



Caring People ♦ Quality Programs ♦ Exceptional Service

Item No. 38a

MEMO

To: Mayor and City Council

From: Kelly Diekmann, Planning & Housing Director

Date: May 9, 2023

Subject: Third Reading of Rezoning of 3400 Cameron School Road and 5301 GW Carver to a PRD with a Zoning Agreement Amendment.

An amended Zoning Agreement for the rezoning of property located at 3400 Cameron School Road and 5301 GW Carver is attached for approval in conjunction with the Third Reading of the proposed rezoning from FS-RL to F-PRD. **The agreement includes a Master Plan Exhibit with the updated F-PRD boundaries, which include all the FS-RL zoned land as well as a small portion of the FS-RM zoned land. There are no other changes to terms of the Zoning Agreement.** Approval of the PRD itself includes conditions with the PRD Plan that are not part of this agreement.

S P A C E A B O V E R E S E R V E D F O R O F F I C I A L U S E

Legal description: See page 4.

Return document to: City Clerk, 515 Clark Avenue, Ames IA 50010

Document prepared by: Mark O. Lambert, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010 – 515-239-5146

**AMENDMENT TO REZONING AGREEMENT
FOR THE BLUFFS AT DANKBAR FARMS DEVELOPMENT**

THIS IS AN AMENDMENT made by and between Developer and the City upon the following terms and conditions:

- 1 **Definitions.** When used in this Amendment, unless otherwise required by the context:
 - 1.1 “Developer” means Friedrich Land Development Company, L.L.C., and Iowa limited liability company located in Ames, Story County, Iowa.
 - 1.2 “City” means the City of Ames, Iowa, an Iowa Municipal Corporation, also located in Story County, Iowa.
 - 1.3 “Rezoning Agreement” means the Rezoning Agreement presently in force between Developer and the City filed in the office of the Recorder of Story County, Iowa, on January 17, 2023, and recorded as Instrument No. 2023-00321, governing the rezoning and development of real property located in the vicinity of the southwest corner of the intersection of Cameron School Road and GW Carver Avenue.
 - 1.4 “Amendment” means this instrument as signed by the Developer and approved by the City.
- 2 **Circumstances.** This Amendment affects a portion of the real property that was the subject of the Rezoning Agreement; specifically, the subject of this Amendment is the real property currently zoned **F-S RL** and a portion of the real property currently zoned **F-S RM** because of the original Rezoning Agreement. Said affected real property is legally described in Exhibit ‘A’ attached hereto, and Developer is the sole owner of the real property legally described in Exhibit ‘A.’
- 3 **Amendment.** The parties agree that the real property currently zoned **F-S RL**, and a portion of the real property zoned **F-S RM**, as identified in Exhibit ‘A’ hereto, shall be rezoned to Floating Suburban-Planned Residence District (**F-S PRD**).
- 4 **Further Amendment.** The parties agree that Exhibit B of the Rezoning Agreement is hereby amended by deleting the original Master Plan and substituting in lieu thereof the amended Master Plan as shown in Exhibit B attached to this Amendment. This

amendment is done in accordance with the process set forth in Ames Municipal Code §29.1507(5)

5 **Continued Full Force.** The Rezoning Agreement shall continue to have full force and effect in accordance with the terms thereof, subject, however, to this Amendment, which shall apply to the heirs, successors and assigns of Developer.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective as of April 25, 2023.

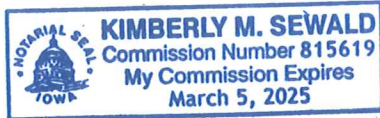
**FRIEDRICH LAND DEVELOPMENT
COMPANY, L.L.C.**

By:


Kurt W. Friedrich, Manager

STATE OF IOWA, COUNTY OF STORY, SS.:

This instrument was acknowledged before me on April 25, 2023, by Kurt W. Friedrich, as Manager of Friedrich Land Development Company, L.L.C.




NOTARY PUBLIC

Passed and approved on _____, 2023, by Resolution No. 23-_____
adopted by the City Council of the City of Ames, Iowa.

CITY OF AMES, IOWA

By:

John A. Haila, Mayor

Attest:

Renee Hall, City Clerk

STATE OF IOWA, COUNTY OF STORY, SS.:

This instrument was acknowledged before me on _____, 2023, by John A. Haila and Renee Hall, as Mayor and City Clerk, respectively, of the City of Ames, Iowa.

