

**COUNCIL ACTION FORM**

**SUBJECT:** INITIATION OF 4514 HYDE AVENUE ANNEXATION

**BACKGROUND:**

The City of Ames has received an annexation petition from Justin Dodge representing a 6.99-acre parcel ('Parcel E') owned by Hunziker Development Group LLC. The property is in Story County on the east side of Hyde Avenue. 'Parcel E' is immediately north of Bloomington Court, a subdivision located inside the corporate limits of Ames. (See *Attachment A.*) **The applicant requests that the City Council authorize an annexation area that is 100% voluntary.** The first step in the annexation process is for the City Council to accept the annexation petition and refer it to the Planning & Zoning Commission for their recommendation and begin the required notification process outlined in state law.

The subject property lies within the 'Allowable North Growth Area' of the Land Use Policy Plan. It is also designated 'Urban Residential' in the Ames Urban Fringe Plan. These designations allow for the annexation and development of the land. An excerpt from the Urban Fringe Plan is found in *Attachment B.*

The annexation includes one consenting owner, and no non-consenting owners. 'Parcel E' lies more than two miles from any other city (2.1 miles from Gilbert). Therefore, no review or action by the City Development Board is needed if the City approves annexation.

**The existing 'Parcel E' is presently served by Xenia Rural Water. There is no obligation that the property owner disconnects from Xenia for the existing house and may remain a customer indefinitely. However, if the property owner wishes to connect to City water, they can do so under the terms that are in place with Xenia at the time they wish to connect. The property is also on a private septic system. This may continue although if the system fails, the property owner is obligated to connect to the City sanitary sewer system if the house lies within 200 feet of a city sanitary sewer main.**

Although the property is currently served by Xenia, City policy is to only allow for additional development if a property is served by City water. If 'Parcel E' is further subdivided, any new parcels/lots would be required to connect to City water services. An agreement with the property owner and Xenia would be necessary for this to occur. **Staff recommends a condition of initiating the annexation that the standard development agreement for future Xenia water territory buyout is signed and returned to the City prior to approval of the formal annexation.** This would be a condition of approval of the annexation.

Properties directly north of the subject property remain in unincorporated Story County and are not seeking voluntary annexation as part of this request. In the past none of these property owners have indicated an interest in annexation. Although the property abutting this site, 4604 Hyde, could be included as part of an 80/20 there is no specific need for this occur at this time as it would not completely close up the current gap in the City's boundary along Hyde Avenue.

**ALTERNATIVES:**

1. The City Council can initiate the annexation subject to the following:
  - a. Refer the Annexation Petition for 'Parcel E', located at 4514 Hyde Avenue, to the Planning & Zoning Commission for their recommendation.
  - b. Require a development agreement for future Xenia Water buyout prior to approval of the annexation.
2. The City Council can defer action and request more information.
3. The City Council can decline to initiate the annexation process at this time.

**CITY MANAGER'S RECOMMENDED ACTION:**

This voluntary annexation request involves a single parcel of land with consent by the property owner. There are no non-consenting owners. The property is located more than two miles from Gilbert which does not require approval of the annexation by the State of Iowa City Development Board.

The subject property is located within the 'Allowable North Growth Area' and is designated as 'Urban Residential' in the Ames Urban Fringe Plan. These designations allow for annexation and development of the land.

**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, referring the Annexation Petition for 'Parcel E', located at 4514 Hyde Avenue, to the Planning & Zoning Commission for their recommendation and requiring a development agreement for future Xenia Water buyout.**

