

**COUNCIL ACTION FORM**

**SUBJECT: PLAT OF SURVEY FOR 108, 110, 114 DUFF AVENUE & 105 E LINCOLN WAY**

**BACKGROUND:**

The City's subdivision regulations found in Chapter 23 of the Ames Municipal Code 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 for the consolidation of conveyance parcels and for boundary line adjustments.

**This proposed plat of survey is for a boundary line adjustment of existing lots addressed as 108, 110, 114 Duff Avenue & 105 E Lincoln Way to create one parcel.** The proposed change results in one new parcel, labeled as Parcel C. The use for the proposed parcel is planned to be commercial upon the demolition of the existing structures and replacement with a new building.

The site was reviewed to ensure that proposed lot dimensions comply with requirements of the Highway Oriented Commercial Zone (HOC). Two buildings exist on the site at this time. They both have nonconforming setbacks in relation to their current property boundaries, but these setbacks are unaffected by the proposed boundary line adjustment and may be approved as not changing or creating an existing nonconforming condition. The combined properties will become a one property with public streets on four sides. Through lots are permissible along arterial streets.

Boundary line adjustments do not trigger additional infrastructure improvements, unless partial infrastructure improvements exist and are required to be extended across a property. There are no infrastructure gaps along the frontage of the site. Upon redevelopment of the site, the condition of sidewalk will be assessed through the requirements of Chapter 22 requirements for providing or improving missing infrastructure.

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.

### **ALTERNATIVES:**

1. The City Council can adopt the resolution approving the proposed plat of survey.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.309 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 Subdivision Code requirements for a boundary line adjustment of existing parcels and has made a preliminary decision of approval. The resulting parcel is designed to be conforming to underlying design standards and building setbacks of HOC zoning, although under existing condition there are existing nonconforming buildings. However, there is no change in the degree of nonconformities with the proposed lot combination and it therefore meets the standards of the Zoning Ordinance for new lots and parcels. Approval of the Plat of Survey will allow for redevelopment of the site in a more efficient manner than its current configuration.

**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 108, 110, 114 DUFF AVENUE & 105 E LINCOLN WAY**

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: Randy R. and Teresa S Mumm  
Existing Street Address: 108, 110, 114 DUFF AVENUE & 105 E LINCOLN WAY

Assessor's Parcel #: 0902454010, 0902454020, 0902454030, 0902454040

**Legal Description:** Parcel "C" located in the Southwest ¼ of the Southeast ¼ of Section 2, Township 83 North, Range 24 West of the 5<sup>th</sup> P.M., City of Ames, Story County, Iowa. More particularly described as follows: now and furthermore encompassing Lots 1 thru 8, Block 18 in Bornes Addition in said Section 2, commencing at the south ¼ corner of said Section 2, thence, S88°55'16"E 140.15' along the south line of the southwest 1/4/ of the southeast ¼ of said Section 2; Thence, N1°36'08" W 33.04' to the southeast corner of said Lot 8, said point also being the point of beginning; thence, N88°55'16" 100.11' along the south line of said Lot 8 to the southwest corner of said Lot 8; thence, N1°36'08"W 199.06' along the west line of said Lots 1 thru 8 to the northwest corner of said Lot 1; thence, N89°03'17"E 100.01' along the north line of said Lot 1 to the northeast corner of said Lot 1; thence, S1°36'08"E 202.60' along the East line of said Lots 1 thru 8 to the point of beginning, containing 0.46 Acres. Subject to easements and restrictions of record, in any.

