

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY (BOUNDARY LINE ADJUSTMENT) FOR 2812 AND 2826 HYATT CIRCLE

BACKGROUND:

The City's subdivision regulations found in Chapter 23 of the Ames Municipal Code 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 boundary line adjustment of existing Lots 10 and 11 of Ames Community Development Park, Fourth Addition. The proposal is to move the common property line a distance of 45 feet to the east. The affected area is approximately 0.35 acres.

The lots are zoned as GI (General Industrial). Lot 10 has been developed, and Lot 11 is currently vacant. The current lots were established in their present configuration as part of the Ames Community Development Park, Fourth Addition approved by the City Council in 2009. The lots are also subject to a development agreement for the subdivision, however the proposed change in lot size has no direct implications with the development agreement.

Sidewalk improvements are required for Lot 10 along South Bell Avenue, and for Lot 10 and Lot 11 along Hyatt Circle. **Sidewalk has been installed for Lot 10; however, it must be extended an additional 45 feet along Hyatt Circle as part of the boundary line adjustment. Staff recommends adding a condition allowing for financial security for the completion of the sidewalk prior to recording the final Plat of Survey.** The sidewalk will be installed for Lot 11 at the time of its development consistent with the original subdivision approval. There is an existing public utility easement, 10 feet wide, centered on the existing property line between Lots 10 and 11. No utilities are presently located in this easement, and the easement will be vacated. A new public utility easement, 10 feet wide will be centered on the new property line separating the two lots.

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 subject to receipt of financial security for the installation of the sidewalk within one year of the approval of the 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 23.309 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 resulting two lots of the Plat of Survey are designed to be conform to underlying design standards and building setbacks of G1 zoning. The applicable development agreement has no requirements in relation to the proposed boundary lien adjustment. The property owner of Lot 10 must extend the sidewalk across their Hyatt Circle frontage to be consistent with the Subdivision Code of a Boundary Line Adjustment. The Sidewalk must be financially secured for installation within one year for final approval of the Plat of Survey. 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 with the condition on sidewalk installation.

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 financial security for the installation of the sidewalk within one year of the approval of the Plat of Survey.

ADDENDUM

PLAT OF SURVEY FOR 2812 & 2826 HYATT CIRCLE

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: Lot 10: Prestage Farms of Iowa LLC
Lot 11: Dayton Park LLC

Existing Street Addresses: 2812 & 2826 Hyatt Circle

Assessor's Parcel #s: 10-07-325-080
10-07-325-070

Legal Descriptions: Lot 10, Ames Community Development Park, Fourth Addition

Lot 11, Ames Community Development Park, Fourth Addition

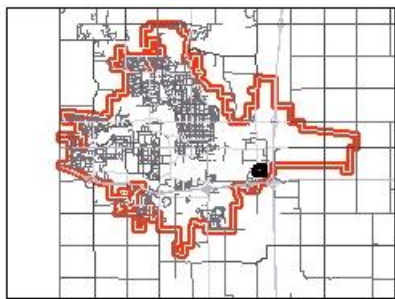
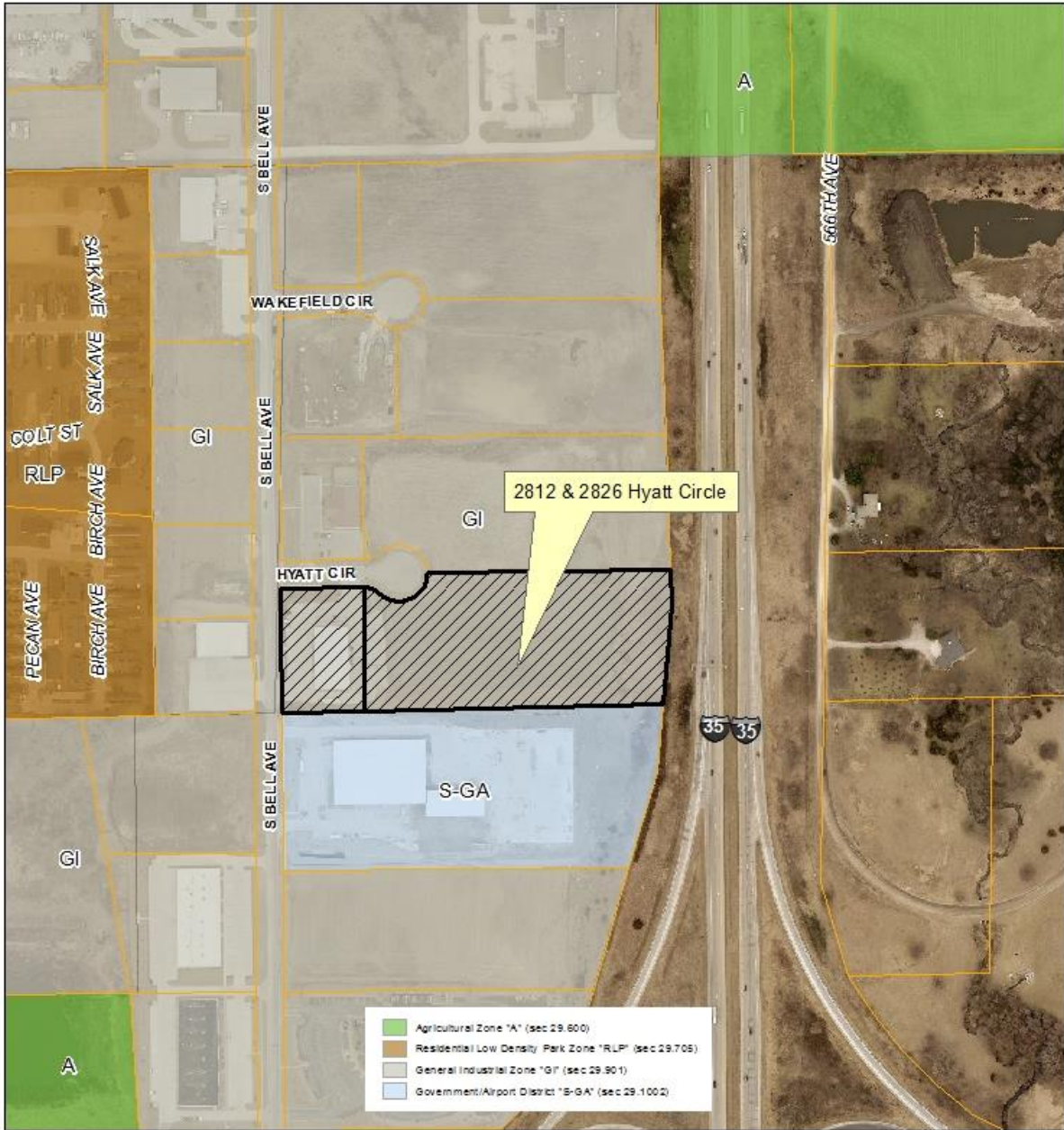
Public Improvements:

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: Location Map



Location & Zoning Map 2812 & 2826 Hyatt Circle



Attachment B: Plat of Survey

