

COUNCIL ACTION FORM

**SUBJECT: REQUEST TO CONSIDER THE 80/20 ANNEXATION OF LANDS
LOCATED ALONG NORTH 500TH AVENUE AND IMMEDIATELY WEST
AND NORTH OF THE AMES CITY LIMITS**

BACKGROUND:

On July 27th, 2021, the City Council voted to initiate an annexation of four parcels, totaling approximately 33.18 acres including rights-of-way easements, located immediately west of the Ames corporate limits and extending westward to the Boone County line along North 500th Avenue. State law permits a voluntary annexation to include up to 20% of the territory with non-consenting abutting properties for the purpose of eliminating islands or creating more uniform boundaries. **There are three parcels considered non-consenting as part of the annexation that are included in order to make uniform boundaries along North 500th.** (See Attachment A).

The City Council's action was in response to an annexation petition received from Justin Dodge for one parcel of land owned by two owners: Fen & Shu Huang Revocable Trust and Daisy Chuen Yuan Soong. The total area of the initial petition was for one parcel totaling 28.58 acres. This includes the right-of-way easement along North 500th Avenue totaling approximately 0.15 acres. The initial petition did not include the three non-consenting parcels. There are two separate non-consenting property owners impacted by the annexation. These property owners are David Junk (one property of approximately 0.78 acres) and Richard Jr Hall & Rena S. Hall (two properties totaling approximately 4 acres).

The proposed 33.36 gross acre annexation territory includes 4.78 gross acres of non-consenting area. The non-consenting parcels represent 14.32% of the total annexation territory. **The inclusion of these properties makes for a uniform boundary along North 500th Avenue so there are not gaps in jurisdiction along the roadway.**

The applicant has spoken with Xenia rural water regarding territory boundaries and has been informed that the boundary of Xenias water territory in this area is North 500th Avenue, which places the petitioner's property outside of Xenia territory. The non-consenting properties are currently served by Xenia water and will continue to be Xenia customers upon annexation.

Planning & Zoning Commission

At the August 18th Planning & Zoning Commission meeting there was no public comment. The Commission discussed with staff the proposed 80/20 annexation. the Commission voted 3-1 to recommend that the City Council not approve the 80/20 annexation with nonconsenting property owners and approve only a 100% voluntary annexation.

If City Council approves the annexation as it was initiated by Council, the annexation is not final until it is also approved by the state City Development Board due to the 80/20 annexation process of including nonconsenting property owners.

ALTERNATIVES:

1. The City Council can approve the 80/20 annexation of four parcels and abutting rights-of-way, totaling 33.36 acres (rights-of-way acreage included in calculation), for the properties located immediately west of the Ames corporate limits and extending westward to the Boone County line along North 500th Avenue, in Washington Township, Story County, Iowa, by finding that the proposed annexation is consistent with the Land Use Policy Plan and Urban Fringe Plan, and that the proposed annexation territory creates more uniform boundaries.
2. The City Council can approve the 100% voluntary annexation of only the petitioners parcel and abutting rights-of-way, totaling 28.58 acres, for the property located immediately west of the Ames corporate limits and extending westward to the Boone County line along North 500th Avenue, in Washington Township, Story County, Iowa, by finding that the proposed annexation is consistent with the Land Use Policy Plan and Urban Fringe Plan.
3. The City Council can deny of the request to annex land generally located immediately west of the Ames corporate limits and extending westward to the Boone County line along North 500th Avenue, in Washington Township, Story County, Iowa, by finding that the proposed annexation is not consistent with the Land Use Policy Plan and Urban Fringe Plan.

CITY MANAGERS RECOMMENDED ACTION:

The subject area is within the Southwest Growth Area of the City's Land Use Policy Plan (LUPP). As a result of the Urban Service designation and Urban Residential classification the annexation is consistent with both the City's LUPP and the Ames Urban Fringe Plan process for annexation.

The proposed voluntary annexation includes three properties as non-consenting properties as part of the allowed 80/20 annexation process in order to create more uniform boundaries along N 500th Avenue. If the annexation were to proceed without the non-consenting properties, a small section of irregular boundaries along North 500th Avenue would result. The three parcels are approximately 14.32% of the total annexation area.

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

Addendum

Land Use Policy Plan (LUPP) and Zoning.

The City has a policy that annexations be consistent with the LUPP and the Ames Urban Fringe (AUF) Plan. The area proposed for annexation has the designation Urban Service Area and is specifically classified as Urban Residential within the Ames Urban Fringe Plan (AUF) (See *Attachment B*). Having an “Urban Service Area” designation is required prior to annexation per the terms of the City’s 28E agreement with Story County.

