

COUNCIL ACTION FORM

SUBJECT: INITIATION OF CHAMPLIN LLOYD FARM LLC ANNEXATION ALONG DARTMOOR ROAD

BACKGROUND:

The City of Ames received an annexation petition from Lynn Champlin Lloyd representing Champlin Lloyd Farm LLC seeking voluntary annexation of a portion of the Champlin Lloyd Farm LLC property equaling 145.03 acres of the approximately 170 acres of family land holdings in the area.

The property is located southwest of the corporate limits of the City of Ames immediately adjacent to the current city boundary, along Dartmoor Road, north of Zumwalt Station Road and to the west of 520th Avenue. Worle Creek passes through the property on the north side. The property abuts the city limits along its eastern edge. A location map is included as *Attachment A*.

The property is within the Allowable Growth Area identified in the current Land Use Policy Plan (LUPP) as Southwest II and is eligible for requesting annexation.

Although most of the southwest area has growth limitations due to not having access to sanitary sewer, the Champlin property does not have that limitation. It has both sanitary sewer and water connections available at its southeastern border. The site does not have paved road access and would require street improvements at the time of development. The applicant is interested in selling their property, but no buyer has been identified. Therefore, there is no development proposed at this time. If the property is annexed, it would most likely be developed with F-PRD (Residential Planned Development) or FS-RL (Residential Low Density) zoning.

The applicant requests that the City Council authorize the requested annexation area, which includes a 50-foot wide strip of land to remain in the county along the north boundary of the property. This strip is considered the minimum allowed by the State to maintain connectivity of county lands to existing peninsula such as the Meadow Glen area.

While the applicant is requesting a 100% voluntary annexation, three additional parcels (Johnson, State of Iowa and Coy) would be required to be included in the annexation to avoid creating an island of unincorporated land. Iowa law prohibits the creation of unincorporated islands and allows for nonconsenting properties to be included in a voluntary annexation (80/20 rule). The three parcels total 6.42 acres. Owners of two of these parcels would be consenting due to previous covenants accepting future annexation.

According to state law, an annexation may proceed when 80% of the property owners (by acreage) voluntarily apply to be annexed into the City. Given the acreage included within the Champlin Lloyd petition, an additional 30 acres of nonconsenting properties could be included. The 85-acre rural Meadow Glen area would not be able to be included to make more uniform boundaries for the City. Additional territory would be needed in conjunction with the Champlin Lloyd property to accomplish annexation of all of the properties within the peninsula, northeast of the site. This concept was reviewed with Council in a memo on January 8th 2019.

The addendum provides additional information concerning the area. Information on all adjacent landowners and parcels is included in *Attachments D & E*. Staff has notified adjacent fringe property owners to the north and east of the annexation petition area, so that they might indicate their interest or concerns regarding annexation. Staff has not been in contact with property owners (Sevde, Lutz, Tweet, Wright, Hutson) located within the existing unincorporated island.

ANNEXATION OPTIONS:

A map identifying property owners and property acreages is included in *Attachment D and Attachment E* and should be referred to for clarity in understanding the three options included below.

Each option as identified, would proceed as an 80-20 annexation and would require an initial meeting of the City Development Board, followed a month later by a public hearing of that board.

Proceeding with the 80/20 annexation process would be consistent with the LUPP for planned growth of the City, state code for area of territory, and state code for islands.

If this annexation were to proceed, the Meadow Glen peninsula of unincorporated land would continue indefinitely in the county assuming that the majority of property owners continue to oppose annexation. Additional annexation interest has not been expressed by any of the adjacent land owners in prior efforts to reach out and identify annexation interests.

Option 1. Initiate annexation of the entire requested acreage (145.03 acres) of the Champlin property which lies within the Southwest Growth Area II under an 80/20 annexation. The 6.42-acre unincorporated area to the southeast would be required to be included; otherwise, it would become an unincorporated island, which is prohibited by state law. In total, this annexation would result in only one parcel (1.14 acres) of nonconsenting property owners.

