

ITEM # 31
DATE: 11-26-19

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY (BOUNDARY LINE ADJUSTMENT) FOR 1307, 1329, & 1405 S. DAYTON PLACE

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 three existing lots addressed as 1307, 1329, and 1405 S. Dayton Place to create two new lots: Parcel F and Parcel E. The lots are currently undeveloped farmland. The lots are zoned Highway Oriented Commercial (HOC). The existing lots have been in their current configuration since 2002.

A portion of the property lies within the Southeast Entryway Gateway Overlay District (O-GSE). The boundary of the overlay runs along the shared lot line of the existing Lots 13 and 14. The new lot configuration will have the overlay covering roughly the southern third of Parcel F. Sec. 29.302 (2) states that "[w]hen a lot held in single ownership is divided by a zone boundary line, the entire lot shall be construed to be within the more restrictive zone for purposes of complying with the requirements of the Ordinance." As such, all of Parcel F will be subject to the requirements of O-GSE. The O-GSE overlay prohibits additional uses beyond the base zoning district and has additional landscaping and building design requirements.

The site currently has a 50-foot drainage and detention easement across the western end of the lots, which will remain. A 15-foot public utility easement was recorded by separate instrument on November 15, 2019 along the east side of both lots. No public improvements are necessitated with the plat of survey; street improvements and changes to driveways will occur with future development.

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.

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. No conflict exists with the existing HOC zoning standards as a result of the boundary line adjustment. The proposed boundary liens do not change the boundary of the O-GSE zoning overlay. The boundary line adjustment does not trigger infrastructure requirements unless there is a gap in completion of existing infrastructure. Any future construction on the site will be reviewed by staff for compliance.

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 1307, 1329, and 1405 S. DAYTON PLACE

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: South Dayton Development LC

Existing Street Address: 1307 S. Dayton Place
1329 S. Dayton Place
1405 S. Dayton Place

Assessor's Parcel #: 09-12-476-110
09-12-476-100
09-12-476-090

Legal Description:

Survey Description – Parcel F:

Lot 14 and part of Lot 13, South Gateway Development, City of Ames, Story County, Iowa, being more particularly described as follows:

Beginning at the Northeast Corner of said Lot 14; thence S00°27'11 "E, 314.13 feet along the east line of said Lots 14 and 13; thence N89°46'47"W, 344.46 feet to the west line of said Lot 13; thence N00°14'43"W, 314.15 feet to the Northwest Corner of said Lot 14; thence S89°46'34"E, 343.32 feet to the point of beginning, containing 2.48 acres.

Survey Description – Parcel E:

Lot 12 and part of Lot 13, South Gateway Development, City of Ames, Story County, Iowa, being more particularly described as follows:

Beginning at the Southeast Corner of said Lot 12; thence N89°46'54"W, 345.61 feet to the Southwest Corner thereof; thence N00°14'43"W, 315.00 feet along the west line of said Lots 12 and 13; thence S89°46'47"E, 344.46 feet to the east line of said Lot 13; thence S00°27'11 "E, 315.00 feet to the point of beginning, containing 2.49 acres.

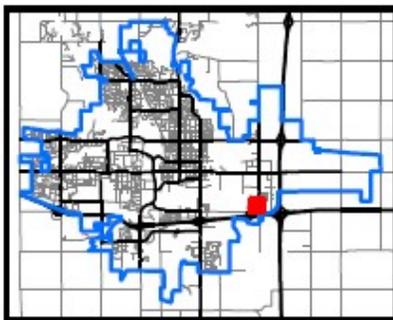
Public Improvements:

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 -
1307, 1329, & 1405
S. Dayton Place**