### **Addendum**

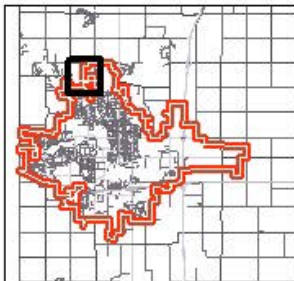
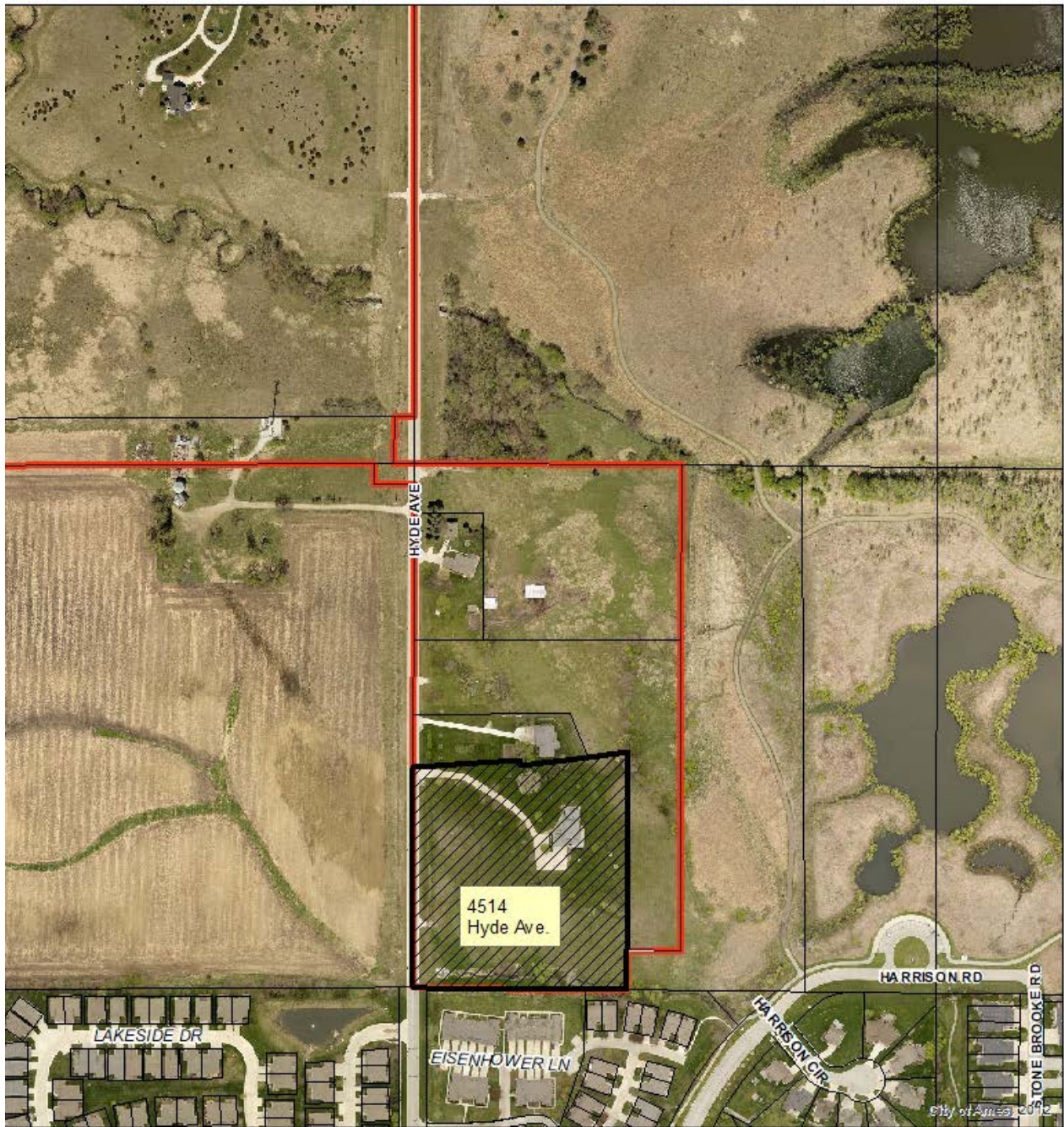
Land Use Policy Plan (LUPP): The LUPP identifies the subject property as part of the "North Allowable Growth Area." The Ames Urban Fringe Plan Map identifies this property as "Urban Residential." (See *Attachment B*.)

If annexed into the City, the Land Use Policy Plan (LUPP) 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" (Agricultural) until such time that rezoning is approved by the City Council.