Option 2. Initiate annexation of the entire requested acreage (145.03 acres) of the Champlin Lloyd Farm which lies within the Southwest Growth Area II under an 80/20 annexation and include the existing island to east of State Avenue. The 6.42-acre unincorporated area to the southeast would be required to be included because otherwise it would become an unincorporated island, which is prohibited. In addition, in order to eliminate an existing unincorporated island of 9.25 acres, five additional properties would

be included. It is assumed that these property owners would be non-consenting. The inclusion of these additional properties would be permitted under an 80/20 annexations as the percentage of non-consenting would be no greater than 6.5%. In total, this annexation would result in six parcels (10.39 acres) of non-consenting property owners.

Staff identified this option due to the State possibly requiring annexation of this existing island.

ALTERNATIVES:

1. The City Council can initiate an 80-20 voluntary annexation of 151.45 acres which includes 150.31 acres of consenting properties and one non-consenting property of 1.14 acres with the condition that the City will have no obligation to bear any cost of any improved infrastructure to the 151.45 acreage.

Note that to finalize the annexation with the proposed 50-foot wide area along the north property line it will likely require approval of a plat of survey to divide the existing parcel along the proposed City boundary line. This will be reviewed with the property owner as part of the annexation process.

2. The City Council can initiate an 80-20 voluntary annexation of 160.70 acres which includes 150.31 acres of consenting properties and six non-consenting properties of 10.39 acres, in order to create more uniform boundaries, with the condition that the City will have no obligation to bear any cost of any improved infrastructure to the 160.70 acreage.

Note that to finalize the annexation with the proposed 50-foot wide area along the north property line it will likely require approval of a plat of survey to divide the existing parcel along the proposed City boundary line. This will be reviewed with the property owner as part of the annexation process.

3. The City Council could defer action and request more information.
4. City Council could decline to initiate the annexation process at this time.

CITY MANAGER'S RECOMMENDED ACTION:

Unlike many of the other areas identified within the Southwest Growth areas, the Champlin property has existing water and sewer available, with lines already stubbed to its eastern property line. Although these lines exist near the site, the developer of the property in the future will need to extend the utilities and complete road improvements along with development. The City is not obligated to financially participate in these improvements, but it may be asked to participate in oversizing or off-site improvements in the future. The proposed annexation petition does not include a request for any pre-annexation agreement to address these issues up front and such a decision on improvements would then be deferred until a rezoning request.

Proceeding with annexation of the Champlin property would create an even larger peninsula of unincorporated land extending along the property's north boundary into Meadow Glen. In order to maintain the peninsula as required, the Champlins have not included the northernmost 50' of their property. This large peninsular would be very difficult to annex in the future without considerable interest in a voluntary annexation due to the large amount of territory in the area. Based upon recent analysis, further annexation south is highly unlikely due to ISU land holdings. Staff believes proceeding with the annexation process as proposed is acceptable with this understanding of the likely outcome.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #2, thereby directing staff to initiate the 80-20 annexation of only 160.7 acres of the Champlin property along with the non-consenting properties located within the island to the southwest and island to the east as described within this report and as included within the Southwest Growth Area II and the Fringe Plan.

Addendum

Land Use Policy: The Land Use Policy Plan (LUPP) identifies this area and the Champlin Lloyd parcels as part of the “Southwest II Allowable Growth Area” (See *Attachment A*). The Ames Urban Fringe Plan Land Use Map identifies this property for future growth and designates this property as “Urban Residential.” (See *Attachment B*).

If annexed into the city limits, the Land Use Policy Plan will automatically designate the property as within the Village/Suburban Residential land use designation. This would allow for a rezoning request to one of the floating zones. The "floating" zone concept provides flexibility in determining the style and layout of residential development in newly-annexed areas of the city. However, upon annexation, the land would be automatically zoned as “A- Agriculture” until such time as rezoned by the property owner.

