

**COUNCIL ACTION FORM**

**SUBJECT: INTIATION OF APPLICATION FOR VOLUNTARY ANNEXATION OF LAND LOCATED AT 2219 AND 2121 STATE AVENUE**

**BACKGROUND:**

The City has received an annexation petition from the ISU Board of Regents, representing two parcels totaling 10.79 acres located at 2219 & 2121 State Avenue (Curtis Farm). The property is in Story County on the west side of State Avenue, north of Worle Creek and south of Highway 30 (*See Attachment A*). The applicant requests that the City Council authorize the annexation, which was requested by City staff in conjunction with recent utility improvement requests from ISU related to its feed mill project and the Curtis Farm.

The subject area currently creates a peninsula of unincorporated land extending west from State Avenue. **The inclusion of the subject property into the City will remove this peninsula and create a more uniform boundary along the west side of State Avenue, without creating any islands of unincorporated land. The proposed annexation is 100% voluntary; no non-consenting properties are included in the petition.**

The first step in the annexation process is for the City Council to accept the annexation petition, refer it to the Planning & Zoning Commission for its recommendation, and begin the required notification process outlined in state law.

**PRIOR CONSENTS TO ANNEXATION:**

In 2011, owners of two properties located at 2114 & 2126 State Avenue petitioned the City for water service, as they were unable to receive Xenia Rural Water service. These properties are adjacent to the subject property and total 2.79 acres. **At that time, annexing these properties to provide Ames water was not possible without creating an unincorporated island out of the ISU properties now being considered for annexation.** Therefore, these property owners entered into a *Covenant & Agreement for Annexation* to receive Ames' water.

According to each *Covenant & Agreement for Annexation*, these properties are not required to annex until such time as the City requests their annexation. **Since the ISU properties are now being proposed for annexation, the Council could proceed with annexation of the properties at 2114 & 2126 State Avenue at any time, either in conjunction with the annexation of the adjacent ISU properties at 2219 & 2121 State Avenue, or as a separate annexation following the annexation of the ISU properties.**

Annexation of the two ISU properties and the two other properties will not affect the large unincorporated Meadow Glen area, which extends to the northeast from this location. Meadow Glen property owners have been strongly opposed to annexation in the past and have shown no interest in City services. Inclusion of an 80/20 annexation would do little to reduce the larger unincorporated area to the northeast, as it would result in adding only one or two additional acres or properties. **As a result, staff does not see a need to consider adding any non-consenting properties to this request.**

With a 100% voluntary annexation more than two miles from Kelley, no review or action by the City Development Board is required, if the City approves the annexation. The proposed annexation plat is attached (*See Attachment C*).

The subject property at 2219 & 2121 State Avenue is designated as “University” in Ames Plan 2040. The adjacent single-family properties are designated “RN-2” (*See Attachment B*). Both areas are anticipated growth areas on the Ames Plan 2040 Future Land Use Map. The Future Land Use Map guides decision making for zoning and is in and of itself not considered a right to a specific zone or use. **The annexation would be logical and beneficial to the overall goals of the Ames Plan 2040 for the area and not just for the convenience of one development project.**

**Water service is available along State Avenue and can easily serve the subject property. Sanitary sewer is available along Worle Creek, about a quarter mile south and would require extension of a main to the north by the property owner.** ISU is interested in annexation primarily in order to have Ames’ sanitary sewer service. **ISU will be responsible for the costs associated with extending sanitary sewer north to serve their properties.** Public Works staff reviewed the proposed sewer extension and determined that at this time it was best to allow for ISU to extend the line to meet its needs rather than try to plan for the construction of an oversized line that could one day be extended to the west. Serving ISU property now does not preclude any future sanitary sewer extensions.

### **ALTERNATIVES:**

1. Accept the Application for 100% Voluntary Annexation for the property at 2219 & 2121 State Avenue and direct staff to initiate the process of annexation for only those properties. (Applicant’s Request)
2. Accept the Application for 100% Voluntary Annexation for the property at 2219 & 2121 State Avenue and direct staff to initiate the process of annexation for the subject property, and direct staff to proceed with a separate annexation of the properties at 2114 & 2126 State Avenue by requesting Annexation Applications from those property owners in accordance with each property’s 2011 *Covenant & Agreement for Annexation*.
3. Decline to initiate the requested annexation.

