

COUNCIL ACTION FORM

SUBJECT: PROPOSED ANNEXATION OF 5871 ONTARIO STREET

BACKGROUND:

The City of Ames received an annexation petition for the property at 5871 Ontario Street. The petitioner is the property owner, D&R Furman LLC. The property is one parcel containing 34.25 acres on the north side of Ontario Street, west of South Dakota Avenue between Ontario Street and the Union Pacific Railroad line. (Location Map Attachment A) The proposed annexation is for a 100% consenting annexation of land totaling 34.25 gross acres. The property owner seeks annexation in order to develop the property as single-family homes.

The Land Use Policy Plan (LUPP) includes the subject parcel within the “Southwest I Allowable Growth Area”. A map of the current LUPP designation and Ames Urban Fringe Plan is included as Attachment B and a map of the Southwest Growth Area and all allowable growth areas is included as Attachment C. The parcel is designated as Urban Residential (See Attachment B – LUPP & Ames Urban Fringe Map). Lands within the Urban Residential designation are intended for future annexation into the City with development of urban densities and design standards. If approved for annexation, the LUPP designation would be “Village/Suburban Residential”, allowing for a broad range of residential development types.

The Ames Planning and Zoning Commission held a public hearing on this proposed annexation on April 6th. Following the staff presentation, two individuals spoke regarding the proposed annexation and had questions about the type of future development. The Commission voted 7-0 to recommend that the City Council approve the request to annex 34.25 acres by finding that the proposed annexation is consistent with the Land Use Policy Plan and Urban Fringe Plan.

ALTERNATIVES:

1. The City Council can conduct the public hearing and approve a resolution to annex the property located at 5871 Ontario Street.
2. The City Council can deny the proposed annexation.
3. The City Council can hold a public hearing, request additional information from the petitioner(s) or City staff, and defer action to a later date.

MANAGER'S RECOMMENDED ACTION:

The proposed annexation includes 34.25 acres of land owned by the applicant who is requesting to be annexed as a 100% voluntary annexation. The proposed annexation allows for residential development in the Southwest Allowable Growth Area. Upon annexation, the site can be served by the logical extensions of City utilities and services.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative 1, thereby approving the proposed annexation of 34.25 acres of land in Section 31 of Franklin Township, Story County.

According to state law, any owner seeking annexation has a right to withdraw up to three days following the public hearing, unless that owner has waived those rights in writing or has an agreement with the City to provide for the extension of services. In this instance, the owner has signed a waiver of right to withdraw and submitted said waiver to the City.

ADDENDUM

Land Use: The City's intergovernmental agreement implementing the Ames Urban Fringe Plan (AUF) requires the City to consider annexation properties only for those areas designated as "Urban Residential" or "Planned Industrial" in the Ames Urban Fringe Plan. The land area proposed for annexation is consistent with this agreement, and is identified on the AUF as "Urban Residential." The parcel is designated as Urban Residential (See Attachment B – LUPP & Ames Urban Fringe Map).

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The land will automatically be zoned as "Agriculture" upon annexation. The property owner anticipates development of single-family homes and seeking rezoning of the property to FS-RL, which is a supported residential zoning designation under the Village/Suburban Residential Land Use designation.

Infrastructure: As part of an annexation request, the City reviews the potential to serve development with City utilities. City infrastructure is currently available at the adjacent Brookview Place subdivision to the east. Utilities can be readily extended to the site to serve development. A full evaluation of utilities services and infrastructure capacity will be done before approval of a specific development. Ontario Street will likely be widened along the property frontage at the time of development. Should a traffic study be necessary, Public Works would request a study at the time of rezoning to consider the effects of development on the operations of nearby street intersections and consistency of the project with the Long Range Transportation Plan.

Other Agencies: Electric service is served by Midland Power Cooperative and as such will be served by Midland once developed.

The subject property is entirely within the Ames School District.

