

ITEM#: 27a&b  
DATE: 07/25/17

## COUNCIL ACTION FORM

**REQUEST: BRICK TOWNE REZONE TO PLANNED RESIDENCE DISTRICT (F-PRD) AND HIGHWAY-ORIENTED COMMERCIAL (HOC) WITH A MASTER PLAN AND AMENDED REZONING CONTRACT**

### **BACKGROUND INFORMATION:**

The property owners, Dickson and Luann Jensen, request rezoning of six parcels comprising a total of 45.92 gross acres. The parcels are addressed as 3115, 3119, 3301, 3325, 3409, and 3413 South Duff Avenue. This site was the subject of a Land Use Policy Plan Amendment in May, 2016 designating the western portions of the site as High Density Residential Development while retaining Highway-Oriented Commercial for the highway frontage north of the cemetery. The City Council approved a contract rezoning of much of the site to RH (High-Density Residential) in October, 2016. See Attachment A for current zoning and location.

The owners are now seeking to change the zoning to Planned Residence District (F-PRD) to allow for flexibility in development of the apartments on individual lots and to retain HOC zoning along the north frontage of the site. The applicant has submitted a rezoning request for 40.62 acres as Planned Residence District (F-PRD) with 5.29 acres remaining as HOC. A master plan was also submitted with the application indicating approximately 500-700 apartment units in the F-PRD with commercial to be located at the new intersection with Crystal Street. The Master Plan relates directly to the commercial development by identifying the access and denoting that the required commercial landscape buffer will be provided on the F-PRD property to the west. **The major site development plan that accompanies the rezoning is the controlling plan for development within the F-PRD and specifies 572 dwelling units in the project, of which 416 are one bedroom, 136 are two bedroom, and 20 are 3 bedroom units.** The overall development intensity is consistent with the previously approved conceptual plan and with the rezoning contract approved last fall that limited development to no more than 750 units with a mix of bedrooms.

The proposed changes will require an addendum to the contract rezoning agreement signed by the owners and approved by the City Council last fall. The addendum will recognize that F-PRD zoning is now being sought, that the boundaries of the zoning districts will slightly change (Attachment B), and that the concept plan is being replaced with a master plan (Attachment C).

The subject properties lie along the west side of South Duff Avenue (also referred to as US Highway 69). The subject site has two separate frontages on South Duff Avenue wrapping around the north, west, and south sides of Story Memorial Gardens, a private cemetery at 3215 South Duff Avenue. The north boundary of the site lies near the Crystal Street intersection with South Duff Avenue. The south boundary of the site lies

immediately north of the New Life Church at 3505 South Duff Avenue. The property extends westward to the Ames Municipal Airport property.

The F-PRD rezoning request requires the simultaneous approval of a major site development plan described in a separate Council Action Form. Approval of a F-PRD rezoning must be evaluated against the design principles of a F-PRD. That evaluation is found in the major site development plan staff report.

The proposed rezoning boundaries do not follow the current property lines. Rather, they are described by metes and bounds irrespective of property lines. An accompanying preliminary plat proposes lot lines that will follow the proposed zoning boundaries.

The City and the developer signed a rezoning contract at the time of rezoning to RH last fall to identify what specific infrastructure projects must take place, the timing of the completion of those projects, and the party responsible for paying for those projects. In short, the City is responsible for improvements to the highway, including lane additions to US 69 and a traffic signal at Crystal Street. The developer is responsible for all on-site utilities and for construction of regional stormwater improvements for the Tea Garden area. The developer must construct the stormwater improvements by 2018 and the City is in the process of designing the Highway 69 road widening with a target for construction in 2018.

**An addendum to the contract rezoning agreement is submitted and recognizes the proposed changes of the F-PRD and HOC rezoning. All other requirements of that agreement will remain in effect, including the need to have a fully executed avigation easement prior to site plan approval. No changes to the terms of development intensity or improvement obligations are proposed with the rezoning.**

**Planning and Zoning Commission:** At its meeting on July 5, 2017, the Ames Planning and Zoning Commission voted 4-1 to recommend approval of the proposed rezoning. Other than the applicant's representative, no one spoke during the public hearing.

**ALTERNATIVES:**

1. The City Council can approve:
  - A. The addendum to the contract zoning agreement and
  - B. The request for rezoning to Planned Residence District and Highway-Oriented Commercial with a master plan.

