

## Staff Report

**FIELDSTONE REQUEST**

October 26, 2010

**BACKGROUND:**

On August 12, 2010, the City Council considered a request from Fieldstone development, LC, to change the Urban Fringe Plan designation from Urban Residential to Rural Residential for their 230 acres northwest of the City. Following discussion of several options, City Council approved a motion to deny the request and thereby retained the Northwest A area as an incentivized growth area while designating Northwest B as an allowable growth area.

As an incentivized growth area, Northwest A can be developed only after annexation and only at urban densities with full City services. The intent is that Northwest A will be fully integrated into the City, much the same way as Northridge, Northridge Heights, Bloomington Heights, and the other suburban areas that have been developed in the past few decades. The City Council, however, recognized the importance of protecting the Natural Areas around Onion Creek and agreed to allow an exception to the density requirements by allowing lots of a maximum of two acres if they lie within 200 feet of the identified Natural Area. Lots of up to one-half acre could be located just south of these lots. In Northwest A area, the City will participate in oversize costs for the extensions of City utilities and streets.

Following that City Council action in August, the next step for the staff is to develop the amendments to the Land Use Policy Plan to reflect the changes which Council approved. Prior to formally completing this change to the LUPP, Mr. Friedrich requested an additional change, at the public forum on September 28 Council meeting, that the City Council address a “no-build” designation that was placed on a 40-acre parcel in the Northwest A growth area earlier this year. The City Council referred his accompanying written request to staff with direction “that staff provide a report back to Council.” Attachment 1 is a map showing the extent of the area covered by the previous request by Fieldstone and the area for which they make the current request.

As a reminder to the City Council, last April Mr. Friedrich sought to split this 40-acre parcel. This parcel is in the Northwest A Urban Residential area and, as such, **cannot be subdivided until annexed, full City services are brought to the site, and it is developed to urban densities of 3.75 units per acre.** However, since there was an existing farmstead of about 5 acres on this 40-acre parcel for which Mr. Friedrich had an immediate buyer, staff presented a compromise to the City Council that would allow the 5-acre farmstead to be created (allowing it to be sold) while retaining the status quo on the remaining 35 acres (**i.e., that further subdivisions would have to wait until annexed and fully developed**). To accomplish this, staff recommended, and Mr.

Friedrich agreed to, placing a note on the plat that states that the parcel is not to be built upon. The plat was approved by the City Council and recorded with that restriction. A copy of that plat is shown on Attachment III.

**MR. FRIEDRICH'S CURRENT REQUEST:**

Mr. Friedrich is now requesting that the City Council remove the “no build” restriction on the remaining 35-acre parcel agreed to in April. Mr. Friedrich has a potential buyer for this parcel who desires to build a single family home. The new buyer has suggested that he would some day like to further subdivide this parcel for additional homes.

Mr. Friedrich believes that development of this site could occur without adversely affecting the City's ability to expand into the Northwest Growth Area. He has stated that the site is located on the periphery of the developable portion of the Fieldstone site and thus would not block further development of Northwest A. In addition, he has pointed out that the development of the lot would not decrease expected densities because the City Council has already determined that densities should not be applied within two hundred feet of the Natural Area. Finally, he emphasizes that the development of this lot can be accomplished without the City's investment of infrastructure to serve the site.

**OPTIONS:**

With this background information on the request and on the Plan, staff has identified two options for consideration.

**OPTION 1**

**Retain the entire Northwest A area as Urban Residential and Natural Areas.** This option requires the annexation of the land and the extension of City infrastructure and utilities prior to development.

**OPTION 2**

**Change the Urban Residential designation to Rural Residential for the 35-acre parcel as requested.** This amendment to the map would also need to be approved by Story County and the City of Gilbert.

This option retains the Natural Area designation where it is currently mapped. The change to Rural Residential would allow the 35-acre parcel to be re-platted to remove the “no-build” restriction. The 35-acre parcel could be built upon in accordance with County zoning which requires a 35-acre minimum lot size. Any further division of this parcel could be accomplished if the County were to rezone it.

