

**COUNCIL ACTION FORM**

**SUBJECT:**     **MINOR SUBDIVISION FINAL PLAT FOR COMPASS SUBDIVISION  
PLAT 2**

**BACKGROUND:**

Randy R Mumm & Teresa S. Mumm, Trustees of a Revocable Trust are requesting approval of a Final Plat for Compass Subdivision Plat 2, a minor subdivision that would divide Lot 1 into two lots. Compass Subdivision was recorded as Instrument No. 2021-12005, containing 0.78 acres (*see Attachment B – Proposed Final Plat*). **A minor subdivision includes three, or fewer, lots and does not require additional public improvements. A minor subdivision does not require a Preliminary Plat and may be approved by the City Council as a Final Plat, only, subject to the applicant completing the necessary requirements.** Following City Council approval, the Final Plat must then be recorded with the County Recorder to become an officially recognized subdivision plat.

Lot 1 is bounded by S. Kellogg Avenue and S. 16<sup>th</sup> Street and is addressed as 200 S. 16<sup>th</sup> Street. Lot 1 includes approximately 33,888.46 square feet (.78 acres) and is addressed as 200 S. 16<sup>th</sup> Street. The eastern side of Lot 1 is occupied by Scooters Coffee; the western side is vacant. The proposed division into two lots will include Lots 1 & 2 of Compass Subdivision Plat 2 with Lot 1 (Scooters) having 19,831.97 square feet (.46 acres) and Lot 2 having 19,831.97 square feet (.46 acres). Lot 1 will continue to have frontage on S. 16<sup>th</sup> Street. Lot 2 will have frontage on both S. 16<sup>th</sup> Street and S. Kellogg Avenue.

Lot 1 includes access from an “L” shaped cross-access easement that extends to both S. 16<sup>th</sup> Street and S. Kellogg Avenue. Lot 2 is accessed through Lot 1 via a proposed ingress/egress easement that connects to the “L” shaped cross-access easement. Associated with the Plat is an Easements document which describes the location of all easements including all utility easements as well as the proposed ingress/egress easement.

The proposed subdivision is located within the “HOC” (Highway-Oriented Commercial) zoning district. The proposed subdivision alters the development requirements, as each of the lots must meet zoning requirements for the occupancy and use of its site. As a result, both Lot 1 and Lot 2 were evaluated to determine that each lot as proposed is in full compliance with the requirements of the Zoning Ordinance and the Highway Oriented Commercial District as well as the Subdivision Ordinance. No adjustments were needed to maintain compliance with the prior site plan approval. Development upon the new vacant lot will be subject to conformance with development requirement at that time.

Public utilities serve both parcels. Sidewalks were required as part of the approved plans for Northwest Bank. The sidewalk has been constructed along Kellogg. The sidewalk planned along South 16<sup>th</sup> Street is deferred and incorporated into the City's improvement project.

