

COUNCIL ACTION FORM

SUBJECT: VOLUNTARY ANNEXATION OF PROPERTIES LOCATED AT 2219 & 2121 STATE AVENUE SOUTH OF HIGHWAY 30

BACKGROUND:

On March 22, 2022, the City Council voted to initiate a voluntary annexation petition from ISU Board of Regents (applicant) representing two parcels (aka Curtis Farm) located at 2219 & 2121 State Avenue, in Washington Township, Story County, Iowa, totaling 10.79 acres. 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 action was in response to an annexation petition received from Board of Regents, State of Iowa, for benefit of Iowa State University which owns both properties. ISU petitioned for annexation in response to improvements occurring on their property and the desire to extend sanitary sewer serve north to serve their properties.

The two subject properties currently create 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.** Although State law permits a voluntary annexation to include up to 20% of the territory with non-consenting abutting properties, there are no additional non-consenting properties included.

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*).

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission met on April 6, 2022, to consider the proposed annexation. Staff discussed the intent of ISU to provide utility service to the farm and feed mail project. Staff described how the annexation is consistent with City policy to provide sewer service to properties located within the City. The Commission voted 5-1 in favor of recommending that the City Council approve the annexation.

ALTERNATIVES:

1. Approve by resolution, the voluntary annexation of two properties, which include State Avenue right-of-way, totaling 10.79 acres of real property located immediately south of the Ames corporate limits at 2219 & 2121 State Avenue, in Washington

Township, Story County, Iowa, by finding that the proposed annexation is consistent with the Ames Plan 2040 and Urban Fringe Plan and that the annexation will create uniform boundaries by eliminating a peninsula of county land.

2. Deny the annexation request for two parcels and abutting right-of-way, located at 2219 & 2121 State Avenue, in Washington Township, Story County, Iowa, by finding that the proposed annexation is not consistent with the Ames Plan 2040 and Urban Fringe Plan or that the annexation will create boundaries inconsistent with State code.
3. Defer this item and request additional information from either city staff or the applicant.

CITY MANAGER'S RECOMMENDED ACTION:

The annexation is a 100% consenting voluntary annexation. There are no surrounding non-consenting properties that are obvious candidates for being included in the annexation. The proposed annexation causes the City's boundaries to align optimally for more uniform boundaries than what currently exists in this area, and no unincorporated islands or irregular boundaries will result.

Although the annexation does not include any nonconsenting properties, upon completion of the annexation two properties located along State Avenue that previously signed consents to annex in order to receive City water service will be able to be annexed. **City Council previously directed staff to move forward with contacting these property owners and annexing the properties upon completion of the ISU annexation.**

The subject area is within the University designated lands on the Ames Plan 2040 Future Land Use Map and Urban Service Area within the Urban Fringe Plan. The annexation request would be consistent with both the Ames Plan 2040 and the Ames Urban Fringe Plan process for annexation. The City Council will be the final approval authority; the annexation is not required to go to the state City Development Board. **Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1.**

ADDENDUM

Ames Plan 2040 and Zoning.

The subject property at 2219 & 2121 State Avenue is designated with a future land use of “University” in the Ames Plan 2040. “University” is the designation for the Iowa State University campus and other ISU-owned properties. All “Urban Growth” areas in the Ames Plan 2040 are identified with a future land use category on the 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 Ames Urban Fringe Plan (AUFPP) identifies this property as having a land use class of “Urban Service Area”. Having an “Urban Service Area” designation is required prior to annexation. The AUFPP allows property to be annexed per the terms of the City’s 28E agreement with Story County. The City of Ames is in the process of working with Gilbert and Story County to amend the AUFPP and 28E agreement to align with the Ames Plan 2040.

Current Land Use: The properties included in the petition are referred to as the Curtis Farm. It is the intent of ISU to utilize this area for the expansion of their Ag program.

Infrastructure: According to ISU, the facilities are currently served by a well and multiple septic systems. Following the connection to City services, ISU indicates that they intend to cap the well and remove the septic systems.