Land within the “Urban Residential” designation is planned for future annexation into the City with development of urban densities and design standards. If approved for annexation, the LUPP designation would be “Village/Suburban Residential”, allowing for a broad range of residential development types.

The LUPP identifies the subject property as part of the “Southwest I Allowable Growth Area” identified in the LUPP as areas that have been determined by the City Council to be appropriate for future expansion of the municipal boundaries, based in part on the City’s ability to serve the areas with public services. In addition, this area is designated as a Tier 1 growth area in the Draft Ames Plan 2040.

When a property is annexed into the City, it is automatically zoned as “Agricultural.” Zoning does not change unless a request is initiated by an individual property owner or by the City Council. Any proposed zoning must be consistent with the LUPP land use designation. Future development would require rezoning consistent with the Village/Suburban Residential land use designation.

Current Land Use: The original consenting property included in the petition is vacant row crop land. The non-consenting properties include two residential structures: both single-family. There are also a few small scattered agricultural out-buildings on the two non-consenting sites.

Development Plan: A conceptual development plan has not yet been received from the property owner, but in preliminary correspondence with the developer, their preference is to rezone and develop the land under single-family style zoning as a single-family home development very similar to that of Sunset Ridge currently inside the city to the south. Development of the site would include access from the south (Sunset Ridge) as well as out to North 500th Avenue.

The annexation may proceed without a concept plan for the site as the rezoning and development is a subsequent step after annexation. If the site is annexed, City Council would consider a specific rezoning proposal in the future that could include FS-RL and FS-RM that are consistent with the Village/Suburban Residential land use designation of the area.

Development Issues

Staff reviewed the annexation submittal and notes that infrastructure improvements would be needed to serve the area as it develops. Water, sanitary sewer, storm sewer, street paving, sidewalk, and shared use path improvements are all needed to serve the

proposed development and connect it to existing infrastructure south of the site. Some of these details will be worked out at the time of rezoning and subdivision based upon an actual project plan.

Xenia rural water territory begins at North 500th Avenue and then continuing westward. This places the consenting petitioner's property outside of the Xenia water district according to the developer.

Street Connectivity to/from Sunset Ridge: Sunset Ridge was platted to the south with stub streets abutting this property to eventually be connected into this site. Ellston Avenue was platted to connect to Westfield Drive and Allerton Drive. Wilder Avenue was platted to extend southward to Lincoln Way. It was also the intention that Ellston Avenue and Wilder Avenue would continue into this area with similar FS-RL development. **An east-west street connection extending west to North 500th Avenue will likely be sought by the City during the subdivision review** The developer has indicated that his first preference is to develop the land as single-family style development. A final decision on the circulation design would occur with a rezoning master plan and subdivision approval.

Transportation Improvements:

The development has frontage along North 500th Avenue, which is a paved county road between Boone and Story County. Development of the site requires frontage improvements and intersection improvements for full access and service to the site consistent with the subdivision ordinance for street improvements where necessary. Development of pedestrian walkways and shared use paths will be considered as part of the subdivision process once annexation is complete. Ellston Avenue and Wilder Avenue in the Sunset Ridge subdivision to the south are stubbed just south of the south property line of the property in this request in order to be extended northward upon future development. These streets will also provide sidewalk access southward into the Sunset Ridge subdivision and to Lincoln Way.

Water Main Extension: Water mains have been constructed for Sunset Ridge Subdivision within the City boundaries, adjacent to the south boundary of the proposed annexation. Two 8" water main stubs along Ellston Avenue and Wilder Avenue will need to be extended northward.

Sanitary Sewer Improvements: The sanitary sewer system may require an extension of 12" sewer main into this site to provide service. Extension of this sewer line will occur with subdivision approval. Currently Sewer lines exist to the immediate south of this site in Sunset Ridge subdivision.

Electric Improvements: Electric service is currently provided to the west half of the petitioner's parcel by Midland Power. The east half is within Ames Electric service territory. As the land is annexed, electric service will continue to be provided by Midland Power for the west half and Ames electric for the east half.

Stormwater Improvements: The eastern edge of the property contains some floodplain and a portion of Onion Creek. Storm sewer currently abuts the site from Sunset Ridge Subdivision to the south. The property is located within the Boone County / Story County

Drainage District #4. Development of the property will need to follow all stormwater treatment and control requirements of Chapter 5B of the Municipal Code. A full review of the stormwater improvements will be part of the site plan review and subdivision review for the site.