*Development of the site is subject to approval of a final plat, compliance with the conditions of the accompanying preliminary plat, and approval of the major site development plan that is on this agenda.*

2. The City Council can deny the request for rezoning to Planned Residence District and Highway-Oriented Commercial.

3. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

**CITY MANAGER’S RECOMMENDATION:**

This high-density residential development was approved with the rezoning of the site to RH last year. However, the owner seeks to create a Planned Residence District which offers greater flexibility on design, including the use of private streets and creating marketable lots without frontage on a public street (although all lots will have access via easements). Without approval of the F-PRD the layout of the development would be similar, but the site could not be divided into multiple lots without public street frontage. Alternatively a public street would need to be constructed through the entire site to create lot frontage. A private street can meet the circulation needs of the site and of the City.

Development within a Planned Residence District requires the submittal of a major site development plan for the approval of the City Council rather than through staff approval. That site plan is a separate item on this agenda.

**Last fall’s contract rezoning agreement addressed the issues of the timing of the installation of the storm water features and the cost-sharing arrangement between the City and the developer. As part of the this rezoning request, the rezoning contract will need to be amended by the City Council but no changes to these issues are anticipated—only the specific references to the master plan and the allowed zoning designations.**

Overall, the development provides a housing type with principally one and two bedroom units that meet multiple housing market needs for the community. The commercial zoning retained along US 69 will provide retail and office space to serve the development, the nearby neighborhood, and the commuting public.

Therefore, it is the City Manager’s recommendation that the City Council act in accordance with Alternative #1, which is to approve the addendum to the contract rezoning agreement and the request to rezone to Planned Residence District and Highway-Oriented Commercial with a master plan.

**As noted in the accompanying preliminary plat report, no work can be done on site until the City approves the storm water management plan, approves a maintenance and mitigation plan for the site’s wet ponds, and receives approval of the proposed grading on airport property. Also, no construction can begin until a final plat is approved.**

## ADDENDUM

**Existing Land Use Policy Plan.** The Land Use Policy Plan future land use map was recently amended to designate much of this area as High-Density Residential from Highway-Oriented Commercial. The South Duff Avenue frontage lying north of the Story Memorial Gardens cemetery remains as Highway-Oriented Commercial. See Attachment D for an excerpt of the LUPP future land use map. The proposed rezoning is consistent with the LUPP designation.

**Existing Uses of Land.** Land uses that occupy the subject property and other surrounding properties are described in the following table:

| <b>Direction from Subject Property</b> | <b>Existing Land Uses</b> |
|--|---------------------------|
| Subject Property                       | Farmland, three homes     |
| North                                  | Commercial                |
| East                                   | Residential               |
| South                                  | Church, rural homes       |
| West                                   | Ames Municipal Airport    |

**Existing Zoning.** The current zoning of this property is HOC and RH. See Attachment A for a zoning map. The site is subject to a rezoning contract. An addendum has been prepared and will need approval by the City Council.

**Master Plan.** A master plan is intended to provide a general description of the development of a property. A master plan must address natural areas, buildable areas, building types, range of uses and basic access points, as described in zoning requirements of Section 29.1507(4) (see Attachment E). The master plan is included as an Exhibit in the addendum to the rezoning contract.