NOTARY PUBLIC

LEGAL DESCRIPTION OF SITE – Exhibit ‘A’

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 84 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20; THENCE S00°07'56"E, 1324.70 FEET ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20 TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20; THENCE N89°58'20"W, 1309.52 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20 TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20; THENCE N00°09'34"W, 1316.31 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20 TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20; THENCE N00°12'03"W, 947.18 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20; THENCE N89°50'40"E, 325.37 FEET TO THE SOUTHWEST CORNER OF PARCEL 'Q' IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20; THENCE S66°41'09"E, 35.81 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL 'Q'; THENCE N86°17'38"E, 58.70 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL 'Q'; THENCE S39°27'39"E, 316.30 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL 'Q' TO THE SOUTHEAST CORNER THEREOF; THENCE N00°26'28"E, 588.47 FEET ALONG THE EASTERLY LINE OF SAID PARCEL 'Q' TO THE SOUTH RIGHT-OF-WAY LINE OF CAMERON SCHOOL ROAD; THENCE S89°43'31"E, 687.59 FEET TO THE WEST LINE OF JAMISON SUBDIVISION; THENCE S00°09'24"E, 267.94 FEET ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID JAMISON SUBDIVISION; THENCE S89°39'45"E, 275.48 FEET ALONG THE SOUTH LINE OF SAID JAMISON SUBDIVISION; THENCE S89°45'30"E, 245.57 FEET ALONG THE SOUTH LINE OF SAID JAMISON SUBDIVISION TO THE SOUTHEAST CORNER THEREOF; THENCE N00°09'30"W, 250.90 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF CAMERON SCHOOL ROAD; THENCE S89°42'18"E, 52.50 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE; THENCE S00°09'30"E, 569.65 FEET; THENCE N89°46'02"W, 418.59 FEET; THENCE S79°39'56"W, 52.90 FEET; THENCE N89°46'17"W, 319.78 FEET; THENCE S00°15'37"W, 106.85 FEET; THENCE S39°03'26"E, 447.96 FEET; THENCE S00°45'13"W, 221.06 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20; THENCE N89°14'47"W, 60.14 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. PARCEL CONTAINS A COMBINED 76.42 ACRES (3,329,004 SQ. FT.)

[EXISTING ZONING: F-S RL (FLOATING SUBURBAN RESIDENTIAL LOW DENSITY) & F-S RM (FLOATING SUBURBAN RESIDENTIAL MEDIUM DENSITY)]

REVISED MASTER PLAN *THE BLUFFS AT DANKBAR FARMS* –
Exhibit ‘B’