Outreach.

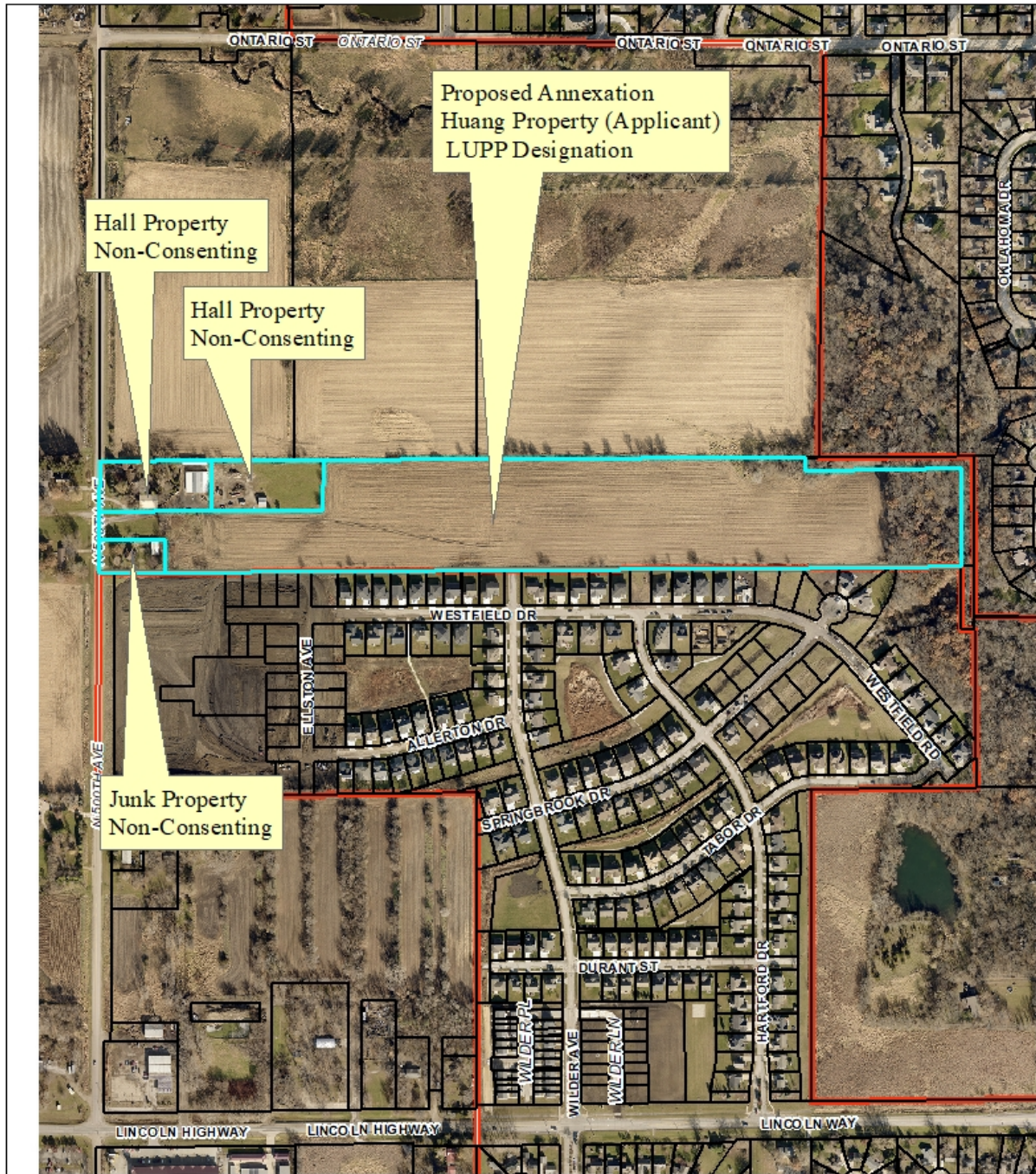
As part of the state-mandated annexation process, City staff invited the Washington Township Trustees and the Story County Board of Supervisors for a Consultation Meeting on August 17, 2021 at City Hall.

A public notice has been published in the Ames Tribune and both a certified and regular mailing has been sent to all abutting properties and non-consenting properties as well as affected utilities.

Next Steps.

Following the City Council's approval of the annexation and adoption of a resolution to that effect, the annexation will go to the state City Development Board for a hearing due to the inclusion of non-consenting property owners as an 80/20 annexation. The state City Development Board will be the final approval authority.