Infrastructure: The City will have no obligation to bear any cost of any improved infrastructure. The following information is included to memorialize the existing conditions:

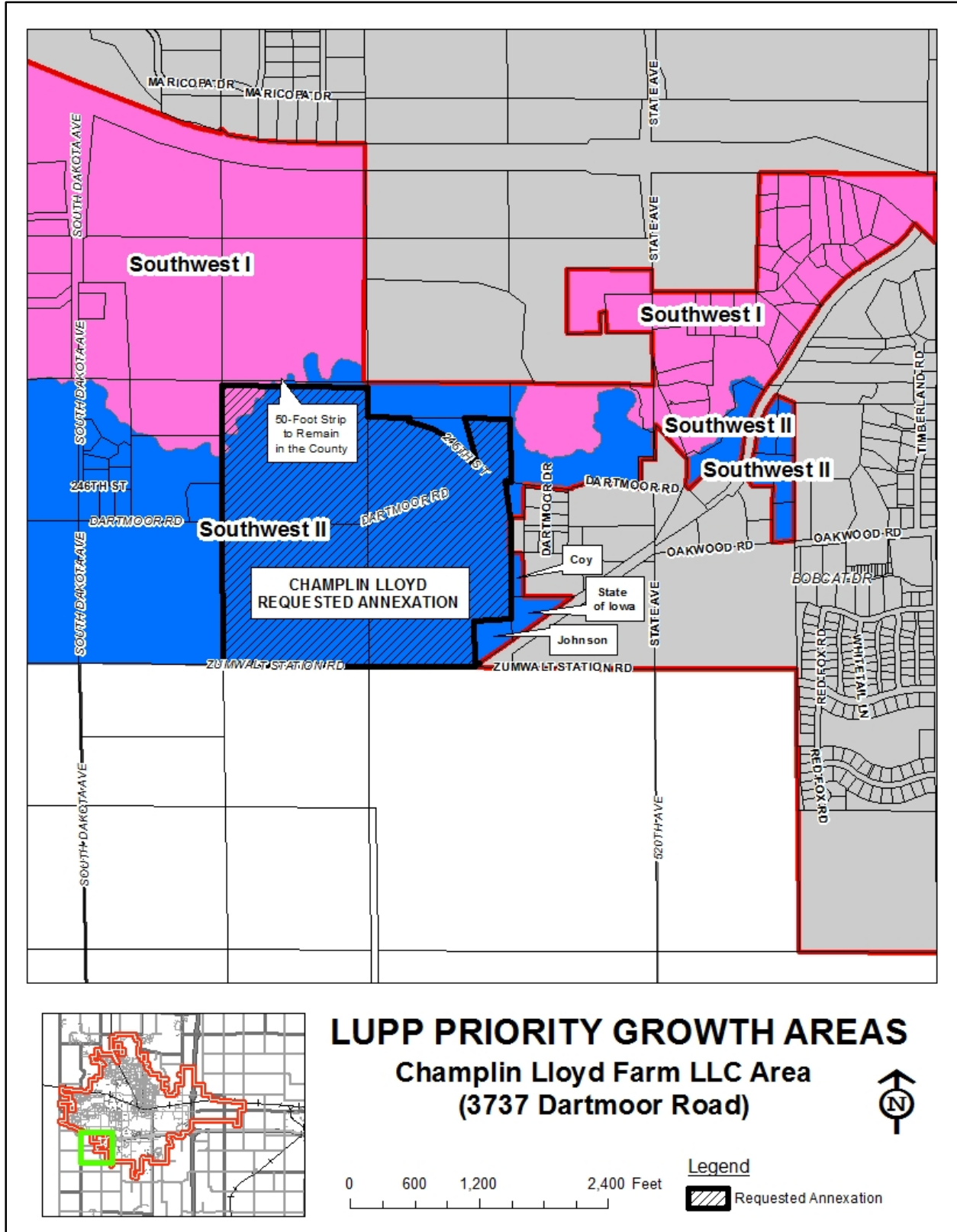
Dartmoor Road is an existing unpaved road that bisects the property and connects from South Dakota to State Avenue. Zumalt Station Road runs along the southern perimeter of the property and is a major county unpaved corridor that extends westward from State Avenue.

