

*Pkts. 5-17-10
Copy: Steve O.*

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

— ESTABLISHED 1906 —

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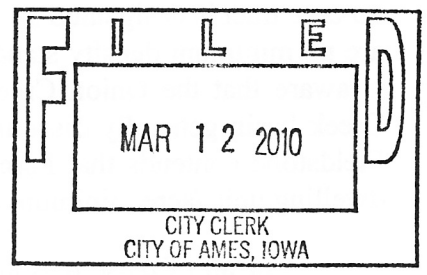
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March 12, 2010

Hon. Mayor & Council Members
City of Ames, Iowa
515 Clark Ave.
Ames, IA 50010

RE: Fieldstone Development, L.C.
2505 North Dakota Avenue
Case File SKP-09-10
Major Subdivision Waiver Request



Dear Mayor Campbell and Members of the City Council:

We represent Fieldstone Development, L.C., which owns a 40-acre tract of land (one quarter-quarter section) with a street address of 2505 North Dakota Avenue. The purpose of this letter is to request (a) that the city council waive application of the city subdivision ordinance and allow Fieldstone to divide the tract by a plat of survey into two parcels and (b) that the city council waive the imposition of further restrictions on building permits within the resulting parcels, that is, allow development of the parcels by application of county regulations.

This 40-acre tract of land is about ¾ mile north of the City's boundary along the Union Pacific railroad and about 3,000 feet northwest of the City's nearest boundary along ISU's Scholl Road Applied Sciences Complex. The tract has access from North Dakota Avenue by a farm lane over land owned by Fieldstone.

Fieldstone has presented to the City's Planning and Housing Department a proposal to subdivide this 40-acre tract into two tracts to be designated "Parcel A" and "Parcel B." Parcel A would contain 4.52 acres and would include the existing farmhouse and accessory buildings. This complies with Story County's land development regulations. Fieldstone has a buyer for Parcel A. Parcel B will consist of the remaining 35.31 acres.

Fieldstone met with the City's DRC on June 26, 2009. Following this meeting, City staff notified Fieldstone of their judgment that the proposed division of land should be classified a major subdivision "because there are no city services in this area." A very small portion of this property lies within the Urban Services Area on the 2006 Ames Urban Fringe Plan (AUFPP), which carries with it a minimum density of 3.75 dwelling units/acre. City staff, therefore, is asking Fieldstone to agree that Parcel B will be non-

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Hon. Mayor & City Council
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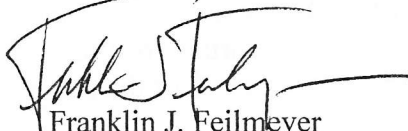
buildable unless reviewed by the city again at a later date, that is, subjected again to the subdivision platting process.

Approximately 60 to 65 percent of Parcel B is densely wooded and heavily sloped to Onion Creek, which meanders across the north part of this property. Almost all of this 40-acre tract is designated as "Natural Area" on the AUFPP map. As you may know, there are no minimum density standards for designated Natural Areas. In addition, Fieldstone is aware that the Onion Creek sewer study and the environmental study of the Onion Creek basin generally discourage higher density development in precisely this location. Fieldstone contends that Parcel B cannot – and probably should not – sustain the 3.75 dwelling units/acre minimum density.

For all of these reasons, Fieldstone Development, L.C., respectfully requests that the City Council not only waive application of the subdivision ordinance and permit Fieldstone to divide by plat of survey, but also waive the imposition of further restrictions on the resulting parcels.

