

Staff Report

**Ames Golf and Country Club Request to be Removed
from the Ames Northern Growth Area**

January 14, 2014

BACKGROUND

The Ames Golf and Country Club (AGCC) has requested that the AGCC be removed from the Northern Growth Area (see location in Attachment 1). The AGCC is outside of the City of Ames, but abuts the City along AGCC's eastern border and is within the Ames Northern Growth Area designation. AGCC has an Ames Urban Fringe Plan designation of Rural Transition Residential Area. **AGCC desires to develop a rural residential subdivision in the future on approximately 20 acres of their 155 acre property.** Mr. Larry Curtis' request on behalf of the AGCC (Attachment 2) was referred to staff by the City Council on October 29, 2013 for a staff report to Council.

AGCC seeks clarification of the Land Use Policy Plan designation and the Ames Urban Fringe Plan related to long term development interests of the City and their desire to proceed with a subdivision without annexation. This report provides background on the Allowable Growth Areas of Ames and the Ames Urban Fringe Plan, how these policies currently apply to the Ames Golf and Country Club, and what options the City Council may consider regarding their request.

The City of Ames manages growth through a combination of subdivision and land use controls. The Land Use Policy Plan (LUPP) provides policy direction on future growth and expansion of corporate boundaries. Additionally, the LUPP incorporates the Ames Urban Fringe Plan (AUF) to coordinate development within 2 miles of the City. The AUF is accompanied by a cooperative 28E Implementation Agreement between Ames, Gilbert, and Story County. The AUF contains a shared common vision of development that incorporates land use controls as well as applicability of subdivision requirements. The chief project-level development control for the City is application of its Subdivision Code (Chapter 23) to the 2-mile fringe area as authorized by the Code of Iowa.

Land Use Policy Plan:

Chapter 6 of the LUPP identifies the three Allowable Growth Areas of the City: North, Northwest, and Southwest. (See Attachment 3 for an excerpt of the map.) Growth areas are intended to direct the policy of the City on planning for new residential development and provision of services. **The LUPP assumes that land within Growth Areas will eventually be annexed into the City to meet the City's projected population growth and will be served by Ames infrastructure. The North Growth area includes a development policy requiring that subdivision review include protection of the Ada Hayden Heritage Park and lake watershed.** Additionally, it is a non-incentivized growth area that requires development to bear the costs of infrastructure needed to provide for City services.

Prior to 2010, the City's Growth Areas comprised only the Northwest and Southwest. Following a request by the Rose Prairie developers for annexation, the City initiated a review of the Allowable Growth Areas and, in 2010, added an area north and west of Ada Hayden Heritage Park. This North Growth Area extended from George Washington Carver Avenue in the west to the H. P. Jensen Subdivision (around Alta Vista Court) in the east.

In early 2013, the City Council again amended the North Growth Area to include the Athen property on the west side of George Washington Carver Avenue to allow for annexation of that land.

Any modification to Northern Growth Area boundaries would be processed as a LUPP Amendment that requires a Planning and Zoning Commission recommendation and a resolution by the City Council.

Ames Urban Fringe Plan:

The Ames Urban Fringe (AUF) is the area within 2 miles of the City limits. The Ames Urban Fringe Plan and 28E Implementation Agreement were adopted by Ames, Gilbert, and Story County to provide consistency in land use decisions, provide expectations to landowners, and describe processes for approval of development in the Ames fringe. The plan was initially developed in 2006. **Additionally, the City has limited its annexation powers to be consistent with the AUF in that a site must be designated Urban Service area prior to its annexation to the City.** The AUF may be amended as allowed for in the 28E Implementation Agreement and is treated in the same manner as a LUPP Amendment.

The AUF identifies three broad classes of land use to meet its shared goals. Each class has a description of what type of development is allowed and whether annexation into either Ames or Gilbert is expected prior to development during the expected life of the AUF (to 2030). (See Attachment 4 for an excerpt of the map.) The classifications also set the stage for subdivision improvement expectations.