The Champlin Lloyd property is within the City of Ames water territory and would not need a water rights buy-out from Xenia Rural Water. An existing 8-inch water main is stubbed to the property, so no off-site expense is anticipated to bring water to the property. The eventual looping of the water main back to another water main would be desirable and likely would be required at some point in the future for redundancy and reliability of the utility.

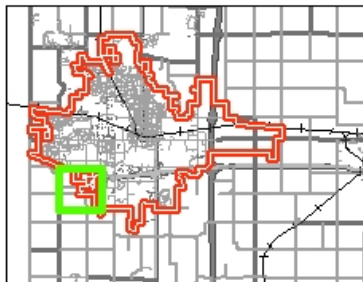
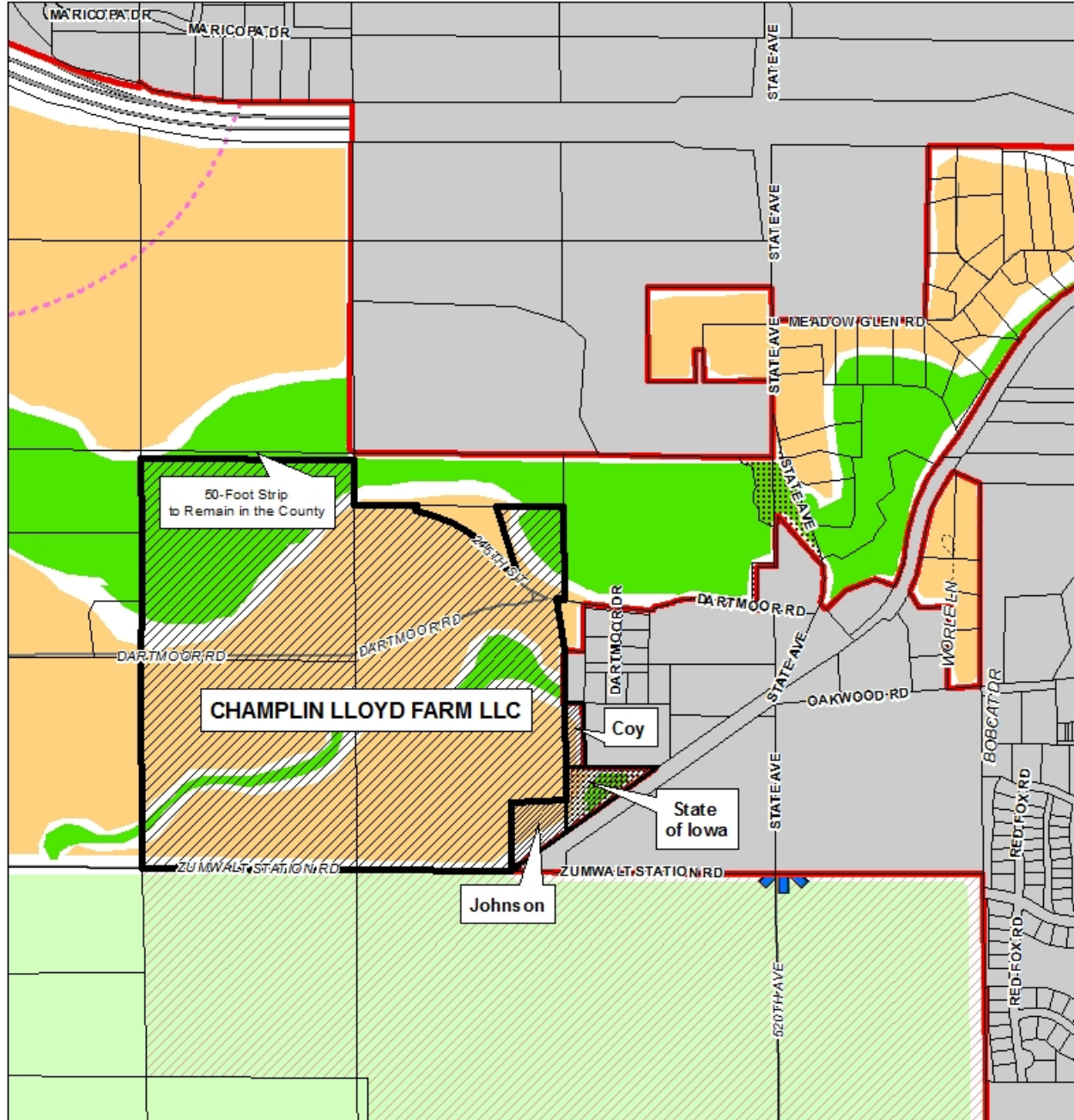
An existing 15-inch sanitary sewer main is stubbed to the property, so no off-site expense is anticipated. This sanitary main has been studied and is adequate to serve the entire Champlin Lloyd property as well as future City growth to the west.