Yours very truly,

PASLEY AND SINGER LAW FIRM, L.L.P



Franklin J. Feilmeyer
Attorney at Law

copy to:
Planning and Housing Department
City Attorney

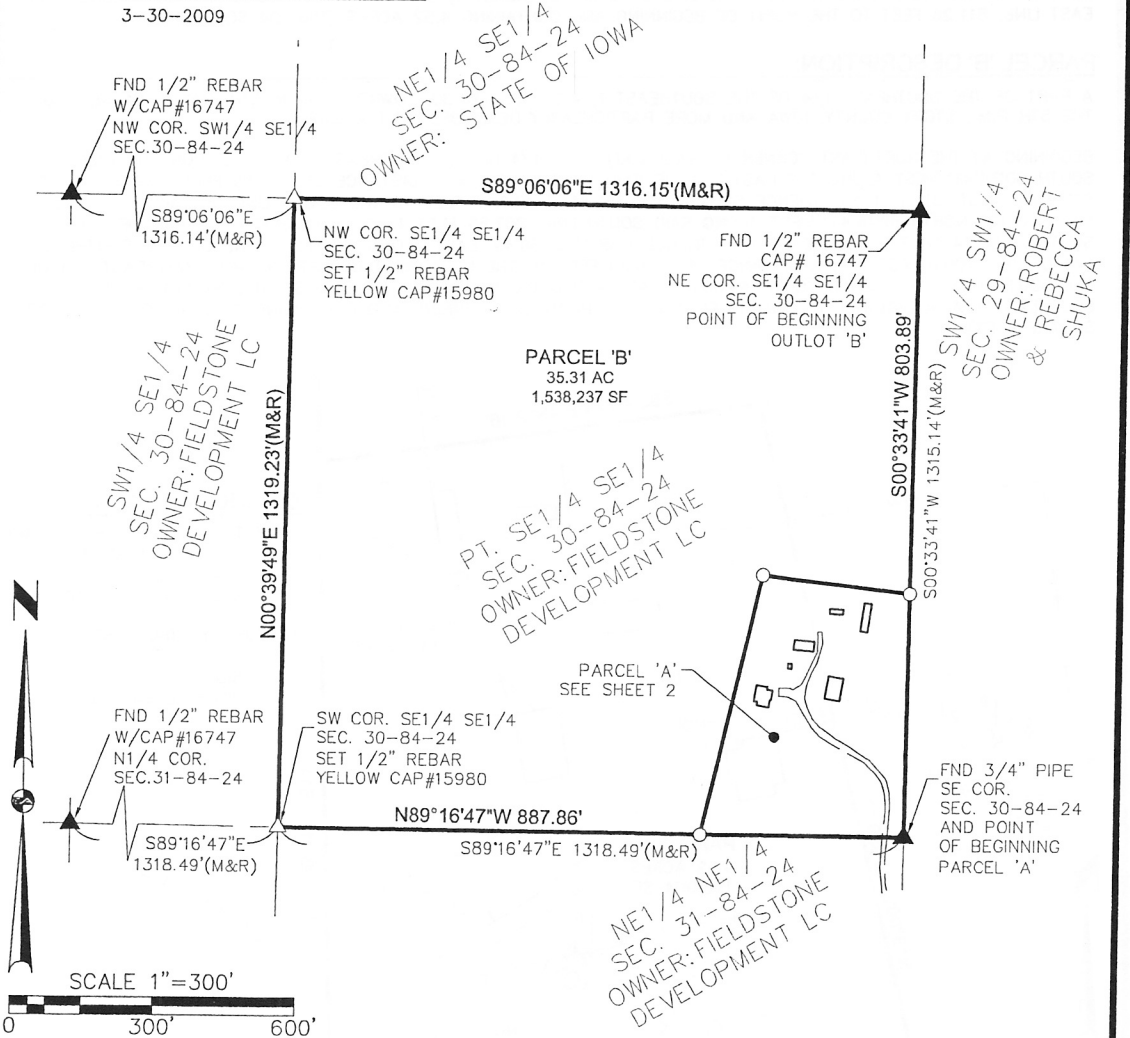
PLAT OF SURVEY

OWNER & REQUESTED BY

FIELDSTONE DEVELOPMENT LC
100 6TH ST
AMES IA 50010

DATE OF SURVEY

3-30-2009



LEGEND:

	FOUND	SET
SECTION CORNER AS NOTED	▲	△
1/2" REBAR, YELLOW CAP#15980 (UNLESS OTHERWISE NOTED)	●	○
PLATTED BEARING & DISTANCE	P	
MEASURED BEARING & DISTANCE	M	
RECORDED BEARING & DISTANCE	R	
DEEDED BEARING & DISTANCE	D	
CENTERLINE	---	
SECTION LINE	---	
EASEMENT LINE	---	
FENCE LINE	--x--	--x--



REVISED 9-24-09

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEYING WORK WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

MICHAEL A. BROONER, P.L.S. DATE

LICENSE NUMBER 15980
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2010
PAGES OR SHEETS COVERED BY THIS SEAL:
SHEETS 1 & 2

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PLAT OF SURVEY

PARCEL 'A' DESCRIPTION:

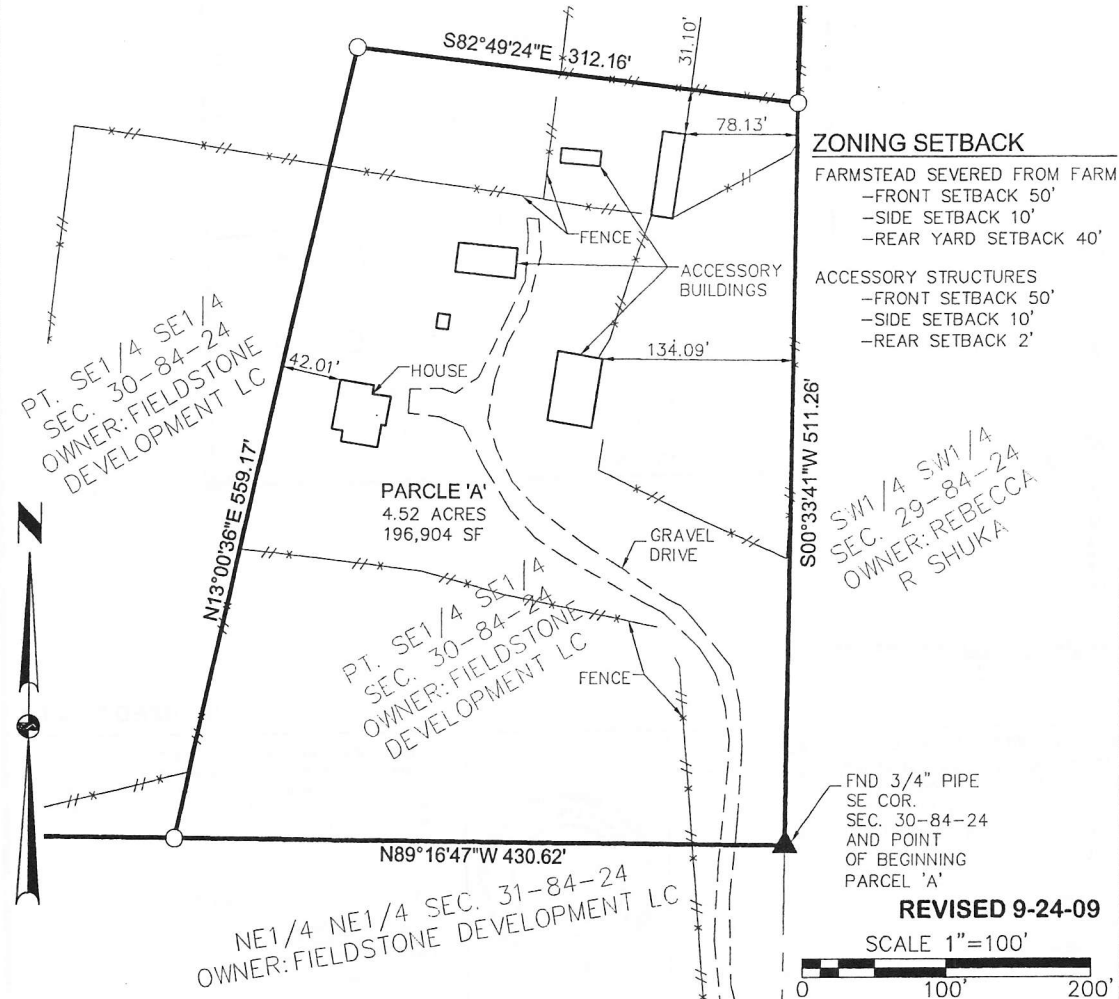
A PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 84 NORTH, RANGE 24 WEST OF THE 5TH P.M., STORY COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 30; THENCE NORTH 89°16'47" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 430.62 FEET; THENCE NORTH 13°00'36" EAST, 559.17 FEET; THENCE SOUTH 82°49'24" EAST, 312.16 FEET TO THE EAST LINE OF SAID SOUTHEAST 1/4; THENCE SOUTH 00°33'41" WEST ALONG SAID EAST LINE, 511.26 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.52 ACRES (196,904 SQUARE FEET).