OWNER(S):
 FRIEDRICH LAND DEVELOPMENT COMPANY LLC
 100 6TH ST
 AMES IA 50010

&
 FRIEDRICH, R & SONS INC
 100 SIXTH ST
 AMES IA 50010

APPLICANT:
 FRIEDRICH LAND DEVELOPMENT
 100 6TH ST
 AMES, IA 50010

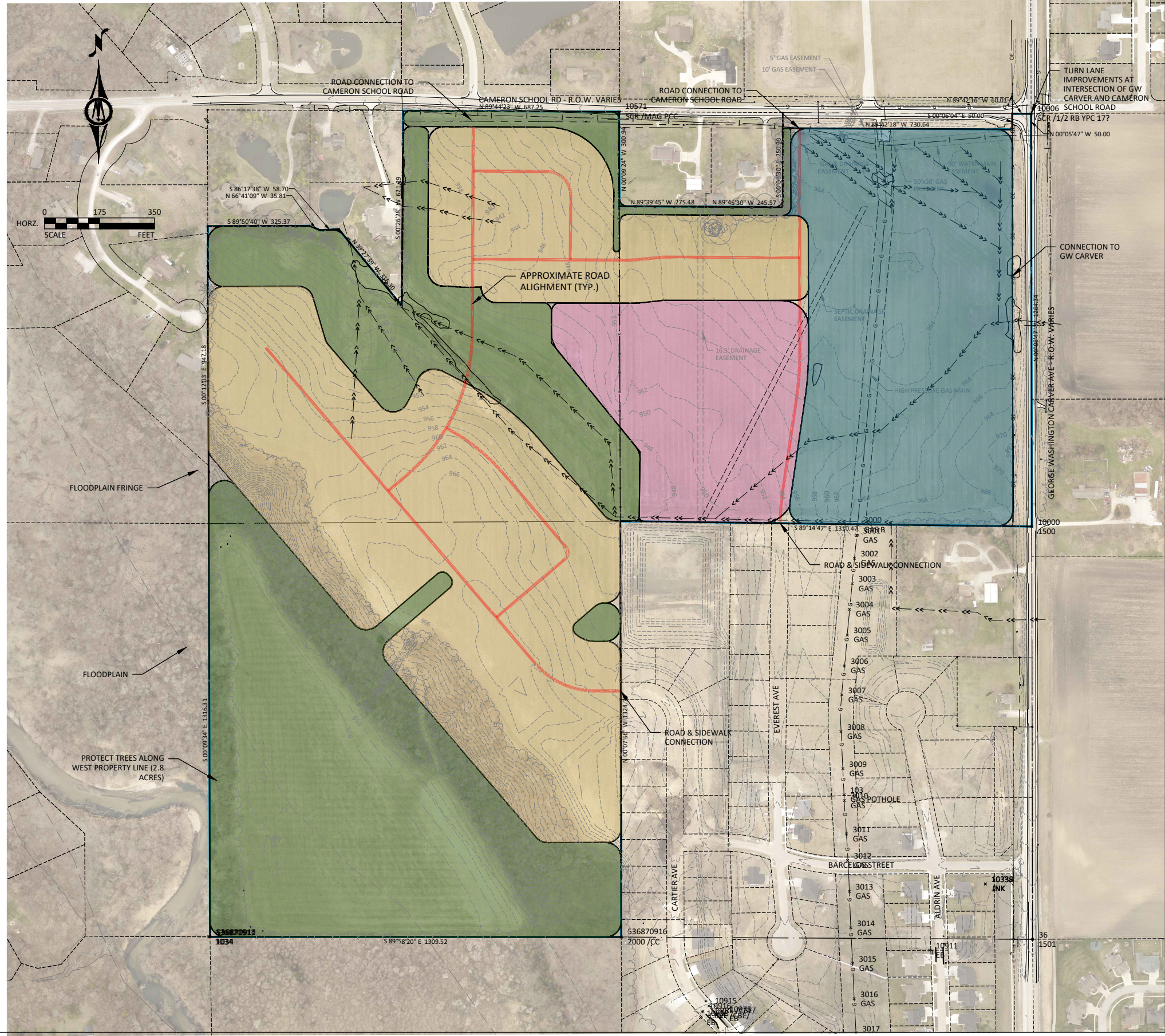
PREPARED BY:
 BOLTON & MENK
 1519 BALTIMORE DRIVE
 AMES, IA 50010

SUBMITTAL DATE:
 APRIL 2023

LEGAL DESCRIPTION:
 NST.# 2016-07020
 THE NORTH EAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 84 NORTH, RANGE 24 WEST OF THE 5TH P.M., STORY COUNTY, IOWA, EXCEPT A PARCEL OF LAND CONTAINING APPROXIMATELY 3.6 ACRES DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF THE NE1/4 OF THE SE1/4 OF SEC. 20-T84N-R24W OF THE 5TH P.M., STORY COUNTY, IOWA, THENCE EAST ALONG THE CENT OF THE ROAD 521 FEET, THENCE SOUTH 301 FEET, THENCE WEST 521 FEET TO THE WEST LINE OF SAID NE1/4 OF THE SE1/4, THENCE NORTH 301 FEET TO THE PLACE OF BEGINNING

AND,
 INST.#2016-12436
 WEST ONE-HALF OF THE SOUTHEAST QUARTER OF SECTION 20 IN TOWNSHIP 84 NORTH, RANGE 24 WEST OF THE 5TH P.M., STORY COUNTY, IOWA, EXCEPT BEGINNING AT CONCRETE MONUMENT LOCATED AT CENTER OF SECTION 20, T84N, R24W OF THE 5TH P.M., IN STORY COUNTY, IOWA, WHICH IS THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE S 00°30' E, A DISTANCE OF 372.30 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE N 89°30' E, A DISTANCE OF 325.00 FEET; THENCE S 66°41' E, A DISTANCE OF 36.09 FEET; THENCE N 84°40' E, A DISTANCE OF 58.92 FEET; THENCE S 39°45' E, A DISTANCE OF 316.30 FEET; THENCE N 00°09' E, A DISTANCE OF 621.43 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER SECTION; THENCE WEST ALONG THE NORTH LINE OF SOUTHEAST QUARTER SECTION A DISTANCE OF 623.92 FEET TO THE POINT OF BEGINNING.

LEGEND							
COLOR	USE	ZONING	AREA	APPROX R.O.W. & INTERNAL OPEN SPACE	NET AREA EXCLUDING ROW & OPEN SPACE	DWELLING UNITS	DENSITY
	DEVELOPABLE ACRES SINGLE FAMILY DETACHED	PRD	32.6-36.6 AC	7 AC	25.6-29.6 AC	96-111	3.75-4.25
	AGRICULTURAL USE	AG	20 AC	N/A	20 AC	N/A	N/A
	DEVELOPABLE ACRES MEDIUM DENSITY RESIDENTIAL SINGLE FAMILY ATTACHED	FS-RM	7-11 AC	1 AC	6-10 AC	60-100	10-16.7
	OPEN SPACE DETENTION AND BUFFERS	OPEN SPACE	32-42 AC	N/A	32-42 AC	N/A	N/A



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