These land use classes are described as follows:

- *Rural Service and Agricultural Conservation:* These are areas where development must be consistent with the goal of preserving agricultural production land. **There is no expectation of annexation into Ames.**

Within these areas, the City has waived its review of subdivisions in favor of Story County development regulations. Story County staff will provide information of rezoning and subdivisions to City staff for review and comment, but if the proposal is consistent with the AUF, **no approval or action by the City Council is necessary.**

- *Rural/Urban Transitional:* These are areas where development is possible during the life of the AUF. Annexation is possible, depending on proximity to the City.

Rural/Urban Transitional is further divided into Rural Transitional Residential and Priority Transitional Residential.

- Rural Transitional Residential (includes the Ames Golf and Country Club): This designation is less likely than Priority Transitional Residential to be annexed into the City. The AUF allows for densities between 3.75 and 1.00 dwelling units per acre. **The infrastructure requirements of the City subdivision ordinance (Design and Improvement Standards) apply unless waived by the City Council**
- Priority Transitional Residential: Areas with this designation are adjacent to the City limits. While annexation is likely within the life of the Plan, development can occur prior to annexation. **However, development is expected to meet a minimum of 3.75 units per acre and provide infrastructure equivalent to City services.**

To date, no development has occurred in a Priority Transitional Residential Area. Developers have sought (and the City Council has approved) changes to the AUF to designate portions of the Priority Transitional Area to Urban Residential and subsequent annexation (e. g., Rose Prairie and Athen).

- Urban Service and Urban Residential: These are areas that are adjacent to the City limits and are expected to be annexed prior to development. There may be an instance when a subdivision in the Urban Residential Areas is recommended prior to annexation, but it would be a rare case and would likely come with stringent conditions. **After annexation, full development is allowed at City densities (no less than 3.75 dwelling units per acre) and with full City services.**

Ames Subdivision Regulations:

The Northern Growth Area includes our extended subdivision review to all land within two miles of the Ames city limits. **Much of the Northern Growth Area is subject to Conservation Subdivision requirements to protect the Ada Hayden Lake watershed, and the Subdivision Code requires the installation of all utilities when a parcel of land is divided.** The Conservation Subdivision requirement is intended to protect Ada Hayden Lake from excessive surface and ground water contaminants, chiefly phosphorus and nitrogen, and to allow as much stormwater as possible to be absorbed into the ground close to where the rain falls.

When a request for a subdivision outside of the City is received, it generally includes a request for a waiver of City subdivision requirements (e.g. water, sewer, streets, sidewalks). In accordance with City policy, a request for waivers to the Design and Improvements Standards is not presented to the City Council unless and until the owner of the subject property presents covenants to the City, signed and ready for recording.

At a minimum, the City requires these three covenants that bind the owner and all subsequent owners of the subdivision to do the following:

- Seek voluntary annexation whenever the City Council asks them to do so.
- Pay any costs associated with the buyout of rural water service territory associated with a future annexation.
- Waive objections to any special assessment necessary to bring City infrastructure and services to their property in association with future annexation.

The City has obtained and recorded these covenants for approximately a dozen developments in the fringe of Ames. To date, the City Council has not yet sought annexation of any of those developments, since they are not yet adjacent to the City limits and are therefore ineligible for annexation.

REQUEST OF AMES GOLF AND COUNTRY CLUB

Ames Golf and Country Club lies within the Northern Growth Area of Ames and is classified as a Rural Transitional Residential Area in the Ames Urban Fringe Plan. These two different classifications are potentially in opposition of each other due to the expectation of eventual annexation for properties versus the potential allowance of rural development prior to annexation.

The Ames Golf and Country Club is willing to develop in a fashion similar to other nearby rural developments outside of the City. AGCC is proposing low-density residential development along portions of the perimeter of the golf course. Single-family housing is proposed along George Washington Carver Avenue and 190th Street, and townhomes are proposed along George Washington Carver Avenue for a total of potentially 25 units.

