
Agenda Item: Action: O'Mara and D.R.A. Properties LLC Annexation
Report Date: September 11, 2019
Prepared By: Ruth Hulstrom
Planner I

ESL

RECOMMENDATION

That the Plan and Zoning Commission recommend City Council approve the voluntary annexation of the O'Mara and D.R.A. Properties LLC properties.

THE PROPERTY

The proposed annexation area consists of approximately 79.79-acres with right-of-way and is located adjacent to the northeast quadrant of Ankeny. More specifically, directly south of NE 126th Avenue and east of Highway 69/NE 14th Street (County). Scott A. and Gale O'Mara, the property owners of 1575 NE 126th Avenue, have requested voluntary annexation to the City of Ankeny for 78.79-acres (including right-of-way). D.R.A. Properties LLC located adjacent to the northwest corner of the O'Mara property have also requested voluntary annexation into the City for their property, which is approximately one acre (including right-of-way). The proposed annexation area consists entirely of petitioned land and is contiguous with the corporate boundary of Ankeny. The annexation area also includes any and all Polk County road right-of-way to the centerline of the adjacent road.

BACKGROUND AND DISCUSSION

The proposed annexation area is 100 percent voluntary. Scott A. and Gale O'Mara submitted the necessary documents for voluntary annexation to the City in late July of 2019. The original annexation area only included the O'Mara property, which consisted of 78.79-acres (including right-of-way). In an effort to create uniform boundaries, City staff contacted D.R.A. Properties LLC who own property adjacent to the northwest corner of the O'Mara property.

D.R.A. Properties LLC subsequently submitted the necessary documents for voluntary annexation into the City of Ankeny for the approximately one acre (including right-of-way) property they own located adjacent to the northwest corner of the O'Mara property. Excluding right-of-way, the O'Mara property is comprised of approximately 73-acres and the D.R.A. Properties LLC is approximately 0.40-acres.

The total annexation area consists of 79.79-acres, with the right-of-way included.

Per State of Iowa Code, City staff submitted the appropriate annexation documents to the Polk County Auditor's Office for verification of accuracy and completeness. The auditor's office confirmed the accuracy and completeness of the annexation documents aside from a concern over what the auditor's office considers a building located on leased property.

This building is comprised of a single-face billboard located on the O'Mara property and considered to be its own parcel. The billboard is owned by the Lamar Advertising Company who leases the property.

City staff consulted with the City Attorney who felt that the building was not considered land area and thus believed that having the owner of the building sign-off on the annexation was unnecessary. The City chose to move forward with the proposed annexation without requesting that Lamar Advertising Company sign-off on the proposed annexation. City staff have included Lamar Advertising Company on the public notice mailing list, which provided notice of the public hearing held by the Plan and Zoning Commission on September 3rd, 2019. No correspondence for or against the proposed annexation was received. A notice will also be sent to them for the City Council public hearing anticipated to be held on October 21, 2019.

Existing Polk County Zoning and Comprehensive Plan Land Uses

Both properties included in the petitioned area are zoned Agricultural District on the Polk County Zoning Map. The Agricultural District “is intended to preserve and protect areas of Polk County that are presently predominantly in agricultural use and which are not needed to accommodate the County’s growth until after the year 2030”.

The area is identified as Agricultural with an overlay zone for the NE Beltway Corridor on the Polk County Future Land Use Map. Agricultural is described as “the large area of the County that remains as active farmland. Includes agricultural and rural activities, farmsteads, home occupations, scattered ag-related facilities or businesses. Little new residential development is anticipated in this area, although small residential clusters may be allowed under some circumstances in areas not well-suited for farming.” The Northeast Beltway is stated to have “the potential for major changes to land use, especially around interchanges or intersections. However, the land use plan shows continued preservation of the highway corridor, but does not assign any additional development to the corridor or its interchanges. Essential, this means that the corridor is shown as remaining in agricultural use. The County will undertake a more detailed planning study of the corridor as plans for the roadway are refined and interchange or intersection locations are determined.”

City of Ankeny Comprehensive Plan

The proposed annexation area is identified in “The Ankeny Plan 2040” as Open Space (OS) and/or Low Density Residential (LD) on the Future Land Use Map. A map has been included to show the annexation area in relation to the Ankeny city limits.

Expected Development Scenario

If annexed, the property will initially be zoned R-1, One-Family Residence District, as is all newly annexed land. If the property owner would intend to develop the property as anything other than single family homes zoned R-1, a rezoning would be required.