Non-Consenting Properties: The proposal is for 100% voluntary annexation. With a voluntary application, the City may include up to 20 percent of the total annexed land area with additional non-consenting property owners. This is often times done to create more uniform boundaries, or to avoid creating islands, since the Code of Iowa does not allow islands to be created as land is annexed into the city. This is commonly referred to as the "80/20 rule."

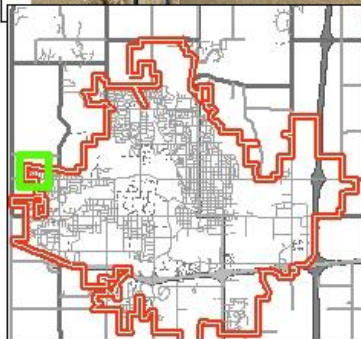
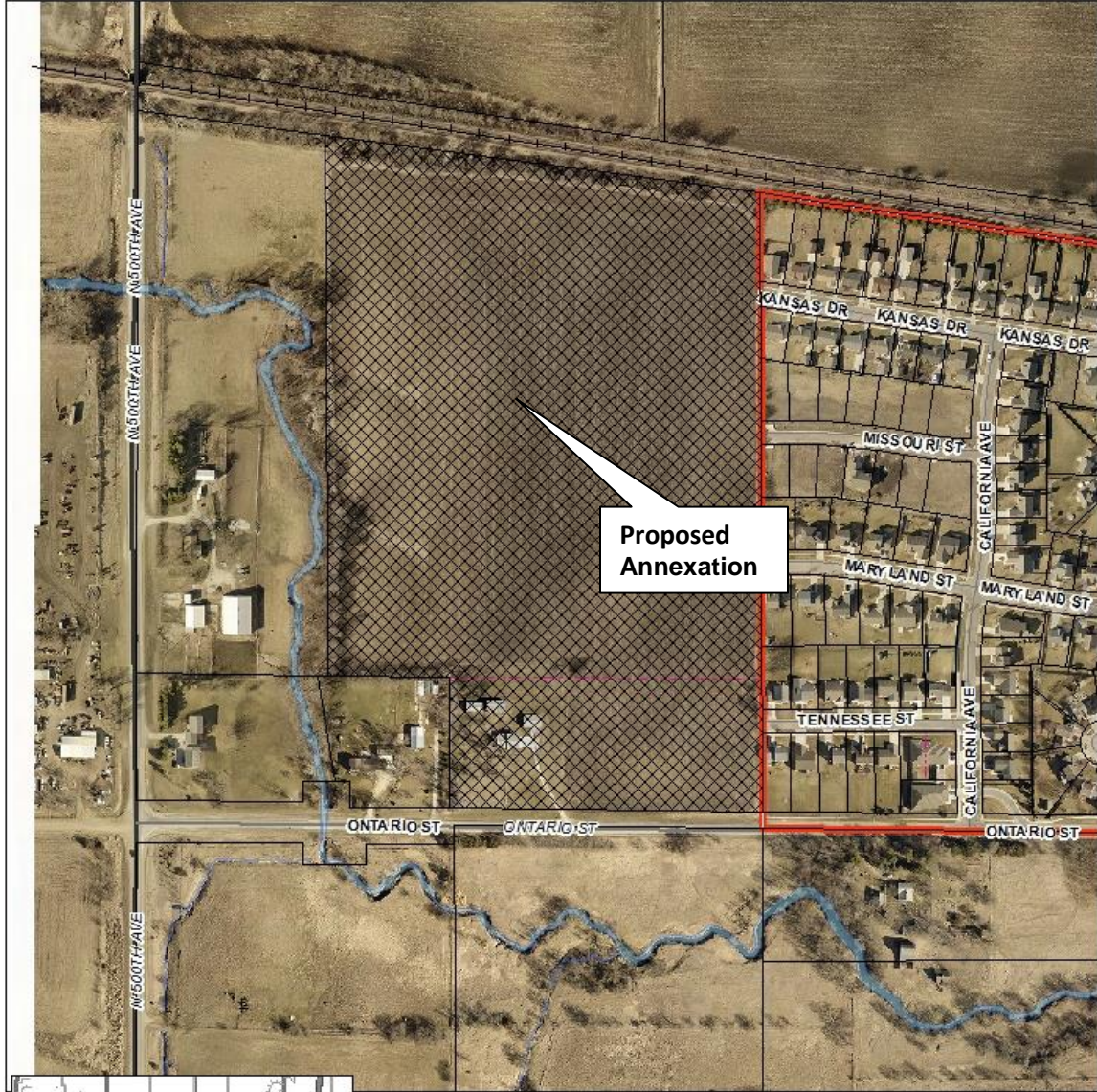
When considering the potential extent of annexation, staff sees no benefit to use the 80/20 rule to add additional properties the annexation. Approximately 8 acres of land could be added as non-consenting, there is no identified benefit for including any

