

COUNCIL ACTION FORM

SUBJECT: SOUTHWEST ANNEXATION FOR CRANE PROPERTIES

BACKGROUND:

The City of Ames recently received two annexation petitions for several properties in the Southwest Growth Area. On the north side of US Highway 30, a single property owned by John Crane and addressed as 896 S. 500th Avenue comprises 52.36 acres. On the south side of US Highway 30, property owned by the Wanda Chaffin McCay Trust and the Douglas Rex McCay Trust along 540th Street comprises 251.28 acres. The McCay annexation includes 6.72 acres of non-consenting land in order to avoid creating an island. Katherine Frame owns one parcel and John Moore owns the other.

The Crane annexation is sought to allow for the extension of Mortensen Road and the development of low- and medium-density housing. It is expected that this development would occur in the short term. A map of the Crane property is found in Attachment A.

Staff previously brought this annexation request to the City Council on September 22 for direction on how to proceed. The City Council asked staff to meet with neighboring property owners and see if others were interested in joining.

CRANE ANNEXATION:

Staff spoke with several property owners in the area between Lincoln Way and US Highway 30. None were interested in joining at this time. Because of the size of the Crane annexation, it is not possible to bring in others under the 80/20 allowance. **However, staff would recommend that the City join in the annexation petition by including a parcel on County Line Road. The City has a water tower located on that site.**

Logical extensions of streets, water lines, and sanitary sewer are readily available. It needs only annexation and zoning for residential development to occur. A 100 percent consenting annexation requires only approval by the City Council—it does not need the concurrence of the City Development Board in Des Moines, thus shortening the time needed for approval.

COMBINING THE CRANE AND MCCAY REQUESTS:

Annexations are governed by the Code of Iowa Section 368.7, and are initiated by the City Council. With a voluntary annexation, the City may include up to 20 percent of the total annexed land area with additional non-consenting property owners. This is done to create more uniform boundaries or to avoid creating islands. This is commonly referred to as the “80/20 rule.” The owners of a minimum of 80 percent of the total land area must consent to annexation, leaving no more than 20 percent of the land area under the

ownership of non-consenting owners. Because of this requirement, the Frame and Moore properties must be included in any annexation of the McCay properties.

Combining the McCay and Crane annexations would create a larger “80 percent,” allowing the City to include a larger “20 percent” of the area to create more uniform boundaries by, for instance, annexing more area between Lincoln Way and US Highway 30 up to the Boone County line. Alternatively, the City Council can include properties along South Dakota Avenue to ensure the more efficient delivery of services along that corridor.

In this case, however, staff believes that by keeping the two annexation requests separate, the Crane annexation can occur more expeditiously than tying it to the McCay annexation. In addition, as noted in the recommendation for the McCay annexation, staff believes the City’s interests may be better served by delaying the McCay annexation at this time.

SOUTHWEST ALLOWABLE GROWTH AREA:

The Land Use Policy Plan (LUPP) has identified areas intended to be annexed and developed for residential purposes, known as Allowable Growth Areas. A map of these areas is found in Attachment B. The subject properties are all within the Southwest I Allowable Growth Area.

ALTERNATIVES:

1. The City Council can direct staff to initiate the annexation of the Crane property, including the City water tower site, as a 100 percent consenting annexation.

This alternative will include having Mr. Crane submit a binding waiver of his right to withdraw his petition prior to commencing statutory noticing requirements for the annexation area.

