

**SUBJECT: ANNEXATION OF FOUR PROPERTIES GENERALLY LOCATED AT THE NORTHWEST CORNER OF U.S. HIGHWAY 30 AND 580<sup>TH</sup> AVENUE**

**BACKGROUND:**

The City has received voluntary annexation petitions from three property owners representing four parcels that total approximately 115.19 acres. The parcels are located east and south of the Ames corporate limits at the northwest corner of Highway 30 and 580<sup>th</sup> Avenue (Attachment A). City Council initiated the annexation at its January 26<sup>th</sup> meeting with the concurrent review of the Fringe Plan amendment that is also on this agenda.

Ames Fringe Urban Fringe Plan (AUFPP) and Zoning – The subject properties encompass properties currently designated as Agricultural/Long Term Industrial Reserve in the Ames Urban Fringe Plan map. **A concurrent AUFPP Amendment is in process to change the designation to Planned Industrial.** The change to Planned Industrial is required per the AUFPP and the City’s 28E agreement with Story County. An excerpt from the Ames Urban Fringe Plan is found in *Attachment B*.

As a property is annexed into the City, it is automatically zoned as “Agricultural.” Zoning would not immediately change for the Banker’s Trust and LDY, LLC properties as no development is proposed. The Larson Leasing, LC site would immediately apply for either the Planned Industrial or the new Intensive Industrial Zoning District in order to re-tenant the existing building on the site. Any proposed zoning must be consistent with the LUPP land use designation.

**At the start of the annexation process three applications were submitted for four parcels, Roger Larson (applicant) representing 23959 580<sup>th</sup> Avenue (22.30 acres), and Chuck Winkleblack representing LDY, LLC (49.60 acres) and Banker’s Trust (33.20 acres). Recently LDY, LLC purchased the Banker’s Trust parcel. There are now two owners, Roger Larson and LDY, LLC representing the entire annexation area. Staff has received an updated annexation application, annexation plat, a waiver of the right to withdrawal, and a letter from the new owner acknowledging their participation in the annexation.**

Infrastructure – The Larson Leasing, LC site is served by rural water and can continue to be used for the existing building. The property is also on a private septic system. Based on the City’s Capital Improvements Plan, the extension of water main along East Lincoln Way will be bid in spring 2021. However, there are no plans to extend utilities down Teller Avenue. There is no plan or requirement to bring utilities south with the annexation. The property owner is aware that no city water or sewer will be available upon annexation.

**The other three properties owned by LDY that are being annexed do not have existing uses and are expected to remain as agricultural upon their annexation to**

**the City. Furthermore, future development of these vacant lands will require rezoning and subdivision approval, which at that time the City will require conformance to our infrastructure standards. This will include the requirement that City has been granted the right to serve these parcels with City water. Rural water service buyouts may be required of the property owners in order to meet this requirement.**

There are no planned changes to road access or right of way with the annexation. However, the Iowa DOT plans to construct a new interchange in the vicinity of this site creating a primary entrance from Highway 30 to the City's planned Prairie View Industrial Center located to the north along 580<sup>th</sup>/Teller Avenue and Lincoln Way, with plans to complete the project in 2023. Dependent on the Iowa DOT's final design of the proposed interchange there could be some changes to road access points with construction of a new frontage road through the proposed annexation area. Annexation does not impact the DOT plans for the interchange or timing of the interchange.

Outreach – As part of the state-mandated process for annexations, City staff invited the Grant Township Trustees and the Story County Board of Supervisors for a Consultation Meeting on February 9, 2021. Those in attendance included: Lisa Heddens, Chairperson of the Story County Board of Supervisors; Amelia Schoeneman, Planning Director for Story County Planning & Zoning; Marcus Amman, Story County Planning and Development; and Julie Gould, Planner for the City of Ames.