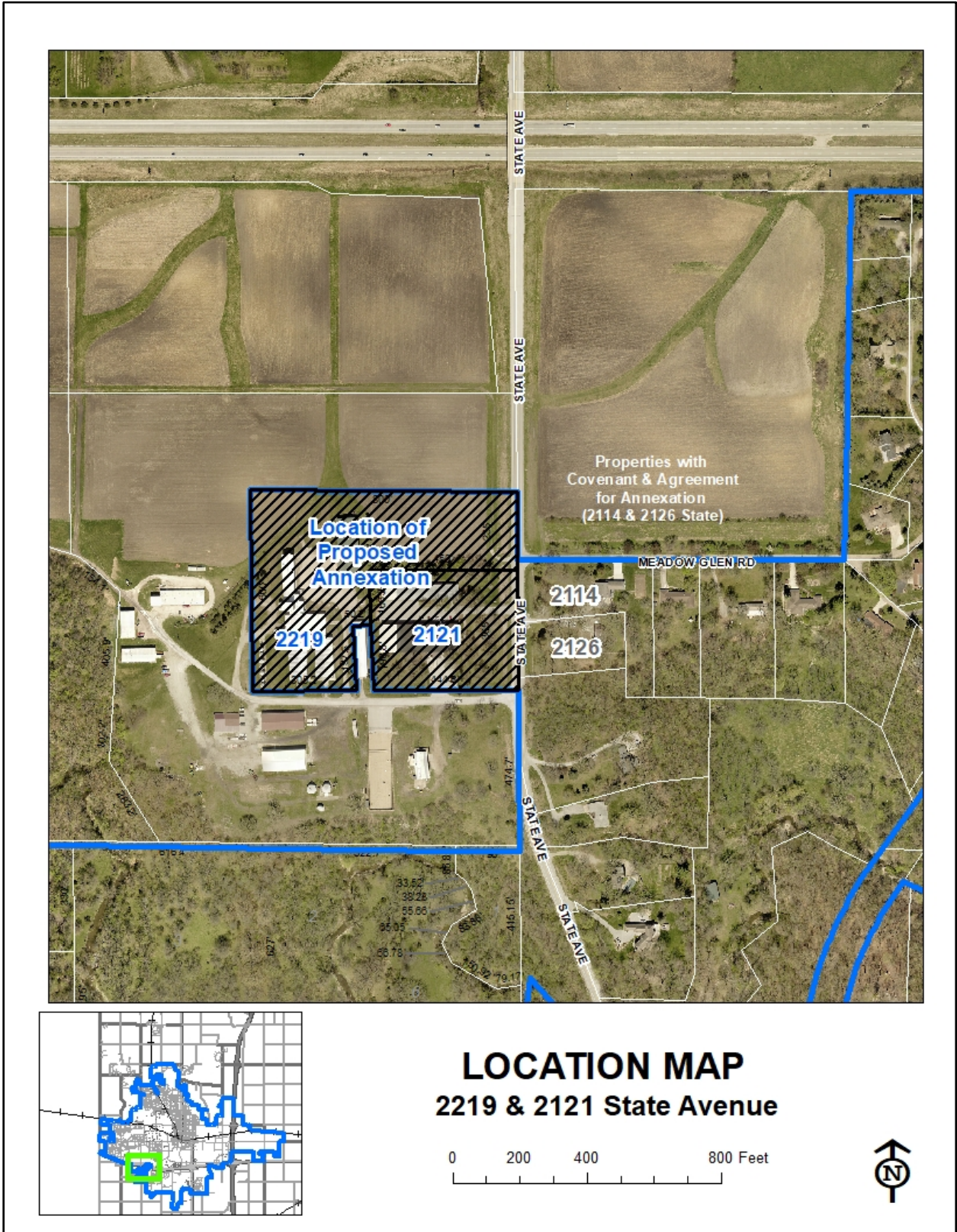
**CITY MANAGER’S RECOMMENDED ACTION:**

Staff has reviewed the Annexation application for the ISU properties at 2219 & 2121 State Avenue and has determined that the application is complete to begin the process of annexation for this property. The annexation would be logical and beneficial to the overall goals of the Ames Plan 2040 for the area and not just for the convenience of one development project. The proposed annexation causes the City’s boundaries to align optimally for more uniform boundaries than what currently exists in this area.

There are no surrounding non-consenting properties that are obvious candidates for inclusion in the annexation. **Furthermore, annexation can proceed independent of any action on the two properties at 2114 & 2126 State Avenue that are each subject to a *Covenant & Agreement for Annexation*. However, notification of these two property owners of the City’s desire to annex would be appropriate at this time.**

**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 2 as described above, which would allow for the ISU annexation to proceed followed by a separate annexation of the two properties along the east side of State Avenue.**

# Attachment A - Location Map



**LOCATION MAP**  
**2219 & 2121 State Avenue**

0 200 400 800 Feet



**Attachment B -  
Ames Plan 2040 Future Land Use Map (Excerpt)**