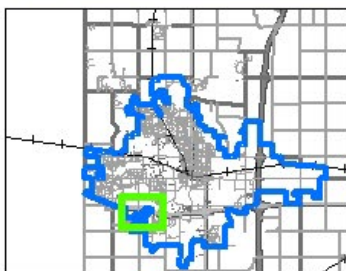
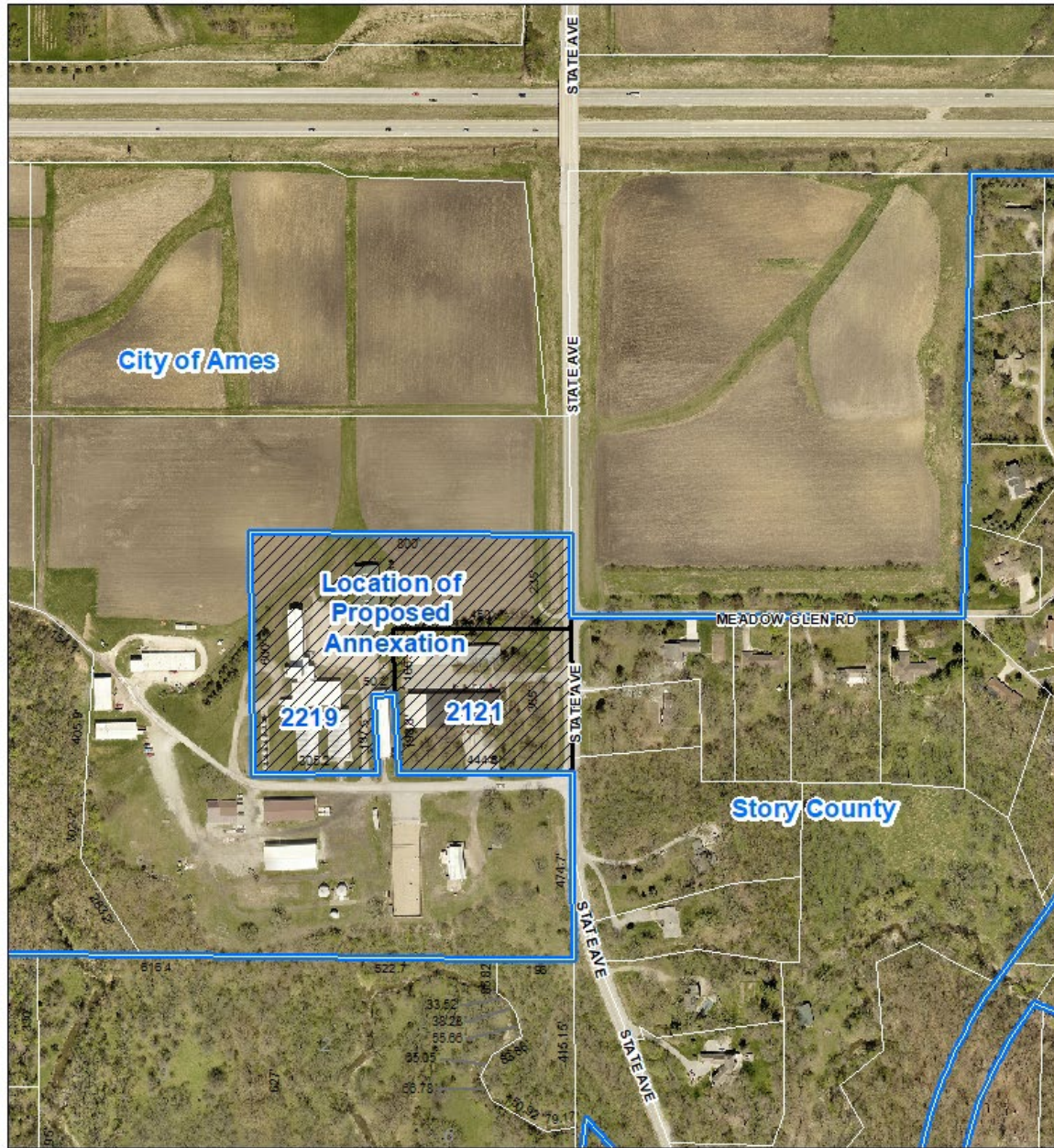
City water service is available along State Avenue and can easily serve the subject property. Sanitary sewer is available along Worle Creek, about a quarter mile south and would require extension of a main to the north by the property owner. ISU will be responsible for the costs associated with extending 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 their needs rather than try to plan for and construct an oversized line that could one day be extended to the west. Serving ISU property now does not preclude any future sanitary sewer extensions.