Worle Creek: In the City's 2005 Sanitary Sewer Study, the woodlands on the Lloyd Champlin land were deemed "quality woods" that need to be protected. In the same study, Worle Creek was discovered to be inhabited by two species of threatened/endangered mussels. The study suggests that any prospective developer be cognizant of these species, as the DNR/City may request relocation of the mussels. Future development will be required to leave a 100-foot buffer along Worle Creek. Although Worle Creek meanders through the upper portion of the Champlin Lloyd property, only a small portion of Worle Creek is included within the acreage of the annexation request. The developable areas of the annexation acreage are to the south of the creek.

ATTACHMENT A: LOCATION & LUPP PRIORITY GROWTH AREAS MAP



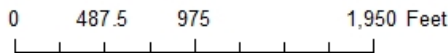
ATTACHMENT B: AMES URBAN FRINGE PLAN MAP [EXCERPT]



AMES URBAN FRINGE PLAN
Champlin Lloyd Farm LLC Area
(3737 Dartmoor Road)

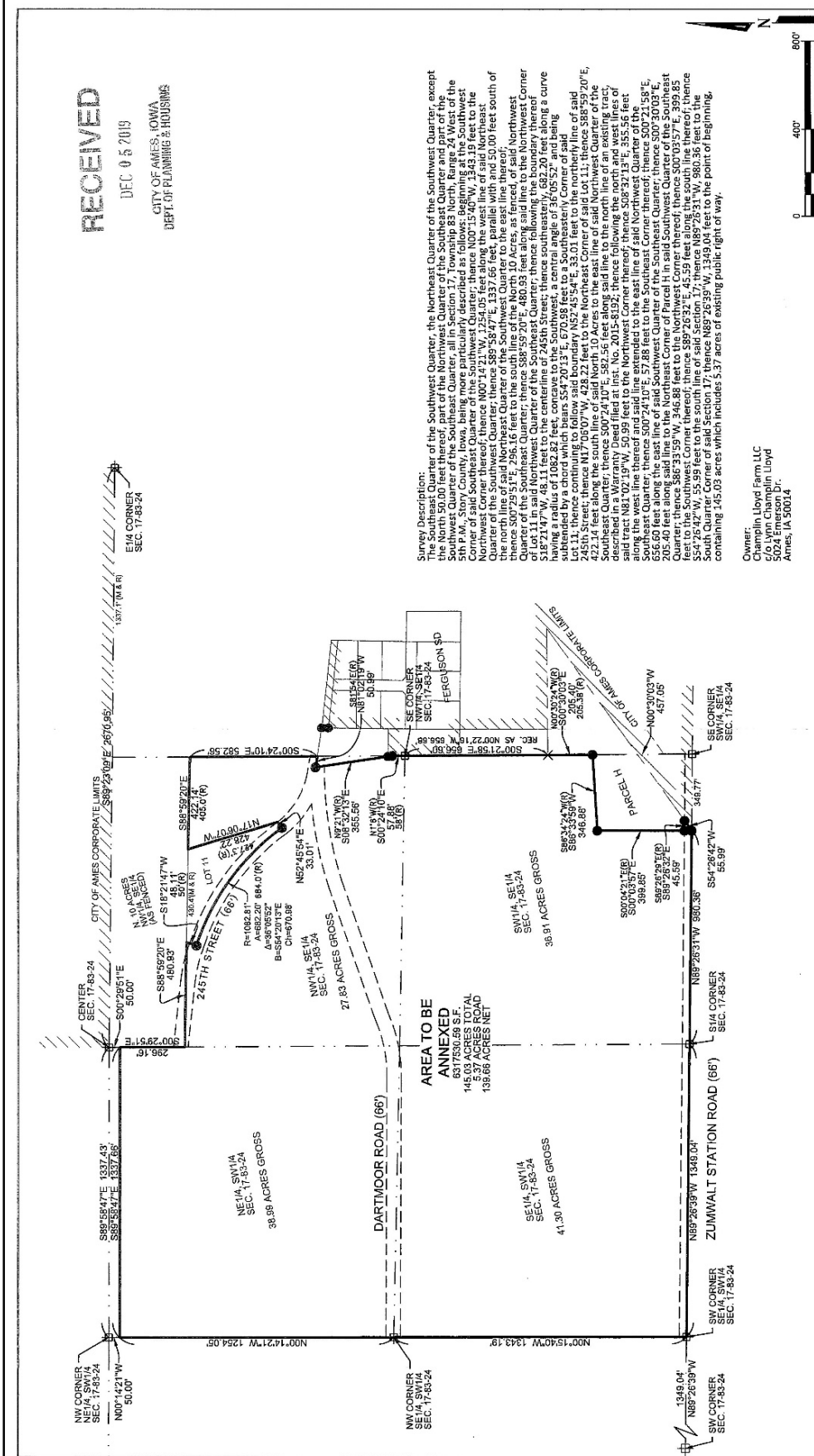


- Fringe Land Use Designations**
- Natural Areas
 - Urban Residential
 - Agriculture and Farm Service



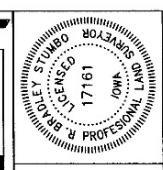
ATTACHMENT C: ANNEXATION PLAT

RECEIVED
 DEC 05 2019
 CITY OF AMES, IOWA
 DEPT. OF PLANNING & HOUSING



Survey Description:
 The Southwest Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, except the North 50.00 feet thereof, part of the Northwest Quarter of the Southeast Quarter and part of the Southwest Quarter of the Southeast Quarter, all in Section 17, Township 83 North, Range 24 West of the Fourth Principal Meridian, Iowa, containing 145.03 acres of land, more or less, to-wit: the Southeast Corner of said Southwest Quarter of the Southwest Quarter; thence N00°15'40"W, 343.19 feet to the Northwest Corner thereof; thence N00°14'21"W, 1254.05 feet along the west line of said Northeast Quarter of the Southwest Quarter; thence S89°56'47"E, 1337.66 feet, parallel with and 50.00 feet south of the north line of said Southwest