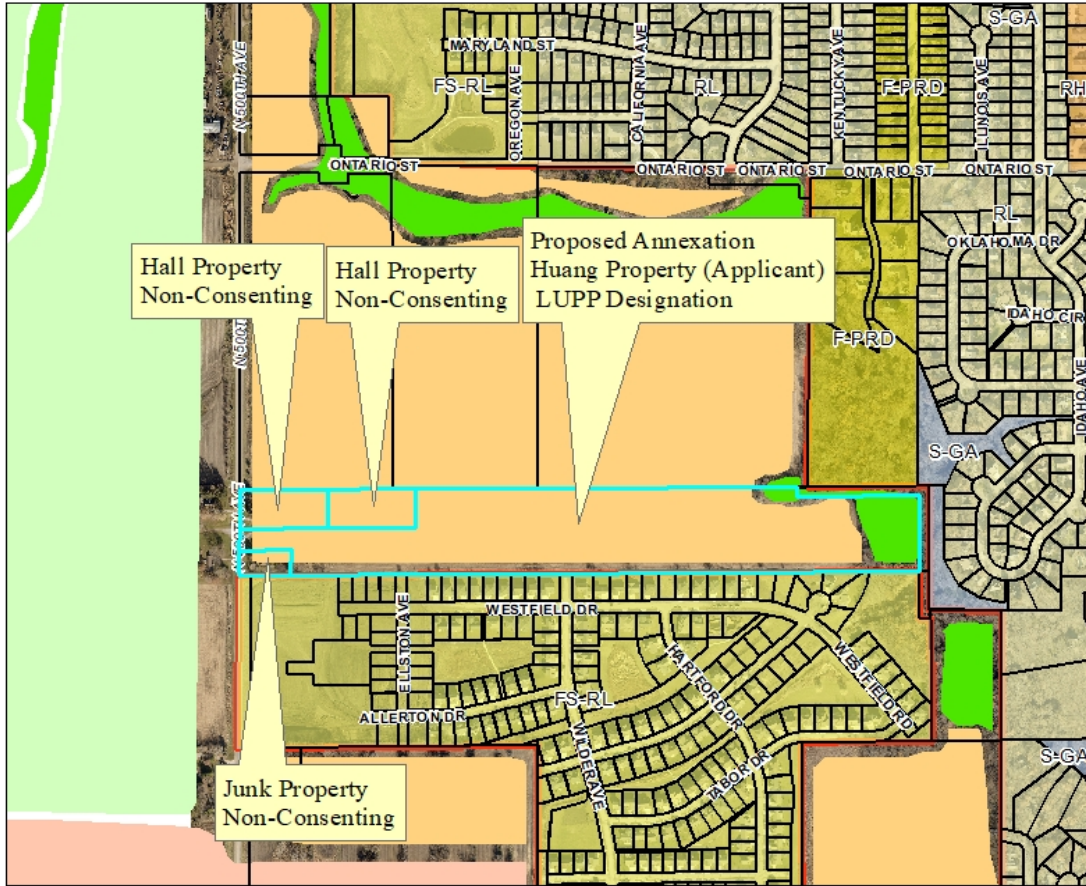
ATTACHMENT A- LOCATION AND ALL PARCELS



Properties To Be Annexed
(Outlined in Blue)



ATTACHMENT B- LUPP DESIGNATION



Proposed Annexation Location
(Outlined in Blue)
LUPP Urban Residential

Legend

- PARCELS
 - General Industrial
 - Highway-Oriented Commercial
 - Industrial Reserve-Research Park
 - Industrial Reserve-Research Park
 - Agriculture and Farm Service
 - Mining Impacted
 - Natural Areas
 - Parks and Open Space
 - Planned Industrial
 - Priority Transitional Residential
 - Rural Residential
 - Rural Transitional Residential
 - Urban Residential
 - AME'S INCORPORATED LIMITS
- STREET LABELS - MAJOR @ ALL SCALES



ATTACHMENT C- Annexation Plat

INDEX LEGEND	
LOCATION	NORTH 1/3 OF THE NORTH 1/2 OF THE FRACTIONAL SOUTHWEST QUARTER SECTION 6, T.83 N., R.24 W., STORY COUNTY, IOWA.
REQUESTOR:	HUNZIKER LAND DEVELOPMENT
PROPRIETOR:	FEN & SHU HUANG REVOC. TRUST 1/2 DAISY CHEN YUAN SOONG REV. TR. DAISY SOONG TRUSTEE, JAMES SOONG H.K. 1/2
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 50010 (515) 233-6100

