

**COUNCIL ACTION FORM**

**SUBJECT: FEDELER LINCOLN WAY SUBDIVISION, MINOR FINAL PLAT FOR  
2108 E LINCOLN WAY**

**BACKGROUND:**

H & B Properties, LLC (William Fedeler) is requesting approval of a Minor Subdivision Final Plat of 5.86 acres at 2108 E Lincoln Way for Fedeler Lincoln Way Subdivision. The subdivision creates two lots (Lot '1' & Lot '2') in the General Industrial (GI) Zoning District.

A Minor Subdivision includes three, or fewer, lots and does not require additional public improvements other than sidewalks and/or bike paths. No sidewalk or bike path is required along this property's frontage.

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.

**The proposed Final Plat divides the existing 5.86 acres into Lot '1' consisting of 2.40 acres and Lot '2' consisting of 3.46 acres.** Both Lot '1' and '2' will each have access off of E Lincoln Way frontage road. The proposed subdivision creates a new flag lot (Lot '2') with a 25-foot access to E. Lincoln Way. Lot '2' will require a paved approach for the driveway. A 5-foot pedestrian easement is included immediately adjacent to the flag lot on the west side of Lot '1'. This is a requirement that was adopted with the allowance for reduced 25-ft. width flag lots in the General Industrial Zoning District that occurred earlier this year.

The Minor Subdivision Final Plat must meet Zoning requirements for the occupancy and use of its site as well as meeting the Subdivision requirements of Chapter 23. As a result, both lots were evaluated to determine that they are in full compliance with the requirements of the Zoning Ordinance, the General Industrial (GI) Zoning District, and the Subdivision Ordinance.

Lot '1' complies with the GI setback requirements for the existing building and the existing outdoor storage area. Lot '1' also complies with the lot coverage requirements for outdoor storage. Lot '2' (new flag lot) is proposed for use as outdoor storage and will be subject to the requirements of Sec. 29.405 for setbacks and maximum lot coverage. Lot '2' will have limited utility due to its dimensions and limited access.

Public utilities currently serve Lot 1 and can be extended to Lot '2'. No utility extensions are proposed for Lot '2', as the use of outdoor storage can proceed without any utility service being connected. Should a building be proposed sometime in the future, public water service for fire protection will be required.

**ALTERNATIVES:**

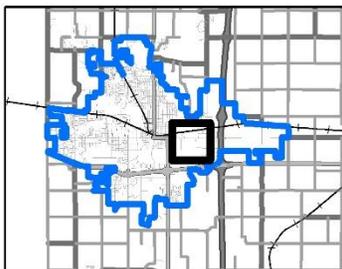
1. The City Council can approve the Final Plat of Fedeler Lincoln Way Subdivision based upon the findings and conclusions stated above.
2. The City Council can deny the Final Plat of Fedeler Lincoln Way Subdivision if the Council finds that the proposed subdivision does not comply with applicable ordinances,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

**CITY MANAGER'S RECOMMENDED ACTION:**

After reviewing the proposed Final Plat of Fedeler Lincoln Way Subdivision, Staff finds that it complies with all relevant and applicable design and improvement standards of the Subdivision Regulations, to the Ames Plan 2040, to other adopted City plans, ordinances and standards, and to the City's Zoning Ordinance.

**Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1, as noted above.**

# Attachment A – Location Map



## LOCATION & ZONING MAP

2108 E Lincoln Way

0 125 250 500 Feet



# Attachment B – Final Plat of Fedeler Lincoln Way Subdivision

## FINAL PLAT FEDELER LINCOLN WAY SUBDIVISION CITY OF AMES, STORY COUNTY, IOWA



VICINITY MAP  
NOT TO SCALE

### LEGAL DESCRIPTION

DEED #2005-00010220  
LOT TWO (2), EXCEPT THE EAST ONE HUNDRED THIRTY (130) FEET IN MATTHEW SUBDIVISION IN AMES, STORY COUNTY, IOWA

### SURVEYOR AND ENGINEER

MARC C HOODJER, P.L.S.  
CLAPSADDLE-GARBER ASSOCIATES  
16 EAST MAIN STREET  
MARSHALLTOWN, IOWA 50158  
641-752-6701

### CURRENT ZONING INFORMATION:

CURRENT: GI (GENERAL INDUSTRIAL)

### CLOSURE:

- ALL SUBDIVISION BOUNDARIES ARE WITHIN THE 1:10,000 ERROR OF CLOSURE REQUIREMENT
- ALL LOTS ARE WITHIN THE 1:5000 ERROR OF CLOSURE REQUIREMENT.

### OWNER OF RECORD

H & B PROPERTIES LLC  
OAK CREST CIRCLE  
AMES, IOWA 50010

### FLOOD ZONE

(ZONE X)  
PANEL # 19169C0164F  
EFFECTIVE DATE: JANUARY 15, 2021

### SETBACK DATA

FRONT YARD = 10 FT; 40 FT IF ABUTTING AN ARTERIAL STREET, EXCEPT FOR A FUEL PUMP CANOPY, WHICH SHALL MAINTAIN A 10 FT. SETBACK FROM AN ARTERIAL STREET, MEASURED FROM THE FRONT EDGE OF THE CANOPY

SIDE AND REAR YARD = 12 FT; 40 FT IF ABUTTING AN ARTERIAL STREET EXCEPT FOR A FUEL PUMP CANOPY, WHICH SHALL MAINTAIN A 10 FT SETBACK FROM AN ARTERIAL STREET, MEASURED FROM THE FRONT EDGE OF THE CANOPY

( ) = RECORDED AS

FEDELER LINCOLN WAY SUBDIVISION SURVEY STORY COUNTY, IOWA

LEGEND: (NONUMENT SYMBOLS ARE ORIENTED TO THE NORTH)

FOUND	▲ PLSS CORNER FOUND (as noted)
	● PARCEL OR LOT CORNER
SET	△ PLSS CORNER - 1/2" DIAMETER x 30" REBAR w/YELLOW PLASTIC ID CAP (#22634)
	○ 1/2" DIAMETER x 30" REBAR w/YELLOW PLASTIC ID CAP (#22634)



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.