Quarter of the Southwest Quarter; thence S00°00'00"E, 50.00 feet to the northeast corner of the Southwest Quarter; thence S88°59'20"E, 480.93 feet along said line to the Northwest Corner of Lot 11 in said Southwest Quarter; thence S88°59'20"E, 480.93 feet along said line to the Northwest Corner of Lot 11 in said Southwest Quarter; thence following the boundary thereof S18°21'14"W, 48.11 feet to the centerline of 245th Street; thence southeasterly, 652.20 feet along a curve subtended by a chord which bears S54°20'13"E, 670.58 feet to a Southeastern Corner of said Lot 11; thence continuing to follow said boundary N52°45'54"E, 33.01 feet to the northerly line of said 245th Street; thence N17°06'07"W, 428.22 feet to the Northeast Corner of said Lot 11; thence S88°59'20"E, 480.93 feet to the Northwest Corner of said Lot 11; thence S00°00'00"E, 50.00 feet to the Northeast Corner of said Southwest Quarter; thence S00°00'00"E, 50.00 feet along said line to the north line of an existing tract described in a Warranty Deed filed at Inst. No. 2015-8192; thence following the north and west lines of said tract N81°02'19"W, 50.99 feet to the Northwest Corner thereof; thence S08°32'13"E, 355.56 feet along the east line thereof S00°00'00"E, 57.89 feet to the east line of said Northwest Quarter of the Southwest Quarter; thence S00°00'00"E, 57.89 feet to the east line of said Southwest Quarter of the Southeast Quarter; thence S00°00'00"E, 656.60 feet along said line to the Northeast Corner of Parcel H in said Southwest Quarter of the Southeast Quarter; thence S88°59'20"E, 346.88 feet to the Northwest Corner thereof; thence S00°00'00"E, 399.85 feet to the Southeast Corner of said Parcel H; thence S54°26'42"W, 55.99 feet to the south line of said section 17; thence N89°26'31"W, 980.36 feet to the South Quarter Corner of said section 17; thence N89°26'39"W, 1349.04 feet to the point of beginning, containing 145.03 acres which includes 5.37 acres of existing public right of way.