The AGCC partner developer (Bella Homes) is willing to sign the typical covenants to obtain waivers of City infrastructure requirements and submit a preliminary plat consistent with the City's Conservation Subdivision requirements. **These waivers would include allowing for Xenia water service and some method of septic treatment systems rather than a centralized sewer system.** The preliminary plat would be subject to City Council approval. If this was approved, development would then proceed outside of the City.

STAFF COMMENTS:

City Council is being asked to clarify the policy intent for the Northern Growth Area in relation to the AGCC property. **Staff would note that, beyond the policy issue of rural subdivision, there would still remain technical issues related to water and sewer services at the time of subdivision.**

In response to AGCC's request, Council appears to have the following three options:

Option #1: The City Council may articulate an interest to maintain the Northern Growth Area Designation for the AGCC property, express its expectation that all development will conform to urban infrastructure requirements of the Subdivision Code, and state an intent to not allow for rural subdivisions with waivers at this time.

This option is the most consistent with past City policy to not allow for new development without annexing to the City. The most significant example of this policy involved the proposed Rose Prairie development.

If Council chooses this option then no referral is warranted.

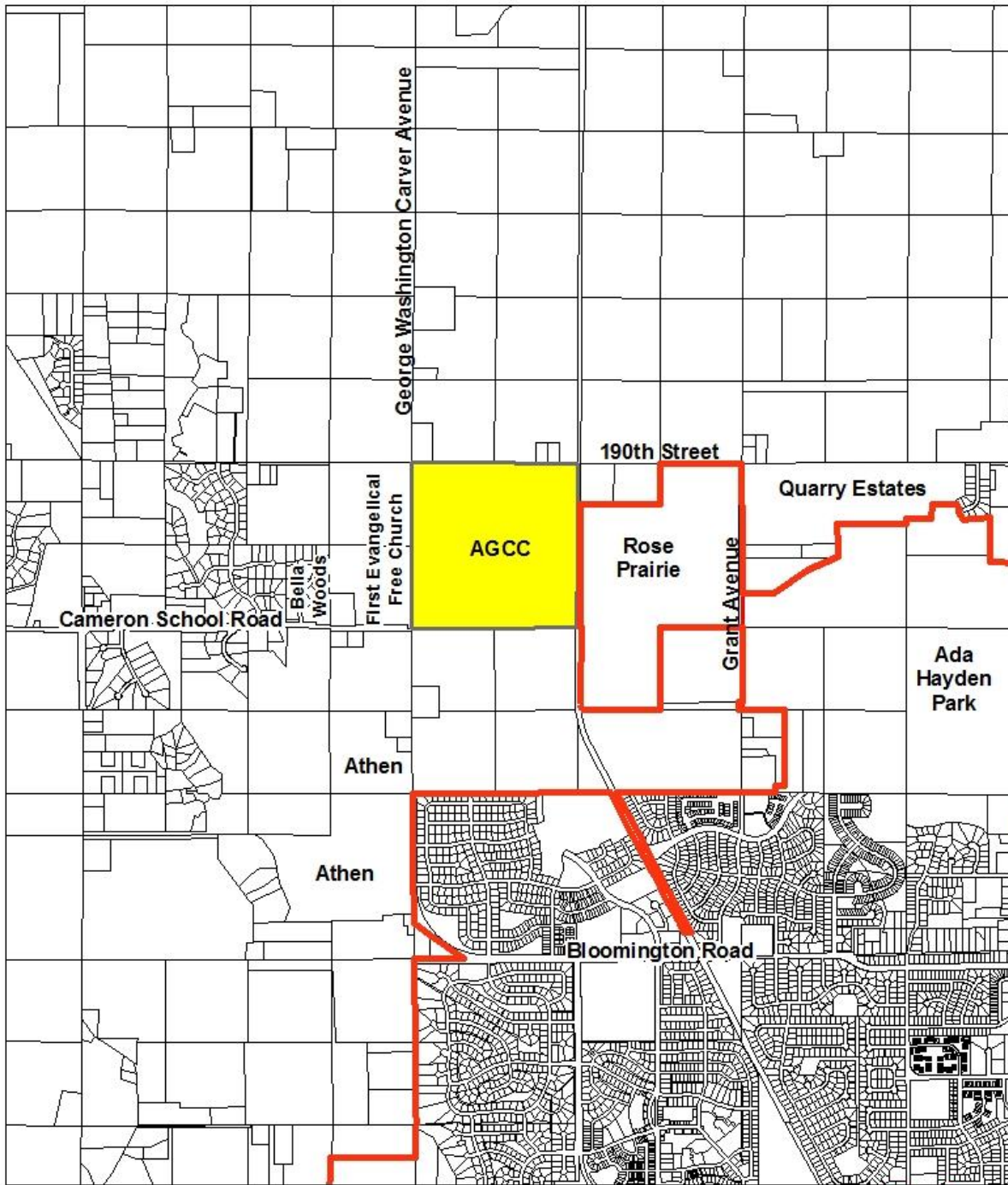
Option #2: City Council may find there is a policy balance between maintaining the Northern Growth Area Designation with its objectives in relation to AGCC and willingness to consider a potential rural subdivision in the near term without annexation that is consistent with the Rural Transitional Residential Area classification of the AUF.