Infrastructure: City water main has been constructed in the street right-of-way for Hyde Avenue adjacent to the proposed annexation to serve any existing and/or future houses. Sanitary sewer main exists in Ada Hayden Park to the east of the subject property, and extension would be necessary to serve any houses on the parcel proposed for annexation. This property's use of these utilities will require payment of connection feeds.

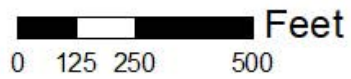
Any new parcels/lots that are created through further subdividing of 'Parcel E' would be served by the City of Ames public water mains, and not Xenia Rural Water.

ATTACHMENT A: LOCATION MAP

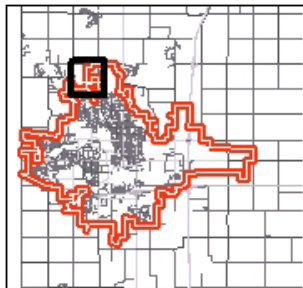
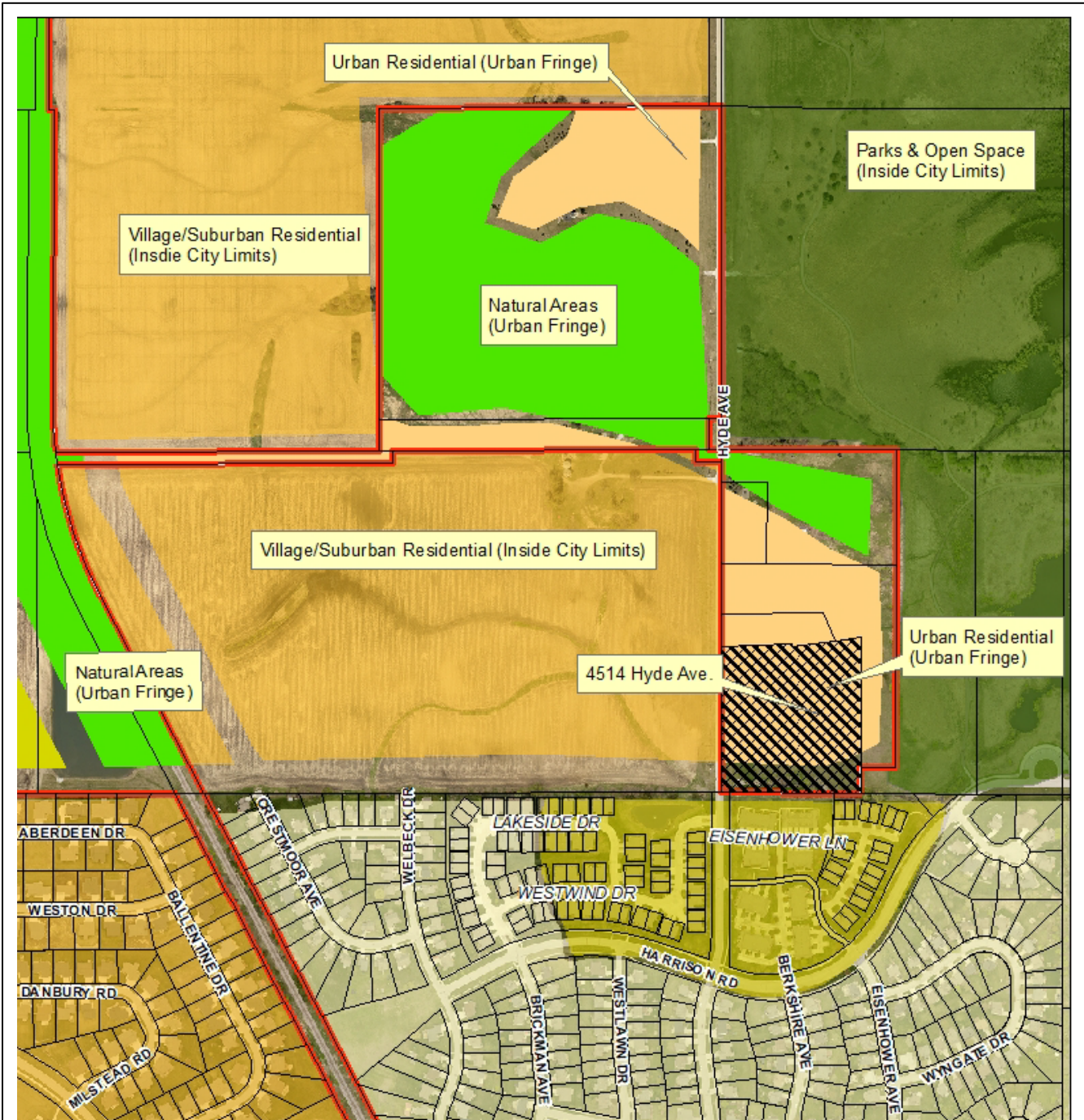