PARCEL 'B' DESCRIPTION:

A PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 84 NORTH, RANGE 24 WEST OF THE 5TH P.M., STORY COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

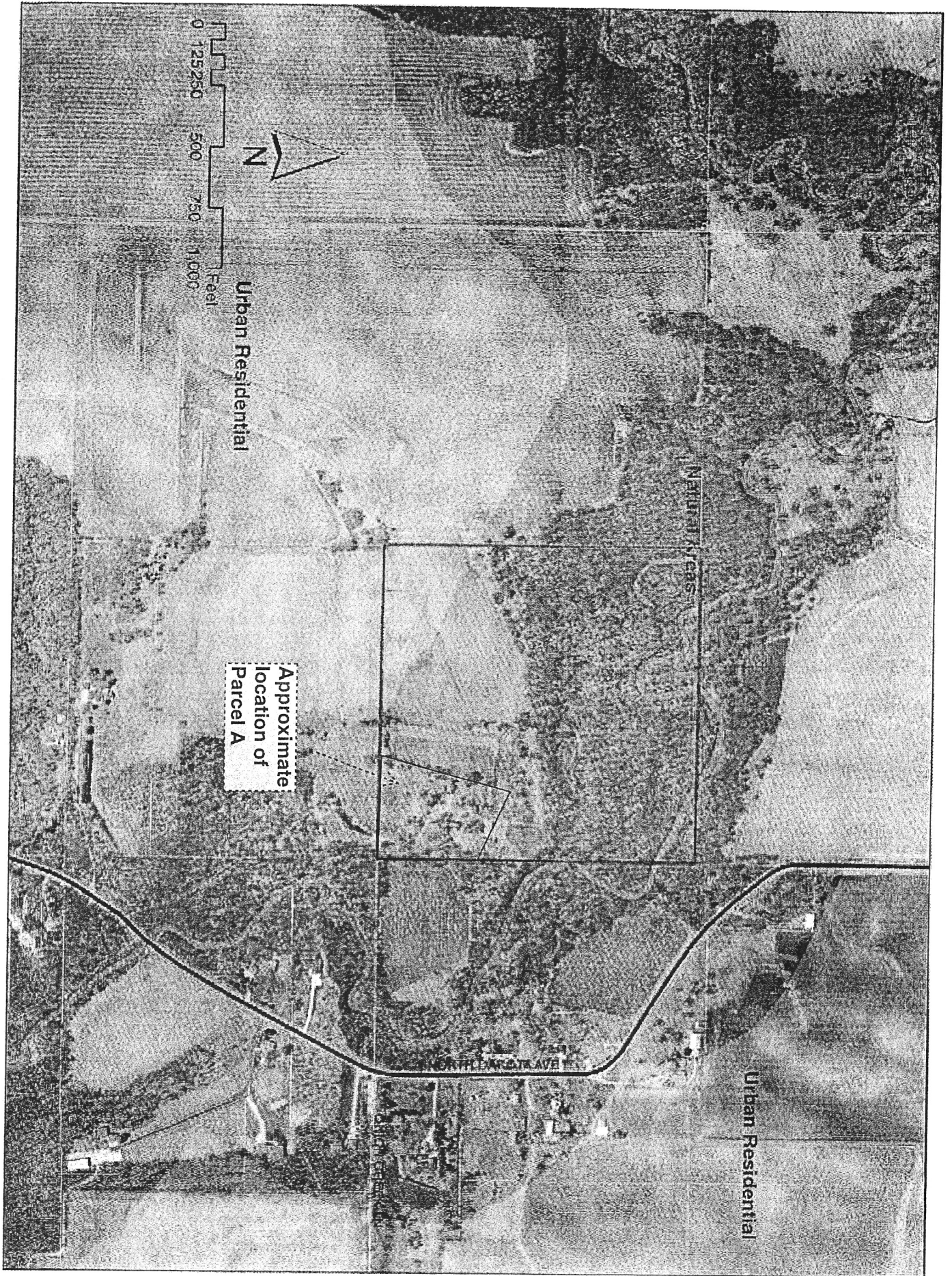
BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30; THENCE SOUTH 00°33'41" WEST ALONG THE EAST LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 803.89 FEET; THENCE NORTH 82°49'24" WEST, 312.16 FEET; THENCE SOUTH 13°00'36" WEST, 559.17 FEET TO THE SOUTH LINE OF SAID SOUTHEAST 1/4; THENCE NORTH 89°16'47" WEST ALONG SAID SOUTH LINE, 887.86 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4; THENCE NORTH 00°39'49" EAST ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 1319.23 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4; THENCE SOUTH 89°06'06" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 1316.15 FEET TO THE POINT OF BEGINNING AND CONTAINING 35.31 ACRES (1,538,237 SQUARE FEET).



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REVISED 9-24-09

SCALE 1"=100'



0 125 250 500 750 1,000
Feet



Urban Residential

Approximate
location of
Parcel A

Natural Areas

EVA LANE
NORTH PARKWAY

Urban Residential