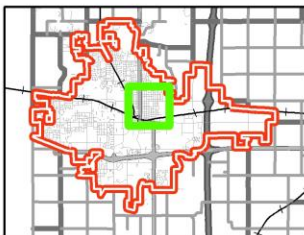
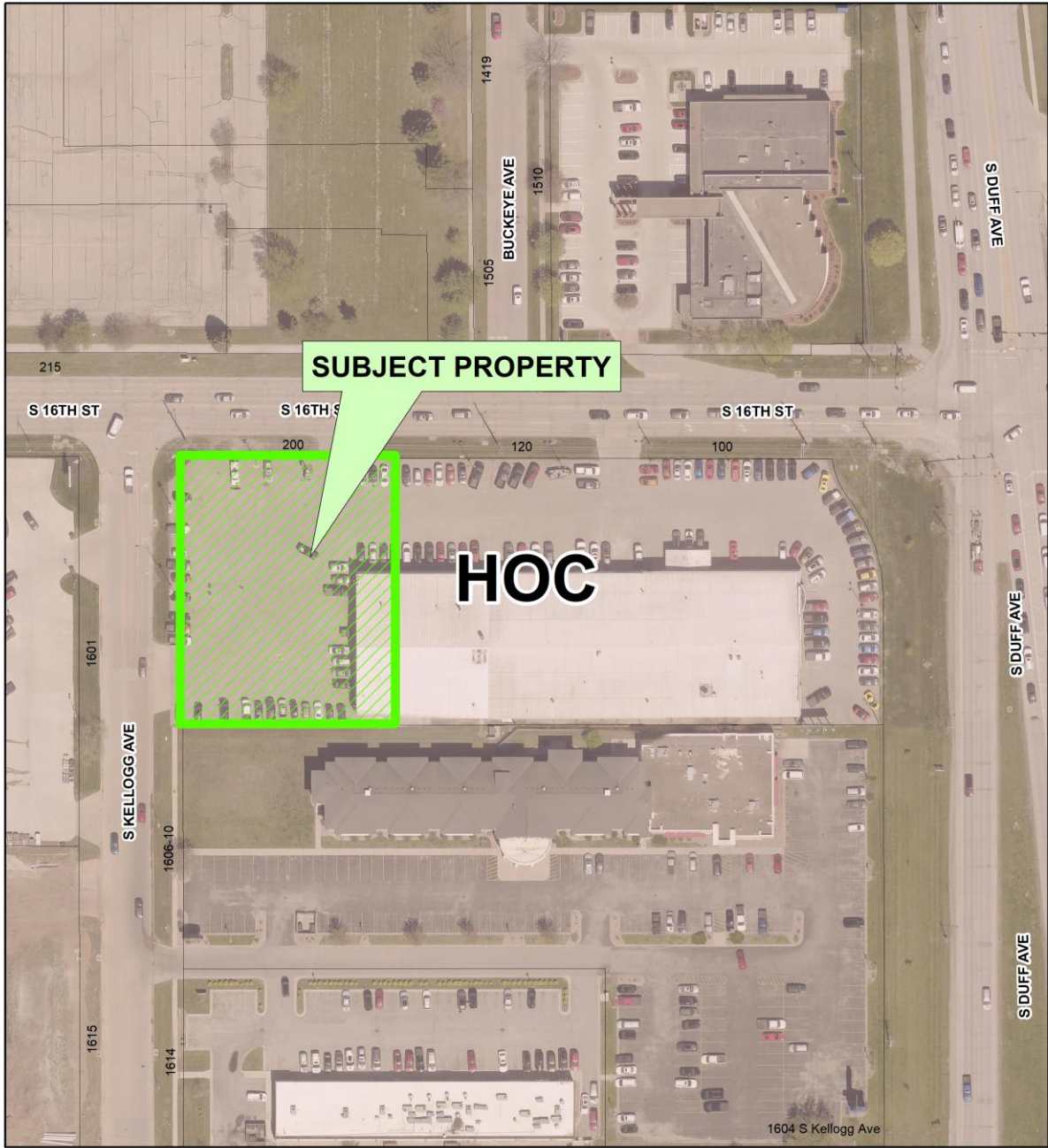
**ALTERNATIVES:**

1. The City Council can approve the final plat for Compass Subdivision Plat 2, based upon the findings and conclusions stated above.
2. The City Council can deny the final plat for Compass Subdivision Plat 2, if the City Council finds that the proposed subdivision does not comply with applicable ordinances, standards or plans.
3. The City Council can refer this request back to staff or the applicant for additional information.

**CITY MANAGER'S RECOMMENDATION:**

The proposed final plat for Compass Subdivision Plat 2 is consistent with the City's existing subdivision and zoning regulations. The provision of the 24-foot ingress/egress easement ensures the site meets access requirements upon recording of the final plat and easement document. Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1.