adjacent parcels with the annexation as each neighboring parcel has the ability to annex on their own and there is limited development potential for the properties to the west that could be added to the annexation.

Consultation with Township Trustees and County Supervisors:

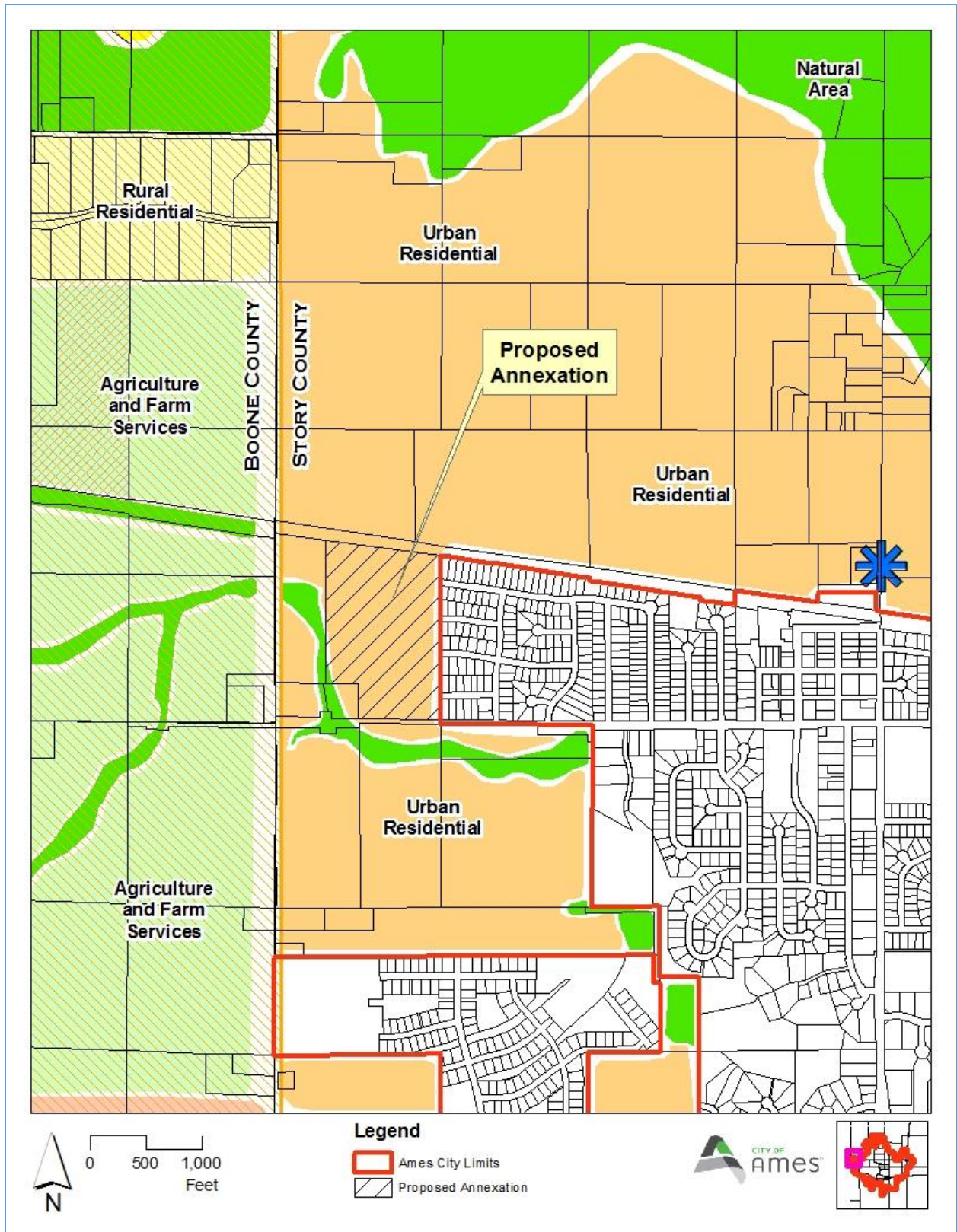
As part of the state-mandated process for annexations, City staff invited the Franklin Township Trustees and the Story County Board of Supervisors for a Consultation Meeting on March 14, 2016. No one representing Washington Township attended the meeting. The Planning Director for Story County Planning & Zoning attended along with the engineer working on behalf of the applicant. One written comment has been received at this time from Union Pacific Railroad, however not in objection to the proposed annexation, rather acknowledging notice and advising of issues common to developing near railroad lines.

