

**COUNCIL ACTION FORM**

**SUBJECT: PLAT OF SURVEY FOR 100 S. 16<sup>TH</sup> STREET (CONVEYANCE PARCEL)**

**BACKGROUND:**

The City's subdivision regulations in Chapter 23 of the Ames Municipal Code include a 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 platting conveyance parcels to create a parcel for development purposes.

**This proposed Plat of Survey for Parcel 'S' is to plat a conforming conveyance parcel described as an existing tract in the Northeast Quarter of the Northwest Quarter of Section 14, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, as described in a Warranty Deed filed as Inst. No. 2017-05232, addressed as 100 S. 16th Street. Unless this parcel is platted, no development can occur on it.**

The property was originally created by deed in 1967 and was not part of a subdivision. This parcel includes approximately 109,266.43 square feet and is zoned Highway Oriented Commercial (HOC). The site is currently vacant as all structures have been demolished in preparation for new development on the site with a bank and commercial uses.

The Plat of Survey was reviewed to ensure that the proposed lot dimensions for Parcel 'S' comply with the requirements found in the zone development standards for HOC. The property meets frontage and size requirements. All new construction will be subject to current zoning standards for setbacks and coverage.

As a Conveyance Parcel, the City requires certain public improvements with the approval of the Plat of Survey, in this case sidewalks. The property has frontage along the City's planned S. 16<sup>th</sup> Street improvement project. The City plans to install a sidewalk along the north boundary of the site upon the relocation of the electric poles to the south. As a City Capital Improvement Project, the property owner has not been required to make sidewalk improvements along its north boundary. The east boundary is DOT right-of-way and a sidewalk is not planned or permitted to be built along the east property line and therefore the property owner has no responsibility for a sidewalk along the east property line.

**The west property line is S. Kellogg Avenue frontage, and it does require sidewalk improvements to be installed by the property owner. Due to the conditions of timing with the City project and the planned construction of the new commercial building this summer on this site, the Public Works Director is recommending a deferral of the sidewalk installation on the S. Kellogg frontage by the property owner for up to three years or until occupancy of a building on the site, whichever occurs first. This**

**length of deferral would be consistent with standards of Chapter 23. The deferral would allow for the applicant to file cash security for the Kellogg sidewalk consistent with the Chapter 5 Building Code and Chapter 22 Right-of Way Infrastructure Required provisions of the Municipal Code.**

Approval of this Plat of Survey (Attachment C) 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. Once it is recorded, the property owner can proceed with obtaining building and zoning permits.

**ALTERNATIVES:**

1. Approve the Plat of Survey and defer sidewalk improvements required along the S. Kellogg Avenue frontage for up to three-years or until occupancy of a building on the site, whichever occurs first.
2. Do not approve the Plat of Survey.
3. Refer the application back to staff and/or the owner for additional information.

**CITY MANAGER'S RECOMMENDED ACTION:**

The conveyance parcel process was established in 2009 to create a means for property owners to bring parcels of land into compliance with the City's permitting processes. The goal was to establish usable and buildable parcels with a recorded survey in order to have measurable property lines. Approving this proposed Plat of Survey will recognize the current parcel as a legal lot for permitting purposes. Approving the Plat of Survey as a conveyance parcel will not exempt the parcel from meeting zoning development standards for future development, such as setbacks and lot coverage.

Staff has determined that the proposed Plat of Survey satisfies all Subdivision Code requirements and has made a preliminary decision of approval. Parcel 'S' conforms to the underlying zoning standards for lot requirements.

The requirements for public improvements are described above along with a request for a deferral of the S. Kellogg Avenue sidewalk installation consistent with the standards of Chapter 23. Due to the conditions of timing with the City project and the planned construction of the new commercial building this summer on this site, staff is recommending a deferral of the sidewalk installation on the S. Kellogg frontage by the property owner for up to three years or until occupancy of a building on the site, whichever occurs first.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, as described above.

**ADDENDUM  
PLAT OF SURVEY FOR 100 S. 16<sup>th</sup> 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 23.311)
- Auditor's plat (per Code of Iowa Section 354.15)

**Owners:** Northwest Bank  
**Existing Street Address:** 213 Duff Avenue, Ste 3; Ames, IA 50010  
**Assessor's Parcel #:** 09-14-126-010

**Legal Description: PARCEL 'S' DESCRIPTION:**

An existing tract in the Northeast Quarter of the Northwest Quarter of Section 14, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, as described in a Warranty Deed filed at Inst. No. 2017-05232 and being more currently described as follows:

Commencing at the North Quarter Corner of said Section 14; thence N89°50'04"W, 614.83 feet along the north line of said Section 14; thence S00°06'21"E, 40.00 feet to the south right of way line of S. 16th Street, and the point of beginning; thence S89°50'04"E, 500.41 feet along said line to the westerly right of way line of South Duff Avenue; thence southerly, 34.23 feet along a curve having a radius of 63.00 feet, concave northeasterly, a central angle of 31°07'50" and being subtended by a chord which bears S23°21'26"E, 33.81 feet to a point of reverse curvature; thence southerly, 79.95 feet along a curve having a radius of 118.00 feet, concave southwesterly, a central angle of 38°49'12' and being subtended by a chord which bears S19°30'45"E, 78.43 feet; thence S00°06'09"E, 99.41 feet, parallel with and 75.00 feet West of the east line of said Northwest Quarter to the Northeast Corner of Lot 2 in Link Subdivision, City of Ames, Iowa; thence S89°53'51"W, 539.80 feet along the north line thereof to the Northwest Corner of said Lot 2; thence N00°06'21"W, 206.79 feet to the point of beginning, containing 2.51 acres.

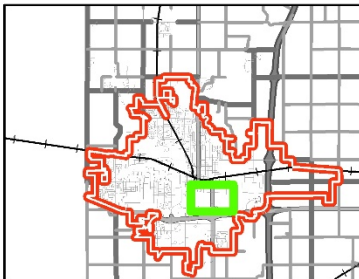
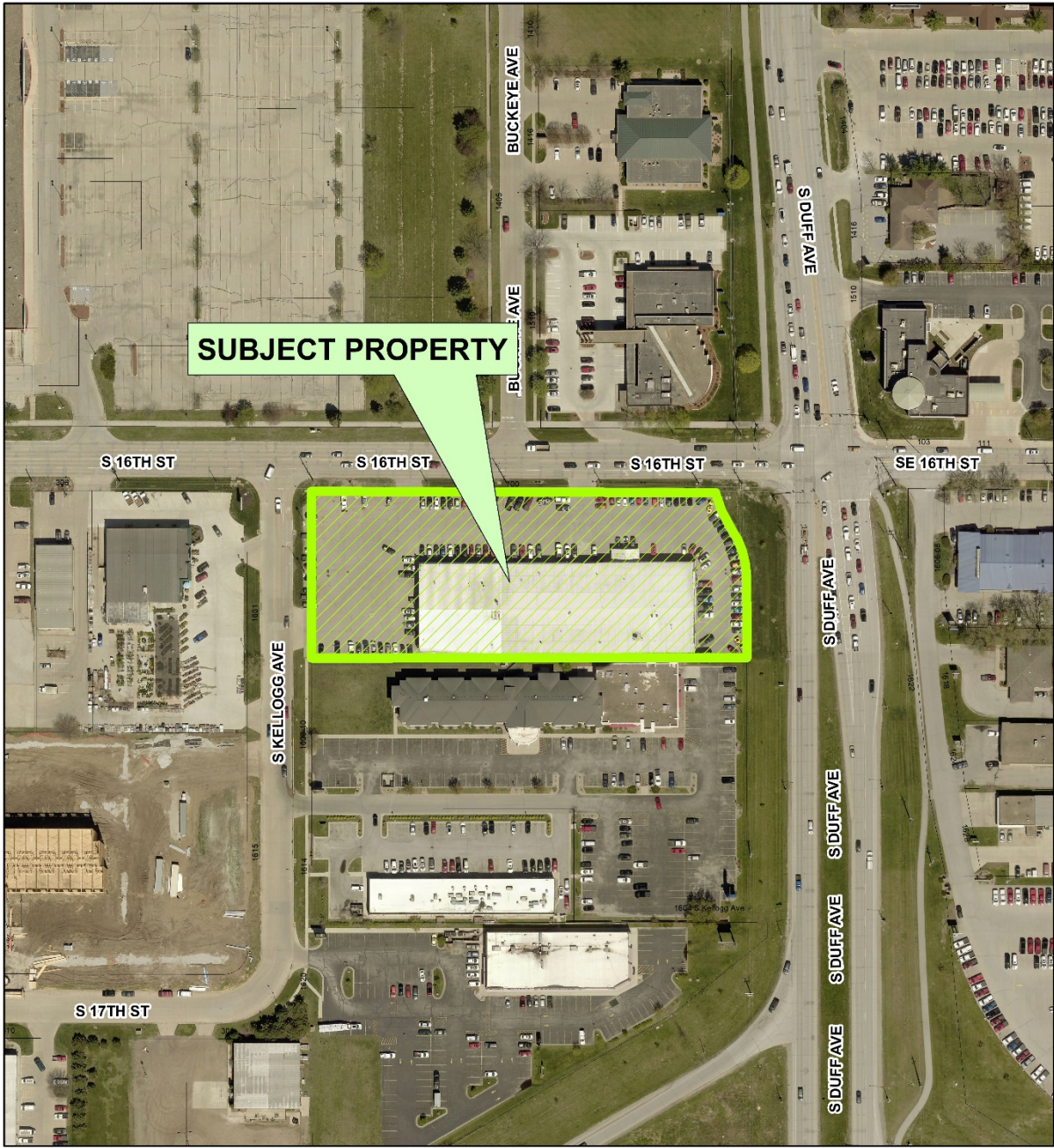
**Public Improvements:**