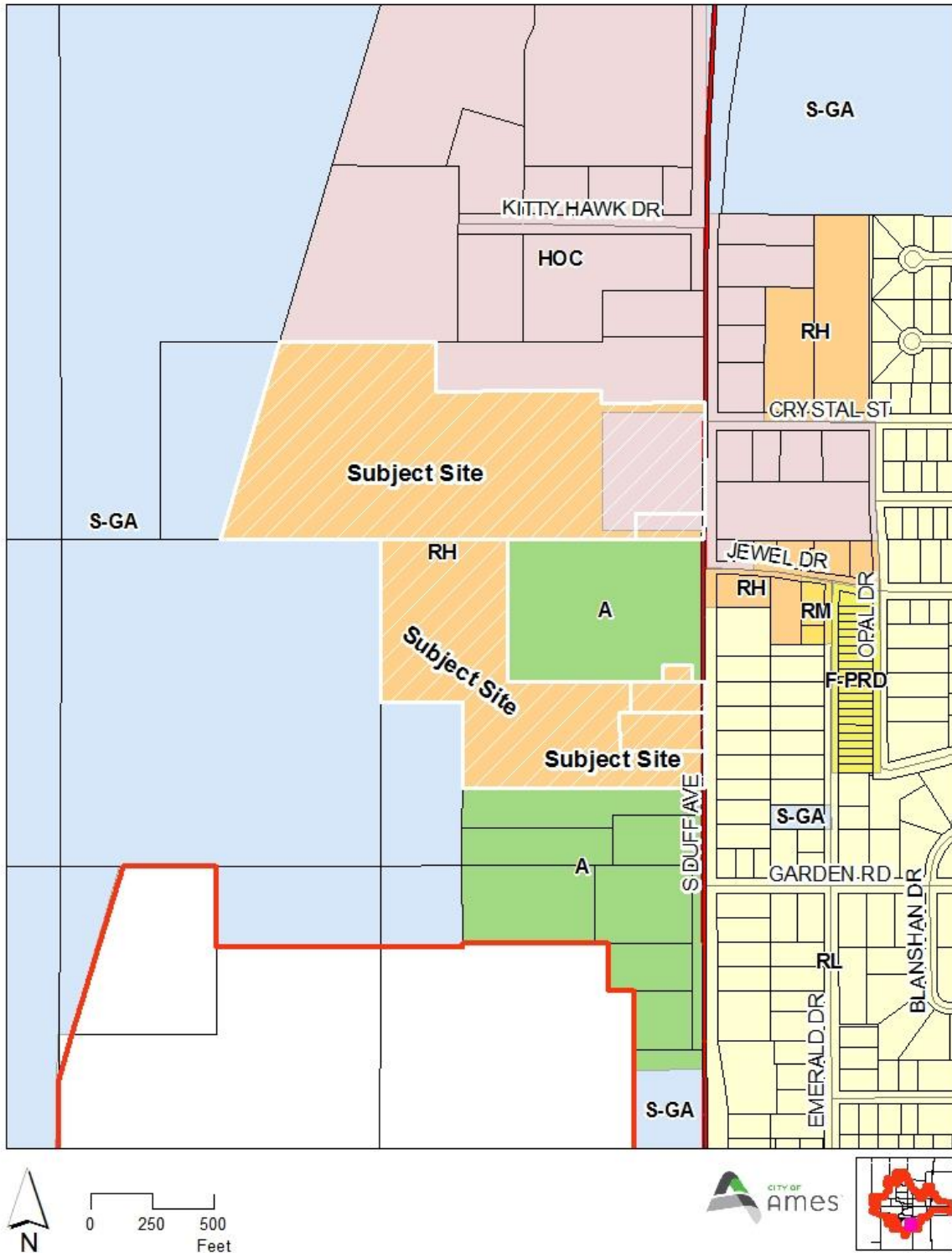
The submitted master plan proposes areas for residential development on 40.62 acres of the property and commercial development of 5.29 acres. The master plan proposes between 500 and 700 apartment units, resulting in a density of between 11.63 and 17.50 dwelling units per acre. This is consistent with RH zoning, which is the density standard that will be allowed with the F-PRD designation. The proposed master plan is intended to maintain consistency with the prior approval and to include the commercial zoning area. The F-PRD will be governed by the standards of the major site development plan and the major and minor amendment processes of the Zoning Ordinance (see accompanying council action form for the major site development plan).

The master plan also addresses the interface between the commercial and residential zones of the development. Usually, a commercial development is required to buffer between two disparate zones. In this instance, because the residential structures are a greater distance from the property line, the master plan notes that the buffer will be on the F-PRD major site development plan. The commercial site is still responsible for

meeting the other landscaping and screening requirements of the zoning ordinance and will be reviewed by staff when a minor site development plan approval is sought.

The master plan includes two access points along South Duff Avenue (US Highway 69). The northern access will be at a signalized intersection in alignment with Crystal Street. This will be the main entrance into the site serving the proposed commercial lots and the residential development. The southern access will not be signalized. It will be located south of the cemetery, about midway between Jewel Drive and Garden Road. All access to US Highway 69 is subject to Iowa Department of Transportation approval.