Attachment A- Proposed Annexation Location

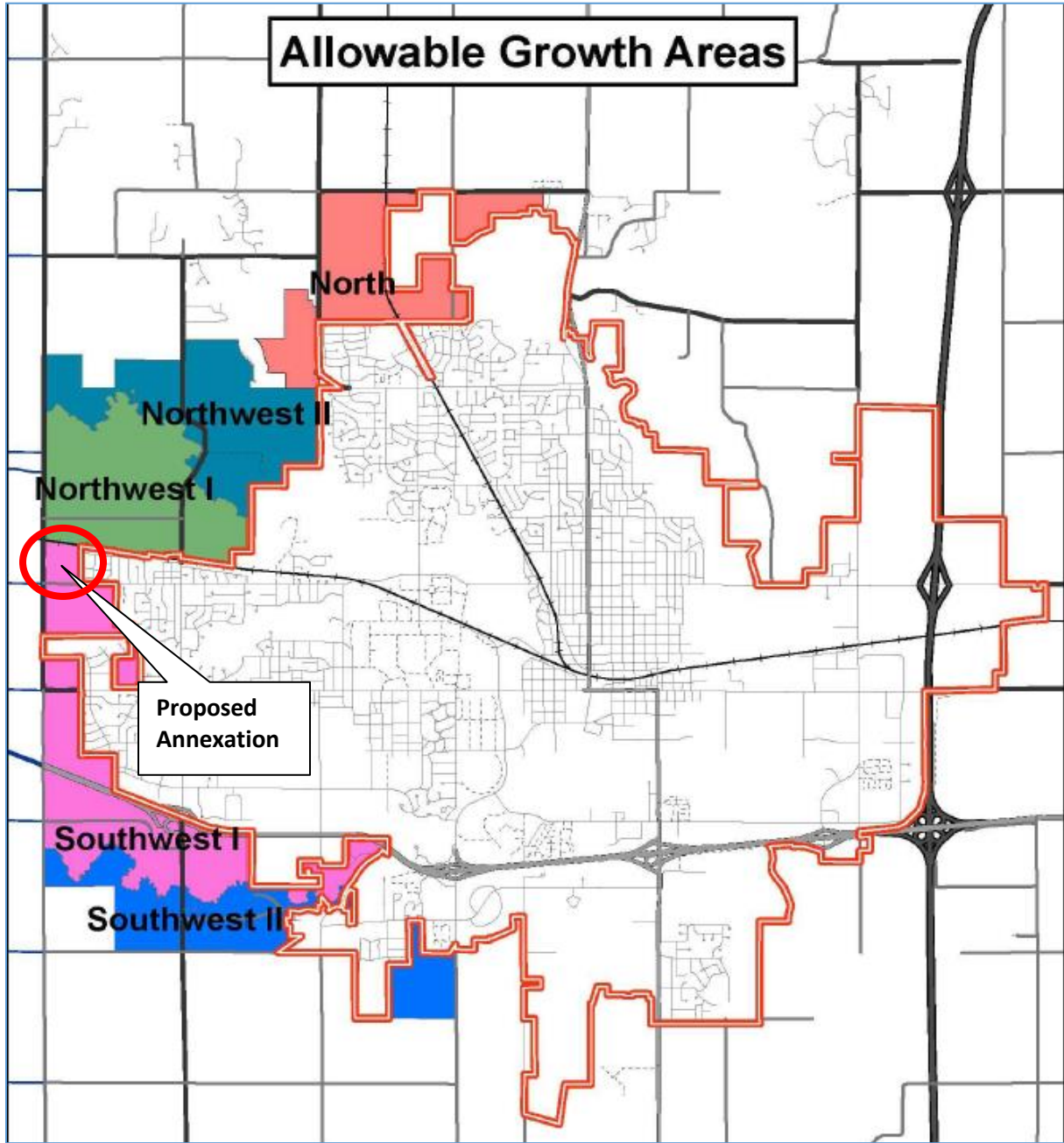


**Proposed Annexation
5871 Ontario Street**

Attachment B- LUPP and Ames Urban Fringe Map

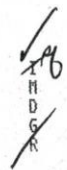


Attachment C- Allowable Growth Areas



ATTACHMENT D: STORY COUNTY RESOLUTION

[ATTACHMENTS TO RESOLUTION NOT INCLUDED]


 Instrument: 2016- 00002983
 Date: Apr 13, 2016 08:16:50A
 Rec Fee: .00 E-Com Fee: .00
 Aud Fee: .00 Trans Tax: .00
 Rec Management Fee: .00
 Non-Standard Page Fee: .00
 Filed for record in Story County, Iowa
 Stacie L. Herridge, County Recorder

DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER
 Prepared by Jerry L. Moore, Story County Planning & Development Department, 900 6th St., Nevada, Iowa 50201 515-382-7245

Please return to:
Auditor

STORY COUNTY IOWA
RESOLUTION OF THE BOARD OF SUPERVISORS
RESOLUTION NO. 16-55

WHEREAS, there has been submitted to the Board of Supervisors for Story County, Iowa, a copy of an application for the D & R Furman Voluntary Annexation into the City of Ames regarding real property located at 5871 Ontario Street (34.25 acres), currently situated in unincorporated Story County, Iowa, and located within the Ames Urban Fringe Plan and designated Urban Residential in the Urban Service Area on the Land Use Framework Map, a copy of which application and plat diagrams is attached hereto and by this reference made a part hereof, consisting of one parcel of land comprising 100 percent of the total territory proposed for annexation as identified below, and;

Applicant	Number of Parcels and Parcel Identification Number
D & R Furman	1 parcel (approx. 34.25 acres)

WHEREAS, this parcel is described as shown on Attachment "A"; and

WHEREAS, Attachment "B" is a map that illustrates the total territory (identified as proposed annexation) for which the City is contemplating annexation; and


WHEREAS, Attachment "C" is a map that illustrates the property in the Southwest Allowable Growth Areas; and


WHEREAS, the members of this Board of Supervisors take no position in support of or against the said application.


NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Story County, Iowa, that its records shall reflect that the Board of Supervisors takes no position in support of or against the proposed annexation, and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the City Clerk of the City of Ames, Iowa.

Dated this 12th day of April 2016.


 Board of Supervisors
 Story County, Iowa


 County Auditor
 Story County, Iowa


 Moved by: Sanders
 Seconded by: Clinton
 Voting Aye: Sanders, Clinton, Toot
 Voting Nay: None
 Absent: None

Chairperson declared this Resolution: **ADOPTED AND APPROVED.**