## **STAFF COMMENTS:**

**If the City Council prefers Option 1**, the policy of retaining the Northwest A area as Urban Residential will require that further development in this growth area occur only after annexation and the extension of full City services. This alternative is consistent with the Council's action on August 10 when it retained the existing designations on the Urban Fringe Plan.

**This option provides for development in the Northwest in a manner that ensures that transportation systems, utilities, natural/common areas, and development patterns are integrated in a cohesive and efficient development pattern.**

**If the City Council prefers Option 2**, there are a number of implications to consider.

As Rural Residential, this option would not require the subdivision to meet the 3.75 units per acre that is normally required. However, at the August 10 meeting, the City Council allowed a lesser density within certain areas of the Urban Residential area to lessen the impacts of development on the Natural Areas to the north. As a single buildable lot, this alternative would result in an estimated two or three fewer building sites than otherwise required under the Urban Residential designation.

It is important to the long-term interests of the City that future growth to the Northwest not be impeded by random, haphazard development. This type of rural, low-density development could lead to a situation similar to that northeast of the City (east of Ada Hayden Park) where a rural community with substandard urban infrastructure has developed with no interest in annexing into the City. This is a certain impediment for growth in that direction.

Since there are other parcels in this vicinity similarly situated to Mr. Friedrich's site, the City Council should expect similar requests for a change in the LUPP to Rural Residential in the future. Typically, the Council has received requests to waive urban infrastructure standards for Rural Residential areas. If the City were to waive infrastructure standards for future development of this and other similar parcels, it would result in new septic systems in the Onion Creek drainage area. While the City does not regulate on-site waste systems in the County, we do have an interest in maintaining the water quality of Onion Creek.

If the City Council were to approve this alternative, the ownership and development of the Natural Area becomes more fragmented, and with it, the opportunity to implement protection and management measures becomes more difficult. By lifting the "no-build" restriction without appropriate protection measures that are generally created through a platting process, there would be no limit where, within the Natural Area, a home site can be developed.

**The LUPP must represent the philosophies that are supported by the City Council. While the Plan should be considered a living document and subject to**