ATTACHMENT A: CURRENT ZONING AND LOCATION





# ATTACHMENT C: PROPOSED MASTER PLAN [NORTH TO THE LEFT] EXHIBIT 2 OF REZONING CONTRACT

## MASTERPLAN BRICKTOWNE DEVELOPMENT Jensen Group

**LEGAL DESCRIPTIONS**

**3101 S. DUFF**  
**A PART OF THE NORTHEAST QUARTER (NW 1/4) OF SECTION 24, TOWNSHIP 43**  
 BEGINNING AT A POINT ON THE WESTERN BOUNDARY OF SAID SECTION 24, 50 FEET  
 WEST AND 54.1 FEET SOUTH OF THE NE CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER  
 (NW 1/4), THENCE CORNER SOUTH 89°52'11.58" WEST 100 FEET, THENCE NORTH 89°52'11.58" WEST 100 FEET,  
 THENCE S 17°15'47.57" W 214.29 FEET TO THE POINT OF BEGINNING.

**3125 S. DUFF**  
**BEGINNING AT A POINT 579.1 FEET SOUTH OF THE CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION**  
**24, TOWNSHIP 43, RANGE 18E, MERIDIAN 10W (24) WEST OF THE 5TH P.M., AMES,**  
**SOUTH 89°52'11.58" WEST 100 FEET, THENCE NORTH 89°52'11.58" WEST 100 FEET,**  
**THENCE EAST 70°00'00.00" NORTH 50 FEET TO THE POINT OF BEGINNING, LOCALLY KNOWN AS 3325 SOUTH DUFF AVENUE, AMES, IOWA.**

**3133 S. DUFF**  
**A PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 43 NORTH, RANGE 18E WEST OF THE 5TH P.M.,**  
**COUNTY OF IOWA, ON OCTOBER 6, 1998, AS INST. NO. 98-13865, SIDE 2, PAGE 4, (SAID PARCEL 77 INCLUDES REAL ESTATE**  
**RECORDED IN PUBLIC BOOK 14-13868-BEFORE OF THE STATE OF IOWA, COUNTY OF IOWA, AS**  
**INST. NO. 00-01030, SIDE 02, PAGE 4), EXCEPT THE FOLLOWING DESCRIBED REAL ESTATE PARCEL, "W" A PART OF THE**  
**SW 1/4 OF SEC. 14-TOWNSHIP 43 NORTH, RANGE 18E, MERIDIAN 10W, AS SHOWN ON THE "PLAT OF SURVEY" FILED IN**  
**THE OFFICE OF THE REGISTER OF DEEDS COUNTY, IOWA, ON APRIL 27, 2004 (AS INST. NO. 04-04243, SIDE 04), PAGE 1.**

**3135 S. DUFF**  
**PARCELS "A" AND "B" A PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION**  
**24, TOWNSHIP 43, RANGE 18E WEST OF THE 5TH P.M., AMES, IOWA, INST. NO. 98-13865, SIDE 2, PAGE 4, (SAID PARCEL 77 INCLUDES REAL ESTATE**  
**RECORDED IN PUBLIC BOOK 14-13868-BEFORE OF THE STATE OF IOWA, COUNTY OF IOWA, AS**  
**INST. NO. 00-01030, SIDE 02, PAGE 4), EXCEPT THE FOLLOWING DESCRIBED REAL ESTATE PARCEL, "W" A PART OF THE**  
**SW 1/4 OF SEC. 14-TOWNSHIP 43 NORTH, RANGE 18E, MERIDIAN 10W, AS SHOWN ON THE "PLAT OF SURVEY" FILED IN**  
**THE OFFICE OF THE REGISTER OF DEEDS COUNTY, IOWA, ON APRIL 27, 2004 (AS INST. NO. 04-04243, SIDE 04), PAGE 1.**

**3137 S. DUFF**  
**COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 14, TOWNSHIP 43,**  
**RANGE 18E WEST OF THE 5TH P.M., AMES, IOWA, INST. NO. 98-13865, SIDE 2, PAGE 4, (SAID PARCEL 77 INCLUDES REAL ESTATE**  
**RECORDED IN PUBLIC BOOK 14-13868-BEFORE OF THE STATE OF IOWA, COUNTY OF IOWA, AS**  
**INST. NO. 00-01030, SIDE 02, PAGE 4), EXCEPT THE FOLLOWING DESCRIBED REAL ESTATE PARCEL, "W" A PART OF THE**  
**SW 1/4 OF SEC. 14-TOWNSHIP 43 NORTH, RANGE 18E, MERIDIAN 10W, AS SHOWN ON THE "PLAT OF SURVEY" FILED IN**  
**THE OFFICE OF THE REGISTER OF DEEDS COUNTY, IOWA, ON APRIL 27, 2004 (AS INST. NO. 04-04243, SIDE 04), PAGE 1.**