# Location Map

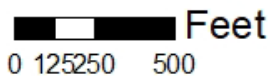
## 4514 Hyde Avenue Annexation



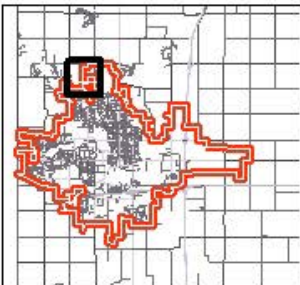
**ATTACHMENT B: AMES URBAN FRINGE PLAN MAP [EXCERPT]**



**Ames Urban Fringe Plan  
4514 Hyde Avenue (Parcel E)**



ATTACHMENT C: PROPERTY OWNERS



# Property Owners

## 4514 Hyde Avenue Annexation

0 125 250 500 Feet

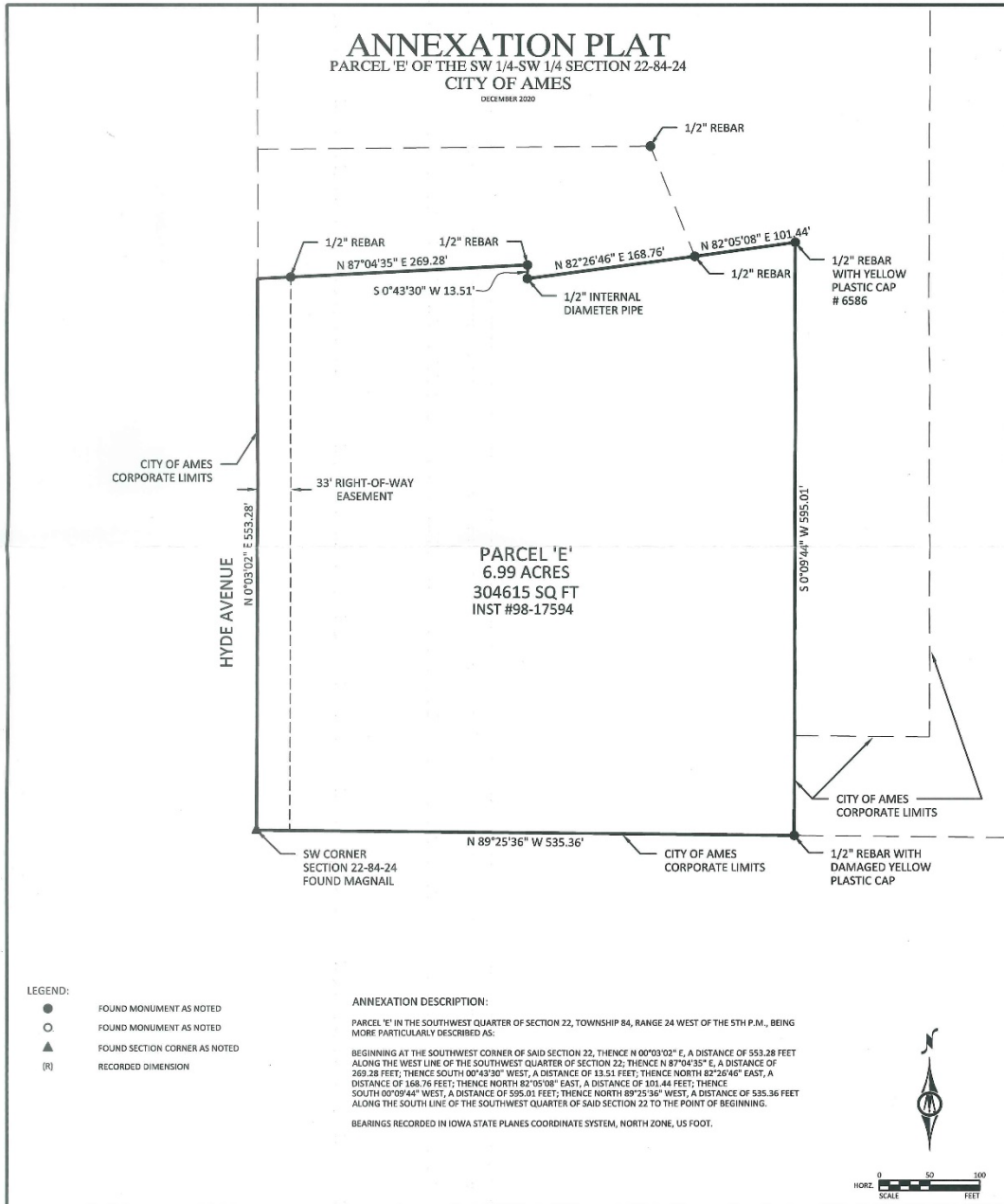


# ATTACHMENT D: ANNEXATION PLAT

INDEX LEGEND	
LOCATION	PARCEL 'E' SOUTHWEST QUARTER SECTION 22, T-84-N, R-24-W STORY COUNTY, IOWA
REQUESTOR:	HUNZIKER DEVELOPMENT GROUP
PROPRIETOR:	HUNZIKER DEVELOPER GROUP
SURVEYOR:	EUGENE R. DREYER, P.L.S. #17535
SURVEYOR COMPANY:	BOLTON & MENK, INC.
RETURN TO:	EUGENE R. DREYER, BOLTON & MENK, INC. 1519 BALTIMORE DRIVE, AMES, IA ZIP (515)-233-3100

**RECEIVED**  
DEC 09 2020  
CITY OF AMES IA  
DEPT. OF PLANNING AND HOUSING

FOR RECORDER USE ONLY



- LEGEND:**
- FOUND MONUMENT AS NOTED
  - FOUND MONUMENT AS NOTED
  - ▲ FOUND SECTION CORNER AS NOTED
  - (R) RECORDED DIMENSION