If Council chooses this option then no referral is required. Under this option, Council would be indicating its willingness to consider the possibility of development of a rural subdivision in this area prior to annexation. With this option, the next step would be for AGCC to submit a Preliminary Plat, covenants, and a request for waivers to City subdivision requirements

Option #3: City Council may identify an interest in amending the LUPP to remove the Northern Growth Area Designation conflict with the Ames Urban Fringe Plan land use classification of Rural Transitional Residential Area.



If Council chooses this option then it will refer to staff the processing of a LUPP Amendment. A rural subdivision would then be processed and still be required to provide the typical covenants and be subject to Council approval of the preliminary plat.

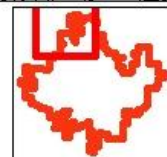
ATTACHMENT 1: AMES GOLF AND COUNTRY CLUB LOCATION



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Feet

Legend

-  Ames City Boundary
-  Ames Golf and Country Club



ATTACHMENT 2: LETTER FROM AMES GOLF AND COUNTRY CLUB

10/29/2013

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PASLEY AND SINGER LAW FIRM, L.L.P.

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October 29, 2013

Mayor Ann Campbell and
Ames City Council
515 Clark Avenue
Ames, IA 50010

Re: Removal from Northern Growth Area,
City of Ames, Iowa

Dear Mayor Campbell and Ames City Council

On behalf of the Ames Golf and Country Club, we request removal of the Ames Golf and Country Club property from the City of Ames' Northern Growth Area. It is the intention of the Ames Golf and Country Club to develop property as proposed under the Story County Zoning and Subdivision regulation subject to the City's requirements as have been imposed on other developments in the close proximity of the Ames Golf and Country Club, namely those of the Evangelical Free Church and Bella Woods Subdivision.

Your attention to this matter is greatly appreciated.