**OWNER: JENSEN GROUP  
 4631 WORTHERN ROAD  
 AMES, IA 50008  
**APPLICANT:  
 JENSEN GROUP  
 4631 WORTHERN ROAD  
 AMES, IA 50008  
**PREPARED BY:  
 BOLTON & MENK, INC.  
 27201 68TH ST.  
 AMES, IA 50008******

| DENSITY/USE TABLE |                                   |                  |               |
|-------------------|-----------------------------------|------------------|---------------|
| AREA              | ZONING                            | USE              | DENSITY       |
| (Yellow)          | PLANNED RESIDENCE (P-RSD)         | APARTMENT        | 31.63 - 17.50 |
| (Purple)          | HIGHWAY ORIENTED COMMERCIAL (HOC) | COMMERCIAL SPACE | 3.00 - 6.00   |
|                   |                                   |                  | N/A           |

**BOLTON & MENK, INC.**  
 27201 68TH ST., AMES, IOWA 50008  
 PH: 515-233-0300 FAX: 515-233-0301  
 WWW.BOLTONANDMENK.COM



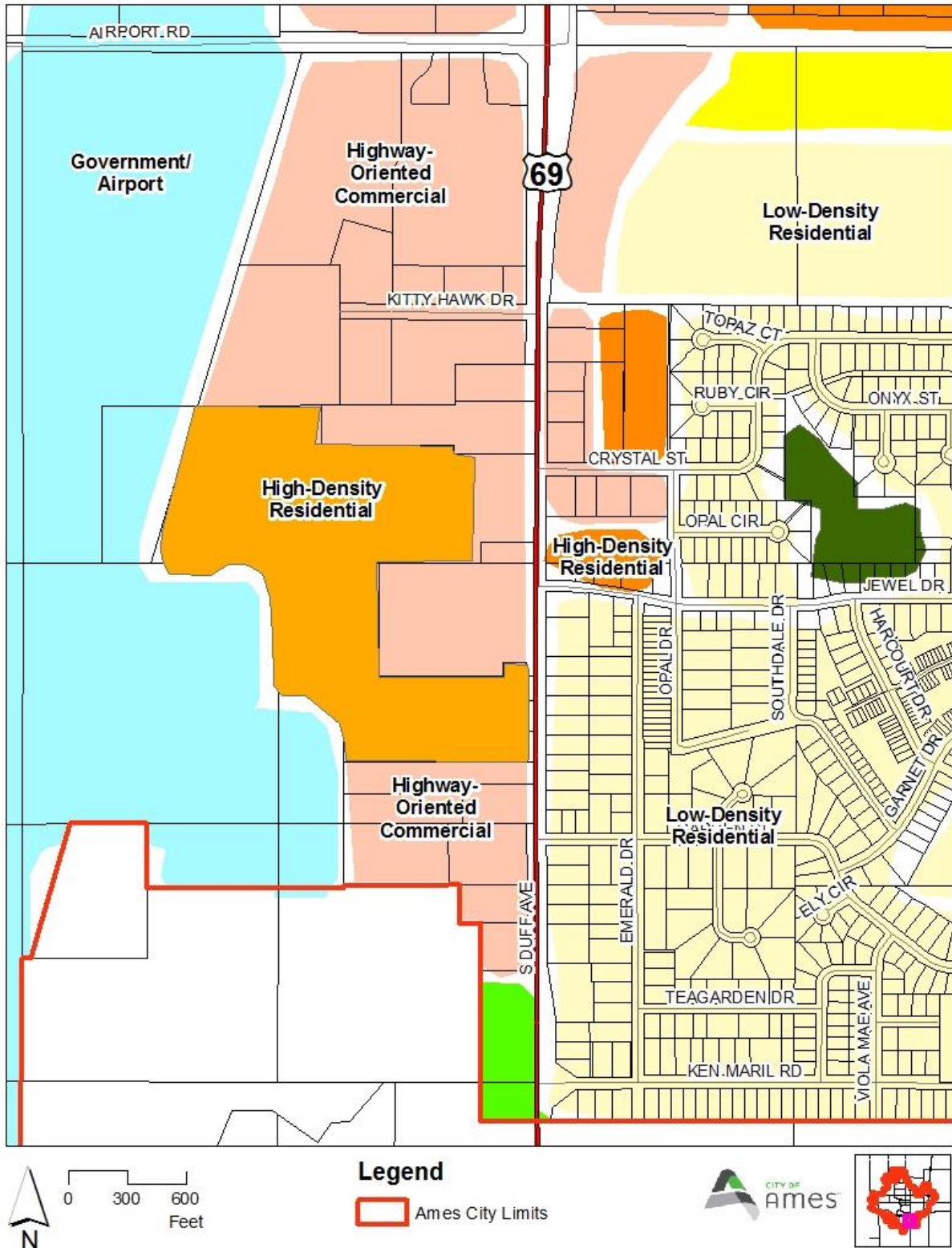
**JENSEN GROUP**  
**BRICKTOWNE DEVELOPMENT**