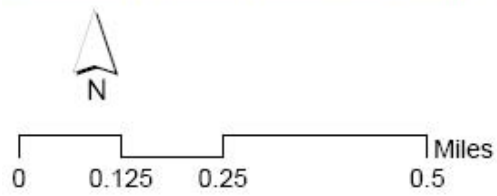
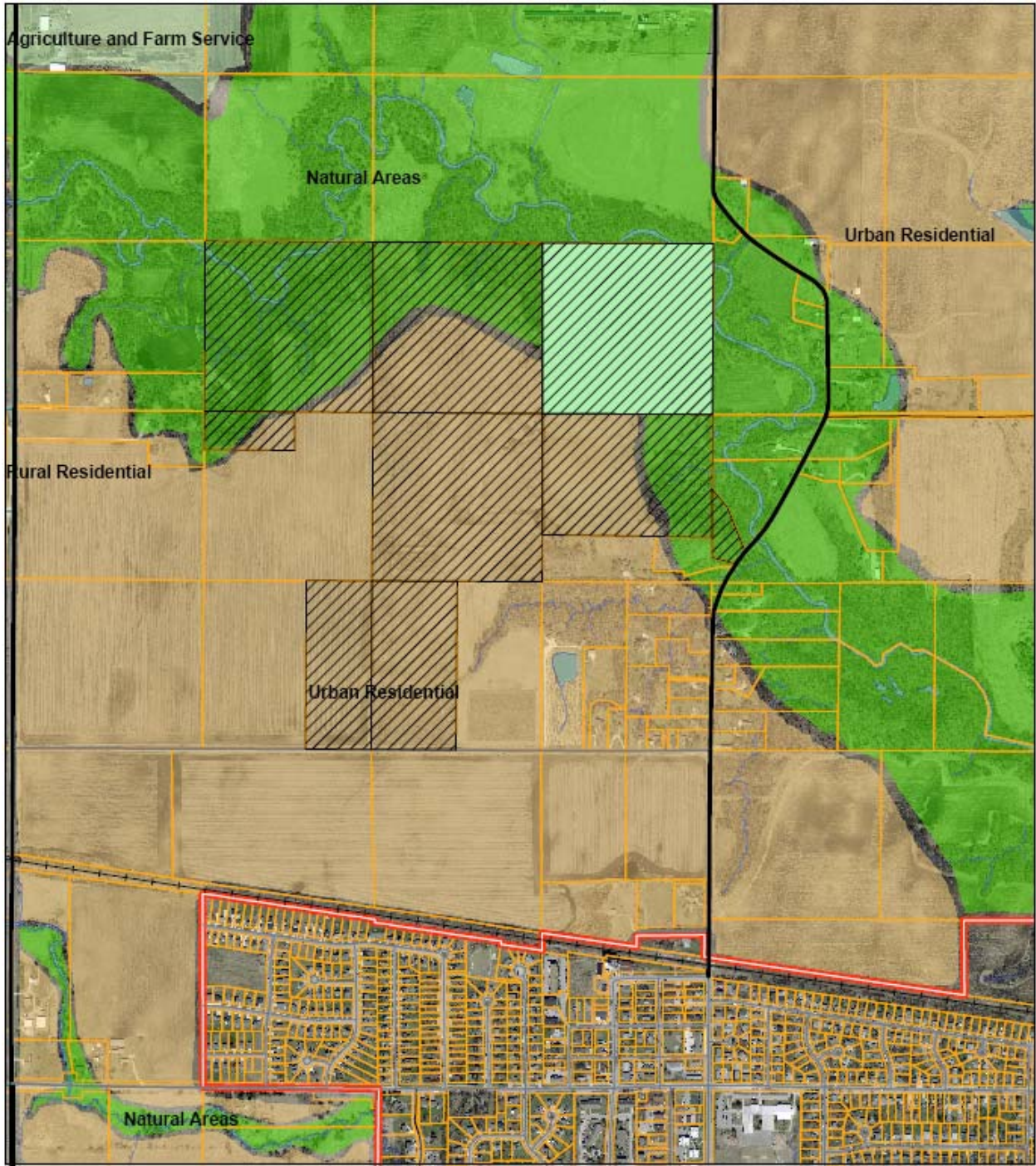
**change on an infrequent basis, a balance must be struck between maintaining the document as originally created and altering the Plan to assist a single property owner. It is important to the land owners in the fringe area, potential land owners, and the City staff to have some degree of predictability regarding the Council's development policies. Therefore, it is hoped that the Council will carefully consider the Plan and settle on a policy that you can support regarding the Northwest Growth Area even in the face of individual requests to alter it.**

**NEXT STEPS:**

If the City Council prefers Option 1, then the status quo would be retained. If Mr. Friedrich wishes to seek annexation and development, staff will work with him to bring that alternative to the City Council.

If the City Council prefers Option 2, Fieldstone and City staff would work with the other jurisdictions to seek a change in the Urban Fringe Plan. If the change is adopted, the 35-acre parcel can then be re-platted to remove the "no-build" restriction. At that time, the three covenants would be required to ensure annexation, assessments for future infrastructure, and the buyout of rural water. In order for the parcel to be further subdivided, the County would need to approve rezoning and both the County and the City would need to approve a subdivision plat.