Yours very truly,

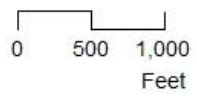
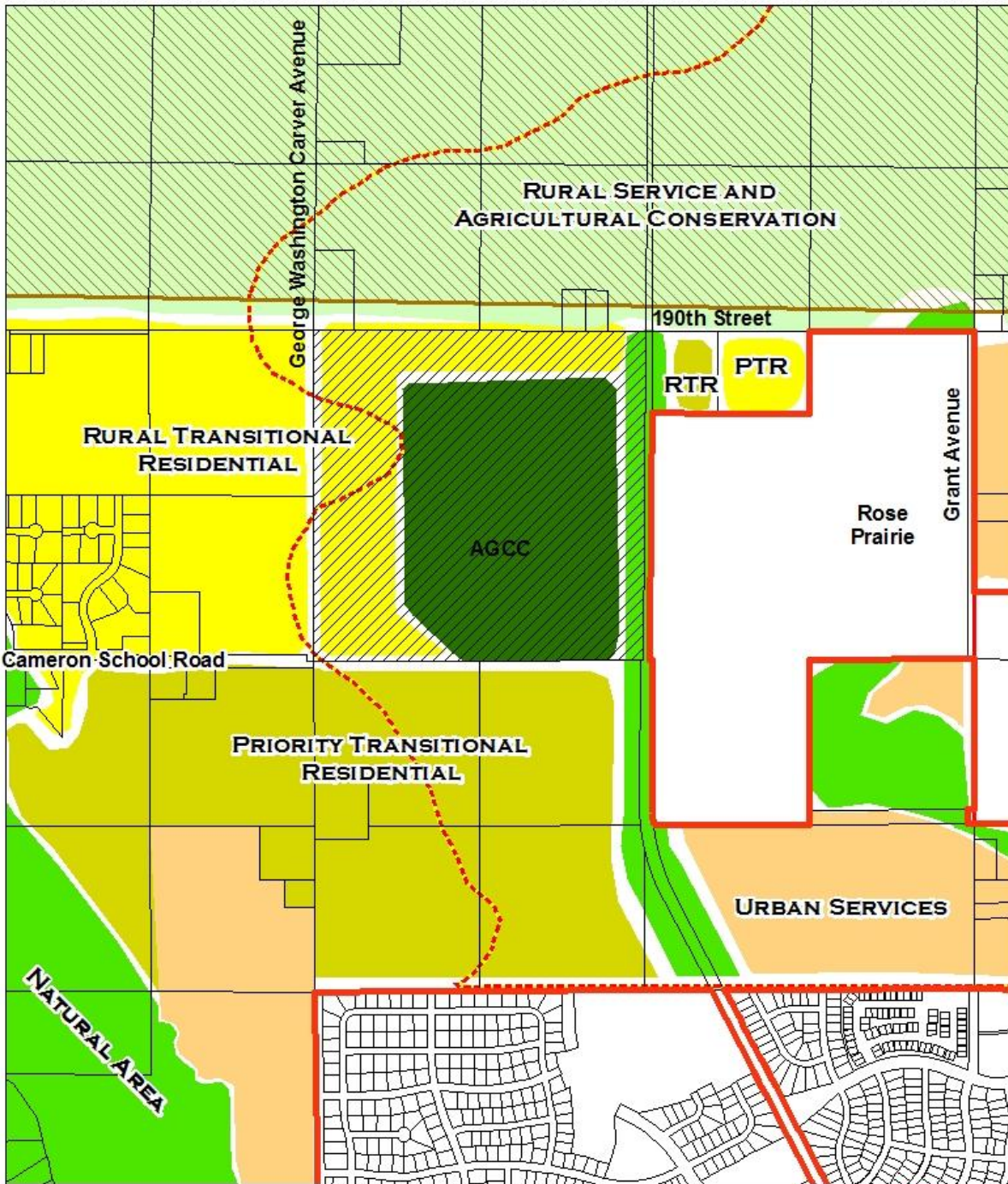


Larry R. Curtis
For the Ames Golf and Country Club

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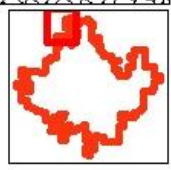
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ATTACHMENT 3: AMES URBAN FRINGE PLAN (EXCERPT)