Development Plan: ISU intends to utilize this property for the expansion of their Ag program. State property is exempt from City development review.

Township Consultation: As part of the state-mandated annexation process, City staff invited the Washington Township Trustees and the Story County Board of Supervisors to a Consultation Meeting. This was held on April 7, 2022 at City Hall. Those in attendance were: Andrea Wagner (Story County Planning) and Mark Lambert (Ames City Attorney). No comments have been received as of the writing of this report.

ATTACHMENT A
Location Map

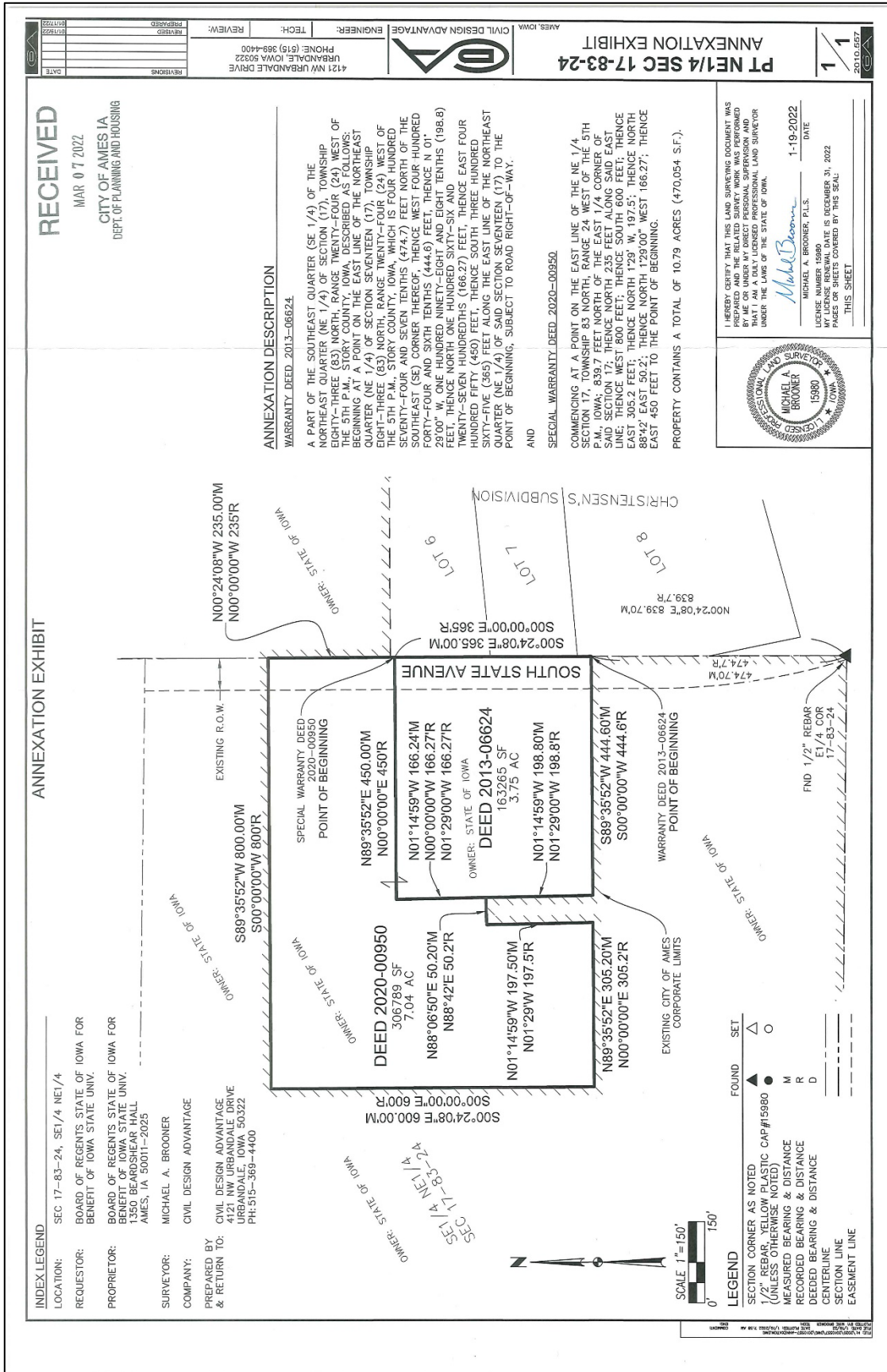


LOCATION MAP
2219 & 2121 State Avenue

0 200 400 800 Feet



ATTACHMENT B Annexation Territory Plat



RECEIVED
MAR 07 2022
CITY OF AMES, IA
DEPT. OF PLANNING AND HOUSING

ANNEXATION EXHIBIT

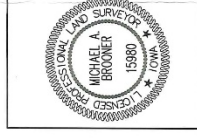
INDEX LEGEND
 LOCATION: SEC 17-83-24, SE 1/4 NE 1/4
 REQUESTOR: BOARD OF REGENTS STATE OF IOWA FOR BENEFIT OF IOWA STATE UNIV.
 PROPRIETOR: BOARD OF REGENTS STATE OF IOWA FOR BENEFIT OF IOWA STATE UNIV. 1350 BEARDSHEAR HALL AMES, IA 50011-2025
 SURVEYOR: MICHAEL A. BROONER
 COMPANY: CIVIL DESIGN ADVANTAGE
 PREPARED BY: CIVIL DESIGN ADVANTAGE
 & RETURN TO: CIVIL DESIGN ADVANTAGE 4121 NW URBANDALE DRIVE URBANDALE, IOWA 50322 PH: 515-369-4400

ANNEXATION DESCRIPTION
 WARRANTY DEED 2013-06624