Although other properties along 580<sup>th</sup> Avenue could be included as part of an 80/20 annexation, there is no specific need for this occur at this time as it does not have a direct impact on the City's boundary alignment. Property owners along 580<sup>th</sup> Avenue were contacted as a courtesy to gauge interest in participating voluntarily with the annexation. Staff heard from all property owners and currently none have chosen to be annexed at this time.

Planning and Zoning Commission – The Planning and Zoning Commission reviewed the request on February 17, 2021 and voted 6-0 to recommend the annexation to the City Council. The Commission had questions about serving the annexation area with utilities in the future. Staff noted the applicants are aware that no new utilities will be made available as a result of annexation.

Resolution of the Board of Supervisors – On March 9, 2021, the Story County Board of Supervisors passed Resolution No. 21-72 supporting the voluntary annexation of four parcels of land, located at the northwest corner of Highway 30 and 580<sup>th</sup> Avenue.

**ALTERNATIVES:**

1. Approve the annexation of approximately 115.19 acres for four parcels located at the northwest corner of Highway 30 and 580<sup>th</sup> Avenue, and direct staff to file the annexation with the City Development Board.
2. Deny the requested annexation.

3. Request additional information from either city staff or the applicant.

**CITY MANAGER’S RECOMMENDATION:**

This voluntary annexation request involves four parcels of land with consent from the property owners. There are no “non-consenting” property owners. The subject property is located within two miles of Nevada, which does require approval of the annexation by the State of Iowa City Development Board.

These lands are designated as Industrial Reserve in the current AUPF and there is an accompanying amendment to designate the lands as Planned Industrial in support of this annexation. The properties are in close proximity to the existing City boundary and plans for future growth related to the Ames Plan 2040, Prairie View Industrial Center, and the future Highway 30 Interchange, which make this area a beneficial area for annexation in order to manage the land use of the area.

The only proposed changes to the lands upon annexation would be for uses allowed within the Planned Industrial or Intensive Industrial Zoning District upon rezoning of the Larson Leasing, LC site. All other parcels would remain undeveloped and zoned Agricultural upon annexation.

