

ITEM #: 12  
DATE: 11-14-23  
DEPT: P&H

**COUNCIL ACTION FORM**

**SUBJECT: PLAT OF SURVEY BOUNDARY LINE ADJUSTMENT FOR 4004 AND 4008 COCHRANE PARKWAY AND DEFERRAL OF SIDEWALK INSTALLATION**

**BACKGROUND:**

The City's Subdivision Code is in Chapter 23 of the *Ames Municipal Code*. The Code includes 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.

**The proposed Plat of Survey is a boundary line adjustment merging two lots located at 4004 and 4008 Cochrane Parkway into one lot. The resulting lot will be 1.26 acres. The property owners of both lots are Amy and Corey Schmidt. The lots are part of the South Fork Subdivision, Sixth Addition. The proposed Plat of Survey will facilitate the construction of an in-ground pool, which otherwise may encroach on the required side setback (see Attachment A for a location map and Attachment B for a copy of the Plat of Survey).**

There is a dwelling at 4008 Cochrane Parkway. A sidewalk was constructed along the full frontage of that lot. There is no sidewalk or other improvements on the vacant lot at 4004 Cochrane Parkway. At the time of the original subdivision approval, developers enjoyed the option of deferring sidewalk installation until the time of construction of a house. Since no house has ever been built at 4004 Cochrane Parkway, the requirement to install a sidewalk has never been triggered. Deferrals of this type are no longer allowed within the Subdivision Code.

Chapter 23 requires that certain public improvements such as sidewalks are completed prior to the approval of the Plat of Survey. For Boundary Line Adjustments, only sidewalk extensions where partial improvements exist are required. Alternatively, deferral can be requested to allow for approval and then installation of the sidewalk. **In conjunction with the Plat of Survey, the owner is requesting a deferral of sidewalk installation until next year to coincide with the planned construction of the pool. As part of the deferral request, an agreement is required for the cash security and the timeline for construction. The estimated cost of the sidewalk installation is \$3,073.**

**The applicant is aware of the requirements for the security to be provided and agreement related to the deferral request. The applicant will be providing the security and the letter specifying the timeframe for installation, which they have indicated will be by the end of 2024. Receipt of the security and agreement are recommended as a condition of approval before the Planning Director officially approves the Plat of Survey.**

The parcel resulting from the boundary line adjustment (Parcel A) was reviewed to ensure that the proposed lot dimensions and setbacks comply with the requirements found in the zone development standards of the Suburban Residential Low Density (FS-RL) zoning district.

**Although the Planning and Housing Director is authorized to make a final decision of approval in writing for a Plat of Survey for a boundary line adjustment, the deferral request for the sidewalk**

**installation requires City Council approval.** Council 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. Once it is recorded, the property owner can proceed with obtaining building permits.

**ALTERNATIVES:**

1. Approve the proposed plat of survey for 4004 and 4008 Cochrane Parkway and the deferral of sidewalk improvements along the frontage of 4004 Cochrane Parkway for 13 months from Planning Director approval of the Plat of Survey with receipt of an agreement and financial security for the installation of the sidewalk.
2. Deny the proposed plat of survey on the basis that the City Council finds that the requirements for plats of survey as described in Section 23.309 have not been satisfied with the sidewalk required to be installed prior to approval of the plat of survey.
3. Refer this request back to staff and/or the owner for additional information.

**CITY MANAGER'S RECOMMENDED ACTION:**

Approval of the plat of survey will consolidate two lots into one parcel and enable the issuance of a building permit for a pool. No conflict exists with the existing Suburban Residential Low Density (FS-RL) zoning standards. Staff has determined that the proposed plat of survey satisfies all Subdivision Code requirements. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as described above.

[ADDENDUM.pdf](#)

[ATTACHMENT A LOCATION MAP.pdf](#)

[ATTACHMENT B PLAT OF SURVEY.pdf](#)