

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 2715 AND 2721 EAST 13TH 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 adjusting the boundary lines of existing tracts. Section 23.308 allows the use of a plat of survey for a boundary line adjustment.

This plat of survey is a boundary line adjustment that consolidates two existing pre-platted parcels into a new Parcel "H" (see Attachment C – Proposed Plat of Survey). Parcel "D" (2715 E. 13th Street) and Parcel "E" (2721 E. 13th Street) were created from a lot split of Parcel "A" through the recording of a plat of survey in 2004.

Parcel "D" is the current location of the Jimmy John's restaurant at 2721 E. 13th Street (see Attachment A – Location Map). The existing building includes additional floor area for a second tenant, which will be a restaurant. Additional land area at 2715 E. 13th Street is needed to add twelve parking spaces to the commercial development (see Attachment B – Sketch of Existing Boundaries). **It is necessary to consolidate Parcels "D" and "E" into a new Parcel "H", to establish a valid lot of record, prior to issuance of a building permit for development.**

Approval of a Plat of Survey requires conformance to all standards of the Zoning Ordinance and the Subdivision Code. Parcel H meets all standards with the exception of installation of a sidewalk along the East 13th Street frontage. 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; however, no improvements are required with the plat of survey.

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 Story County Recorder.

ALTERNATIVES:

1. The City Council can approve the proposed plat of survey consistent with the standards of Chapter 23 for approval of a boundary line adjustment.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey for design and improvements 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.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all Code requirements for the proposed boundary line adjustment and has made a preliminary decision of approval. The Plat of Survey includes cross access easements for shared access to the east and the west. Staff has also determined that the proposed plat of survey does not trigger City infrastructure requirements as defined within the Subdivision Code.

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 2715 & 2721 EAST 13TH 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)

Owner: Ahmed Merchant (2721 E. 13th St.)
13th Street Ames LLC -Ahmed Merchant (2715 E. 13th St.)

Parcel ID: 0631370015 (2721 E. 13th St.)
0631370005 (2715 E. 13th St.)

Legal Description: See Attachment C – Proposed Plat of Survey

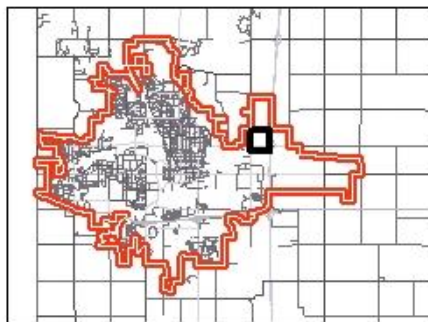
Public Improvements:

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:

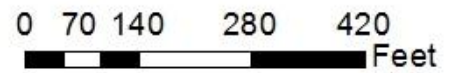
- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

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.

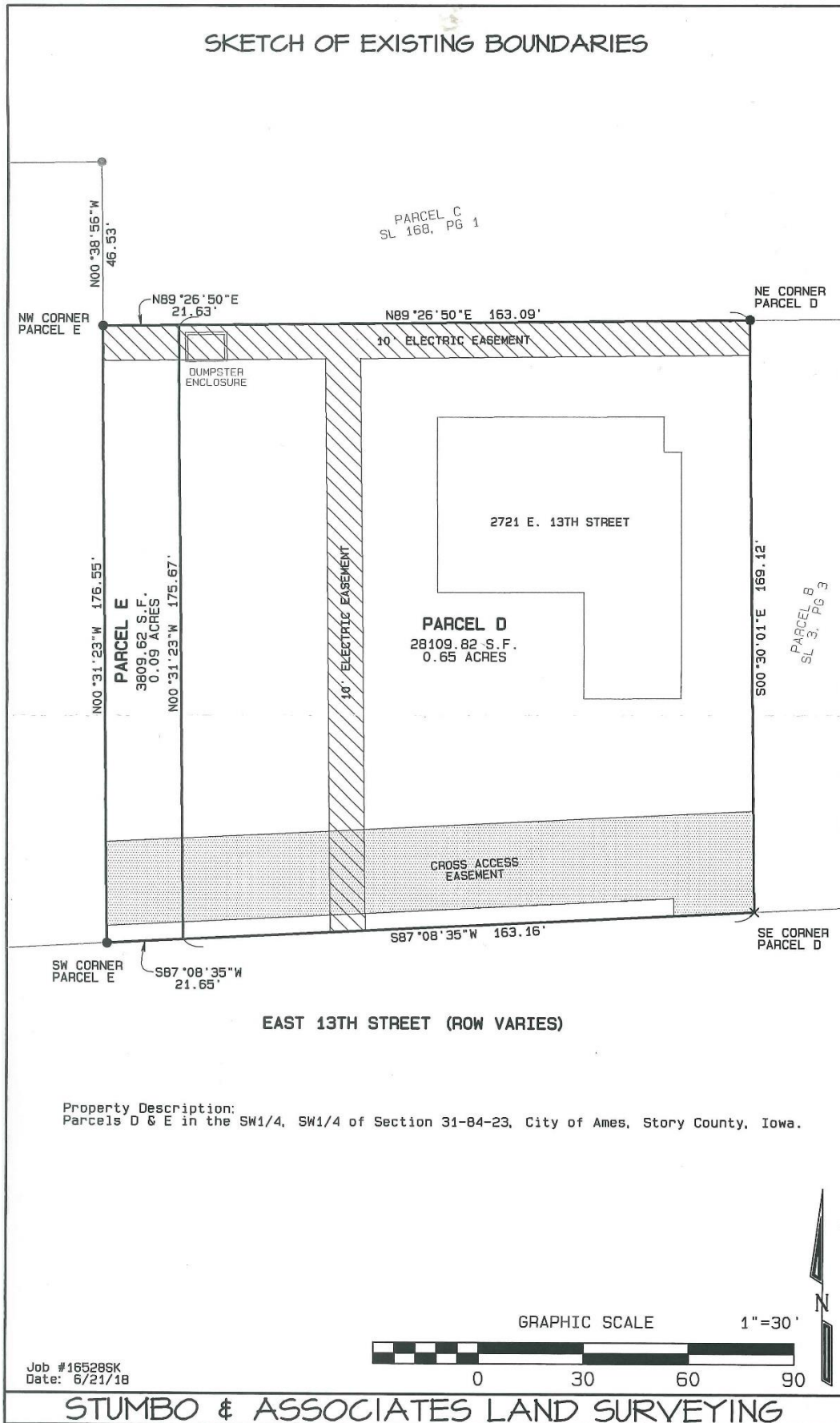
ATTACHMENT A: LOCATION MAP



Location Map
2715 & 2721 E. 13th Street



ATTACHMENT B: SKETCH OF EXISTING BOUNDARIES



ATTACHMENT C: PROPOSED PLAT OF SURVEY