**MASTERPLAN**

SHEET **1**



# ATTACHMENT D: LUPP MAP [EXCERPT]



## ATTACHMENT E: APPLICABLE REGULATIONS

### **Per Section 29.1507 (4): Master Plan Submittal Requirements:**

- i. Name of the applicant and the name of the owner of record.
- ii. Legal description of the property.
- iii. North arrow, graphic scale, and date.
- iv. Existing conditions within the proposed zoning boundary and within 200 feet of the proposed zoning boundary: Project boundary; all internal property boundaries; public rights-of-way on and adjacent to the site, utilities; easements; existing structures; topography (contours at two-foot intervals); areas of different vegetation types; designated wetlands; flood plain and floodway boundaries; areas designated by the Ames Land Use Policy Plan as Greenways and Environmentally Sensitive Areas
- v. Proposed zoning boundary lines.
- vi. Outline and size in acres of areas to be protected from impacts of development
- vii. Outline and size in acres of areas proposed of each separate land use and for each residential unit type
- viii. Pattern of arterial streets and trails and off-site transportation connections
- ix. For proposed residential development provide the number of unit type for each area, expressed in a range of the minimum to maximum number to be developed in each area
- x. For proposed residential development provide a summary table describing all uses of the total site area, including the number of units per net acre for each unit type and each zoning area.
- xi. For proposed commercial development: placement, size in square feet and approximate dimensions for all buildings, locations and approximate dimensions of all parking areas; areas of landscape, screening, buffer, plaza and open space; circulation pattern for all modes of transportation on the site.

---

**DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER**

Prepared by: Mark O. Lambert, Interim Ames City Attorney, PO Box 811, Ames, IA 50010 (Phone: 515-239-5146)

Return to: Ames City Clerk, PO Box 811, Ames, IA 50010

---

**ADDENDUM TO THE CONTRACT ZONING AGREEMENT  
BETWEEN DICKSON JENSEN AND LUANN JENSEN AND THE  
CITY OF AMES FOR THE BRICK TOWNE DEVELOPMENT  
AT 3115-3413 SOUTH DUFF AVENUE**

**THIS AGREEMENT** is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between the CITY OF AMES, IOWA (hereinafter called “City”), and Dickson D. Jensen and Luann C. Jensen (hereinafter called “the Developer”) their successors and assigns,

**WITNESSETH THAT:**

**WHEREAS**, the parties entered into an agreement dated the 14<sup>th</sup> of November, 2016, recorded as instrument number 2016-00011643 in the office of the Story County Recorder, and captioned “CONTRACT ZONING AGREEMENT BETWEEN DICKSON JENSEN AND LUANN JENSEN AND THE CITY OF AMES FOR THE BRICK TOWNE DEVELOPMENT AT 3115-3413 SOUTH DUFF DRIVE” (“FIRST AGREEMENT”); and,

**WHEREAS**, the FIRST AGREEMENT agreed to rezone the property from existing designations as HOC (Highway Oriented Commercial) and A (Agricultural) to HOC (Highway Oriented Commercial) and RH (Residential High Density); and the parties now wish to rezone the property to HOC (Highway Oriented Commercial) and F-PRD (Floating Planned Residence District); and,

**WHEREAS**, the FIRST AGREEMENT included a “Concept Plan” from the Developer, which is now being replaced by a “Master Plan”;

**NOW, THEREFORE**, the parties hereto have agreed and do agree to amend the FIRST AGREEMENT as follows:

I. AMENDMENTS TO THE FIRST AGREEMENT

- A. Exhibits “B” and “C” of the FIRST AGREEMENT are stricken and

replaced with Exhibits “1” and “2” attached to this Addendum.