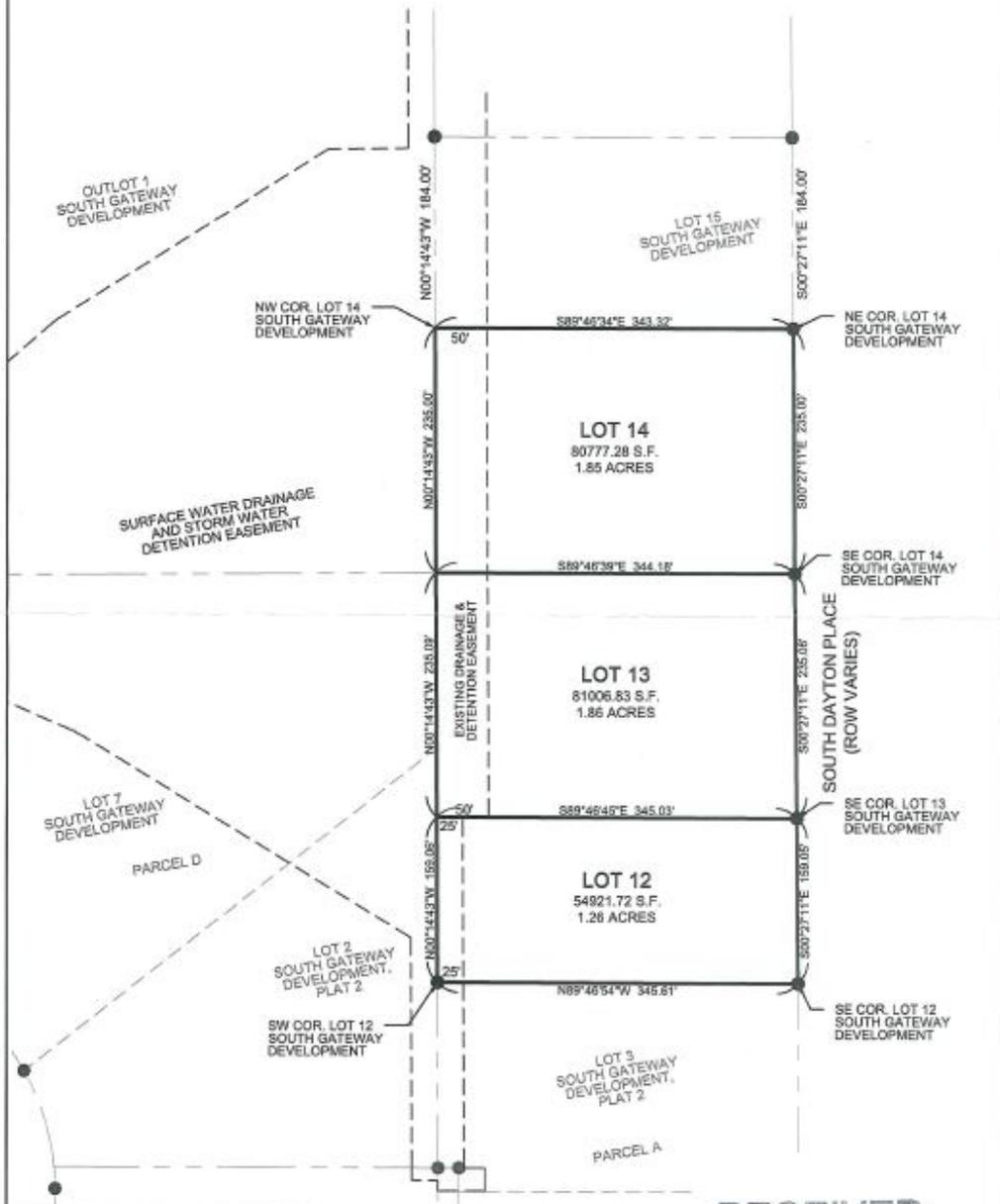
0 100 200 400 Feet



Attachment B – Existing Conditions

SKETCH OF EXISTING PARCELS

Property Description:
 Lots 12, 13 & 14 in South Gateway Development, City
 of Ames, Story County, Iowa.
 Proprietor: South Dayton Development, LC

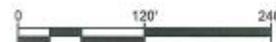


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OCT 22 2019

CITY OF AMES, IOWA
 DEPT. OF PLANNING & HOUSING



Attachment C – Plat of Survey