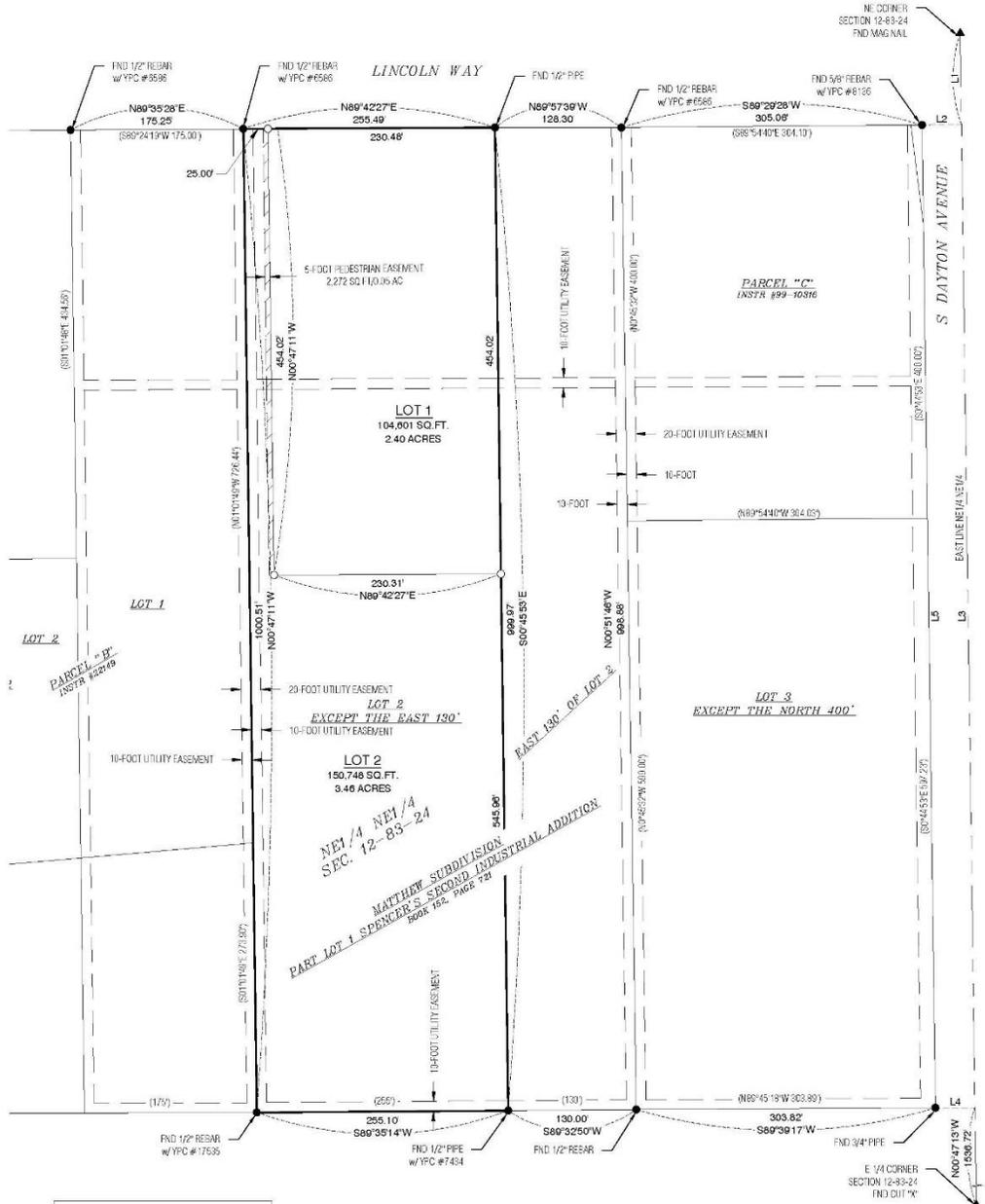
Marc C. Hoodjer PLS  
Iowa License Number 22634  
My License Renewal Date is December 31, 2022

Pages or sheets covered by this seal: SHEETS 1 OF 2 AND 2 OF 2

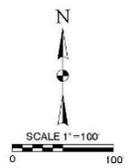


PROJECT NO. 79393  
DATE OF SURVEY: 6-1-22  
DRAWN BY: GAG  
FIELD CREW: SLS  
SHEET NO. 1 OF 2

# FINAL PLAT FEDELER LINCOLN WAY SUBDIVISION CITY OF AMES, STORY COUNTY, IOWA



LINE DATA		
LINE NUMBER	BEARING	DISTANCE
L1	S0°47'13"E	93.08
L2	S89°29'28"W	40.05
L3	N0°47'13"W	999.86
L4	N89°39'17"E	39.07
L5	S0°47'28"E	999.74





PROJECT NO. **79393**  
 DATE OF SURVEY: 9/28/22  
 DRAWN BY: CAQ/RWA  
 FIELD CREW: SLS  
 SHEET NO. 2 OF 2

## **Attachment C – Applicable Laws and Policies Pertaining to Final Plat Approval**

Adopted laws and policies applicable to this case file include, but are not limited to, the following:

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.