# Attachment A Location & Zoning Map



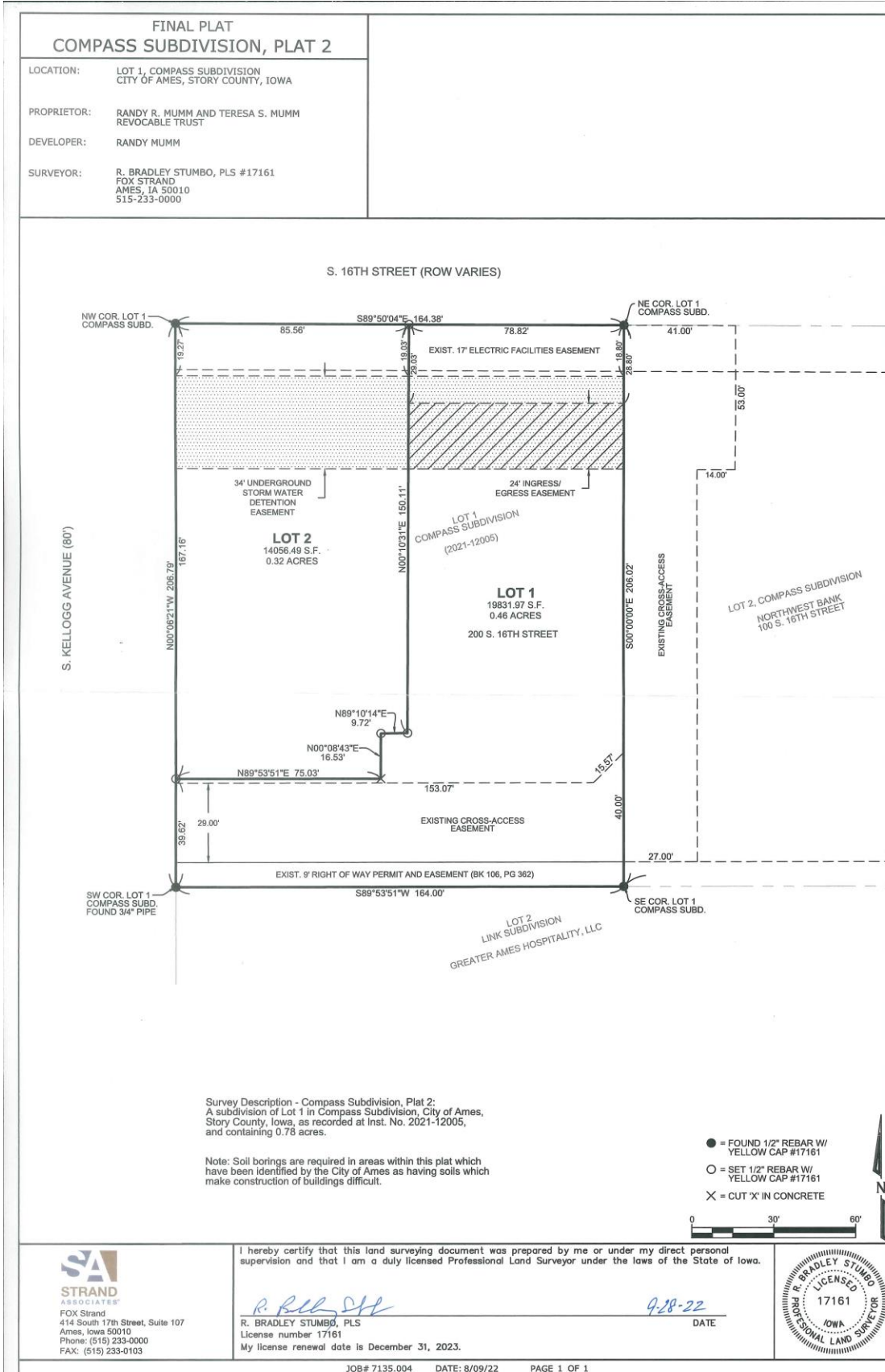
## Compass Subdivision Plat 2 Zoning & Location Map



0 62.5 125 250 Feet

# Attachment B

## Proposed Final Plat of Compass Subdivision Plat 2



FOX Strand  
414 South 17th Street, Suite 107  
Ames, Iowa 50010  
Phone: (515) 233-0000  
FAX: (515) 233-0103

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.

R. BRADLEY STUMBO, PLS  
 License number 17161  
 My license renewal date is December 31, 2023.

9-28-22  
 DATE

JOB# 7135.004    DATE: 8/09/22    PAGE 1 OF 1

## **Attachment C Applicable Laws**

The laws applicable to this case file are as follows:

*Code of Iowa*, Chapter 354.8 states in part:

A proposed subdivision plat lying within the jurisdiction of a governing body shall be submitted to that governing body for review and approval prior to recording. Governing bodies shall apply reasonable standards and conditions in accordance with applicable statutes and ordinances for the review and approval of subdivisions. The governing body, within sixty days of application for final approval of the subdivision plat, shall determine whether the subdivision conforms to its comprehensive plan and shall give consideration to the possible burden on public improvements and to a balance of interests between the proprietor, future purchasers, and the public interest in the subdivision when reviewing the proposed subdivision and when requiring the installation of public improvements in conjunction with approval of a subdivision. The governing body shall not issue final approval of a subdivision plat unless the subdivision plat conforms to sections 354.6, 354.11, and 355.8.

Ames *Municipal Code* Section 23.303(3) states as follows:

(3) City Council Action on Final Plat for Minor Subdivision:

(a) All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with Section 354.8 of the Iowa Code, as amended or superseded. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat, any comments, recommendations or reports examined or made by the Department of Planning and Housing, and such other information as it deems necessary or reasonable to consider.

(b) Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans. If the City Council determines that the proposed subdivision will require the installation or upgrade of any public improvements to provide adequate facilities and services to any lot in the proposed subdivision or to maintain adequate facilities and services to any other lot, parcel or tract, the City Council shall deny the Application for Final Plat Approval of a Minor Subdivision and require the Applicant to file a Preliminary Plat for Major Subdivision.