ANNEXATION PLAT

NORTH 1/3 OF THE N 1/2 OF THE FRL SW 1/4 SECTION 6-83-24
STORY COUNTY, IOWA

AUGUST 2021

- LEGEND:**
- ▲ SECTION CORNER AS NOTED
 - EXISTING CORPORATE LIMITS

CONSENTING ACRES: 28.58
NON-CONSENTING ACRES: 4.78
TOTAL ANNEXATION: 33.36

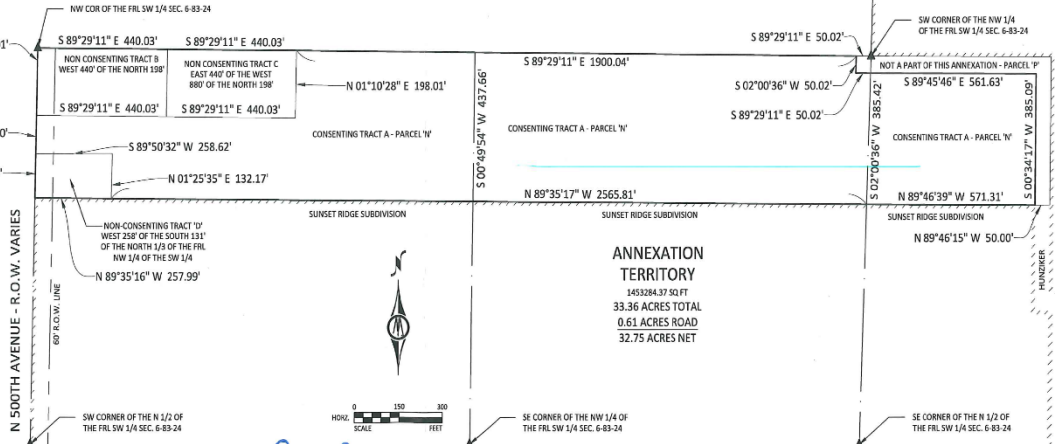
- NOTES:**
- BEARINGS AND DISTANCES SHOWN ARE FROM THE PREVIOUS SURVEYS BY OTHERS

TRACT 'A': CONSENTING
FEN & SHU HUANG REVOCABLE TRUST 1/2, DAISY YUAN CHUEN SOONG REVOCABLE TRUST, DAISY SOONG TRUSTEE, JAMES SOONG H.K. 1/2, 2389 CONROSLOWER CT., AMES, IA, 50014;
PARCEL 'N' IN THE NORTH 1/2 OF THE SW 1/4 AND THE NW 1/4 OF THE SW 1/4, STORY COUNTY, IOWA, CONTAINING 28.58 ACRES.

TRACT 'B': NON-CONSENTING
RICHARD C. HALL JR. AND BINA S. HALL, 800 N 500TH AVE., AMES, IA 50014, THE WEST 440 FEET OF THE NORTH 1/2 OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6-83-24, STORY COUNTY, IOWA, CONTAINING 2.00 ACRES.

TRACT 'C': NON-CONSENTING
RICHARD C. HALL JR. AND BINA S. HALL, 800 N 500TH AVE., AMES, IA 50014, THE EAST 440 FEET OF THE WEST 880 FEET OF THE NORTH 1/2 OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6-83-24, STORY COUNTY, IOWA, CONTAINING 2.00 ACRES.

TRACT 'D': NON-CONSENTING
DAVID LUNK, 788 N 500TH AVE., AMES, IA 50014, THE WEST 258' OF THE SOUTH 131' FEET OF THE NORTH 1/2 OF THE FRACTIONAL NW 1/4 OF THE SOUTHWEST 1/4 SECTION 6-83-24, STORY COUNTY, IOWA, CONTAINING 0.78 ACRES.



I hereby certify that the above surveying documents were prepared by me and the original plat work was performed in full or under my direct personal supervision or that I am a duly licensed and registered surveyor under the laws of the State of Iowa.

EUGENE R. DREYER, P.L.S.
REG. NO. 17535 DATE: 9/8/21
MY LICENSE EXPIRES ON: 12/31/2022

ANY LICENSE RENEWAL DATE IS
FRAMES OR SHEETS COVERED BY THIS SEAL:
THIS SHEET

BOLTON & MENK

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

ANNEXATION PLAT
N 1/3 OF THE N 1/2 OF THE FRL SW 1/4, SECTION 6-83-24, STORY COUNTY, IOWA.

SHEET
1
OF
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