**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)

# Attachment A- Existing Conditions

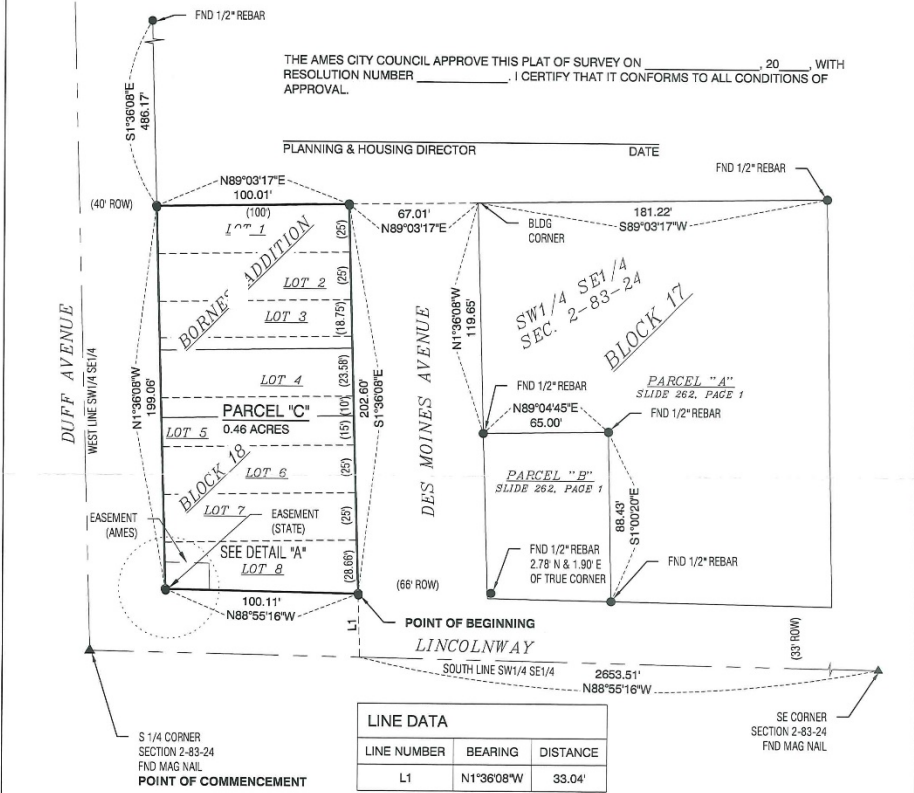
## PLAT OF SURVEY

INDEX LEGEND	
LOCATION:	IN LOT 1 THRU 8, BLOCK 18 IN BORNE'S ADDITION IN THE SW1/4 OF THE SE1/4 OF SECTION 2-83-24, CITY OF AMES, STORY COUNTY, IOWA
PROPRIETOR:	MARTENA LLC, RANDY R MUMM & TERESA S TRUSTEES AND RANDY R MUMM & TERESA S REV TRUST
SURVEY REQUESTED BY:	RANDY MUMM
FIELD WORK COMPLETED:	3/15/2019
SURVEY PREPARED BY:	CLAPSADDLE-GARBER ASSOCIATES, INC., 16 EAST MAIN STREET, P.O. BOX 754, MARSHALLTOWN, IOWA 50158, PHONE 641-752-6701, JHARRIS@CGACONSULTANTS.COM
RESPOND TO:	JEREMY HARRIS

### RECEIVED

MAY 14 2019

CITY OF AMES, IOWA  
DEPT. OF PLANNING & HOUSING



**DESCRIPTION**  
SEE SHEET 2 OF 2

DETAIL "A"

**LEGEND:**

- ▲ GOVERNMENT CORNER MONUMENT FOUND
- ▲ GOVERNMENT CORNER MONUMENT SET
- PARCEL OR LOT CORNER MONUMENT FOUND
- SET 1/2" x 30" REBAR w/BLUE PLASTIC ID CAP #22259
- ( ) RECORDED AS

**NOTE:**  
ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS.

MUMM SURVEY  
STORY COUNTY

I hereby certify that this land surveying document was prepared and the related survey work was performed 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.