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

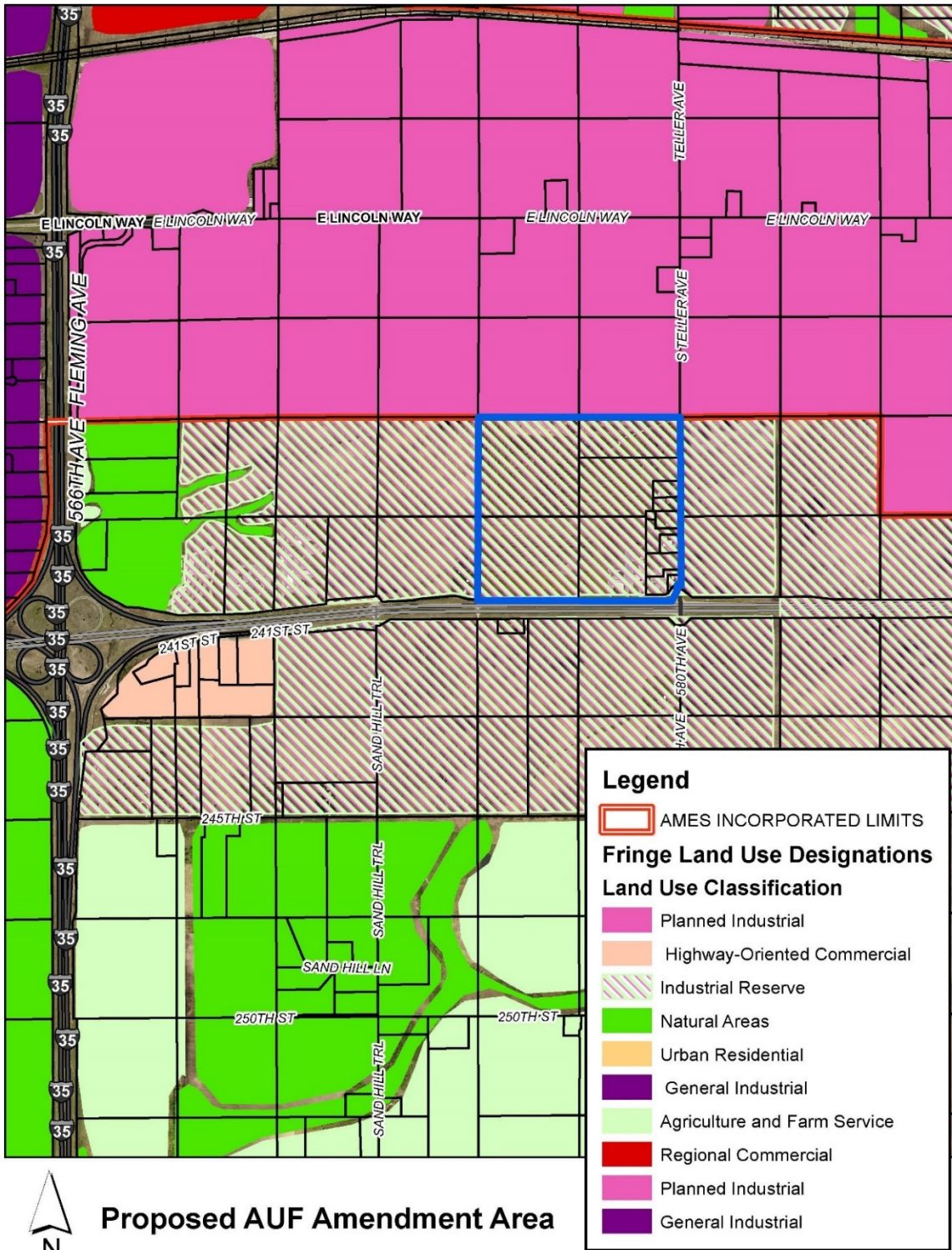
**It must be emphasized that it is a rare instance for the City to proceed with annexation of an existing use and additional vacant land that is served by rural water and not covered by an approved rural water service territory buyout agreement between the City a Rural Water entity.**

**All parties must understand that although the Caremoli site is served by rural water, it is City policy that future development on the three other vacant lots that are being annexed must be served by City water. This means that future development of the vacant lands will be required to meet City infrastructure requirements which includes service by City water. Therefore, property owners/developers would need to secure at their cost a release of the property from rural water territory and transfer it to the City for this to occur, and it would need to be accomplished prior to any future City rezoning approval.**

**The City has an agreement with CIWA for areas to the north and the City plans to approach CIWA about updating the agreement for this area, However, until that happens, it is important the owners of the vacant land understand that the City policy requires that new development on these parcels must be served by the City and that rezoning approval will not occur until this water service requirement is met.**



Attachment B – AMES URBAN FRINGE PLAN [EXCERPT]