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

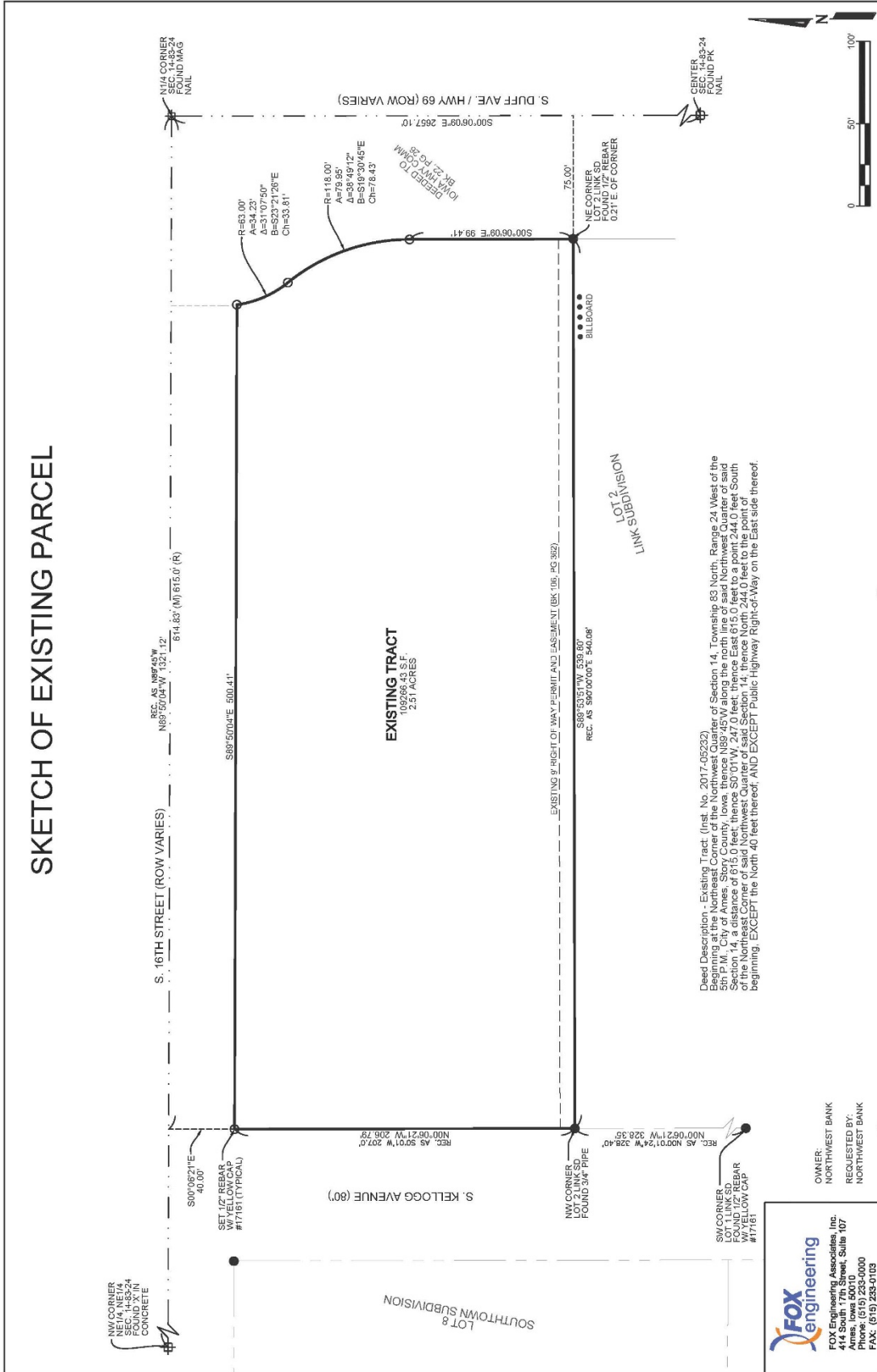


**LOCATION MAP**  
100 S. 16th Street

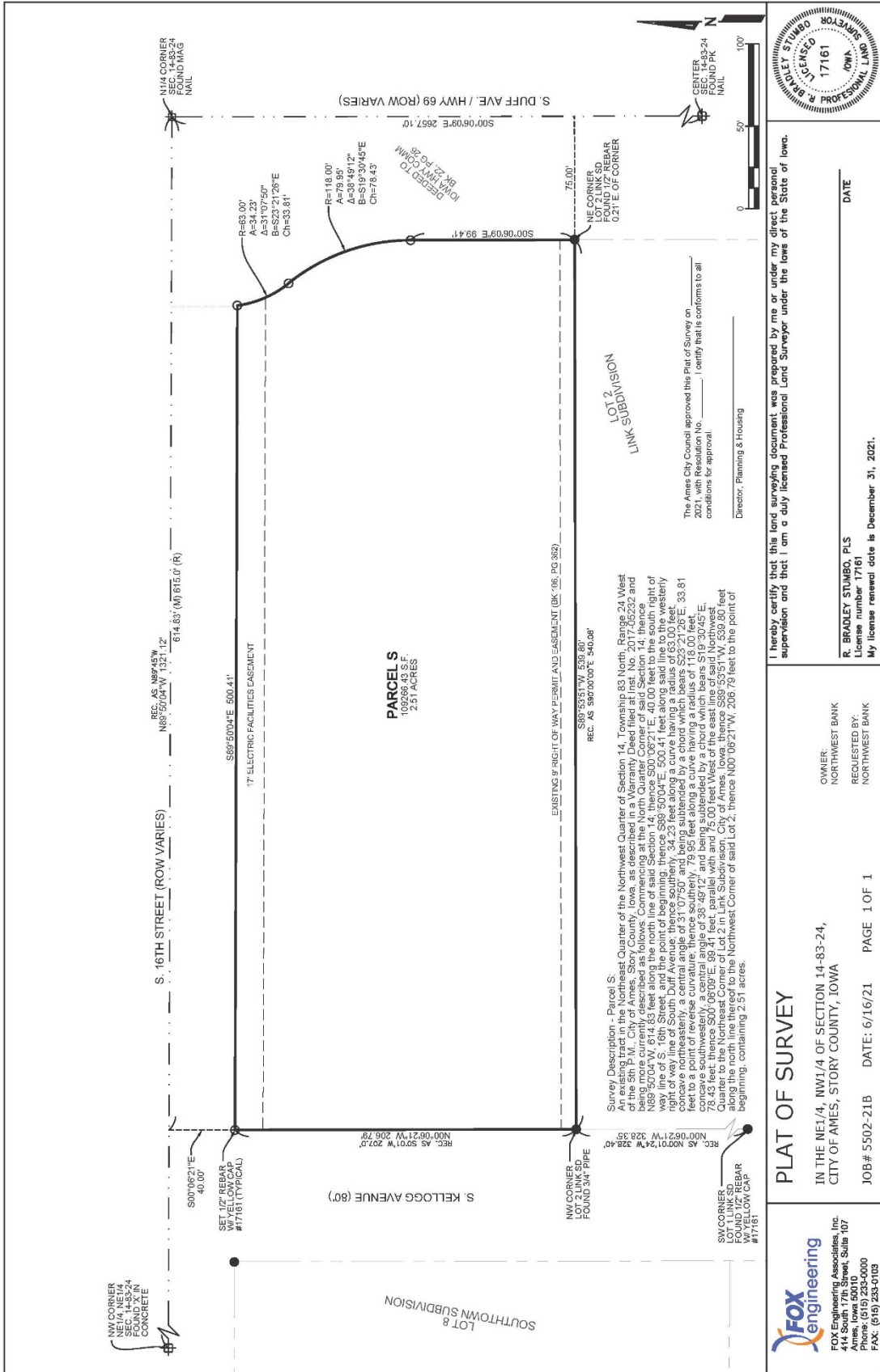
0 100 200 400 Feet



# Attachment B - Existing Conditions



# Attachment C - Proposed Plat of Survey



**PLAT OF SURVEY**

TM THE NE1/4, NW1/4 OF SECTION 14-83-24,  
CITY OF AMES, STORY COUNTY, IOWA

JOB # 5502-21B    DATE: 6/16/21    PAGE 1 OF 1

**OWNER:**  
NORTHWEST BANK

**REQUESTED BY:**  
NORTHWEST BANK

**FOX Engineering**  
FOX Engineering Associates, Inc.  
414 South 7th Street, Suite 101  
Ames, Iowa 50010  
Phone: (515) 233-0000  
Fax: (515) 233-0103

**R. BRADLEY STUBBS, PLS**  
License number: 17161  
My license renewal date is December 31, 2021.

I hereby certify that this land surveying document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.