

Staff Report

FIELDSTONE REQUEST

January 11, 2011

On August 10, 2010, the City Council directed staff to bring forward amendments to the Land use Policy Plan (LUPP) that would exempt from the density calculations residential lots within the proposed Fieldstone subdivision of no more than two acres directly abutting and within 200 feet of the Natural Area. Additionally, one-half-acre lots immediately south of those would also be exempt from the density requirements.

This was an outcome of the City Council's earlier decision to deny Mr. Kurt Friedrich's request to change the 232 acres of Fieldstone from Urban Residential to Rural Residential. While the Council was explicit in reiterating that development of the Northwest Growth Area could occur only after annexation and full City services and infrastructure were extended, the Council directed that consideration be given to reducing the densities along the Natural Area. These density exemptions, if approved, would be a part of the LUPP.

In a September 28, 2010 letter to the City Council, Mr. Frank Feilmeyer, representing Mr. Friedrich and Fieldstone Development, LC, asked that the "no-build" restriction on a 35-acre parcel in the Northwest growth area be removed. Mr. Feilmeyer indicated that there was an immediate buyer for this parcel who wished to begin construction on a home soon. This "no-build" restriction was placed on the plat when a 40-acre parcel was split in April, 2010. The split was not consistent with the LUPP or Urban Fringe Plan but was to allow the severance of an existing homestead. Since the remaining 35-acre parcel did not meet the City's subdivision standards, including density and infrastructure requirements, the "no-build" restriction was placed to maintain the status quo until the time that the parcel is annexed and ready for urban development.

At the City Council meeting on October 26, 2010, staff provided a number of options in response to that September request. The Council directed staff "to follow the details that were outlined in the motion made on August 10, 2010, pertaining to larger-lot development along the Natural Areas and that they [Fieldstone] come back with a plan that shows that there is intention in all respects on the part of the developer and the buyer of the land to meet the requirements of the City as it relates to infrastructure when annexation occurs." Prior to approving any plan for rural development in the Northwest Growth Area, changes to the Urban Fringe Plan would need to be adopted by Ames, Gilbert, and Story County.

Staff met with Mr. Friedrich on November 8 after that Council meeting to discuss this direction. Mr. Friedrich informed staff that the buyer was no longer

interested in that 35-acre parcel but that he (Mr. Friedrich) wished to continue with the request. At a later meeting on December 7 to discuss what should be prepared to meet the direction of the City Council, Mr. Friedrich informed staff that Fieldstone Development, LC has sold all their land in the Northwest growth area. Mr. Friedrich has not given any indication that he desires to withdraw his request concerning the removal of the “no-build” restriction. However, as of this writing, Mr. Friedrich has not submitted any further plans, drawings, easements, or other information that was requested by staff in order to fulfill the direction of the Council.

On December 28, staff met with the new owner, Brian Sansgaard of Sansgaard Seed Farms, along with Tom Wynia and Tom Venner, associates of Mr. Sansgaard. Sansgaard Seed Farms purchased approximately 200 acres (including the 35-acre parcel with the “no-build” restriction) from Fieldstone Development on November 30. Another 40 acres were previously sold to Tom Burke in September.

Mr. Sansgaard indicated that he bought the property with the intention of farming it. Staff shared with him the policies of the City’s growth plan and capital investment strategy, the background of the Fieldstone development, and Mr. Friedrich’s current request. Regarding Mr. Friedrich’s request, staff indicated that it would seek direction from the City Council on whether to continue to develop options to amend the current policies in the Urban Fringe Plan. Mr. Sansgaard reiterated that his interest is in farming the land.

Although Mr. Friedrich is no longer an owner of any land in the Northwest Growth Area, he indicates that he would still like the Urban Fringe Plan to be amended to allow for limited development in the Northwest prior to annexation.

In light of the fact that Mr. Friedrich no longer owns any of the land in the Northwest growth area, and that Mr. Sansgaard has purchased all of the remaining Fieldstone land with the intention, at least in the short- and medium-term, of continuing to farm it, staff needs clarification from the City Council on whether to devote further effort to fulfill Council’s direction given to staff at the August 10 and October 26 meetings.

Specific questions are as follows:

- Is it the desire of the Council to amend the Land Use Policy Plan to allow residential development in the Northwest Growth Area adjacent to the Natural Area to be exempt from the density calculations at the time it is developed within the City limits?
- Does the Council still want to consider amending the Urban Fringe Plan to allow for a limited amount of residential development in the Northwest Growth Area to occur prior to annexation?

Based on the recent sale of property, there no longer appears to be an urgency to alter our LUPP in anticipation of residential growth in the Northwest Growth Area.