# Attachment I

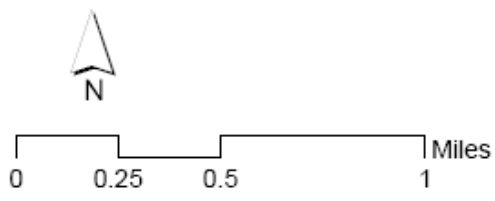
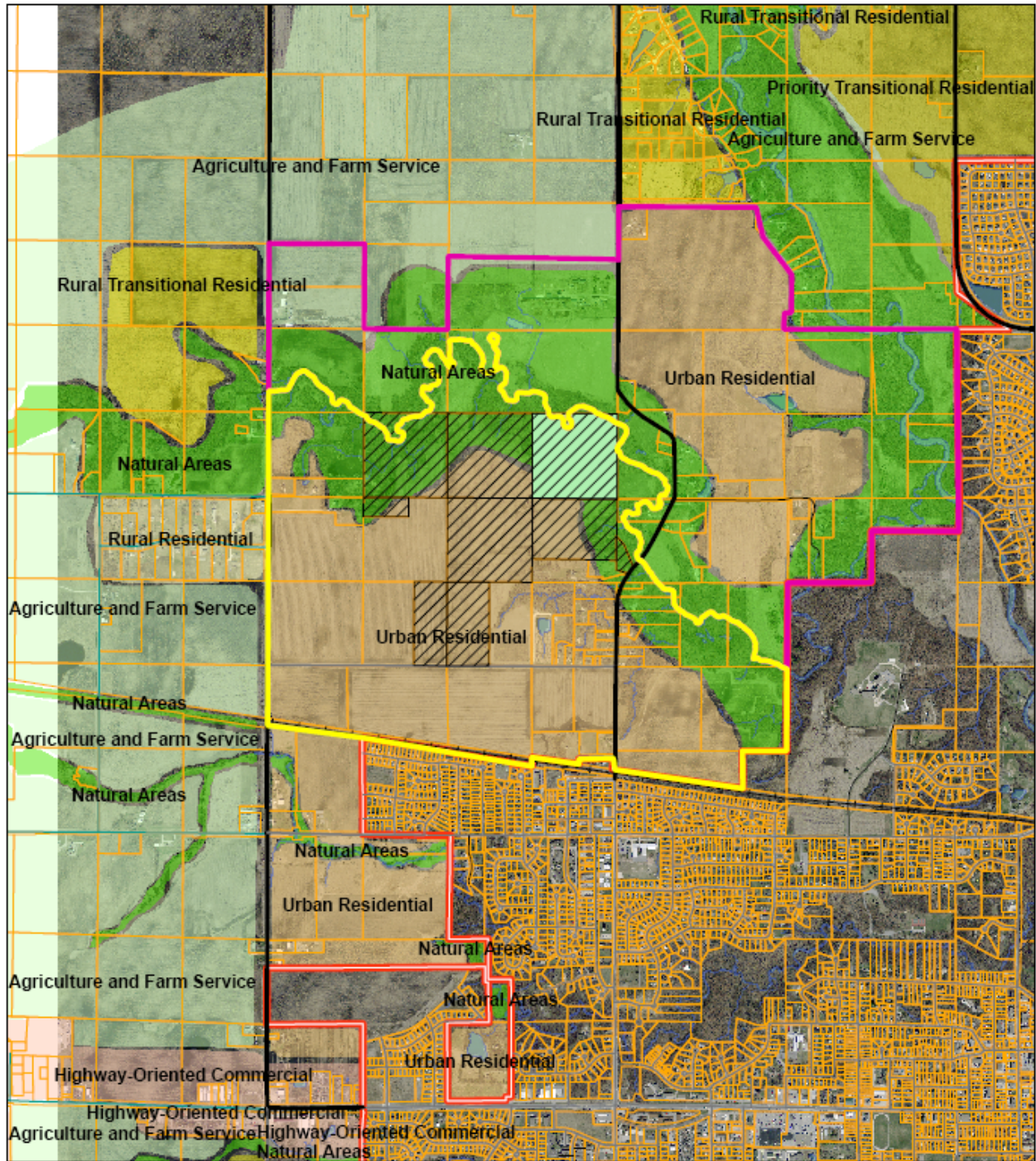


### Legend

-  Previous Fieldstone Request
-  Current Fieldstone Request
-  Ames City Boundary



## Attachment II



- Legend**
- Northwest\_A
  - Northwest\_B
  - Previous Fieldstone Request
  - Current Fieldstone Request
  - Ames City Boundary



### Attachment III

RETURN TO: CIVIL DESIGN ADVANTAGE, 5501 NW 112TH STREET, SUITE G, GRIMES, IA, 50111, PHL 309-4400 FAX 309-4410