Impacts on Systems

Streets System: Polk County initiated a corridor study in 2009 that identified a preferred alternative for the Northeast Beltway, located north and east of Ankeny city limits. There was a connection to the Northeast Beltway via a future NE 130th Avenue that linked to Highway 69. In 2012, Polk County deferred continuation of the proposed project due to funding deficiencies. There is still interest in preserving the corridor for the Northeast Beltway. Thus, “The Ankeny Plan 2040” includes two scenarios, one with and one without this beltway in anticipation that this project could move forward at some point in the future. The beltway scenario shows a connection and interchange located on a future NE 130th Avenue.

“The Ankeny Plan 2040” identifies NE 126th Street as a future minor arterial. Along the south property line of the O’Mara property a future collector road is shown. City staff is not aware of any

development plan associated with the proposed annexation. Any street development will be reviewed by the Technical Review Committee.

Water and Sanitary Sewer Systems: Only a portion of this area will be able to be served by the Harvest Ridge eight-inch sanitary sewer. The North Four Mile Trunk Sewer will need to be extended from NE 54th Street in order to serve the remainder of the area. 12-inch water main will also need to be extended north from NE 54th Street to serve this area.

Drainage/Storm Sewer System: The proposed annexation area is located within the Upper Four Mile Creek drainage basin. Four Mile Creek runs through the northwest corner of the O'Mara property.

Parks Plan: The 2019 "Ankeny Parks & Facilities Comprehensive Plan" identifies a proposed future trail connection that would follow Four Mile Creek from NE 54th Street north and terminate where the creek enters the O'Mara property. The trail is proposed to continue north along Highway 69 from the point that it terminates at the O'Mara property.

The closest existing park to the proposed annexation area is the Otter Creek Park, which is a neighborhood park. This park is approximately a two and half mile drive southeast from the annexation area. The Four Mile Creek Greenbelt is located less than a mile southeast from the annexation area. "The Ankeny Plan 2040" identifies an area less than half of a mile east of the proposed annexation area for a potential future park, which is also identified in the Northgate preliminary plat.

Fire: This site is in the City of Ankeny Fire Protection District. A water system designed to provide fire flows and domestic service will be extended through the area as it is developed.

Police: This land can be expected to develop with single-family residential uses. The additional area and population will affect police coverage areas, as does all new development. Members of the police department regularly attend Technical Review Committee meetings and work with the planning and engineering staff on design concerns.

Schools: The proposed annexation area is located within the North Polk County School District.

CONSULTATION MEETING

A consultation meeting was held on September 5, 2019. Notice of the meeting was sent via certified mail to the Polk County Board of Supervisors, Lincoln Township Trustees and Clerk and via regular mail to the Polk County Planning & Development and Ankeny Community School District. No written comments have been received by staff as of the date of this staff report. The parties invited to the consultation meeting have seven days from the date of the consultation meeting to submit written comments regarding the proposed annexation.

PUBLIC HEARING

The Commission held a public hearing on the proposed annexation on September 3, 2019. The following discussion was raised:

Utilities and Storm Sewer Infrastructure:

Questions were raised regarding when and what utilities would be required to serve the site. There is no required timeframe for providing utilities to the site since the proposed annexation is voluntary. If the subject properties are annexed, the City will work with the developer on extending adequate

trunk sewer will need to be extended from NE 54th Street to service the portion of the site that cannot be served by the Harvest Ridge eight-inch sanitary sewer located south of the proposed annexation area. Furthermore, 12-inch water main will need to be extended north from NE 54th Street. Storm sewer infrastructure would be required in order to effectively manage storm water for the site if and when it develops.

Property Owner Notice:

A question was raised regarding what property owners received notice of the public hearing. Per Ankeny Municipal Code, mailed notices were sent to property owners within 250 feet (not including right-of-way) of the proposed annexation area. Although not a property land owner, a notice was also mailed to Lamar Advertising Company, the owner of a billboard located on the O'Mara property, per the recommendation of the City Attorney.

Proposed Development:

At this time, the applicant for the O'Mara property and the City are not aware of any development plans for the proposed annexation area.

SUMMARY & RECOMMENDATION

The proposed annexation complies with the City of Ankeny's annexation policy. Therefore, staff is recommending that the Plan and Zoning Commission recommend City Council approve the voluntary annexation of the O'Mara and D.R.A. Properties LLC properties.