 A PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION (17), TOWNSHIP EIGHTY-THREE (83) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., STORY COUNTY, IOWA, AS FOLLOWS: BEGINNING AT THE EAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION SEVENTEEN (17), TOWNSHIP EIGHT-THREE (83) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., STORY COUNTY, IOWA, WHICH IS FOUR HUNDRED SEVENTY-FOUR AND SEVEN TENTHS (474.7) FEET NORTH OF THE SOUTHEAST (SE) CORNER THEREOF, THENCE WEST FOUR HUNDRED FORTY-FOUR AND SIX TENTHS (444.6) FEET, THENCE N 01° 29'00" W, ONE HUNDRED NINETY-EIGHT AND EIGHT TENTHS (198.8) FEET, THENCE NORTH ONE HUNDRED SIXTY-SIX AND TWENTY-SEVEN HUNDREDTHS (166.27) FEET, THENCE EAST FOUR HUNDRED FIFTY (450) FEET, THENCE SOUTH THREE HUNDRED SIXTY-FIVE (365) FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION SEVENTEEN (17), TO THE POINT OF BEGINNING, SUBJECT TO ROAD RIGHT-OF-WAY.

AND
 SPECIAL WARRANTY DEED 2020-00950
 COMMENCING AT A POINT ON THE EAST LINE OF THE NE 1/4 SECTION 17, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M. IOWA; 839.7 FEET NORTH OF THE EAST 1/4 CORNER OF SAID SECTION 17; THENCE NORTH 235 FEET ALONG SAID EAST LINE; THENCE WEST 800 FEET; THENCE SOUTH 600 FEET; THENCE EAST 305.2 FEET; THENCE NORTH 129° W, 197.5'; THENCE NORTH 88°42' EAST 50.2'; THENCE NORTH 129°00' WEST 166.27'; THENCE EAST 450 FEET TO THE POINT OF BEGINNING.
 PROPERTY CONTAINS A TOTAL OF 10.79 ACRES (470,054 S.F.).

