COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 1407 & 1411 FLORIDA AVENUE

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.

The subject properties were created by vacation of right-of-way in the past. It appears, based on documentation found in Resolution No. 4028, that the 60' by 100' conveyance parcel north of Lot 9, Block 3, Original Town of Ontario subdivision, was street right-of-way that was vacated previously to acceptance of public right-of-way in the Town of Ontario, by the City of Ames. In addition in 1971, 10-foot wide strips of public street right-of-way were also conveyed to the property owner along the west side of Florida Avenue and the south side of Toronto Street, as found in Ordinance No. 2347, adopted by the City Council on July 28, 1970.

It has been determined by the Director of Planning & Housing, in accordance with the authority granted by Section 23.307(4)(d) of the Municipal Code, that the original conveyance parcel is a pre-established conveyance parcel due to presence of survey monuments. The property owner is requesting a boundary line adjustment to combine the previously conveyed 10-foot strip of public right-of-way with Lot 9, Block 3, Original Town of Ontario subdivision, and create new property lines as Parcel "C" for permitting purposes. As an established parcel, the property owner is also requesting a boundary line adjustment to combine the previously conveyed for parcel, and to create new property lines as Parcel "D" for permitting purposes.

The proposed "Parcel C" will include 6,950 square feet of lot area, and "Parcel D" will include 7,371 square feet of lot area. There is a single-family home located on Parcel "C." Zoning for the property is "RH" (Residential High Density). There are no sidewalk improvements on either street frontage of the parcel.

Boundary line adjustments do not trigger additional infrastructure improvements, unless partial infrastructure improvements exist and are required to be extended across a property. No public sidewalk exists on the subject properties and no improvements are required.

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. Adopt the resolution approving the proposed Plat of Survey.
- 2. 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. Refer this back to staff and/or the owner for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the original parcel meets the definition of a pre-established parcel and the combining of other property is permissible as a boundary line adjustment. 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 No. 1, as noted above.

ADDENDUM PLAT OF SURVEY FOR 1407 & 1411 FLORIDA 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:

Owner: Happe Homes, LLP

Existing Street Addresses: 1407 & 1411 Florida Avenue

Assessor's Parcel #: 05-31-478-020

New Legal Description: See attached Plat of Survey

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.

<u>Note</u>: 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





ATTACHMENT B: PROPOSED PLAT OF SURVEY (SHEET 2 OF 2)



PARCEL "C" DESCRIPTION

A PART OF LOT 9, BLOCK 3, ORIGINAL TOWN OF ONTARIO, BEING AN OFFICIAL PLAT RECORDED IN TOWN LOT DEED RECORD E, PAGE 226 OF THE STORY COUNTY RECORDERS OFFICE AND A PART OF THE OF FLORIDA AVENUE AND TORONTO STREET, LOCATED IN THE CITY OF AMES, STORY COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 9; THENCE NORTH 0° 57' 34" WEST ALONG THE WEST LINE OF SAID LOT 9 AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 63.00 FEET; THENCE NORTH 89° 11' 11" EAST, 110.31 FEET TO THE WEST RIGHT-OF-WAY LINE OF FLORIDA AVENUE; THENCE SOUTH 0° 58' 39" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, 63.00 FEET; THENCE SOUTH 89° 11' 11" WEST ALONG THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 110.33 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.16 ACRES (6,950 SF).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

PARCEL "D" DESCRIPTION

A PART OF LOT 9, BLOCK 3, ORIGINAL TOWN OF ONTARIO, BEING AN OFFICIAL PLAT RECORDED IN TOWN LOT DEED RECORD E, PAGE 226 OF THE STORY COUNTY RECORDERS OFFICE AND A PART OF THE VACATED RIGHT-OF-WAY OF FLORIDA AVENUE AND TORONTO STREET, LOCATED IN THE CITY OF AMES, STORY COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 9; THENCE NORTH 0° 57' 34" WEST ALONG THE WEST LINE OF SAID LOT 9, A DISTANCE OF 63.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0° 57' 34" WEST ALONG SAID WEST LINE, 66.77 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF TORONTO STREET: THENCE NORTH 89° 07' 44" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 110.29 FEET TO THE WEST RIGHT-OF-WAY LINE OF FLORIDA AVENUE; THENCE SOUTH 0° 58' 39" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, 66.88 FEET; THENCE SOUTH 89° 11' 11" EAST, 110.31 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.17 ACRES (7,371 SF).

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DATE OF SURVEY 04-19-18 OWNER HAPPE HOMES, LLP LEGEND	BASIS OF BEARIN FOR THE PURPOSE OF THIS SURVEY THE WE RIGHT-OF-WAY LINE OF FLORIDA AVENUE WAS ASSUMED TO BEAR SOUTH 0° 58' 39'' EAS	PLAT OF SURY WITH RESOLUT THAT IT CONF OF OF APPROVAL	ORMS TO ALL	, 2018 ICERTIFY CONDITIONS
Survey Section Corner 1/2" Rebor, Yellow Plostic Cop (Unless Otherwise Noted) ROW Roil Calculated Point Platted Distance Recorded As Deed Distance Calculated Distance Calculated Distance Calculated Distance Caterline Section Line 1/4 Section Line Essement Line	Found Set #19515	ERIC J. MILLER 19515 HUMAN CANADA	I hereby certify that this document was prepared and work was performed by me personal supervision and license Protestional Low Low of the State of Low Erric J. Miller, PLS License Number 195 My License Renewal Date in Pages or sheets covered by Sheet 1.8.2 of 2	the related survey or under my direct that I am a duly d surveyor under the Date 15 s December 31, 2018
HAPPE HOMES -	1407 & 1411 FLO	RIDA AVE	Revised: 06-28-18	SHEET 1 OF 2
PLAT OF SURVEY				PN: 1180389 FLD BK: 982C PG: 49
2727 S.W. SNYDER BLVD. ANKENY, IA 50023 (515) 964-2020			DATE: 04/30/18 PM/TECH: EJM/JJB	
Mel: Exery/CADDStandurds/WorkSpeek/Standurds/WorkSp				