

Robert and Lynn Comito
5517 Arrasmith Trl
Ames, Iowa 50010

June 5, 2023

Ames City Council
515 Clark Ave
Ames, IA 50010

RE: Request for Waiver of City of Ames Subdivision Process for minor split of 5556 Arrasmith Trl, Ames, Iowa 50010 (located within the "Urban Fringe")

Dear Council:

We respectfully request that the Ames City Council grant a Waiver of the City's subdivision requirements for a desired minor split of 5556 Arrasmith Trl, a 3.1 acre parcel located outside of the City of Ames boundaries and within the "Urban Fringe."

The reasons for the requested Waiver of City of Ames subdivision requirements are summarized below:

- We desire to split the 3.1 acre subject property into two parcels:
 - a one-acre parcel containing the existing home, located within the "Rural Character" of the Fringe Land Use Designation; and
 - a 2.1 acre parcel located within the "Natural Area" of the Fringe Land Use Designation.
- No physical changes, improvements, or development will result from the desired minor split of the subject property. No change to the Fringe Land Use Designations will occur.
- We agree to maintain the 2.1 acre of "Natural Area" in its natural state.
- Iowa Code 354.2 defines a subdivision as "a tract of land divided into three or more lots." The desired minor split will result in two parcels.
- The subject property is not located in an area identified for future growth/development/annexation by the City of Ames.
- We purchased the subject property to (1) sell the existing home and 1 acre to family and (2) retain, protect, and enjoy the 2.1 acres of "Natural Area" against future development because we live directly across the street from the "Natural Area".
- We submitted a request for Conceptual Review to Story County Planning & Development and met with Marcus Amman on April 6, 2023.
- In the Story County Conceptual Review process, the Story County Auditor noted "*From the Story County Auditor's perspective the proposed split can be accomplished through a plat of survey.*"
- In the meeting with Story County Planning & Development, Mr. Amman indicated the proposed split could be accomplished through **either** a plat of survey (administrative approval handled by Story County) **or** through the City of Ames subdivision process.

- We wish to accomplish the desired minor split through the Story County Plat of Survey process because it is less burdensome and because the desired minor split of property will result in no development, improvement, or physical changes to the subject property.
- We therefore believe Story County is the appropriate government body to manage the administrative approval process through a Plat of Survey.
- We submitted a Sketch Plan Pre-Application Packet to the City of Ames Planning Department on April 19, 2023.
- On May 22, 2023, the City of Ames Planning Department issued a letter with instructions for us to submit a letter to the Ames City Council requesting a Waiver of the subdivision requirements as the next step in this process.

Thank you for considering our request for a Waiver of the City of Ames subdivision process for our desired minor split of the subject property (5556 Arrasmith Trl).

Respectfully,

/s/ Lynn Comito

/s/ Robert Comito



May 22, 2023

Lynn Comito
5517 Arrasmith Trail
Ames, Iowa 50010

RE: Sketch Plan for 5556 Arrasmith Trail
REV-001704

Hello:

The City has reviewed the proposed development at 5556 Arrasmith Trail submitted to the Planning and Housing Department as a Sketch Plan application on April 19, 2023. The Development Review Committee (DRC) met as a staff on May 3, 2023. It was determined that an in-person meeting is not needed for the pre-application conference, a required first step for any proposed subdivision, lot merger, or boundary line adjustment. This letter is a follow-up to your application.

The intent is to split the subject property into two parcels: one to contain an existing home and the second to have no improvements. You have indicated your willingness to place restrictions on the parcel with no improvements so that it is maintained in its natural state.

The north portion of the parcel, including the existing house, is within the "Rural Character" Fringe Land Use Designation. The remainder is within the Natural Areas Designation.

Below are excerpts from *Ames Plan 2040*, relating to policies in the Ames Urban Fringe (those areas outside the City within two miles of the City limits).

UF2-1: Existing Development.

An Existing Development designation applies to previously developed areas of varying density below three dwelling units per acre. These areas were primarily developed through rural subdivisions and lack urban infrastructure. They are subject to county zoning for limited levels of residential development. Only limited development of existing lots or minor subdivisions of existing lots with existing zoning are anticipated during the life of this Plan. Minimum lots sizes should reflect the rural character of the area and limited infrastructure capacity to support development intensification. Annexation of these areas is undesirable due to the low- density of development and

minimal infrastructure improvements. These developments fall under the Rural Character category of the land use plan.

UF3-2: Natural Area Conservation.

Natural areas include sensitive areas of natural habitat, steep slopes, and waterways. Natural area designations are informational based upon the Environment Chapter and the 2006 AUPP. Creation of new parcels within these areas for new development is prohibited. Property divisions for land conservation purposes is permissible with City approval.

Land conservation is typically for larger areas to be preserved within outlots under common or private ownership or to transfer ownership to a governmental or non-governmental organization for its management. Creation of private open space may not be appropriate under this designation. Natural areas adjacent to the City may still require annexation to further City goals for orderly development patterns and resource conservation.

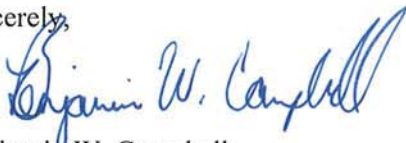
As a part of the subdivision process, the City of Ames Subdivision Ordinance (Chapter 23, *Ames Municipal Code of Ordinances*) requires infrastructure improvements to serve the proposed parcels. As these may be impractical, you may begin the subdivision process by writing to the Ames City Council requesting a waiver from the City's subdivision requirements. City Council will consider the request as it relates to our Fringe Area policies and the Subdivision Ordinance. They may or may not agree to waive requirements. If Council agrees to the waiver, you may then proceed with a Final Plat application for City review and approval. If no waiver is granted, the subdivision will require improvements to existing standards.

To submit a waiver to Council, please send your letter to the Ames City Clerk's Office. Renee Hall, Ames City Clerk, can be reached at Renee.Hall@cityofames.org. The phone number for the City Clerk's Office is (515) 239-5105. The City Clerk will place the waiver request on the next Council Meeting agenda to be considered in the Disposition of Communications to Council at the end of the meeting. Council will then give determine whether to consider the request or not.

The next Ames City Council meeting is June 13, 2023. If you have your letter to the City Clerk by the beginning of the previous week, June 5, the item can be forwarded to Council for their consideration.

If you have any further questions, please contact me at 515-239-5400 or at benjamin.campbell@cityofames.org.

Sincerely,



Benjamin W. Campbell
Planner