B. The second recital of the FIRST AGREEMENT is stricken and replaced with: “WHEREAS, the Developer has applied to the City for rezoning of the Site from the present designations as HOC (Highway Oriented Commercial) and RH (Residential High Density) to HOC (Highway Oriented Commercial) and F-PRD (Floating Planned Residence District), consistent with the Land Use Policy Plan as depicted in the ‘Rezoning Plat’ attached hereto and made a part of this agreement as set forth in Exhibit ‘1’; and”

C. The third recital of the FIRST AGREEMENT is stricken and replaced with: “The Developer has proposed a “Master Plan” to guide the general layout, design, and intensity of future development attached hereto and made a part of this Agreement as set forth in Exhibit ‘2.’ The Development shall generally constitute workforce housing; and,”

D. In Section IV “DESIGN” of the FIRST AGREEMENT, the words “Concept Plan” are stricken and replaced with “Master Plan.”

**ALL OTHER** provisions of the FIRST AGREEMENT shall remain in effect.

**IN WITNESS WHEREOF**, the parties hereto have caused this instrument to be executed effective as of the date first above written.

|   |   |
|---|---|
| <p><b>CITY OF AMES, IOWA</b></p> <p>By _____<br/>Ann H. Campbell, Mayor</p> <p>Attest _____<br/>Diane R. Voss, City Clerk</p> <p>STATE OF IOWA, STORY COUNTY ss:</p> <p>On this ____ day of _____, 2017, before me, a Notary Public in and for the State of Iowa, personally appeared Ann H. Campbell and Diane R. Voss, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ames, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation by authority of its City Council, as contained in Resolution No. _____ adopted by the City Council on the ____ day of _____, 2017, and that Ann H. Campbell and Diane R. Voss acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.</p> <p>_____<br/>Notary Public in and for the State of Iowa</p> | <p>_____<br/><b>DICKSON D. JENSEN</b></p> <p>STATE OF IOWA, COUNTY OF _____, ss:</p> <p>This instrument was acknowledged before me on this ____ day of _____, 2017, by Dickson D. Jensen.</p> <p>_____<br/>Notary Public in and for the State of Iowa</p> <p>_____<br/><b>LUANN C. JENSEN</b></p> <p>STATE OF IOWA, COUNTY OF _____, ss:</p> <p>This instrument was acknowledged before me on this ____ day of _____, 2017, by Luann C. Jensen.</p> <p>_____<br/>Notary Public in and for the State of Iowa</p> |
|---|---|

---

DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER  
Prepared by: City Clerk's Office, 515 Clark Avenue, Ames, IA 50010 Phone: 515-239-5105  
Return to: Ames City Clerk, P.O. Box 811, Ames, IA 50010

---

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AMES, IOWA, AS PROVIDED FOR IN SECTION 29.301 OF THE *MUNICIPAL CODE* OF THE CITY OF AMES, IOWA, BY CHANGING THE BOUNDARIES OF THE DISTRICTS ESTABLISHED AND SHOWN ON SAID MAP AS PROVIDED IN SECTION 29.1507 OF THE *MUNICIPAL CODE* OF THE CITY OF AMES, IOWA; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND ESTABLISHING AN EFFECTIVE DATE**

**BE IT HEREBY ORDAINED** by the City Council of the City of Ames, Iowa;

Section 1: The Official Zoning Map of the City of Ames, Iowa, as provided for in Section 29.301 of the *Municipal Code* of the City of Ames, Iowa, is amended by changing the boundaries of the districts established and shown on said Map in the manner authorized by Section 29.1507 of the *Municipal Code* of the City of Ames, Iowa, as follows: That the real estate, generally located at 3115, 3119, 3301, 3325, 3409, and 3413 South Duff Avenue, is rezoned, with Master Plan, from Highway-Oriented Commercial (HOC) and High-Density Residential (RH) to Planned Residence District (F-PRD) and Highway-Oriented Commercial (HOC).

**Real Estate Description:**

**HOC PARCEL**

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 'M' IN SECTION 14, TOWNSHIP 83, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA; THENCE S89°13'34"W, 420.08 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 'M'; THENCE S00°17'23"W, 546.40 FEET TO THE SOUTH LINE OF PARCEL 'J' IN THE SOUTHWEST QUARTER OF SAID SECTION 14; THENCE N89°52'21"E, 140.29 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'J'; THENCE S 89°58'25"E, 229.96 FEET TO THE WEST RIGHT-OF-WAY LINE OF SOUTH DUFF AVENUE, ALSO KNOWN AS HIGHWAY #69; THENCE N89°39'04"E, 49.91 FEET TO THE EAST LINE OF SAID SECTION 14; THENCE N00°13'53"E, 551.57 FEET ALONG THE EAST LINE OF SAID PARCEL 'J', AND ALSO ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14 TO THE POINT OF BEGINNING.