PT NE 1/4 SEC 17-83-24
ANNEXATION EXHIBIT

I HEREBY CERTIFY THAT THIS LAND SURVEY DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.
 MICHAEL A. BROONER, P.L.S.
 LICENSE NUMBER 15880
 EXPIRES DATE IS DECEMBER 31, 2022
 THIS SHEET



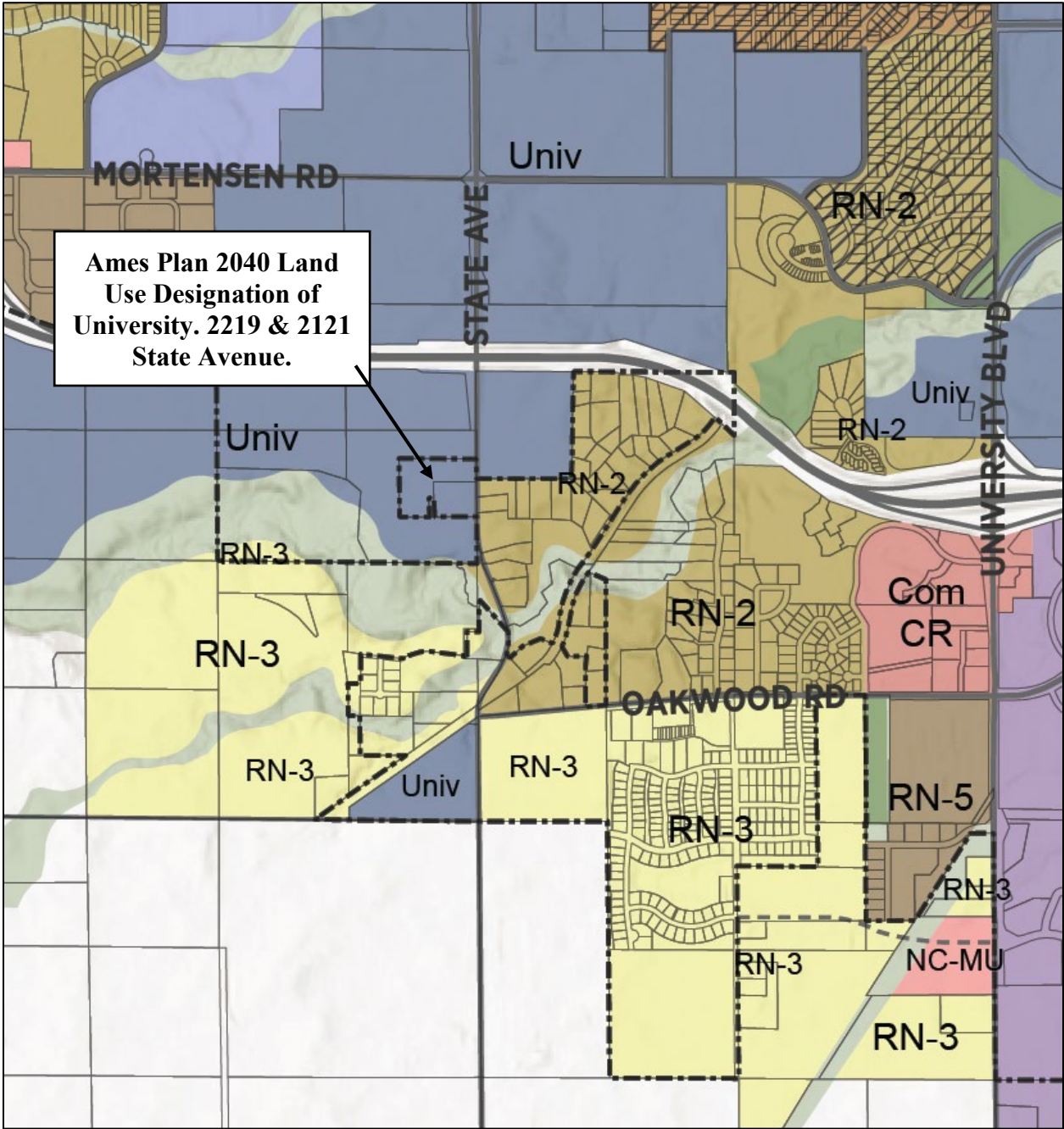
LEGEND
 SECTION CORNER AS NOTED
 (C) REBAR (L.O.L. PLUS) C CAP #15880
 (UNLESS OTHERWISE NOTED)
 MEASURED BEARING & DISTANCE
 RECORDED BEARING & DISTANCE
 DEEDED BEARING & DISTANCE
 CENTERLINE
 SECTION LINE
 EASEMENT LINE