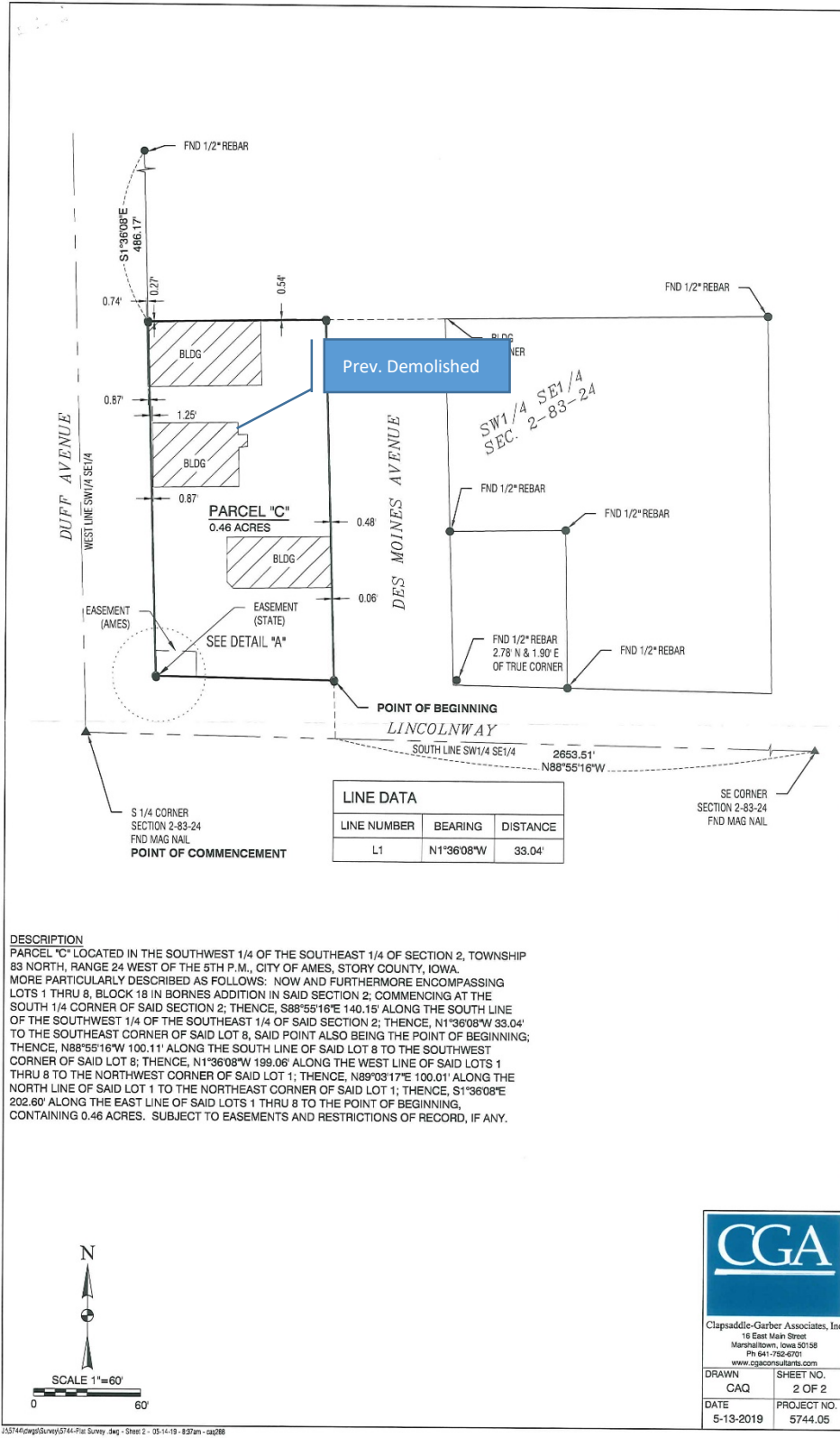
JEREMY A. HARRIS, PLS \_\_\_\_\_ date \_\_\_\_\_  
Iowa License Number 22259  
My License Renewal Date is December 31, 2019  
Pages or sheets covered by this seal: \_\_\_\_\_  
SHEETS 1 OF 2 AND 2 OF 2

Clapsaddle-Garber Associates, Inc.  
16 East Main Street  
Marshalltown, Iowa 50158  
Ph 641-752-6701  
www.cgaconsultants.com

DRAWN	SHEET NO.
CAQ	1 OF 2
DATE	PROJECT NO.
5-13-2019	5744.05

J:\214\Newgs\Survey\214-Plat Survey.dwg - Plat Survey Sheet 1 - 05-14-19 - 830am - cap98

# Attachment B- Proposed Plat of Survey- Parcel C



J3746\cwp\Survey\374-Fin Survey.dwg - Sheet 2 - 05-14-19 - 8:37am - caq28