**ANNEXATION DESCRIPTION:**  
PARCEL 'E' IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 84, RANGE 24 WEST OF THE 5TH P.M., BEING MORE PARTICULARLY DESCRIBED AS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 22, THENCE N 00°03'02" E, A DISTANCE OF 553.28 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 22; THENCE N 87°04'35" E, A DISTANCE OF 269.28 FEET; THENCE SOUTH 00°43'30" WEST, A DISTANCE OF 13.51 FEET; THENCE NORTH 82°26'46" EAST, A DISTANCE OF 168.76 FEET; THENCE NORTH 82°05'08" EAST, A DISTANCE OF 101.44 FEET; THENCE SOUTH 00°09'44" WEST, A DISTANCE OF 595.01 FEET; THENCE NORTH 89°25'36" WEST, A DISTANCE OF 535.36 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22 TO THE POINT OF BEGINNING.  
BEARINGS RECORDED IN IOWA STATE PLANES COORDINATE SYSTEM, NORTH ZONE, US FOOT.



I hereby certify that the land conveying document was prepared by me and the related field work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

**EUGENE DREYER**  
17535  
CWA

DATE: 12/8/20  
MY LICENSE RENEWAL DATE IS: 12/31/2020  
PAGES OR SHEETS COVERED BY THIS SEAL: THIS SHEET



**ANNEXATION PLAT**  
PARCEL 'E' OF THE SW 1/4-SW 1/4 SECTION 22-84-24, STORY COUNTY, IOWA.

1519 BALTIMORE DRIVE  
AMES, IOWA 50010  
(515) 233-6100

SHEET  
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