FOUND SET
 (C) REBAR (L.O.L. PLUS) C CAP #15880
 M
 R
 D

SCALE 1" = 150'
 0 150'

1/1
2010.667

ATTACHMENT C
Ames Plan 2040
Future Land Use Map (Excerpt)



ATTACHMENT D
Ames Urban Fringe Plan
Land Use Class Map (Excerpt)



LEGEND:

-  - Rural Service and Agricultural Conservation Area;
-  - Rural/Urban Transition Area; and
-  - Urban Service Area.

ATTACHMENT E
Listing of Parcels & Ownership

LISTING OF PARCELS & OWNERSHIP - Total Annexation Plat [2 properties - 10.79 acres]

Consenting Owners

<u>Address</u>	<u>PIN</u>	<u>Owner</u>	<u>Mailing Address</u>
2219 State Avenue	09-17-200-450	Bd of Regents State of Iowa for Benefit of Iowa State University of Science & Technology	1350 Beardsley Hall Ames, Iowa 50011
2121 State Avenue	09-17-200-460	Bd of Regents State of Iowa for Benefit of Iowa State University of Science & Technology	1350 Beardsley Hall Ames, Iowa 50011

ATTACHMENT F

Story County Resolution, p.1

Instrument #: 2022-04079
 04/28/2022 02:40:24 PM Total Pages: 3
 00 OTHER
 Recording Fee: \$ 0.00
 Stacie Herridge, Recorder, Story County Iowa



DO NOT WRITE IN THE SPACE ABOVE, RESERVED FOR RECORDER
 Prepared By: Andrea Wagner, Story County Planning and Development, 900 6th Street, Nevada, IA 50201 (515) 382-7245
 Please Return to the Story County Planning & Development Department

**STORY COUNTY IOWA
 RESOLUTION OF THE BOARD OF SUPERVISORS
 RESOLUTION NO. 22-74**

WHEREAS, there has been submitted to the Board of Supervisors of Story County, Iowa, a copy of a petition for voluntary annexation into the City of Ames; and

WHEREAS, said annexation petition includes the properties located at 2219 and 2121 State Avenue, Ames, Iowa, in the unincorporated area of Story County, owned by Board of Regents, State of Iowa, for Benefit of Iowa State University, and hereinafter described on Attachment A and shown on Attachment B; and

WHEREAS, the subject property is located in the Ames Urban Fringe and designated Urban Residential in the Urban Service Area on the Land Use Framework Map; and

WHEREAS, a consultation on the proposed annexation was held on April 7, 2022, where the Story County Board of Supervisors and the Washington Township Trustees were invited, and

WHEREAS, it appears that all conditions and requirements prescribed by Section 368.7, Code of Iowa, have been complied with and met,

AND WHEREAS, it is the opinion of the Board of Supervisors of Story County, Iowa, that it is advisable and in the best interests of Story County, Iowa, and all persons concerned, that the Board of Supervisors support the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Story County, Iowa, support the voluntary annexation of land hereinafter described on Attachment A and shown on Attachment B into the City of Ames.

IT IS FURTHER RESOLVED that the Chair of the Board of Supervisors and the County Auditor are authorized and they are hereby directed to certify a copy of this Resolution 22-74 to be forwarded to the City Clerk of the City of Ames, Iowa.

Dated this 26th day of April, 2022.


 Chairperson, Board of Supervisors

Attest:

 County Auditor

ROLL CALL FOR ALLOWANCE	Latifah Faisal	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
	Lisa Heddens	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
	Linda Murken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>

ALLOWED BY VOTE
 OF BOARD Yea 3 Nay 0 Absent 0


 CHAIRPERSON Above tabulation made by SH



ATTACHMENT F
Story County Resolution, p.2

Attachment A

ANNEXATION DESCRIPTION

WARRANTY DEED 2013-06624

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