

COUNCIL ACTION FORM

SUBJECT: **ANNEXATION OF FORMER BORGMAYER FARM PROPERTY**

BACKGROUND:

On March 11, 2025, the City Council voted to initiate a voluntary annexation for 19 parcels, including properties owned by consenting and non-consenting owners.

The subject area totals approximately 235 gross acres (including road rights-of-way). An annexation area map, annexation plat, and a listing of parcels and ownership are included as attachments A-C, respectively.

Under Iowa Code Chapter 368, up to 20% of the total land area of a voluntary annexation may consist of non-consenting properties (referred to as the 80/20 rule). This is allowed by statute to avoid creating islands or to create more uniform city boundaries. **In this annexation, properties owned by the non-consenting owners compose 10 percent of the total territory proposed for annexation, as illustrated by Table 1 below.**

	Consenting (Property Gross Acreage and City ROW)	Nonconsenting (Property Gross Acreage)	Railway and County fee simple road right-of-way
Acres	199.5	23.2	12.3
Percent of Annexation Area	89.6%	10.4%	n/a

The non-consenting properties include three properties along George W. Carver Avenue (Hilker, Mandernach, and JDS Rentals) that would otherwise be islands. Additionally, there are four properties (Gregg, Eness) on the east side of Hyde Avenue that would be considered islands due to the annexation of the consenting Hunziker, Hayden's Preserve, INHF, and Sturges lands.

State law requires the annexation of road right-of-way adjacent to the annexation area and allows for the annexation of railroad property for more uniform boundaries or to prevent the creation of an island.

As the railroad bisects the City boundaries to the south and the proposed annexation area, it is proposed to be annexed to create more uniform boundaries. Future developments will need the extension of utilities extended under the railroad. If the railroad were not annexed, it could also create an unincorporated corridor affecting the City's boundaries long-term.

BORGMAYER PROPERTY ("Greenbriar") DEVELOPMENT AGREEMENT:

A local development group that includes Friedrich and Hunziker Companies has a purchase

agreement for the Borgmeyer property. Their intent is to develop the property as a residential neighborhood, to be known as Greenbriar, with a commercial area as identified within the existing Ames Plan 2040 designations for the property of Residential Neighborhood 4 (RN-4: Walkable Urban) and Neighborhood Core - Mixed Use (see Future Land Use Map in Attachment D).

As part of initiating the original annexation, Council directed preparation of a developer agreement related to the consenting Borgmeyer properties to address construction of infrastructure needed to support the future development, including but not limited to a traffic study for intersection improvements, extension of Stange Road concurrent with development, looping of water mains to Northridge Heights, extension of a 15" (transitioning to a 12") sewer trunk line from Hyde Avenue west to the site, development of shared use paths and trails, and neighborhood park dedication.

However, as staff noted at the [May 27, 2025, City Council](#) meeting regarding the discussion of development incentives, the Greenbriar developers have requested substantial City assistance with future development costs. Therefore, no development agreement has been prepared to accompany the annexation request.

As a result, City Council has the choice of holding the public hearing and either: 1) approving the annexation with the requirement to complete a development agreement prior to approving a rezoning, or 2) delaying approval of the annexation until completion of a development agreement. Staff believes the first option would serve the interest of the City and the developer as it will take additional time to finalize details about the development that could occur while finishing the annexation process.

PLANNING AND ZONING COMMISSION:

The Planning and Zoning Commission considered the request at a Public Hearing on May 21, 2025. No members of the public spoke at the hearing on the annexation request. The Commission voted 6-0 to recommend the City Council approve the 80/20 annexation by finding that the proposed annexation is consistent with the Ames Plan 2040 comprehensive plan and that the proposed annexation territory eliminates islands and creates more uniform boundaries.

RESOLUTION OF THE BOARD OF SUPERVISORS:

On May 6, 2025, the Story County Board of Supervisors passed Resolution No. 25-89 supporting the proposed annexation.

ALTERNATIVES:

1. Hold the Public Hearing and approve:
 - a. The voluntary annexation of 19 parcels and abutting rights-of-way, totaling approximately 235 acres, for the properties located north of Ames' corporate limits generally located along George W. Carver Avenue and extending to the east side of Hyde Avenue, by finding that the proposed annexation is consistent with the Ames Plan 2040 comprehensive plan, and that the proposed annexation territory eliminates islands and creates more uniform boundaries.

- b. Deferral of the developer agreement related to the planned Greenbriar development land uses and infrastructure needs and responsibilities until the time of rezoning.**
2. Hold the Public Hearing and defer action on the annexation until a developer agreement can be created after resolution of the developers' incentive requests for the Greenbriar development and development of the City's policy for infrastructure assistance.
3. Deny the request to annex land north of Ames' corporate limits generally between George W. Carver and Hyde Avenue.

CITY MANAGER'S RECOMMENDED ACTION:

The annexation is consistent with Ames Plan 2040 projections for growth and a final piece of the City's north growth planning. The Borgmeyer properties are the largest property ownership within the annexation petition and the last significant area of unincorporated land in the Ames Plan 2040 planned growth area.

The site represents an important development opportunity that is readily serviceable with extensions of City infrastructure, based upon previous infrastructure planning. The City planned for annexation of this property with previous utility extensions as part of the Hyde Road improvements.

The annexation proposal utilizes the 80/20 allowance for inclusion of consenting properties and adjacent non-consenting properties to avoid the creation of islands. Inclusion of the railroad property is also permitted by state code to create more uniform boundaries for the City. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, as described above.

ATTACHMENT(S):

[Addendum.pdf](#)

[Attachments.pdf](#)