**PRD PARCEL**

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 'A' IN SECTION 23, TOWNSHIP 83, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA; THENCE S89°51'54"W, 986.44 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'A'; THENCE N00°00'00"E, 350.06 FEET ALONG THE WEST LINE OF SAID PARCEL 'A'; THENCE N89°53'54"W, 329.99 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'A'; THENCE N00°12'00"W, 664.84 FEET ALONG THE WEST LINE OF SAID PARCEL 'A' TO THE NW CORNER OF PARCEL 'A' AND THE NW CORNER OF NE1/4-NW1/4 IN SAID SECTION 23, AND ALSO BEING ON THE SOUTH LINE OF PARCEL 'J' IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 83, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA; THENCE S89°51'50"W, 650.95 FEET ALONG THE SOUTH LINE OF PARCEL 'J' AND THE SOUTH LINE OF THE SW1/4-SW1/4 TO THE SOUTHWEST CORNER OF SAID PARCEL 'J'; THENCE N16°34'15"E, 834.78 FEET ALONG THE WEST LINE OF SAID PARCEL 'J'; THENCE N89°52'17"E, 411.15 FEET ALONG THE NORTH LINE OF SAID PARCEL 'J'; THENCE N89°52'17"E, 224.80 FEET ALONG THE NORTH LINE OF SAID PARCEL 'J'; THENCE S00°20'51"W, 201.97 FEET ALONG THE EAST LINE OF PARCEL 'J'; THENCE N89°52'20"E, 379.10 FEET ALONG THE NORTH LINE OF SAID PARCEL 'J'; THENCE N89°53'15"E, 296.11 FEET ALONG THE NORTH LINE OF SAID PARCEL 'J'; THENCE S00°08'41"W, 15.83 FEET ALONG THE WEST LINE OF PARCEL 'M' IN SECTION 14, TOWNSHIP 83, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA; THENCE S00°17'23"W, 35.60 FEET ALONG THE WEST LINE OF SAID PARCEL 'M'; THENCE CONTINUING S00°17'23"W, 546.40 FEET TO THE SOUTH LINE OF SAID PARCEL 'J'; THENCE S89°52'21"W, 381.91 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'J' AND ALSO ALONG THE NORTH LINE OF THE NE1/4-NW1/4 TO THE NORTHEAST CORNER OF PARCEL 'A' IN SAID SECTION 23; THENCE S00°18'46"E, 578.72 FEET ALONG THE EAST LINE OF SAID PARCEL 'A'; THENCE N89°56'45"E, 501.78 FEET ALONG THE NORTH LINE OF SAID PARCEL 'A'; THENCE N89°58'11"E, 131.96 FEET; THENCE N00°23'45"W, 68.04 FEET; THENCE N89°56'36"E, 118.15 FEET TO THE WEST RIGHT-OF-WAY LINE OF US HIGHWAY #69; THENCE S00°12'09"E, 68.01 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF US HIGHWAY #69; THENCE N89°55'43"E, 50.00 FEET TO THE EAST LINE OF THE NW1/4 OF SAID SECTION 23; THENCE S00°13'50"E, 435.98 FEET ALONG THE EAST LINE OF THE NW1/4 OF SAID SECTION 23 TO THE POINT OF BEGINNING.

\*THE EAST LINE OF PARCEL 'J', 'M', AND THE EAST LINE OF THE SW1/4 OF SECTION 14-83-24 IS ALSO THE CENTER LINE OF US HIGHWAY #69.

\*THE EAST LINE OF PARCEL 'A' AND THE EAST LINE OF THE NW1/4 OF SECTION 23-83-24 IS ALSO THE CENTERLINE OF US HIGHWAY #69.

Section 2: The real estate, as rezoned to F-PRD and HOC, is subject to the limitations described with the Contract Rezoning Agreement as provided for in *Iowa Code* Section 414.5.

Section 3: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: This ordinance is in full force and effect from and after its adoption and publication as provided by law.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Diane R. Voss, City Clerk

\_\_\_\_\_  
Ann H. Campbell, Mayor