Owner:
 Champlin Lloyd Farm LLC
 Champlin Lloyd
 5024 Emerson Dr.
 Ames, IA 50014



I hereby certify that this land surveying document was prepared 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.

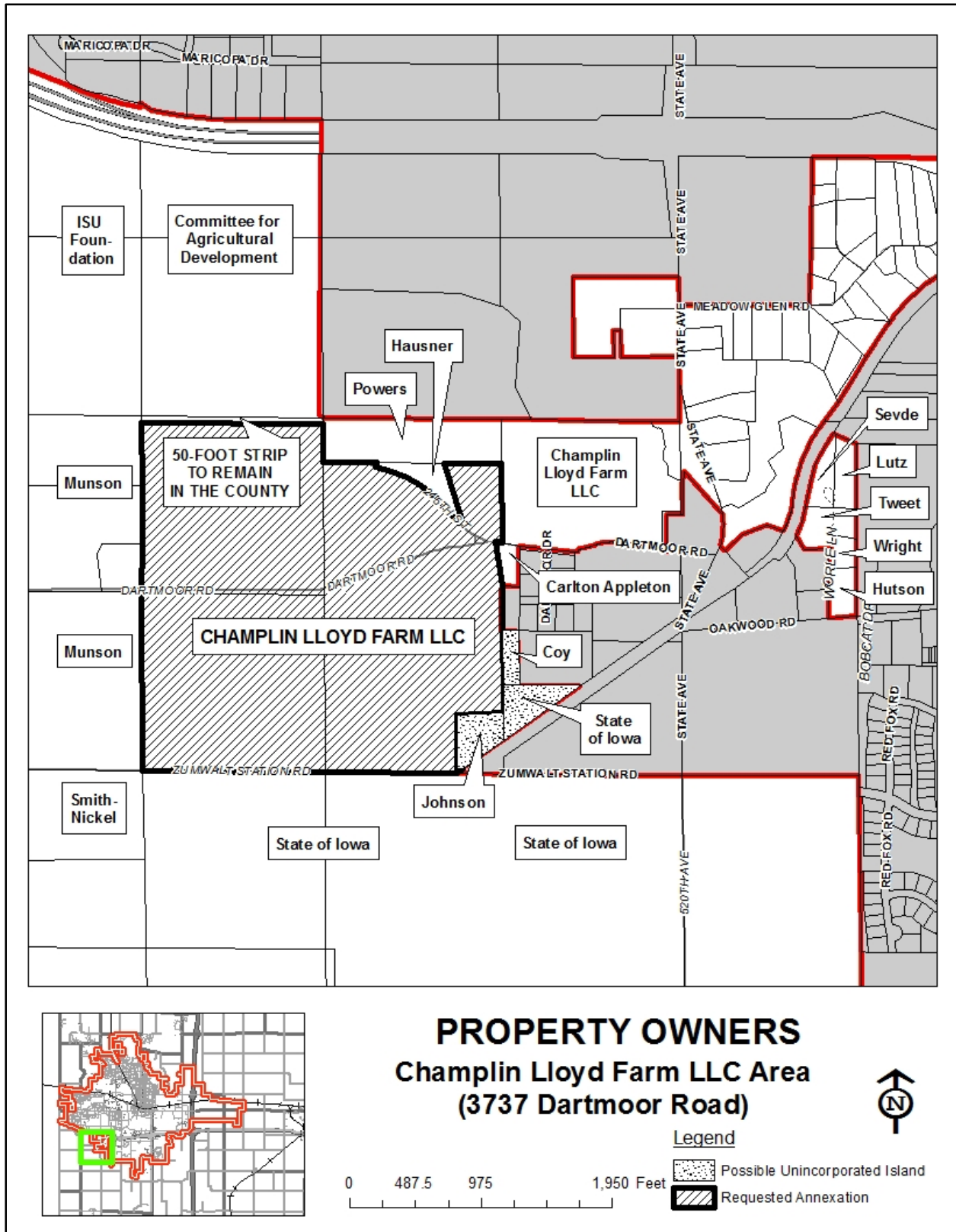
R. Bradley Stumbo
 R. BRADLEY STUMBO, PLS
 License number 17161
 DATE: 11-18-19