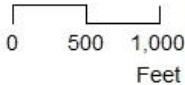
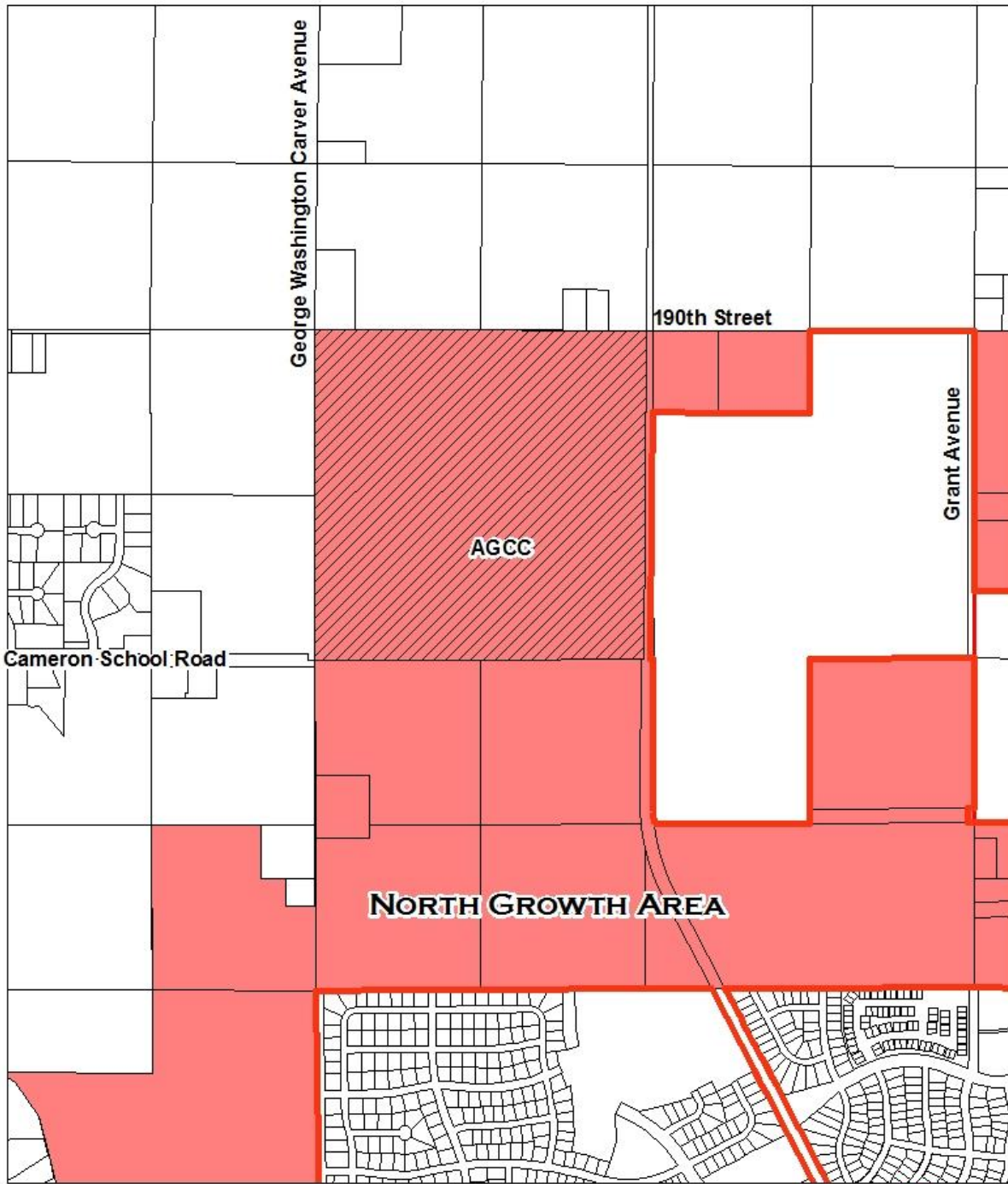


Legend



-  Ames City Boundary
-  Ames Golf and Country Club
-  Watershed Protection Area



ATTACHMENT 4: LAND USE POLICY PLAN (EXCERPT)



Legend

-  Ames City Boundary
-  Ames Golf and Country Club

