVEY



ATTACHMENT C: SURVEY DESCRIPTION

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Job #3010PSB

Survey Description – Parcel 'BF':

The North 53.00 feet of Lot 8 in Cayler's Subdivision and Parcel BE, as shown on the Plat of Survey filed in Slide 547, Pages 6 & 7, being a part of Lot 2 in the Northwest Quarter; and a part of the Southeast Quarter of the Northwest Quarter, all in Section 11, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, and being all together more particularly described as follows: Commencing at the Northeast Corner of Lot 1 in said Cayler's Subdivision, thence S89°45'57"E, 182.58 feet along the south line of South Third Street; thence S00°36'10"E, 179.95 feet to the Northeast Corner of said Parcel BE and the point of beginning; thence S00°21'14"E, 212.98 feet to the Southeast Corner of said Parcel BE; thence N89°42'54"W, 182.68 feet along the north line of said Lot 3, Corieri's First Addition, and said line extended westerly to the east end of South Fourth Street, said point being the Southwest Corner of said Parcel BE; thence N00°10'28"E, 33.00 feet to the Southeast Corner of Lot 8 in said Cayler's Subdivision; thence N00°30'51"W, 126.63 feet along the west line of said Parcel BE, said line also being the east line of said Lot 8; thence N89°51'05"W, 68.69 feet to the west line of said Lot 8; thence N00°22'55"W, 53.00 feet to the Northwest Corner thereof; thence S89°51'05"E, 68.56 feet to the Northeast Corner thereof, said point also being the Northwest Corner of said Parcel BE; thence S89°49'21"E, 182.87 feet along the north line of said Parcel BE to the point of beginning, containing 0.98 acres.

Survey Description-Parcel 'U':

Lot 8, except the North 53.00 feet thereof, in Cayler's Subdivision, City of Ames, Story County, Iowa, and being more particularly described as follows: Beginning at the Southeast Corner of said Lot 8; thence N89°52'38"W, 68.98 feet to the Southwest Corner thereof; thence N00°22'55"W, 126.66 feet along the west line of said Lot 8; thence S89°51'05"E, 68.69 feet to the east line thereof; thence S00°30'51"E, 126.63 feet to the point of beginning, containing 0.20 acres.

The Ames City Council approved this Plat of Survey on _____, 2017, with Resolution No. _____. I certify that it conforms to all conditions of approval.

Planning & Housing Director