ANNEXATION PLAT
 IN THE E1/4, SW1/4 & W1/4, SE1/4 OF SEC. 17-83-24
 STORY COUNTY, IOWA

JOB# 14120-19A DATE: 11/18/19 PAGE 1 OF 1

FOX Engineering
 FOX Engineering Associates, Inc.
 414 South 17th Street, Suite 107
 Ames, Iowa 50010
 Phone: (515) 235-0000
 FAX: (515) 235-0105

ATTACHMENT D: MAP OF ADJACENT PROPERTY OWNERS



**ATTACHMENT E:
TABLE OF ADJACENT PROPERTY OWNERS & ACREAGE**

OPTION 1: 80-20 Annexation		
Consenting Owners:	Property Address/Legal Description	Gross Acres
Champlin Lloyd Farm LLC	3737 Dartmoor Road PID 09-17-350-200 PID 09-17-400-310 PID 09-17-350-400	145.03
Johnson, Steven & Molly (prior annexation covenant)	3615 Zumwalt Station Road PID 09-17-400-375	2.53
State of Iowa (consent assumed)	No Address Assigned; PID 09-17-400-450	2.75
Total Consenting:		(99.2%) 150.31
Non-Consenting Owners:		
Janice Rinker Coy Rev Trust	No Address Assigned Adjacent to Coy property located at 3328 Dartmoor Ln; PID 09-17-400-410	1.14
Total Non-Consenting:		(0.8%) 1.14
Total Acres (Gross):		151.45
OPTION 2: 80-20 Annexation		
Consenting Owners:	Property Address/Legal Description	Gross Acres
Champlin Lloyd Farm LLC	3737 Dartmoor Road PID 09-17-350-200 PID 09-17-400-310 PID 09-17-350-400	145.03
Johnson, Steven & Molly (prior annexation covenant)	3615 Zumwalt Station Road PID 09-17-400-375	2.53
State of Iowa (consent assumed)	No Address Assigned; PID 09-17-400-450	2.75
Total Consenting:		(93.5%) 150.31
Non-Consenting Owners:		
Janice Rinker Coy Revocable Trust	No Address Assigned Adjacent to Coy property located at 3328 Dartmoor Ln; PID 09-17-400-410	1.14
Karin M Svede, Trustee	2417 Worle Ln; PID 09-16-310-140	1.81
Jack H & Robyn R Lutz	2500 Worle Ln; PID 09-16-310-130	2.05
Doyle A Tweet	2507 Worle Ln; PID 09-16-310-120	2.54
Mark Wright MBA	2520 Worle Ln; PID 09-16-310-110	1.03
Roger & Krista Hutson Rev Trust	2618 Worle Ln; PID 09-16-310-100	1.82
Total Non-Consenting:		(06.5%) 10.39

Total Acres (Gross):	160.70
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