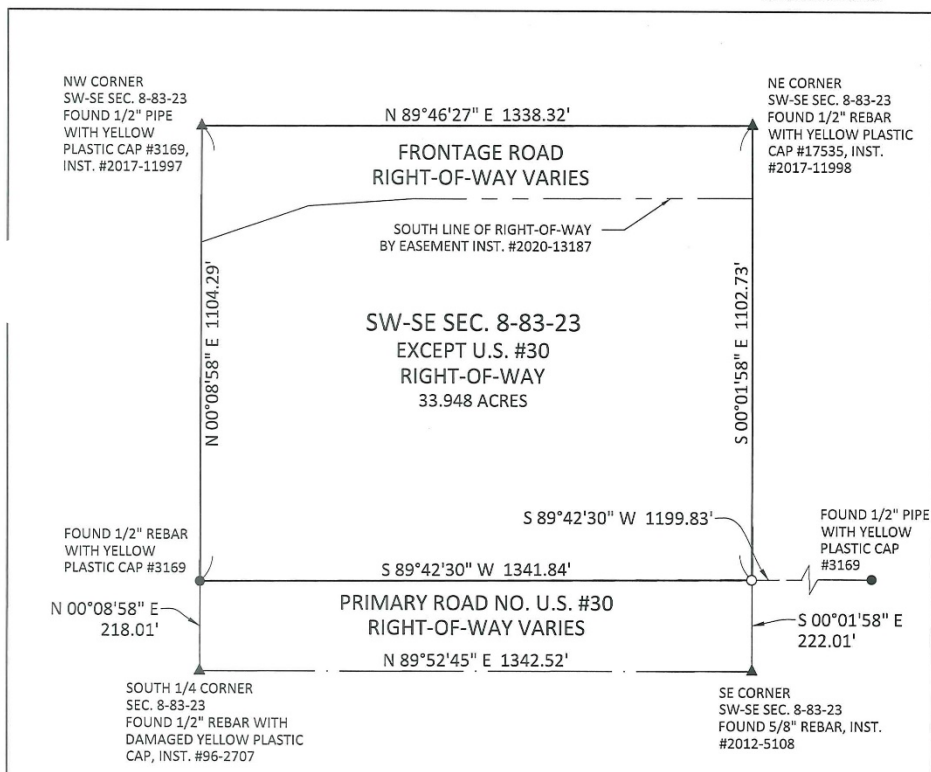
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DEPT. OF PLANNING AND HOUSING

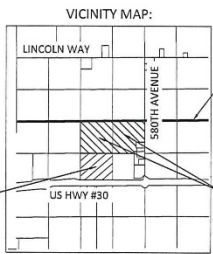
INDEX LEGEND	
LOCATION	PART OF SW-SE SEC. 8, T-83-N, R-23-W STORY COUNTY, IA
REQUESTOR:	CHUCK WINKLEBLACK
PROPRIETOR:	LDY LLC
SURVEYOR:	LUKE D. AHRENS P.L.S. #24413
SURVEYOR COMPANY:	BOLTON & MENK, INC.
RETURN TO:	LUKE D. AHRENS, BOLTON & MENK, INC. 1519 BALTIMORE DRIVE, AMES, IA 50010 (515)-233-6100

FOR RECORDER USE ONLY



**ANNEXATION DESCRIPTION:**  
THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 83 NORTH, RANGE 23 WEST OF THE 5TH P.M., STORY COUNTY, IOWA, THAT LIES NORTH OF PRIMARY ROAD NO. U.S. #30, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE N89°46'27" E, 1338.32 FEET TO THE NORTHEAST CORNER THEREOF; THENCE S00°01'58" E, 1102.73 TO THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. #30; THENCE S89°42'30" W, 1341.84 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE N00°08'58" E, 1104.29 FEET TO THE POINT OF BEGINNING.



- LEGEND:**
- FOUND MONUMENT AS NOTED
  - SET 1/2"X24" REBAR WITH PINK PLASTIC CAP #24413
  - ▲ FOUND SECTION CORNER AS NOTED
- NOTES:**
1. THIS PLAT IS SUBJECT TO EASEMENTS APPARENT OR OF RECORD.
  2. BEARINGS SHOWN ARE IOWA REGIONAL COORDINATE SYSTEM, ZONE 8, (AMES-DES MOINES), US SURVEY FOOT.
  3. AREA LIES WITHIN 2 MILES OF THE CITY OF NEVADA.
  4. CURRENT DEED OF RECORD IS INST. #2019-04144



I hereby certify that this land surveying 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.

LUKE D. AHRENS L.S.  
REG. NO. 24413 DATE: 2021-03-05  
MY LICENSE RENEWAL DATE IS 12/31/2021  
PAGES OR SHEETS COVERED BY THIS SEAL:  
THIS SHEET

**ANNEXATION PLAT**  
SW1/4-SE1/4 SECTION 8-T83N-R23W, STORY COUNTY, IOWA

**BOLTON & MENK**

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

SHEET  
1  
OF  
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