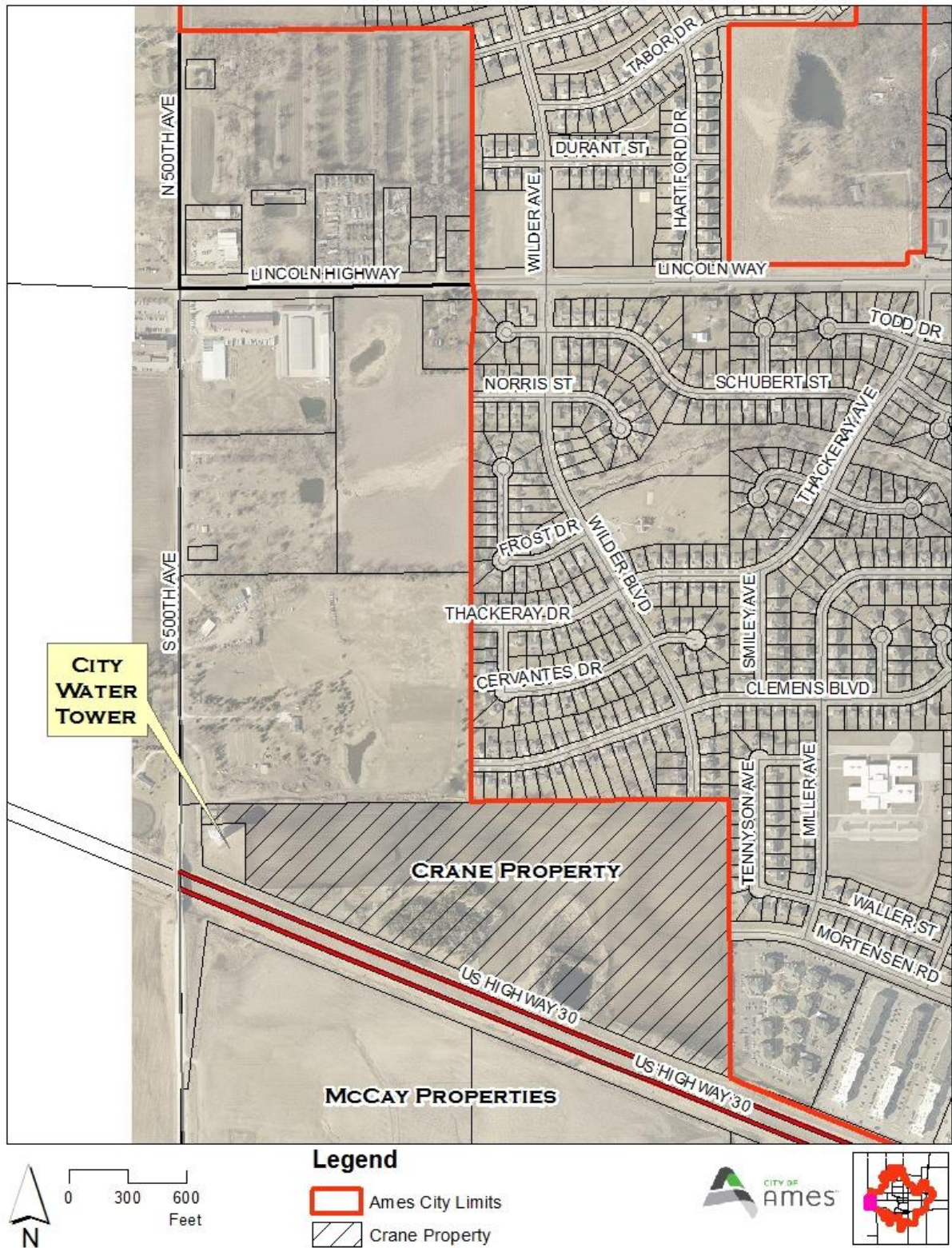
2. The City Council can choose to not move forward with this annexation request at this time.

MANAGER’S RECOMMENDED ACTION:

The Southwest Allowable Growth Area has long been considered the next development area on the periphery of Ames. Because of that expectation, the City has made several investments in water service and traffic infrastructure. This area has few barriers that would preclude annexation and development in the short term as water mains, sanitary sewer, and road extensions can be easily installed.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative 1, directing staff to initiate the annexation of the Crane and City of Ames properties as soon as a waiver of Crane’s right to withdraw the petition is received by staff.

ATTACHMENT A: REQUESTED CRANE ANNEXATION



ATTACHMENT B: LUPP EXCERPT

